

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, May 8, 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, May 8, 2018.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 4, 2018 in the annual meeting notice and on May 4, 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 Council Member John Zoller.

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 Township Attorney David Orron, Township Manager Richard Brand and Municipal Clerk Kelly Lettera.

PRESENTATIONS & PROCLAMATIONS:

National Volunteer Week – April 15- 21, 2018

Mayor Janice S. Mironov proclaimed *National Volunteer Week* and recognized the Student Member volunteers on Township Boards and Commissions for their service and interest. Mayor Mironov thanked and presented Certificates of Appreciation to Student Members: Abhinav Mahesh, Clean Communities Committee; Ali Husaini, Economic Development Committee; Maggie Keller, Economic Development Committee; Anusri Mallampalli, Economic Development Committee; Jasman Singh, Economic Development Committee; Esha Keertikar, Environmental Commission; Harish Rabindran, Environmental Commission; Rishab Solanki, Environmental Commission; Vikram Srinath, Environmental Commission; Simrit Grewal, Health Advisory Board; Radhika Shah, Health Advisory Board; Aayush Gupta, Recreation Commission, and Manas Sood, Recreation Commission. Not in attendance were Student Members: Sreya Kilambi, Clean Communities Committee; Ragini Nagi, Clean Communities Committee; Yona Kornsgold, Economic Development Committee; Ashwini Penta, Economic Development Committee; Ritika Yadav, Environmental Commission; Sree Chinta, Health Advisory Board, and Riya Parelukar, Health Advisory Board.

Bike Month – May 2018

INTERVIEWS FOR BOARDS AND COMMISSIONS: No Interviews.

PUBLIC FORUM: No one spoke.

MINUTES:

March 6, 2018 Closed Session

It was **MOVED** by Zoller, **SECONDED** by Rosenberg to approve the March 6, 2018 Closed Session minutes.

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

There being five (5) ayes, no (0) nays and two (2) abstentions, the March 6, 2018 Closed Session minutes were approved.

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

May 2, 2017
October 10, 2017
November 8, 2017 Closed Session
March 6, 2018
April 10, 2018
April 10, 2018 Closed Session
April 24, 2018

ORDINANCE – PUBLIC HEARING:

Ordinance No. 2018-04 An Ordinance of the Township of East Windsor, New Jersey, Accepting the Deed for 73 Twin Rivers Drive, East Windsor, New Jersey, Block 20, Lot 189.01, from East Windsor Township Rescue Squad, District II, Inc.

**ORDINANCE NO. 2018-04
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER AN ORDINANCE TO AUTHORIZE ACCEPTANCE OF A
DEED FROM EAST WINDSOR TOWNSHIP RESCUE SQUAD DISTRICT II, INC.
FOR 73 TWIN RIVERS DRIVE, BLOCK 20, LOT 189.01**

WHEREAS, by Resolution R2018-51, adopted on March 6, 2018, the Township Council approved the execution of a Global Settlement Agreement (“Agreement”) to settle a lawsuit 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 execute and deliver to the Township a Deed for the property located at 73 Twin Rivers Drive, East Windsor Township, and designated on the East Windsor Township Tax Maps as Block 20, Lot 189.01; and

WHEREAS, on March 23, 2018, a Consent Order of Settlement was filed with the Superior Court of New Jersey, Chancery Division dismissing East Windsor Township Rescue Squad District II, Inc. v. PNC Bank, et als; and

WHEREAS, on March 27, 2018, a Consent Order of Settlement was filed with the Superior Court of New Jersey, Chancery Division dismissing 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; and

WHEREAS, The Township Council has determined that it is in the Townships best interest to accept the Deed in the attached form.

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

I

The Mayor, Municipal Clerk, Township Manager and Township Attorney are hereby authorized and directed to take all necessary action to accept and record the attached Deed from East Windsor Township Rescue Squad District II, Inc. for the property located at 73 Twin Rivers Drive, in East Windsor Township, and designated on the East Windsor Township Tax Maps as Block 20, Lot 189.01.

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 2018-04 was introduced at the April 24, 2018 meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2018-04. With no comment from the public being made, Mayor Mironov declared the public hearing closed.

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to adopt Ordinance 2018-04 and authorize publication as required by law.

