

EAST WINDSOR TOWNSHIP COUNCIL

Tuesday, April 21, 2015

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 May 5, 2015.

VERIFICATION:

Municipal Clerk Gretchen McCarthy certified that the meeting was noticed on January 16, 2015 and that 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:

Jack Donnelly led the flag salute.

ROLL CALL:

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

PRESENTATIONS & PROCLAMATIONS:

Earth Day -- April 22, 2015 - RECYCLING POSTER CONTEST AWARDS - Mayor Mironov honored the winners of the recycling poster contest.

Arbor Day- April 24, 2015 - Mayor Mironov presented the Proclamation at an outside event.

“Donate Life” Month- Mayor Mironov recognized April as “Donate Life” Month.

The Month of the Young Child - Mayor Mironov recognized April as The Month of the Young Child.

INTERVIEWS FOR BOARDS AND COMMISSIONS:

There were none.

PUBLIC COMMENT:

Sean O'Connor, 152 Hickory Corner Road, spoke regarding the website and filming Council meetings.

MINUTES:

January 20, 2015

February 3, 2015

February 17, 2015

February 17, 2015 Closed Session

February 24, 2015

February 25, 2015

March 3, 2015

March 17, 2015

April 7, 2015

Mayor Mironov asked that all minutes be rescheduled.

ORDINANCE – PUBLIC HEARING:

Ordinance 2015-05 Ordinance Amending Chapter XXV “Residential Maintenance Code” of the Revised General Ordinances of the Township of East Windsor by Adding a New Section to Establish Standards for the Registration and Maintenance of Vacant and Abandoned Residential Properties in Foreclosure by Creditors

The Municipal Clerk read by title Ordinance 2015-05. Mayor Mironov stated the ordinance had been Introduced on April 7, 2015. She explained that the intent of the ordinance is for vacant and abandoned properties that is undergoing foreclosure to be maintained. Mayor Mironov stated once the bank initiates the process of foreclosing on a home, the municipality will be able to hold the bank responsible for exterior maintenance until foreclosure is complete. Mayor Mironov stated there is a process in which the bank needs to register with the Township on the vacant and abandoned property to maintain the property according to Township Code. If the bank does not maintain the properties per Township Code, the Township notices the bank regarding the property maintenance and is able to impose violations and fines until the conditions of the property are remedied. The Ordinance was enabled by State Law which was passed in late 2014 generating from a problem with communities in the State of New Jersey where owners have abandoned and let these properties deteriorate. The Ordinance was set to keep the property well maintained for neighbors and other property owners throughout New Jersey.

Mayor Mironov declared open the public hearing on Ordinance 2015-05.

Sean O’Connor, 152 Hickory Corner Road, asked about fines amounts and the definition of a poorly kept property standards. Mayor Mironov responded that property maintenance violations were defined in the Township Code, the fines are set by Township Ordinance and the amounts are decided by the Municipal Court Judge once the case was heard in Municipal Court. Mr. Orron explained in further detail how fines were imposed in Municipal Court. Mayor Mironov clarified that the Ordinance applied only to banks and not individual property owners.

Deborah Warfield, 9 Ivy Lane East, asked about how properties were reported or complaints. Mr. Orron responded that once a property is under foreclosure the bank must notify the Clerk’s Office, which the Clerk’s office maintains a list and anyone can inquire with them on the status of the foreclosure.

As no further members of the public wished to be heard, Mayor Mironov declared closed the public hearing.

**ORDINANCE NO. 2015-05
TOWNSHIP OF EAST WINDSOR
COUNTY OF MERCER**

**AN ORDINANCE AMENDING CHAPTER XXV “RESIDENTIAL MAINTENANCE CODE”
OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR BY
ADDING A NEW SECTION TO ESTABLISH STANDARDS FOR THE REGISTRATION AND**

MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE BY CREDITORS

WHEREAS, mortgage foreclosures often result in the abandonment and neglect of residential properties; and

WHEREAS, P.L. 2014, c. 35, authorizes municipalities to adopt ordinances for the purpose of regulating the care, maintenance, security and upkeep of the exterior of vacant and abandoned residential properties for which a creditor has filed an action to foreclose; and

