

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, June 5, 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, June 5, 2018.

VERIFICATION:

Municipal Clerk Kelly Lettera certified that the meeting was noticed on January 4, 2018 in the annual meeting notice and on June 1, 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 Deputy Chief Zachary Beyer, East Windsor Rescue Squad, District I.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

Emergency Medical Services Week -- May 20 to 26, 2018

Recognizing East Windsor Rescue Squad, District 1 Emergency Medical Technician of the Year

Mayor Mironov stated the Township recognizes the important contributions the EMS/Fire Department provides. Mayor Mironov presented Zachary Beyer with a proclamation for his selection as 2018 EMT of the Year. Mayor Mironov thanked Zachary for his service to the community.

Flag Day (June 14, 2018)

Mayor Mironov stated a proclamation was sent out to local VFW, American Legion and Jewish War Veteran commanders proclaiming June 14, 2018 as Flag Day.

Gun Violence Awareness Day (June, 1, 2018)

Mayor Mironov proclaimed June 1, 2018 as Gun Violence Awareness Day in response to a group interested in bringing awareness for the future.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

PUBLIC FORUM: No one spoke.

MINUTES:

October 10, 2018
April 10, 2018
April 10, 2018 Closed Session
April 24, 2018
May 8, 2018
May 22, 2018

Mayor Mironov stated the minutes need to be updated with the correct minutes listed. All minutes are rescheduled to the next regularly scheduled meeting.

ORDINANCE – PUBLIC HEARING:

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.

It was MOVED by Shapiro, SECONDED by Lippman to carry Ordinance 2018-05 to the June 26, 2018 meeting.

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

There being six (6) ayes and no (0) nays, Ordinance 2018-05 was carried to the June 26, 2018 Council meeting.

ORDINANCE – INTRODUCTION:

Ordinance No. 2018-06 An Ordinance to Authorize Acceptance of Deeds for Donation of Block 47.12, Lot 4 and Block 47.12, Lot 21 from Pulte Homes NJ, Limited Partnership (Airport Road)

**ORDINANCE NO. 2018-06
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE TO AUTHORIZE ACCEPTANCE OF
DEEDS FOR DONATION OF BLOCK 47.12, LOT 4 AND
BLOCK 47.12, LOT 21 FROM PULTE HOMES NJ, LIMITED
PARTNERSHIP (AIRPORT ROAD)**

WHEREAS, Pulte Homes of NJ, Limited Partnership is the owner of lands designated on the East Windsor Township Tax Maps as Block 47.12, Lot 4, consisting of approximately 3.05 acres and including the retention basin for the Windsor Cove residential subdivision, and Block 42.12, Lot 21, consisting of approximately 4.2 acres of open space within the Windsor Cove residential subdivision; and

WHEREAS, under the terms of the Developer's Agreement for Windsor Cove, these lands were to be conveyed to the Township upon completion of the subdivision; and

WHEREAS, The Township Council has determined that it is the best interest of the Township to accept the donation of Block 47.12, Lot 4 and Block 47.12, Lot 21 from Pulte Homes of NJ, Limited Partnership.

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

1. The Municipal Clerk, Township Manager and Township Attorney are hereby authorized and directed to take all necessary action to accept and record a deed from Pulte Homes of NJ, Limited Partnership, in the form attached hereto, for the land designated on the East Windsor Township Tax Maps as Block 47.12, Lot 4.

2. The Municipal Clerk, Township Manager and Township Attorney are hereby authorized and directed to take all necessary action to accept and record a deed from Pulte Homes of NJ, Limited Partnership, in the form attached hereto, for the land designated on the East Windsor Township Tax Maps as Block 47.12, Lot 21.

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 the Ordinance was listed but she does have a few questions about the properties and the process and she would like to carry the Ordinance till June 26, 2018. All of Council agreed with carrying Ordinance 2018-05 to the June 26, 2018 Council meeting.

RESOLUTIONS:

Resolution R2018-101 Chapter 159 – Amending the 2018 Municipal Budget Providing an Item of Revenue and Appropriation for the 2018 Target National Night Out Grant

RESOLUTION R2018-101
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 \$1,000.00, which item is now available as revenue from the 2018 Target NNO Grant.
2. A like sum of \$1,000.00 is hereby appropriated under the caption of 2018 Target NNO Grant.

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 June 5, 2018.

It was MOVED by Yeager, SECONDED by Daniels to approve Resolution R2018-101.

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

There being six (6) ayes and no (0) nays, Resolution R2018-101 was approved.

Resolution R2018-102 Authorizing Purchase of Utility Trailers with D & D Trailers, Inc.
for Public Works Department

RESOLUTION R2018-102
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to purchase two (2) utility trailers for the Department of Public Works; and

WHEREAS, three (3) written quotes were obtained to provide for this equipment; and

WHEREAS, the lowest cost proposal was submitted by D & D Trailers, 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 Director of the Public Works Department's recommendation for this purchase; and

WHEREAS, the maximum amount of the purchase is \$3,880.00 and funds are available in Capital Account No. C-04-55-980-919-652 entitled Ordinance 2016-08, "DPW Pavement Roller Acquisition" in the amount of \$1,940.00 and in Capital Account No. C-04-55-980-919-620 entitled Ordinance 2016-08, "DPW Lawn Mower Acquisition" in the amount of \$1,940.00, as evidenced by the Chief Financial Officer's Certification No. C2018-011.

