

## **EAST WINDSOR TOWNSHIP COUNCIL**

June 25, 2013

The meeting of the East Windsor Township Council was called to order by Mayor Janice S. Mironov at 7:30 p.m. on June 25, 2013.

Deputy Municipal Clerk, Kathie Senior certified that the meeting was noticed in the Annual Meeting Notice. Notice was sent to the Trenton Times, filed with the Municipal Clerk and posted in the East Windsor Township Municipal Building, on May 23, 2013. All requirements of the "Open Public Meetings Act" were satisfied.

Council Member Mr. Zoller led the flag salute.

Present were: Mayor Janice S. Mironov and Council Members Hector Duke, Marc Lippman, Alan Rosenberg, Perry Shapiro, Peter Yeager and John Zoller. Also present were Township Manager James P. Brady, Township Attorney David E. Orron and Deputy Municipal Clerk Kathie Senior.

### **PRESENTATIONS & PROCLAMATIONS:**

Emergency Medical Services Week -- May 19 to 25, 2013

Recognizing East Windsor Rescue Squad, District I EMT of the Year

Recognizing East Windsor Rescue Squad, District II EMT of the Year

Mayor Mironov stated that this was an opportunity to recognize the two emergency medical rescue squads in the Township and the great work that the volunteers do. She also recognized the EMTs of the Year, Hollis DaSilva of District 1 and Melissa Raczka of District 2.

Drug and Alcohol Awareness Month -- "We Check for 21" Campaign

Mayor Mironov stated that this was Drug and Alcohol Awareness Month and stated that they were kicking off the Township "We Check for 21" Campaign. She noted that there is a great deal of participation from the license holders. She stated that the campaign conveyed a very important message to the community. She stated she was grateful for the community participation. She stated that there was a pledge that the license holders sign stating that they will check for 21. She acknowledged each of the signers and thanked them.

**INTERVIEWS FOR BOARDS AND COMMISSIONS: NONE**

**PUBLIC FORUM:**

Sean O'Connor, 152 Hickory Corner Road Apt. 313, asked why Council doesn't film the public forum but when Council has an event like "We Check for 21" there is someone here to film. He also spoke about property taxes and zoning.

Mayor Mironov explained that he is a volunteer that comes in and films presentations.

Sean O'Connor asked if the Council was looking for volunteers to film the public forums.

Mayor Mironov stated that it is something that they are taking into consideration.

Don DeZarn, 958 Jamestown Road questioned the police activity last Thursday on Twin Rivers Drive, wondered if it was a seatbelt checkpoint. He strongly assumed it was financed from grant money. He stated his concerns regarding red light cameras.

Mayor Mironov stated she did not know what the specifics were on Twin Rivers Drive, but would obtain more information if he wished. She stated there is money from grant funds for a click it or ticket program that we are participating in, but that program is now over.

Mayor Janice Mironov asked if there was any additional comment from the public, no additional public comment was made, so public forum was closed.

#### **MINUTES:**

##### February 26, 2013 Special Meeting – Budget Session

Mayor Mironov stated that the February 26, 2013 Special Meeting – Budget Session minutes will be rescheduled.

##### March 5, 2013

Mayor Mironov stated that the March 5, 2013 minutes will be rescheduled.

##### March 5, 2013 Special Meeting – Budget Session

Mayor Mironov stated that the March 5, 2013 Special Meeting – Budget Session minutes will be rescheduled.

##### March 19, 2013

It was MOVED by LIPPMAN and seconded by ROSENBERG that minutes for March 19, 2013 be approved with revisions dated April 29, 2013.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, the March 19, 2013 minutes with revisions dated April 29, 2013 were approved.

April 16, 2013

Mayor Mironov stated that the April 16, 2013 minutes will be rescheduled.

May 7, 2013

Mayor Mironov stated that the May 7, 2013 minutes will be rescheduled.

May 21, 2013

Mayor Mironov stated that the May 21, 2013 minutes will be rescheduled.

June 11, 2013

Mayor Mironov stated that the June 11, 2013 minutes will be rescheduled.

**ORDINANCE - PUBLIC HEARING:**

**Ordinance No. 2013-06**      Accepting the Deed of Dedication along Cedarville Road  
(Block 31, part of Lot 24)

The Deputy Municipal Clerk read by title Ordinance No. 2013-06.