WHEREAS, it is in the public interest for the Township of East Windsor to establish a mechanism to identify and track vacant and abandoned residential properties in the Township which are in foreclosure, to establish standards for the maintenance of those properties and to enforce those standards of maintenance;

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:

I

The Revised General Ordinances of the Township of East Windsor are hereby amended by the addition of a new Section 25-18 to Chapter XXV Residential Maintenance Code, to read as follows:

25-18 Registration and Maintenance of Vacant and Abandoned Residential Properties in Foreclosure

a. *Definitions.*

1. "Creditor" means a State chartered bank, savings bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the "New Jersey Residential Mortgage Act," P.L. 2009, c.53 (C.17:11C-51 et seq.), any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers.
2. "Vacant and Abandoned" residential property means, consistent with section 1 of P.L. 2010, c.70 (C.2A:50-73), residential real estate, where a notice of violation has been issued pursuant to Paragraph e. 1 of this Section and subsection b. of section 1 of P.L.2014, c.35 (C.40:48-2.12s). Residential property shall further be deemed Vacant and Abandoned where a mortgaged property is not occupied by a mortgagor or tenant and at least two of the following conditions exist:
 - (a) overgrown or neglected vegetation;
 - (b) the accumulation of newspapers, circulars, flyers or mail on the property;
 - (c) disconnected gas, electric, or water utility services to the property;

(d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;

(e) the accumulation of junk, litter, trash or debris on the property;

(f) the absence of window treatments such as blinds, curtains or shutters;

(g) the absence of furnishings and personal items;

(h) statements of neighbors, association management, delivery persons, or government employees indicating that the residence is vacant and abandoned;

(i) windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;

(j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;

(k) a risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;

(l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;

(m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;

(n) a written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;

(o) any other reasonable indicia of abandonment.

b. *Registration of Vacant and Abandoned Properties.*

1. A Creditor filing a summons and complaint in an action to foreclose on a Vacant and Abandoned property, or a Creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes Vacant and Abandoned, shall within thirty (30) calendar days after the building becomes Vacant and Abandoned or within thirty (30) calendar days after assuming ownership of the Vacant and Abandoned property, whichever is later; or within ten (10) calendar days of receipt of notice from the Township, and annually thereafter, file a registration statement for such Vacant and Abandoned property with the municipal clerk on forms provided by the Township for such purposes. Any failure to receive notice from the Township shall not constitute grounds for failing to register the Vacant and Abandoned property.

2. Each Vacant and Abandoned property having a separate block and lot number as designated in the official tax maps of the Township shall be registered separately.
3. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the Creditor as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such Creditor in connection with the enforcement of any applicable code.
4. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the Vacant and Abandoned property. The individual or representative of the firm responsible for maintaining the Vacant and Abandoned property shall be available by telephone or in person on a twenty-four-hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
5. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The Creditor shall be required to renew the registration annually as long as the building remains Vacant and Abandoned and shall pay a registration or renewal fee in the amount prescribed in Paragraph c. of this Section for each Vacant and Abandoned property registered.
6. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.
7. The Creditor shall notify the municipal clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal clerk for such purpose.
8. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the Creditor.

c. Fee Schedule.

The initial registration fee for each Vacant and Abandoned property under the provisions of this Section shall be five hundred (\$500.00) dollars. The fee for the first annual renewal shall be one thousand five hundred (\$1,500.00) dollars and the fee for the second annual renewal shall be three thousand (\$3,000.00) dollars. The fee for any subsequent annual renewal beyond the second renewal shall be five thousand (\$5,000.00) dollars.

d. Creditor Responsibility for Vacant and Abandoned Properties.

1. A Creditor filing a summons and complaint in an action to foreclose on a residential property within the Township shall be immediately responsible for the care, maintenance, security and upkeep of the exterior of the property, after the property becomes Vacant and Abandoned as defined in this Section.