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 Finance Officer are hereby authorized and directed to approve and forward a purchase requisition to D & D Trailers, Inc., 100 Lexington Avenue, Trenton, NJ 08618, for the purchase of two (2) Sure Trac 2018 black trailers, in the amount of \$1,940.00 each, for the East Windsor Township Public Works Department, for a total amount not to exceed \$3,880.00, all 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 June 5, 2018.

Mayor Mironov stated this is a requested purchase by Department of Public Works.

It was **MOVED** by Rosenberg, **SECONDED** by Shapiro to approve Resolution R2018-102.

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

There being six (6) ayes and no (0) nays, Resolution R2018-102 was approved.

Resolution R2018-103 Authorizing Purchase of Uniforms from Professional Servicewear for the Department of Public Works

RESOLUTION R2018-103
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, there is a need to purchase uniforms for the East Windsor Township Public Works Department; and

WHEREAS, four (4) written quotes were obtained for this purchase; and

WHEREAS, the lowest cost proposal was submitted by Professional Servicewear, 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 Director of Department of Public Work's recommendation on this purchase; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available in Current and Garbage Fund Accounts in the following 2018 line item appropriation accounts:

8-01-26-290-401-204 Roads \$3,870.00; 8-01-26-315-403-204 Mechanics \$1,935.00; 8-01-26-300-405-204 Administration \$350.00; 8-01-26-310-409-204 Police B & G \$1,290.00; 8-01-28-375-412-204 Parks \$2,435.00; and 8-30-26-305-150-204 Sanitation \$6,450.00, for a total not to exceed \$16,330.00, as evidenced by the Chief Financial Officer's Certification No. B2018-027.

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 Professional Servicewear, Inc., 3800 Quakerbridge Road, Hamilton, NJ 08619, for the purchase of uniforms for the East Windsor Public Works Department, in an amount not to exceed \$16,330.00, all 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 June 5, 2018.

Mayor Mironov stated a recommendation was received from the Department of Public Works and the funds were appropriated in the budget. Mayor Mironov further noted that the pricing is less than 2017 prices.

It was **MOVED** by Lippman, **SECONDED** by Shapiro to approve Resolution R2018-103.

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

Nays – None

There being six (6) ayes and no (0) nays, Resolution R2018-103 was approved.

Resolution R2018-104 Action on Request for Release of Performance Guarantee by
Gateway Twin River, 159 Milford Road (Block 20.06, Lot 4)

RESOLUTION R2018-104
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, pursuant to N.J.S.A. 40:55D-53 of the Municipal Land Use Law, Barry Henry, Senior Vice President of Trammell Crow Company, requested by letter dated February 26, 2018, a release of the performance guarantees being held by the Township for Gateway Twin Rivers, LLC located at 159 Milford Road; and

WHEREAS, the Township Engineer has inspected the site work for the property located at 159 Milford Road and filed a written report with the Township Council dated May 11, 2018, which is attached hereto and made a part of this Resolution; and

WHEREAS, the Township Council has reviewed the report and recommendations of the Township Engineer; and

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

1. The Township Council agrees to reduce Performance Bond #800007382 issued by Atlantic Specialty Insurance Company from \$4,636,240.20 to \$1,390,872.06 and cash guarantee in the amount of \$515,137.80 to \$154,541.34.
2. The Municipal Clerk is authorized and directed to forward a certified copy of this Resolution and a copy of the Township Engineer's report to Barry Henry, Trammell Crow Company.

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 June 5, 2018.

It was **MOVED** by Daniels, **SECONDED** by Yeager to approve Resolution R2018-104.

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

There being six (6) ayes and no (0) nays, Resolution R2018-104 was approved.

Resolution R2018-105 Approval of Change Order with Envirocon for the Municipal Building HVAC Project

**RESOLUTION R2018-105
EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, on May 2, 2017, by Resolution R2017-085 the East Windsor Township Council approved and awarded a contract with Envirocon, in the amount of \$297,583.00 for Purchase and Installation of New Heating and Air Conditioning Equipment and Upgrades for the Municipal Building; and

WHEREAS, Change Order No. 1 has been requested to reduce the original contract in the amount of \$4,954.00 to purchase two (2) touchscreen display units to control the set points of the air handling system; and

WHEREAS, the Director of Public Works has submitted a memo requesting and justifying the need for this change order; and

WHEREAS, the maximum amount of the change order is \$4,954.00 and the Chief Finance Officer has determined that the reduction will be applied to Capital Fund Account No. C-04-55-980-920-424 entitled, “Capital Ordinance 2017-02 entitled HVAC Building Improvements,” as evidenced by the Chief Financial Officer’s Certification No. C2018-009.