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

There being seven (7) ayes and no (0) nays, Ordinance 2018-04 was adopted and authorized publication as required by law.

Ordinance No. 2018-05 An Ordinance of the Township of East Windsor, New Jersey, Authorizing the Lease of 73 Twin Rivers Drive, East Windsor, New Jersey, Block 20, Lot 189.01, to East Windsor Township Rescue Squad, District II, Inc. for Emergency Medical Services Purposes

**ORDINANCE NO. 2018-05
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE AUTHORIZING THE LEASE OF 73 TWIN RIVERS DRIVE,
EAST WINDSOR, NEW JERSEY, BLOCK 20, LOT 189.01, TO
EAST WINDSOR TOWNSHIP RESCUE SQUAD, DISTRICT II, INC.
FOR EMERGENCY MEDICAL SERVICES PURPOSES**

WHEREAS, the Township has acquired ownership of 73 Twin Rivers Drive, in East Windsor Township (Block 20, Lot 189.01), which property has historically been utilized for the delivery of emergency medical services within and on behalf of East Windsor Township; and

WHEREAS, by Resolution R2018-52, adopted on March 6, 2018, East Windsor Township Rescue Squad, District II, Inc. (“Rescue II”) was 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; and

WHEREAS, in accordance with N.J.S.A. 40A:12-14(c), Rescue II is a nonprofit corporation and the provision emergency medical services within and on behalf of East Windsor Township is a public purpose; and

WHEREAS, the Township has determined that it is the best interest of East Windsor Township that the property located at 73 Twin Rivers Drive, in East Windsor Township, be leased to Rescue II under the terms of the attached Lease:

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:

Section 1. Authorization to Execute Lease. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Lease between East Windsor Township and East Windsor Township Rescue Squad, District II, Inc. for the property located at 73 Twin Rivers Drive, in East Windsor Township (Block 20, Lot 189.01).

Section 2. 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.

Section 3. Effective Date. This Ordinance shall take effect 20 days after final passage and publication according to law.

Mayor Mironov stated Ordinance 2018-05 was introduced at the April 24, 2018 meeting and the Public Hearing was set for tonight. Mayor Mironov declared the public hearing open on Ordinance 2018-05. With no comment from the public being made, Mayor Mironov declared the public hearing closed. Mayor Mironov requested a motion to carry Ordinance No. 2018-05 to the May 22, 2018 Council meeting.

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to carry Ordinance 2018-05 to the May 22, 2018 Council meeting.

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

There being seven (7) ayes, no (0) nays, Ordinance 2018-05 was carried to the May 22, 2018 Council meeting.

ORDINANCE – INTRODUCTION:

RESOLUTIONS:

Resolution R2018-082 Authorize Reading of Budget by Title Only on Second Reading/Public Hearing

**RESOLUTION R2018-082
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, N.J.S.A. 40A:4-8 of the “Local Budget Law” provides that the Local Budget may be read by title at the public hearing if at least one week prior to the date of the public hearing, a complete copy of the approved budget is made available for public inspection and to each person requesting the same, during the week prior to and during the public hearing;

WHEREAS, the Township Clerk has certified compliance with N.J.S.A. 40A:4-8 as attached hereto and made a part hereof.

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 the 2018 Local Municipal Budget and Garbage District 1 Budget shall be read by title only.

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 May 8, 2018.

It was **MOVED** by Lippman, **SECONDED** by Daniels to approve Resolution R2018-082.

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

There being seven (7) ayes and no (0) nays, Resolution R2018-082 was approved.

Resolution R2018-055 Adoption of the 2018 Municipal Budget

Mayor Mironov stated the Municipal Budget was introduced at the April 10 Council meeting and the Public Hearing was set for May 8. Mayor Mironov declared the Public Hearing open on the 2018 Municipal Budget Resolution R2018-055. With no comment from the public, Mayor Mironov declared the Public Hearing closed. Mayor Mironov indicated that Laurie Finger, the Chief Financial Officer for East Windsor Township and Francis Jones of Nisivoccia LLP, the municipal auditor, were present this evening. She asked them to indicate if the Division of Local Government Services had reviewed the budget document and had authorized them to adopt the budget tonight. Ms. Finger stated that they did give the Township permission to adopt the budget tonight.