2. Where a Creditor is located out-of-state, the Creditor shall be responsible for appointing an in-State representative or agent to act on the Creditor's behalf for the purpose of satisfying the requirements of Paragraph d. 1 of this Section. Notice of said representative or agent shall be provided to the municipal clerk pursuant to Paragraph b. 3 and 4 of this Section and pursuant to paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51).

e. *Notice.*

1. The enforcement officers designated in this Section shall be authorized to issue a notice to a Creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Township, if the enforcement officer determines that the Creditor has violated this Section by failing to provide for the care, maintenance, security, and upkeep of the exterior of a Vacant and Abandoned property.

Where a Creditor is an out-of-State Creditor, the notice shall be issued to the representative or agent that has been identified by the Creditor pursuant to Paragraph d. 2 of this Section and paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51).

2. The notice referenced in Paragraph e. 1 of this Section shall require the Creditor to correct the violation(s) within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

3. The issuance of a notice pursuant to Paragraph e. 1 of this Section shall constitute proof that a residential property is Vacant and Abandoned for the purposes of this Section.

f. *Enforcement Officers.*

The duty of administering and enforcing the provisions of this Section is conferred upon the municipal clerk, construction official, zoning officer, housing officer, health officer, township police, and any other duly appointed representatives.

g. *Violations and Penalties.*

1. A Creditor subject to this Section that is found by the municipal court of the Township, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this Section shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following the receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.

2. An out-of-state Creditor subject to this Section that is found by the municipal court of the Township, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to this Section shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a Creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51) for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

3. A Creditor subject to this Section that is found by the municipal court of the Township, or by any other court of competent jurisdiction, to be in violation of the requirement to register a Vacant and Abandoned property pursuant to Paragraph b. of this Section shall be subject to a fine not exceeding two thousand (\$2,000.00) dollars. Any fines imposed on a Creditor under this Paragraph shall commence 11 days following receipt of notice from the Township pursuant to Paragraph b. 1 of this Section.

4. No less than 20 percent of any money collected by the Township pursuant to this Section shall be utilized by the Township for municipal code enforcement purposes.

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.

It was **MOVED** by Shapiro and **SECONDED** by Lippman that Ordinance No. 2015-05 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 and no (0) nays, Ordinance No. 2015-05 was adopted and authorized for publication as required by law.

ORDINANCE – INTRODUCTION

None.

RESOLUTIONS:

Resolution R2015-070 Authorizing Reading of Budget by Title Only on Second Reading/Public Hearing

The Municipal Clerk read by title Resolution R2015-070. Mayor Mironov stated this was a process resolution.

RESOLUTION R2015-070

**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 under the following conditions if at least one week prior to the date of the public hearing, a complete copy of the approved budget:

1. shall be made available for public inspection, in the free public library of the municipality and in the free county library located in the county in which the municipality is located, and the public officer delegated the responsibility for delivering copies of the approved budget to such libraries shall forward to the governing body an attestation that each such delivery was made
2. is made available to each person requesting the same, during said week 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 2015 Local Municipal Budget and Garbage District 1 Budget shall be read by title only.

It was MOVED by Lippman and SECONDED by Rosenberg to approve Resolution R2015-070.

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

There being seven (7) ayes and no (0) nays Resolution R2015-070 was approved.

Resolution R2015-040 Adoption of the 2015 Municipal Budget

The Municipal Clerk read by title Resolution R2015-040. Mayor Mironov stated the Municipal Budget had been introduced on March 17. The public hearing was set for that evening.

Mayor Mironov declared open the public hearing.

Sean O’Connor, 152 Hickory Corner Road, asked about including necessary expenditures in the operating budget to save from issuing bonds. Mayor Mironov explained the capital budget was a separate process and was for the purchase of large capital equipment that is paid off over the life of the equipment. Mayor Mironov stated it is an Operating Budget.

As no further members of the public wished to be heard, Mayor Mironov declared closed the public hearing.