Mayor Mironov stated the ordinance was introduced at the meeting of June 11. She declared open the public hearing for Ordinance No. 2013-06.

Sean O'Connor asked why this is being done at this time.

David Orron stated years ago the home was found to be in the public right of way, the right of way was vacated as a condition when the house was demolished; it would be built where it was supposed to be and the property owner would give the property back to Township. This ordinance is to give back the right of way. Mayor Mironov stated that the action was the desire of the resident.

There being no further comments, Mayor Mironov closed the public hearing.

It was MOVED by LIPPMAN and seconded by DUKE that Ordinance No. 2013-06 be adopted and authorized for publication as required by law.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Ordinance 2013-06 was adopted and authorized for publication as required by law.

**Ordinance No. 2013-07**      Accepting the Deed of Dedication for Right of Way along  
Hickory Corner Road (Block 58.12, part of Lot 36)

The Deputy Municipal Clerk read by title Ordinance No. 2013-07.

Mayor Mironov stated that the ordinance was introduced on June 11, at which time the public hearing was set for tonight. She declared open the public hearing for Ordinance No. 2013-07. There being no comment, the public hearing was closed.

It was MOVED by ROSENBERG and seconded by YEAGER that Ordinance No. 2013-07 be adopted and authorized for publication as required by law.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Ordinance 2013-07 was adopted and authorized for publication as required by law.

**Ordinance No. 2013-08** To Amend Chapter II, Section 2 of the Revised General Ordinances of the Township of East Windsor for the Purpose of Amending Tax Collector Fees

The Deputy Municipal Clerk read by title Ordinance No. 2013-08.

Mayor Mironov stated that the ordinance was introduced on June 11, at which time the public hearing was set for tonight. She declared open the public hearing for Ordinance No. 2013-08. There being no comment, the public hearing was closed.

It was MOVED by ZOLLER and seconded by DUKE that Ordinance No. 2013-08 be adopted and authorized for publication as required by law.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Ordinance 2013-08 was adopted and authorized for publication as required by law.

**RESOLUTIONS:**

**Resolution R2013-92** Chapter 159 – Amending the 2013 Municipal Budget Providing an Item of Revenue and Appropriation for the New Jersey Transit Section 5307 Bus Grant

The Deputy Municipal Clerk read by title Resolution R2013-92.

Mayor Mironov stated the resolution would allow the Township to insert the previously-referenced revenues into the budget.

It was MOVED by LIPPMAN and seconded by ROSENBERG that Resolution R2013-92 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-92 was approved.

**Resolution R2013-93** Chapter 159 – Amending the 2013 Municipal Budget  
Providing an Item of Revenue and Appropriation for the  
Hightstown Interlocal Shared Bus Services

The Deputy Municipal Clerk read by title Resolution R2013-93.

It was MOVED by ROSENBERG and seconded by DUKE that Resolution R2013-93 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-93 was approved.

**Resolution R2013-94** Chapter 159 – Amending the 2013 Municipal Budget  
Providing an Item of Revenue and Appropriation for the  
Mercer County Transportation Bus Grant

The Deputy Municipal Clerk read by title Resolution R2013-94.

It was MOVED by ZOLLER and seconded by ROSENBERG that Resolution R2013-94 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-94 was approved.

**Resolution R2013-95** Action on Bid for Public Transportation Services

The Deputy Municipal Clerk read by title Resolution R2013-95.

Mayor Mironov stated three bids were received. She stated this is the same provider as last year and the bid is less than last year.

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-95 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-95 was approved.

**Resolution R2013-96**                      Authorizing Change Order No. 5 for the Disbrow Hill  
Playing Fields

The Deputy Municipal Clerk read by title Resolution R2013-96.

Mayor Mironov stated Council has a recommendation from the Director of Public Works indicating that this is necessary work.

It was MOVED by YEAGER and seconded ROSENBERG by that Resolution R2013-96 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-96 was approved.

**Resolution R2013-97**                      Action on Bid for the Purchase of One New 2013 Type III  
Walk Thru Ambulance

The Deputy Municipal Clerk read by title Resolution R2013-97.

Mayor Mironov stated that the first paragraph states bids were received in the clerk's office on April 26, 2013 for a 2013 Type III Walk Thru Ambulance. She asked if it was for a 2013 vehicle and what the correct date was. Mayor Mironov asked for the first paragraph to be changed to read April 25, 2013 and to remove the year 2013 in that paragraph and anywhere else listed in resolution.