Mayor Mironov stated the 2018 Municipal Budget, for the sixth consecutive year, has a no tax increase. She stated that the Township staff and Council members work very hard preparing the budget as well as throughout the year in monitoring revenue and expenditures in order to bring this positive result to the taxpayers. The municipal tax rate will remain at \$.43 per \$100 assessed valuation. Mayor Mironov continued, stating that in developing and adopting the budget, they remain sensitive to the taxpayers first and foremost, and if the Township were to utilize all of the tax levy cap available, they could raise the municipal tax rate by \$.07, but they are not doing that. She stated that this is the result of decisions they make because of their concern to provide high quality services while at the same time keeping the tax rate as low as possible and keeping expenditures as tight as possible to provide a budget that best serves the residents. Mayor Mironov stated that there were several reasons they had been so successful in creating the budget this year, including generating new revenue in a number of categories such as interest investments, the Municipal Court, and the Construction Department. There has also been a significant increase in the ratable base which has gone up \$54 million dollars over 2017 due to new businesses in the area and existing businesses expanding. They also look for other ways to economize, such as shared services with other municipalities like the dispatch shared services agreement with Hightstown Borough, and the recently installed solar panels at the Police/Court building, and the participation in several cooperative purchasing opportunities. The budget represents a great deal of work throughout the year and is a responsible, conservative budget that will serve taxpayers well.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2018-055.

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

There being seven (7) ayes and no (0) nays, Resolution R2018-055 was approved.

Resolution R2018-056 Adoption of the 2018 Garbage District No. 1 Budget

Mayor Mironov stated the Municipal Budget was introduced at the April 10 Council meeting and the Public Hearing was set for May 8. Mayor Mironov declared the Public Hearing open on the 2018 Municipal Budget Resolution R2018-056. With no comment from the public, Mayor Mironov declared the Public Hearing closed.

It was MOVED by Zoller, SECONDED by Rosenberg to approve Resolution R2018-056.

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

There being seven (7) ayes and no (0) nays, Resolution R2018-056 was approved.

Resolution R2018-083 Chapter 159 – Amending the 2018 Municipal Operating Budget
Providing an Item of Revenue and Appropriation for UDrive,
UText, UPay Distracted Driving Crackdown Program

RESOLUTION R2018-083
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

WHEREAS, the Township Director of Finance has advised that the funds have been received by the Township as set forth below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the following:

1. The insertion of an item of revenue in the budget of the year 2018 in the sum of \$6,600.00, which item is now available as revenue from the 2018 UDrive. UText. UPay. Distracted Driving Crackdown grant.
2. A like sum of \$6,600.00 is hereby appropriated under the caption of 2018 UDrive, UText, UPay. Distracted Driving Crackdown.

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 May 8, 2018.

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to approve Resolution R2018-083.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2018-083 was approved.

Resolution R2018-084 Approval of Agreement with Riviera Homeowners Association for Reimbursement for Private Community Services for 2017

Resolution R2018-085 Approval of Agreement with Northgate Tenants Association for Reimbursement for Private Community Services for 2017

Resolution R2018-086 Approval of Agreement with Windsor Meadows Homeowners Association for Reimbursement for Private Community Services for 2017

Mayor Mironov held Resolution R2018-084, R2018-085 and R2018-086 awaiting further information from the Department of Public Works on these resolutions.

Resolution R2018-087 Approval of Award of Bid for the Resurfacing and Associated Improvements for Maple Stream Road between Brooktree Road and Oak Creek Road and Heathwood Drive between Maple Stream Road and Dutch Neck Road to S. Brothers, Inc.