Mayor Mironov stated tonight 2015 Operating Budget contains no tax increase for the second consecutive year. In addition to the municipal component of the local property tax bill remains the same for 2015, 2014 and 2013 which is at .431 cents per one hundred dollars of assessed evaluation. The 2015 average assessment of \$258,351. The 2015 Municipal Tax would be \$1,115. The East Windsor Municipal Tax Component of the tax bill will remain at approximately or under 15% of the total bill. The Municipal Component of the Tax Bill is among the lowest amounts in the entire region and well below the statewide average. The 2015 municipal tax levy of \$11,865,312 is below the 2014 tax levy of \$11,892,414, and is well below the available state cap levy amounts. If the Township used available cap allowances, the municipal tax rate could be (but is NOT being) increased by almost 6 cents more. This positive no tax increase municipal budget results from the Township's commitment to continually seek out additional efficiencies, cooperative purchasing avenues and service sharing opportunities, a low debt level, and pro-active efforts to carefully plan and to closely monitor expenditures and revenues throughout the year. The Township had already had transitioned 2014 to 2015 with such significant business growth such as the opening of Smashburger, Kay Jewelers, Patel Brothers Grocery in the former Genuardi's, Aldi to reopen the Bottom Dollar store, as well as very major commercial projects as Aurobindo and a further Shiseido America expansion.

Council Member Yeager commented that he was glad the Township could maintain all of its services for residents without increasing taxes.

It was MOVED by Rosenberg and SECONDED by Zoller to approve Resolution R2015-040.

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

There being seven (7) ayes and no (0) nays Resolution R2015-040 was approved.

Resolution R2015-041 Adoption of the 2015 Garbage District No. 1 Budget

The Municipal Clerk read by title Resolution R2015-041. Mayor Mironov stated this was a complimentary budget which was introduced on March 18, 2015.

Mayor Mironov declared Resolution R2015-041 open the public hearing tonight.

As no members of the public wished to be heard, Mayor Mironov declared the public hearing closed.

It was MOVED by Yeager and SECONDED by Rosenberg to approve Resolution R2015-041.

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

There being seven (7) ayes and no (0) nays Resolution R2015-041 was approved.

Resolution R2015-071A Approval of Application to New Jersey Department of Environmental Protection for 2015 Recreational Trails Grant Program for the Extension of the “Turnpike Park” Trail

The Municipal Clerk read by title Resolution R2015-071A. Mayor Mironov stated this had been discussed at the April 7, 2015 Council meeting and noted that additional information had been received from the Public Works Director regarding available funding and the most fundable projects. The result was two applications on the agenda this evening. Mayor Mironov noted that the Township could prioritize the requests but it was not necessary. The first project, Turnpike Park Trail, provided an additional connection to Turnpike Park to Old York Road and Woods Community Park from Monmouth Trail that traversed several other paths and recreational facilities.

RESOLUTION R2015-071A

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the New Jersey Department of Environmental Protection, Division of Parks and Forestry, Office of Natural Lands Management is soliciting proposals to develop trails and trail facilities; and

WHEREAS, East Windsor Township desires to apply for the grant.

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 submit an application on behalf of East Windsor Township, to the New Jersey Department of Environmental Protection under the 2015 National Recreational trails Program for Turnpike Park Pathway Extension.

It was **MOVED** by Lippman and **SECONDED** by Duke to approve Resolution R2015-071A as revised.

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

There being seven (7) ayes and no (0) nays Resolution R2015-071A was approved as revised.

Mayor Mironov requested staff locate maps that were supposed to be attached to the resolution and forward them to Council.

Council Member Shapiro commented that the project had a regional impact but it was not noted in the application. Mayor Mironov asked that the Township Manager ensure this be done.

Resolution R2015-071B Approval of Application to New Jersey Department of Environmental Protection for 2015 Recreational Trails Grant Program for the Extension of the “Disbrow Hill Trail II”

The Municipal Clerk read Resolution R2015-071B by title. Mayor Mironov stated this project would connect the Disbrow Hill Field and Etra Lake Park.

RESOLUTION R2015-071B

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the New Jersey Department of Environmental Protection, Division of Parks and Forestry, Office of Natural Lands Management is soliciting proposals to develop trails and trail facilities; and

WHEREAS, East Windsor Township desires to apply for the grant.

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 submit an application on behalf of East Windsor Township, to the New Jersey Department of Environmental Protection under the 2015 National Recreational trails Program for Disbrow Hill Trail II.

It was **MOVED** by Yeager and **SECONDED** by Zoller to approve Resolution R2015-071B.