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. Change Order No. 1 reduces the original contract with Envirocon in the amount of \$4,954.00, for a total contract amount not to exceed \$292,629.00 be approved.
2. The new total contract amount for Envirocon, including the \$4,954.00 reduction to the original contract, is not to exceed \$292,629.00.

2. The Director of Public Works is hereby authorized and directed to execute the necessary documents to effect Change Order No. 1.

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 June 5, 2018.

Mayor Mironov stated the attachment should not be attached and a change order, as previously requested from Public Works, needs to be attached. Mayor is looking to find out the status of when we are receiving the touchscreens.

It was **MOVED** by Shapiro, **SECONDED** by Rosenberg to approve Resolution R2018-105 with the changes.

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

There being six (6) ayes and no (0) nays, Resolution R2018-105 was approved with the changes.

Resolution R2018-106 Authorizing Purchase of Two (2) Touchscreen Display Units with Tozour-Trane for the Municipal Building HVAC Project System

RESOLUTION R2018-106
EAST WINDSOR TOWNSHIP
MERCER COUNTY

WHEREAS, on May 2, 2017, by Resolution R2017-085 the East Windsor Township Council approved and awarded a contract with Envirocon, in the amount of \$297,583.00 for Purchase and Installation of New Heating and Air Conditioning Equipment and Upgrades for the Municipal Building; and

WHEREAS, two (2) new handling units were installed by Envirocon for the Municipal Building although the touchscreen display units to control the temperature was not included; and

WHEREAS, two (2) touchscreen display units are needed to control the set points of the air handling system; and

WHEREAS, Tozour-Trane is the sole manufacturing company of the equipment 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 \$4,954.00 and funds are available in the Capital Fund Account No. C-04-55-980-920-424 entitled Ordinance 2017-02 entitled "HVAC Building Improvements", as evidenced by the Chief Financial Officer's Certification No. 2018-010.

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 Tozour-Trane, 3606 Horizon Drive, King of Prussia, Pa 19406, for two (2) touchscreen display units to control the set points of the air handling system at the Municipal Building, for a total amount not to exceed \$4,954.00, 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 June 5, 2018.

Mayor Mironov stated this is the other half of the process, allocating the amount and authorizing the purchase of the equipment.

It was **MOVED** by Yeager, **SECONDED** by Rosenberg to approve Resolution R2018-106.

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

There being six (6) ayes and no (0) nays, Resolution R2018-106 was approved.

APPLICATIONS:

REPORTS BY COUNCIL AND STAFF:

Council Member Alan Rosenberg stated the Clean Communities Committee met on April 24 and spoke about the July 11 Recycling Day event. He further stated the Commission on Aging met and discussed the new welcome packet and senior directory they are working on.

Council Member Perry Shapiro stated the Planning Board met and spoke about Moms Peppermill and heard a presentation about the restoration of the building.

CORRESPONDENCE:

Mayor Mironov stated the June 19 Council meeting was moved to June 26, 2018. The Mayor noted receipt of a memo from the EWMUA attorney on the budget process, communication was received regarding Kelli Hand's Court Administrator certification, a May 15, 2018 letter was received from Department of Transportation regarding the Transportation set-aside program with a deadline of August 23, 2018, a letter dated May 15, 2018 from the Department of Transportation for the Safe Routes to School program, a May 23, 2018 letter from Department of Transportation on the bikeway application and a May 29, 2018 letter was received from Mercer County regarding a project on closing the bridge on Old Trenton Road. Mayor Mironov stated with respect to the Transportation Set-aside program and the Safe Routes to School program, Township staff was directed to provide recommendations and ideas on projects.

APPOINTMENTS:

Mayor Mironov appointed Garrett Racz as an Auxiliary Member of the Economic Development Committee for an unexpired term expiring December 31, 2018. Mayor Mironov further appointed Anjali Rabindran as a student member to the Environmental Commission.

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. She further stated that the project name needs to be included in the descriptions along with the Resolution number.

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

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

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

MATTERS BY COUNCIL:

Mayor Mironov stated she would like an updated schedule on Probasco Road and would like to know when work will be starting. Mayor Mironov stated she is also looking for some ideas from Public Works on the truck traffic on Wyckoff Mills Road. Also, she again requested information on the asphalt bills from Public Works.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

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

Mayor Mironov is requesting a report with the details on what needs to be completed, the bills to be considered and information regarding the wire.

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

Mayor Mironov stated a report was not received since April 13, 2018 and she is looking for an update. Council Member Lippman questioned the warranty and if we have updated paperwork on the warranty. Mayor Mironov further questioned where the touchscreens are and she is looking to close-out the project by the next meeting.

MATTERS BY PUBLIC: None

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 8:11 p.m.

Next Meeting: Tuesday, June 26, 2018 @ 7:30 p.m

Kelly Lettera
Municipal Clerk

Janice S. Mironov
Mayor