**RESOLUTION R2018-087
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for resurfacing and associated improvements to Maple Stream Road between Brooktree Road and Oak Creek Road and Heathwood Drive between Maple Stream Road and Dutch Neck Road; and

WHEREAS, a Notice to Bidders was issued and posted/advertised on April 3, 2018, and seven (7) bids for the resurfacing and associated improvements to Maple Stream Road between Brooktree Road and Oak Creek Road and Heathwood Drive between Maple Stream Road and Dutch Neck Road were received by the East Windsor Township Municipal Clerk's Office on April 25, 2018; and

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

WHEREAS, the lowest responsible bid was submitted by S. Brothers, Inc; and

WHEREAS, the maximum amount of the purchase is \$315,685.50 and sufficient funds are available in the Capital Account No. C-04-55-980-920-890 entitled Ordinance 2017-02 “Annual Road Program” in the amount of \$258,333.78 and in Capital Account No. C-04-55-980-921-890 entitled Ordinance 2017-15 “Annual Road Program” in the amount of \$57,351.72 for a total not to exceed \$315,685.50, as evidenced by the Chief Finance Officer’s Certification No. C2018-006.

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 the Roadway Resurfacing and Associated Improvements to Maple Stream Road between Brooktree Road and Oak Creek Road and Heathwood Drive between Maple Stream Road and Dutch Neck Road is awarded to S. Brothers, Inc. PO Box 317, South River, NJ 08882, in an amount not to exceed \$315,685.50.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract.
3. 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.
4. The Municipal Clerk is hereby authorized and directed to return the certified check and bid bond of the following unsuccessful bidders: Earle Companies, PO Drawer 556, Farmingdale, NJ 07727; Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876; Discover Construction, LLC, 2207 Route 130 South, Dayton, NJ 08810; Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857; Z. Brothers Concrete Contractors, Inc., 304 Jernee Mill Road, Sayerville, NJ 08872; Hale Built, 356 Route 31, Flemington, NJ 08822.

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 May 8, 2018.

Mayor Mironov stated that a recommendation from the Director of Public Works had been provided on this. Mayor Mironov asked that the date the bids were received in paragraph two be corrected to April 24, 2018 as reflected on the bid sheet.

It was **MOVED** by Yeager, **SECONDED** by Rosenberg to approve Resolution R2018-087 with the bid date correction.

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

There being seven (7) ayes and no (0) nays, Resolution R2018-087 was approved with the bid date correction.

Mayor Mironov asked that the Department of Public Works keep Mayor and Council updated on the schedule and progress of this project, as well as the Probasco Road project.

Resolution R2018-088 Approval of East Windsor Township Anti-Idling Policy

RESOLUTION R2018-088
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, emissions from gasoline and diesel-powered vehicles contribute significantly to air pollution, including greenhouse gases, ozone formation, fine particulates; and

WHEREAS, numerous scientific studies have found links between exposure to fine particles and health effects including premature death, and increased incidents of asthma, allergies, and other breathing disorders; and

WHEREAS, the United States Environmental Protection Agency has classified diesel exhaust as likely to be carcinogenic to humans; and

WHEREAS, vehicle idling occurs in locations (e.g. school grounds, parking lots, distribution centers, strip malls, construction sites, business centers, etc.) where New Jerseyans can be exposed to concentrated sources of air pollutant emissions; and

WHEREAS, asthma is a significant health concern in New Jersey, especially among children and the elderly; and

WHEREAS, the reduction of fine-particle emissions from diesel engines could also prevent large numbers of new asthma cases annually and could save significant costs for health care and related expenditures in the State; and

WHEREAS, for every gallon of gasoline used, the average car produces about 20 pounds of carbon dioxide (CO₂), the largest contributor to greenhouse climate change, with one-third of greenhouse gas emissions coming from the transportation sector; and

WHEREAS, petroleum-based gasoline and diesel fuel are nonrenewable fuels and should be used wisely and not wasted; and

WHEREAS, idling is not generally beneficial to a vehicles engine because it wears engine parts; and

WHEREAS, idling more than 10 seconds uses more fuel and emits more pollutants than turning an engine off and on again; and

WHEREAS, current state law prohibits the idling of vehicles for more than three minutes and studies have shown that an anti-idling policy will save fuel, prolong engine life, and improve air quality.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, supports the adoption of an effective anti-idling policy by government agencies, schools, businesses, and other organizations by:

1. Enforcing violations and penalties under New Jersey's existing no-idling law pursuant to N.J.S.A. C. 39:3-70.2 and N.J.S.A. C. 26:2C-1;
2. Encouraging any gasoline or diesel-powered motor vehicle to turn off their engines immediately at schools and off-site school related events to minimize exposure of children to vehicle emissions;
3. Maintaining municipal vehicles to eliminate any visible exhaust and complying with the annual inspection requirement for those vehicles;
4. Promoting the widespread use of emission controls in construction contracts (for example, see the "diesel Emission Controls in Construction

Projects; Model Contract Specification” developed by the Northeast Diesel Collaborative); and

5. Supporting broad education of the public about the health, environmental and economic impacts of idling and ways to reduce idling.

