

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, February 9, 2021

5:30 p.m.

DRAFT MINUTES

CALL TO ORDER:

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 5:30 p.m. on Tuesday, February 9, 2021.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 11, 2021 in the annual meeting notice. On February 5, 2021, 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 virtually.

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 James Brady and Municipal Clerk Kelly Lettera.

PRESENTATIONS & PROCLAMATIONS:

INTERVIEWS FOR BOARDS AND COMMISSIONS:

Stephen Lach was interviewed and is interested in volunteering for the Economic Development Committee or the Planning Board.

Jay Patel was interviewed and is interested in volunteering for the Health Advisory Board or Municipal Alliance for the Prevention of Substance Abuse.

Karen Goldman was interviewed and is interested in volunteering for the Commission on Aging.

Ethan Martin student was interviewed and is interested in volunteering for the Economic development Committee or Local Assistance Board.

PUBLIC FORUM:

MINUTES:

December 17, 2019

March 10, 2020

March 24, 2020

June 2, 2020

June 16, 2020
August 4, 2020
August 18, 2020
September 1, 2020
September 22, 2020
October 6, 2020
November 9, 2020 Special Meeting
November 10, 2020
November 24, 2020
December 8, 2020
December 22, 2020
January 5, 2021 (Reorg)
January 12, 2021
January 26, 2021

All minutes were rescheduled to the next regularly scheduled meeting.

ORDINANCE – PUBLIC HEARING:

Ordinance 2020-11 An Ordinance Accepting Donation of Real Property
Located off of Old York Road and Designated as Block 42,
Lot 13 on the East Windsor Township Tax Map

Ordinance 2020-11 was held till the next regularly scheduled meeting.

ORDINANCE – INTRODUCTION:

RESOLUTIONS:

Resolution R2021-014 Approval of Professional Services Agreement for Special
Tax Counsel with Harry Haushalter

RESOLUTION R2021-014
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for Legal Services for Special Tax
Counsel, for the term of January 1, 2021 through December 31, 2021, for the
Township; and

WHEREAS, the Township posted/solicited proposals on October 6,
2020, and received one proposals for Special Tax Counsel by the receipt date of
November 12, 2020; and

WHEREAS, the proposal received from Harry Haushalter is responsive;
and

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

WHEREAS, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, the Township Council has reviewed the recommendation of the Tax Assessor and related information; and

WHEREAS, the maximum amount of the contract is \$20,000.00 and funds are available in the Current Fund Account No. 1-01-20-155-105-249 entitled “Legal Services-Licensed Professional”, as per the 2021 temporary budget and pending adoption of the 2021 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2021-005.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Agreement for Special Tax Counsel with Harry Haushalter, Lexington Square Commons, 2119 Route 33, Suite A, Hamilton Square, New Jersey, 08690, for a term of January 1, 2021 through December 31, 2021.
2. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.
3. The Municipal Clerk shall cause to be printed once, in the Trenton Times, a brief notice stating the nature, duration, service and amount of this contract, and that the resolution and contract are on file and available for public inspection in the office of the Municipal Clerk.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 9, 2021.

It was **MOVED** by Daniels, **SECONDED** by Rosenberg to approve Resolution R2021-014.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-014 was approved.

Resolution R2021-019 Approval of Public Health Shared Service Partnership Agreement with Mercer County for Public Health Preparedness and Response to Bioterrorism, Outbreaks of Infectious Disease, and other Public Health Threats and Emergencies

Resolution R2021-019 was held till the next regularly scheduled meeting pending clarifications.

Resolution R2021-029 Authorizing Discharge of Tax Lien for Property Located off of Old York Road and Designated as Block 42, Lot 13 on East Windsor Township Tax Map

Resolution R2021-029 was held till the next regularly scheduled meeting pending clarifications.

Resolution R2021-030 Approval of Interlocal Services Agreement for Animal Control Services with Robbinsville

**RESOLUTION R2021-030
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there exists a need for the services of Animal Control Services in the Township of Robbinsville, in the County of Mercer, State of New Jersey; and

WHEREAS, the Township of East Windsor can provide these services through a Shared Services Agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the Township Council has reviewed the Township Manager and Chief of Police recommendations on said agreement.

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

1. The attached Shared Services Agreement between East Windsor Township and Robbinsville Township for Animal Control Services for the term January 1, 2021 through December 31, 2022 is hereby approved in accordance with the provisions of N.J.S.A. 40:65-1.
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 February 9, 2021.

It was MOVED by Zoller, SECONDED by Shapiro to approve Resolution R2021-030.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-030 was approved.

Resolution R2021-031 Approval of Interlocal Services Agreement for Animal Control Services with West Windsor Township

RESOLUTION R2021-031
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for the services of Animal Control Services in the Township of West Windsor, in the County of Mercer, State of New Jersey; and

WHEREAS, the Township of East Windsor can provide these services through a Shared Services Agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the Township Council has reviewed the Township Manager and Chief of Police recommendations on said agreement.