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2013-97 be approved with changes.

Mayor Mironov stated Council has a recommendation from the Township Manager and also a recommendation from the Rescue Squad Chief. Township has also received a 30 day extension that was provided on October. Mayor Mironov stated that the current vehicle is well over 10 years old.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-97 was approved with changes.

**Resolution R2013-98** Authorizing the Purchase of Uniforms from Professional Serviceware, Inc. for the East Windsor Department of Public Works

The Deputy Municipal Clerk read by title Resolution R2013-98.

Mayor Mironov stated that Council has a recommendation from the Director of Public Works with respect to the vendor. Four written quotes were provided and this is the vendor used for the last number of years. They are the lowest of the quotes received and have been the same over the last 5 years. Mayor Mironov commented that the quote was reaffirmed as being effective through December 31, 2013

It was MOVED by ZOLLER and seconded by ROSENBERG that Resolution R2013-97 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-98 was approved.

**Resolution R2013-99** Requiring Township Alcoholic Beverage Control Licensees Pledge “We Check for 21” as a Condition of Issuance of Alcoholic Beverage Control License

The Deputy Municipal Clerk read by title Resolution R2013-99.

Mayor Mironov stated this was a long-held practice by the Township. She stated that it was a condition of any alcoholic beverage control license that the licensee signs the pledge.

It was MOVED by YEAGER and seconded by DUKE that Resolution R2013-99 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-99 was approved.

Mayor Mironov suggested voting on Resolutions R2013-100 through R2013-117 as one vote, as they were all alcoholic beverage control license renewals.

Mr. Yeager stated that he would have to abstain from R2013-109 and R2013-112.

Mr. Lippman stated that he would have to abstain from R2013-112.

Mayor Mironov asked that Resolution R2013-103 to be carried to the July 2, 2013 meeting. Mayor Mironov stated that the Council would vote on Resolutions R2013-100 through R2013-102 and R2013-104 through R2013-108 and Resolutions R2013-110 through R2013-111 and Resolution R2013-113 through R2013-117 as one vote, and would vote on Resolution R2013-109 and Resolution R2013-112 separately.

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| <b>Resolution R2013-100</b> | Renewal of Alcoholic Beverage Control License for Mali, Inc., t/a Holiday Inn of East Windsor                             |
| <b>Resolution R2013-101</b> | Renewal of Alcoholic Beverage Control License for Woodside Avenue, Inc. t/a Legends Bar & Grille/Days Inn of East Windsor |
| <b>Resolution R2013-102</b> | Renewal of Alcoholic Beverage Control License for Briad Restaurant Group, L.L.C., t/a TGI Friday's                        |
| <b>Resolution R2013-103</b> | Renewal of Alcoholic Beverage Control License for Americana RD, Inc. t/a Americana Diner                                  |
| <b>Resolution R2013-104</b> | Renewal of Alcoholic Beverage Control License for CB East Windsor, LLC t/a Charlie Brown's Steakhouse                     |
| <b>Resolution R2013-105</b> | Renewal of Alcoholic Beverage Control License for Avdico Foods Corporation t/a Windsor Grand Café                         |
| <b>Resolution R2013-106</b> | Renewal of Alcoholic Beverage Control License for East Windsor Recreation Center LLC                                      |
| <b>Resolution R2013-107</b> | Renewal of Alcoholic Beverage Control License for Windsor Wines & Liquors, Inc., t/a Windsor Wines & Spirits              |
| <b>Resolution R2013-108</b> | Renewal of Alcoholic Beverage Control License for Windsor Wines & Liquors, Inc., t/a Windsor Wines & Spirits              |



- Resolution R2013-110**      Renewal of Alcoholic Beverage Control License for The Peddie Golf Club, t/a The Peddie School Golf Club
- Resolution R2013-111**      Renewal of Alcoholic Beverage Control License for Hightstown American Legion Post 148
- Resolution R2013-113**      Renewal of Alcoholic Beverage Control License for CS Estates LLC, t/a City Street Café
- Resolution R2013-114**      Renewal of Alcoholic Beverage Control License for EdFran LLC., t/a David's Pub & Package
- Resolution R2013-115**      Renewal of Alcoholic Beverage Control License for Club 8 A Corp.
- Resolution R2013-116**      Renewal of Alcoholic Beverage Control License for East Windsor BK LLC t/a Bottle King Discount Wine & Liquors
- Resolution R2013-117**      Renewal of Alcoholic Beverage Control License for East Windsor Bistro, LLC

It was MOVED by DUKE and seconded by LIPPMAN that Resolutions R2013-100 through R2013-102 and R2013-107 and Resolutions R2013-110 through R2013-111 and Resolution R2013-113 through R2013-117 be approved.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, Resolution R2013-100 through R2013-107 and Resolutions R2013-110 through R2013-111 and Resolution R2013-113 through R2013-117 were approved.