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 May 8, 2018.

Mayor Mironov stated that this Resolution was sponsored by Deputy Mayor Zoller. Mr. Zoller stated that this Resolution would assist the Township with their participation in the Sustainable NJ program.

It was MOVED by Zoller, SECONDED by Yeager to approve Resolution R2018-088.

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

There being seven (7) ayes and no (0) nays, Resolution R2018-088 was approved.

Mr. Shapiro asked if the East Windsor Regional School District should get a copy of this Resolution. Mayor Mironov agreed with Mr. Shapiro and asked that a copy of the Resolution be provided to the school district.

Resolution R2018-089 Approval of Award of Contract for Third Party Administrator Services with MagnaCare

RESOLUTION R2018-089
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for Third Party Administrative (TPA) Services for the administration and processing of health insurance benefits in the Township of East Windsor; and

WHEREAS, on April 3, 2018, the Township solicited proposals, and on April 25, 2018 the Township received one (1) proposal for Third Party Administrative (TPA) Services; and

WHEREAS, the Township Council has reviewed the Township Manager’s recommendations; and

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

WHEREAS, the maximum amount of the contract is \$24,522.00 and funds are available in the Current Fund Account No. 8-01-23-220-109-249, entitled, “Group Insurance – Licensed Professional,” as evidenced by the Chief Financial Officer’s Certification No. B2018-022.

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 Agreement with MagnaCare, 1600 Stewart Avenue, 7th Floor, Westbury, NY 11590 for a term of June 1, 2018 to May 31, 2019, in an amount not to exceed \$24,522.00.
2. This Contract is awarded without competitive bidding as a “Extraordinary Unspecifiable Services” in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law because the contract is for services which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor and which is not susceptible to competitive bidding, 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 May 8, 2018.

Mayor Mironov stated that Council had received a recommendation on this from the Manager’s Office. She asked that typographical error in the first sentence of the first paragraph be corrected.

It was **MOVED** by Rosenberg, **SECONDED** by Shapiro to approve Resolution R2018-089 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 R2018-089 was approved with the changes.

Resolution R2018-090 Authorize Purchase of New Police Vehicle Equipment and Vehicle Conversions from East Coast Emergency Lighting Inc. for the Police Department

**RESOLUTION R2018-090
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase equipment and perform equipment conversions of five (5) marked police vehicles and one (1) unmarked police vehicle for the Police Department; and

WHEREAS, three (3) quotes were obtained for this service; and

WHEREAS, the lowest cost proposal was submitted by East Coast Emergency Lighting, Inc.; 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 Chief of Police's recommendation on this purchase; and

WHEREAS, the maximum amount of the purchase is \$10,275.00 and funds are available in Municipal Budget Police Uniform Services Account No. 7-01-25-240-301-263 entitled "Motor Vehicles" as evidenced by the Chief Financial Officer's Certification No. B2018-023.

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: East Coast Emergency Lighting, Inc, 200 Meco Drive, Millstone Township, NJ 08535 for the equipment conversion of five (5) marked police vehicles

in the amount of \$9,375.00 and one (1) unmarked police vehicle in the amount of \$900.00, for a total amount not to exceed \$10,275.00, in accordance with 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 May 8, 2018.

Mayor Mironov requested a small typographical change in the first paragraph.

It was MOVED by Zoller, SECONDED by Daniels to approve Resolution R2018-090 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 R2018-090 was approved with the changes.