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

There being seven (7) ayes and no (0) nays Resolution R2015-071B was approved.

Mayor Mironov asked that a full copy of the final application submission be forwarded to her.

Resolution R2015-072 Chapter 159-Amending the 2015 Municipal Budget Providing an Item of Revenue and Appropriation for the New Jersey Highway Traffic Safety Division Bicycle Safety Grant

The Municipal Clerk read Resolution R2015-072 by title. Mayor Mironov stated this was a \$10,000 grant award that would be used for the Township's Bicycle Safety Program in May.

RESOLUTION R2015-072

**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 2015 in the sum of \$10,000.00, which item is now available as revenue from the State of New Jersey, Division of Highway Traffic Safety - Bicycle Safety Program.
2. A like sum of \$10,000.00 is hereby appropriated under the caption of the State of New Jersey, Division of Highway Traffic Safety - Bicycle Safety Program.

It was **MOVED** by Duke with the allowed expenditures and **SECONDED** by Rosenberg to approve Resolution R2015-072.

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

There being seven (7) ayes and no (0) nays Resolution R2015-072 was approved.

Resolution R2015-073 Chapter 159-Amending the 2015 Municipal Budget Providing an Item of Revenue and Appropriation for the Federal Emergency Management Administration Mitigation Grant for Permanent Generators

The Municipal Clerk read Resolution R2015-073 by title. Mayor Mironov stated this was a grant for two permanent generators at the Senior Center and Public Works facility.

RESOLUTION R2015-073

**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 2015 in the sum of \$206,750.00 which item is now available as revenue from the Federal Emergency Management Agency.
2. A like sum of \$206,750.00 is hereby appropriated under the caption of the Senior Center and Department of Public Works Generators.

It was MOVED by Zoller and SECONDED by Lippman to approve Resolution R2015-073.

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

There being seven (7) ayes and no (0) nays Resolution R2015-073 was approved.

Resolution R2015-074 Approval of Professional Services Contract with T&M Associates for Electrical Engineering Services for the Purchase and Installation of Permanent Emergency Generators and all Related Equipment at the East Windsor Township Senior Center and the East Windsor Public Works Facility

The Municipal Clerk read Resolution R2015-074 by title. Mayor Mironov stated the contract award was for the electrical engineering services for the purchase and installation of the emergency generators. The contract was being awarded pursuant to a fair and open process. Mayor Mironov asked that the contract and notification to proceed be sent to the vendor as soon as possible to get the process started.

RESOLUTION R2015-074

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, there exists a need for Professional Electrical Engineering Services for the Purchase and Installation of permanent Emergency Generators at the East Windsor Township Senior Center and the East Windsor Public Works Facility; and

WHEREAS, the Township solicited proposals on February 5, 2015 and received three (3) proposals for Engineering Services on March 5, 2015; and

WHEREAS, the proposal received from T & M Associates was lowest priced and 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 Township Manager’s and the Director of Public Work’s recommendations; and

WHEREAS, the maximum amount of the contract is \$18,439.00 and funds are available in account G-02-40-733-946-001 entitled “FEMA Senior Center & DPW Generator Project”, in the amount of \$18,439.00, as evidenced by the Chief Financial Officer’s Certification No. G2015-001.

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 with T & M Associates 1256 North Church Street, Suite 3, Moorestown, New Jersey 08057, to provide Professional Electrical Engineering Services for the Purchase and Installation of permanent Emergency Generators at the East Windsor Township Senior Center and the East Windsor Public Works Facility.
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 a service performed by persons authorized by law to practice a recognized profession that is regulated by law, and also 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.

It was MOVED by Shapiro and SECONDED by Duke to approve Resolution R2015-074.

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

There being seven (7) ayes and no (0) nays Resolution R2015-074 was approved.

Resolution R2015-075 Approve Award of Bid for Removal and Reconstruction of two (2) Concrete Slabs to Kalogridis Contracting, LLC for East Windsor Volunteer Fire Company No. 1

The Municipal Clerk read by title Resolution R2015-075. Mayor Mironov stated there was a minor typos in the first, second paragraphs and first paragraph under now therefore, where it should include "No." after "Fire Company" and before "1." She stated this was a project to replace concrete slabs in Fire Company No. 1 building on One Mile Road. The project had gone out to bid last year but bids received were well beyond what was appropriated. The project then went out to bid this year in which twelve responses had been received with were much better results. Recommendations had been received by the Township Manager and Fire Company No. 1 Chief.