- Resolution R2013-109**      Renewal of Alcoholic Beverage Control License for Veterans of Foreign Wars Post 5700, t/a VFW Post 5700

It was MOVED by ROSENBERG and seconded by SHAPIRO that Resolution R2013-109 be approved.

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

There being six (6) ayes, no (0) nays and one (1) abstentions, Resolution R2013-109 was approved.

**Resolution R2013-112**          Renewal of Alcoholic Beverage Control License for  
Hightstown Elks BPOE No. 1955

It was MOVED by DUKE and seconded by ROSENBERG that Resolution R2013-112 be approved.

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

There being five (5) ayes, no (0) nays and two (2) abstentions, Resolution R2013-112 was approved.

**APPLICATIONS: None**

**REPORTS BY COUNCIL AND STAFF:**

Mr. Shapiro stated that the Planning Board last Monday met and gave approval to Panera Bread to build near the Chase Bank.

Mr. Duke stated that the Health Advisory Board met and discussed the community garden, and they are looking forward to it.

Mr. Yeager stated that the Municipal Drug Alliance met on June 4 and discussed second quarter reporting requirements and National Night Out on August 6.

Mayor Mironov stated that she attended an Eagle Scout ceremony for Ryan Lamphear June 15, which was a very nice ceremony.

**CORRESPONDENCE: None**

**APPOINTMENTS: None**

**APPROVAL OF BILLS:**

Mayor Mironov stated listed for approval were a current 2013 bill list dated June 20, 2013; one page 2012 bill list dated June 20, 2013; capital bill list dated June 20, 2013, as well as various other miscellaneous and trust account lists.

Mayor Mironov had a few questions; on page 1 would like to have Decotis bill pulled pending status of where we are; page 2 with respect to the advertising in middle of page she would like to understand why there is huge difference in bills under public notices. On the capital bill list there is a bill for Precise Construction and would like it held

pending explanation on what it is for and what work has been completed for that level of payment. Mayor Mironov asked Township Manager if escrows are all properly listed.

James Brady indicated that all escrows are properly listed and he had reviewed them.

It was MOVED by DUKE and seconded by ROSENBERG that the bills be approved with pulled bill and questions.

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

There being seven (7) ayes, no (0) nays and no (0) abstentions, the bills were approved with pulled bill and questions.

**MATTERS BY COUNCIL:**

Mayor Mironov stated that Council has a letter from Mercer County with respect to a question regarding Old Trenton Road. We have been in contact with them for several months with respect to the completion of Old Trenton Road. Bottom line is there is an underground issue that they are still trying to evaluate to make sure they make the necessary corrective work. They indicated that once they have the full information with respect to underground piping using a video camera they will develop course of action.

Mayor Mironov also stated that Council has memos from staff answering questions from prior meetings; also there is a report from the Tax Collector for period ending May 31, 2013.

**MATTERS BY PUBLIC:**

Mr. Sean O'Connor asked about the Route 33 Corridor ordinance and energy tax relief.

Mayor Mironov stated that with respect to the zoning ordinance for Route 33, it had been introduced and adopted. With respect to the energy tax relief, the response was for monies in general that are owed to towns for municipal use in property tax relief. Mayor appreciates his comments but it is at a state level to utilize their monies for their purposes and that money is intended to be provided to the local property taxpayers to reduce property taxes to be passed onto municipalities. Mayor Mironov again stated she appreciates his comments.

John Lucas, 114 Whitcomb Road, asked if Council could look into road improvements on Whitcomb Road when looking at road improvements.

Mayor Mironov said absolutely.

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

There being no further business Mayor Mironov adjourned the meeting at 8:59 p.m.

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Kathie Senior  
Deputy Municipal Clerk

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Janice S. Mironov  
Mayor