Resolution R2018-091 Approving Amendment/Modification to Agreement with New Jersey Department of Environmental Protection for No Net Loss Grant- Turnpike Phase III

**RESOLUTION R2018-091
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township has entered into an Agreement with the New Jersey Department of Environmental Protection, Division of Parks and Forestry to fund a tree replacement program known as Project #PF13-110: No Net Loss Grant Turnpike-Phase III; and

WHEREAS, the original deadline to complete the No Net Loss Grant Turnpike-Phase III installation was October 31, 2017; and

WHEREAS, on September 27, 2017, the Township requested a six (6) month extension through April 30, 2018 to allow additional time for the deciduous trees in the approved planting plan to be delivered and planted and to complete the No Net Loss Grant Turnpike-Phase III project; and

WHEREAS, on October 10, 2017, Mayor and Council approved the Resolution R2017-178 amending the agreement for a six month extension through April 30, 2018; and

WHEREAS, due to inclement weather, on April 20, 2018, the Township requested an additional thirty (30) day extension through May 30, 2018 in order to complete the No Net Loss Grant Turnpike-Phase III project.

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

1. The Mayor is hereby authorized and directed to execute the attached Amendment to the Agreement with New Jersey Department of Environmental Protection under the Division of Parks and Forestry known as Project #PF13-110, for an extension through May 30, 2018.

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 May 8, 2018.

It was **MOVED** by Lippman, **SECONDED** by Zoller to approve Resolution R2018-091 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 R2018-091 was approved with the changes.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF:

Deputy Mayor Zoller stated the Environmental Commission held the Arbor Day seedling give away on Saturday May 5 at the Pal fields and was a great success.

Mayor Mironov stated on May 3, the Economic Development Committee met and discussed the Mayor's State of the Township address event which will be held by MidJersey Chamber on Thursday May 24. Also, on October 16 the Princeton Regional Commerce is holding an event and they also discussed the Gateway signs and the Route 130/33 property.

CORRESPONDENCE:

APPOINTMENTS:

None

APPROVAL OF BILLS:

Mayor Mironov stated a 2018 Current Bill list, 2017 Current Bill list, Capital Bill List and other miscellaneous bill lists and trust fund accounts were provided.

Mayor Mironov requested the entire Capital Bill list be held due to the municipal building and police building work and lack of information that was requested. She further requested clarification on the Trap Rock bills and what project and timeframe the charge applies too.

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to approve the Bill Lists with the hold 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 hold requested.

MATTERS BY COUNCIL:

Mayor Mironov stated the Sylvia Weiss award will be presented on Monday, May 21 at 2pm at the Senior Center. She also reported a letter was received from the Watershed Association, advising the Township that 590 pounds of trash was collected by 78 volunteers at the stream clean-up event. Mayor Mironov reported Operation Medicine Cabinet was held on April 28 and 77.4 pounds of unwanted expired medications were collected and 363.5 pounds medications and prescriptions were disposed of. She stated a letter was received from the After Prom Committee from East Windsor Regional School District High School thanking the Township for the After Prom event. Mayor Mironov reported that a report was received from the Tax Collector on uncollected taxes for 2018. She stated a quarterly revenue report, dated March 31, was received from the Finance Director. Mayor Mironov stated that a letter, dated April 24, 2018, from the Borough of Hightstown was received. She further stated a letter, dated April 18, 2018, was received regarding a development on Main Street on Town Center Road.

Mayor Mironov requested that Mayor and Council continue to be updated on the Probasco Road project since it is of great interest to the town. Mayor Mironov stated at the April 24 Council Meeting, the Route 130 Hankins/Conover Road project was discussed and several things were requested to be done in order to move forward with the project. She stated that the notice, the bid specification and plans and a bidders list needs to be provided. She also questioned who will be in charge of providing the documents and staying on top of the requests for the project.

Mayor Mironov requested that the MUA utility line update be provided to ensure that it is not going to effect the road.

Mayor Mironov stated the Governor signed bill 1833 on May 4, 2018 and due to the bill lacking legislative information it will be further reviewed to ensure that towns will be held harmless and provide a complete simple template with details on how the charitable trusts are going to work within the towns.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Police/Court Building Roof and Professional Report Updates and Status
2. Municipal Building HVAC Status and Professional Report Updates and Status

Mayor Mironov stated no information on the status of either project has been provide and she is looking for that information.

Deputy Mayor John Zoller stated that the parking and handicap spots around the Municipal Building need to be repainted.

MATTERS BY PUBLIC: None

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 8:43 p.m.

Next Meeting: Tuesday, May 22, 2018 @ 7:30 p.m

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor