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

1. The attached Shared Services Agreement between East Windsor Township and West Windsor Township for Animal Control Services for the term January 1, 2021 through December 31, 2022 is hereby approved in accordance with the provisions of N.J.S.A. 40:65-1.
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 February 9, 2021.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2021-031.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-031 was approved.

Resolution R2021-032 Approval of Interlocal Services Agreement for Animal Control Services with Plainsboro

RESOLUTION R2021-032
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for the services of Animal Control Services in the Township of Plainsboro, in the County of Middlesex, State of New Jersey; and

WHEREAS, the Township of East Windsor can provide these services through a Shared Services Agreement; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the Township Council has reviewed the Township Manager and Chief of Police recommendations on said agreement.

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

1. The attached Shared Services Agreement between East Windsor Township and Plainsboro Township for Animal Control Services for the term January 1, 2021 through December 31, 2022 is hereby approved in accordance with the provisions of N.J.S.A. 40:65-1.
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 February 9, 2021.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2021-032.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-032 was approved.

Resolution R2021-033 Authorizing Renewal of Agreement between East Windsor Township and Everbridge Inc. for Nixle Emergency Communications System Services

**RESOLUTION R2021-033
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on November 20, 2018, by Resolution R2018-186, the East Windsor Township Council approved a three (3) year contract with Everbridge Inc., for an initial one (1) year term and option for two (2) one-year renewal terms with the contract beginning December 28, 2019 for the NIXLE Emergency Communications System, for a contract price not to exceed \$15,000 over three years; and

WHEREAS, on January 14, 2020, by Resolution R2020-016, the Township Council approved the option for year two renewal term, December 28, 2019 through December 28, 2020, in an amount not to exceed \$5,000.00; and

WHEREAS, the Township Council has reviewed the recommendation of the Chief of Police for year three renewal; and

WHEREAS, the maximum amount of the contract for year three is \$5,000.00 and the Chief Financial Officer has determined that sufficient funds are available in the Current Account No. -01-25-250-308-254 entitled "Communication Contracts", as per the temporary budget and pending the adoption of the 2021 Municipal Budget, as evidenced by the Chief Financial Officer's Certification No. B2021-009.

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

1. The contract for the Nixle Emergency Communications System with Everbridge, Inc., 155 N. Lake Avenue, Suite 900, Pasadena, CA 91101, is hereby renewed for one additional year, December 28, 2020 through December 28, 2021, in an amount not to exceed \$5,000.00.

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 February 9, 2021.

It was MOVED by Yeager, SECONDED by Rosenberg to approve Resolution R2021-033.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-033 was approved.

Resolution R2021-034 Approval of Purchase of Rescue Tools from ESI
Equipment for East Windsor Volunteer Fire Company #1

**RESOLUTION R2021-034
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need to purchase battery powered rescue tools and accessories for the East Windsor Volunteer Fire Company No. 1; and

WHEREAS, quotes were solicited from three vendors to provide this equipment; 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, public bids are not required when the purchase is under a State Contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the lowest responsive quote was submitted by ESI Equipment, Inc. through State Contract No. 17-FLEET-00820 which is valid through September 12, 2021; and

WHEREAS, the Township Council has reviewed the Township Manager's and the East Windsor Volunteer Company No. 1 Fire Chief's recommendations on this purchase; and

WHEREAS, the maximum amount of the purchase is \$10,652.58 and funds are available in Account No. C-04-55-980-924-601 entitled Ordinance 2020-07, entitled "FC#1 Power Extrication Tool Acq." as evidenced by the Chief Financial Officer's Certification No.C2021-005.

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

1. The Township Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition under State Contract No. 17-FLEEET-00820, to ESI Equipment, Inc, 119 Keystone Drive, Montgomeryville, Pa., 18936, for the purchase of one battery powered rescue tool with spare battery and charger, in an amount not to exceed \$10,652.58, as set forth in 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 February 9, 2021.

It was **MOVED** by Lippman, **SECONDED** by Rosenberg to approve Resolution R2021-034.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-034 was approved.

Resolution R2021-035 Authorizing 2020 Tree City USA Application for Recertification

**RESOLUTION R2021-035
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the National Arbor Day Foundation, in cooperation with the National Association of State Foresters, the USDA Forest Service, the U.S. Conference of Mayors and the National League of Cities is accepting applications for 2020 TREE CITY USA; and

WHEREAS, East Windsor Township desires to be recertified as a TREE CITY USA for 2020; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, that the Mayor is authorized to sign the attached 2020 TREE CITY USA Application for recertification.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 9, 2021.

It was MOVED by Zoller, SECONDED by Lippman to approve Resolution R2021-035.

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

Nays – None

There being seven (7) ayes and no (0) nays, Resolution R2021-035 was approved.

Resolution R2021-037 Authorizing Approval of Shared Service Agreement with
Freehold Township for Health Officer Services

RESOLUTION R2021-037
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there exists a need for the Interim Health Officer Services in the Township of East Windsor for 2021; and

WHEREAS, the Township of Freehold can provide the services of its Health Officer to the Township of East Windsor through a Shared Services Agreement for Interim Health Officer Services, pursuant to N.J.S.A. 26:3A2-1, et seq. and N.J.S.A 40:8A-1 et seq; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. authorizes any municipality to enter into a contract with any other municipality for the joint provision of any service which either party is empowered to render within its own jurisdiction; and

WHEREAS, the maximum amount of the contract is \$20,154.00 for a term of February 15, 2021 through August 15, 2021, with the right to extend for six month successive terms, and funds will be available in the Current Fund Account No. 1-01-27-330-601-249 entitled “Licensed Professional”, as per the 2021 temporary budget and pending the adoption of the 2021 Municipal Budget, as evidenced by the Chief Financial Officer’s Certification No. B2021-010.

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

1. The attached Shared Services Agreement entitled “Shared Services Agreement” with “Freehold Township & East Windsor Township” for “Interim Health Officer Services” is hereby approved in accordance with the provisions of N.J.S.A. 26:3A2-1, et seq., N.J.S.A 40:8A-1 et seq and N.J.S.A. 40A:65-1, et seq. for a term of February 15, 2021 through August 15, 2021 with the option to extend for six month successive terms.

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 February 9, 2021.

It was MOVED by Lippman, SECONDED by Rosenberg to approve Resolution R2021-037.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-037 was approved.

APPLICATIONS:

New Jersey Fireman's Association Application for Kevin D. Arbito.

It was MOVED by Zoller, SECONDED by Daniels to approve Kevin D. Arbito's Fireman's Application.

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

There being seven (7) ayes and no (0) nays, Kevin D. Arbito's Fireman's Application was approved.

REPORTS BY COUNCIL AND STAFF:

CORRESPONDENCE:

APPOINTMENTS:

APPROVAL OF BILLS:

Mayor Mironov stated a 2021 Current Bill list, 2020 Current Bill list, a Capital Bill List and other miscellaneous bill lists and trust accounts were provided with the holds and clarifications.

It was MOVED by Zoller, SECONDED by Yeager to approve the Bill Lists.

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 holds and clarifications.

MATTERS BY COUNCIL:

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. 2020 Kelly Bill Reimbursements
2. Township Gun Lock Safety Program
3. Smoking in Township Recreation and Park Facilities
4. Open Space Properties on Woods Road
5. Abandoned Foreclosed Property Program Administration
6. Redevelopment of 200 Etra Road (Block 22.02, Lots 2.02, 8.01, 11.01)

Resolution R2021-036 Approving Investigation of 200 Etra Road (Block 22.02, Lots 2.02, 8.01, 11.01) for Designation as Area in Need of Redevelopment

**RESOLUTION R2021-036
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

**RESOLUTION AUTHORIZING THE EAST WINDSOR TOWNSHIP
PLANNING BOARD TO CONDUCT A PRELIMINARY
INVESTIGATION
TO ESTABLISH A NON-CONDEMNATION REDEVELOPMENT AREA
WITHIN
THE TOWNSHIP OF EAST WINDSOR**

WHEREAS, N.J.S.A. 40A:12A-6, authorizes the governing body of any municipality, by Resolution, to have its Planning Board conduct a preliminary investigation to determine whether any area of the municipality is a redevelopment area; and

WHEREAS, N.J.S.A. 40A:12A-4(b)(2) authorizes the planning board of any municipality to prepare a redevelopment plan for a proposed redevelopment area; and

WHEREAS, the Mayor and Council of the Township of East Windsor consider it to be in the best interest of the Township to have the Township Planning Board conduct such an investigation regarding those parcel of land known as 200 Etra Road and designated on the official Tax Map of the Township as Block 22.02, Lots 2.02, 8.01, 11.01 (the "Property"); and

WHEREAS, a non-condemnation redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area but for the use of eminent domain (hereinafter referred to as a “Non-Condensation Redevelopment Area”); and

WHEREAS, the present buildings and improvements at the Property, by reason of obsolescence and/or general deterioration and/or design and obsolete layout, may be detrimental to the safety and welfare of the community, thereby requiring redevelopment to better serve the 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 East Windsor Township Planning Board is hereby directed to conduct a preliminary investigation to determine whether the Property is a Non-Condensation Redevelopment Area according to the criterion in N.J.S.A. 40A:12A-1 et seq.;
2. The East Windsor Township Planning Board is hereby directed to prepare a report of its findings and once completed, is hereby directed to transmit the report to the Mayor and Township Council for their review and approval in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1.

I certify the foregoing to be a true copy of a Resolution adopted by the East Windsor Township Council at a meeting held on February 9, 2021.

It was **MOVED** by Rosenberg, **SECONDED** by Lippman to approve Resolution R2021-036.

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

There being seven (7) ayes and no (0) nays, Resolution R2021-036 was approved.

7. 2021 Municipal Budget Review Schedule

MATTERS BY PUBLIC: No one from the public spoke.

ADJOURNMENT:

Next Meeting: February 23, 2021