RESOLUTION R2015-075

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, there is a need for Replacement of the Concrete Slabs at the East Windsor Volunteer Fire Company No. 1 building; and

WHEREAS, a Notice of Bids was issued and posted/advertised on January 5, 2015, and twelve (12) bids for the Replacement of Concrete Slabs at the East Windsor Volunteer Fire Company No. 1 building were received by the Municipal Clerk's Office on February 3, 2015; and

WHEREAS, the lowest priced responsible bid was received from Kalogridis Contracting, L.L.C.; and

WHEREAS, the Township Council has reviewed the recommendations made by the Township Manager on said bids; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available in the Capital Fund Account No. C04-55-951-912-859 entitled FC 1 Concrete Apron in the amount of \$64,250.00 as evidenced by the Chief Financial Officer's Certification No. C2015-012.

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

1. The Contract for the Replacement Concrete Slabs at East Windsor Volunteer Fire Company No. 1 is awarded to Kalogridis Contracting, L.L.C., 1315 Jackson Drive, North Brunswick, NJ 08902, on their bid of \$64,250.00, subject to receipt of a fully executed contract and all other required documents.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract for same.
3. The Municipal Clerk is hereby authorized and directed to return the certified check and bid bond of the following unsuccessful bidders: ; TC Landscape Construction 729 Marie Street, Toms River, NJ 08753, Diamond Construction, 35 Beaverson

Blvd., Brick, NJ 08723; Adamsville Maintenance, Inc., 330 Roycefield Road, Unit E, Hillsborough, NJ 08844; MBT Contracting, L.L.C. 63 Beaver Brook Road, Suite 104-C, Lincoln Park, NJ 07035; CMS Construction, 152 Sherman Avenue, Newark, NJ 07114; Rusling Paving & Concrete, L.L.C. 8 Irven Street, Trenton, NJ 08638; C & C Construction Management, Inc., 10063 Sandmeyer Lane, Philadelphia, PA 19116; Helios Construction, Inc., 1315 Allenhurst Avenue, Ocean, NJ 07712; Ireland Construction Group, L.L.C. 140 Line Road, West Windsor, NJ 08550; Altel Building System 904 Atlantic Boulevard, Point Pleasant, NJ 08742;and.

4. 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 and all other required documents to Kalogridis Contracting, L.L.C., 1315 Jackson Drive, North Brunswick, NJ 08902; Al Neto Contractors, Inc. 1004 Severin Drive, Bridgewater, NJ 08807.

It was MOVED by Rosenberg and SECONDED by Zoller to approve Resolution R2015-075 as revised.

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

There being seven (7) ayes and no (0) nays Resolution R2015-075 was approved as revised.

Resolution R2015-076 Approval of Purchase from Firefighter One of Replacement Turn-out Gear, Coats and Pants, for East Windsor Volunteer Fire Company No. 2

The Municipal Clerk read Resolution R2015-076 by title. Mayor Mironov stated in the first paragraph “No.” should be inserted after “Fire Company” and before “1” and after turn-out gear, “coats and pants.” She noted recommendations had been received from the Township Manager and Fire Chief.

RESOLUTION R2015-076

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, there is a need to purchase replacement turn-out gear, coats and pants for the East Windsor Volunteer Fire Company No. 2; and

WHEREAS, three (3) quotes were obtained to provide this replacement turn-out gear coats and pants; and

WHEREAS, the lowest cost proposal was submitted by Firefighter One; and

WHEREAS, since the purchase is under \$17,500, public bids are not required as set forth in N.J.S.A. 40A:11-4 requiring public advertising and bidding for contracts for a sum exceeding the aggregate amount as calculated periodically by the Governor, pursuant to N.J.S.A. 40A:11-3 which amount is \$17,500; and

WHEREAS, the Township Council has reviewed the Township Manager's recommendations on said purchase; and

WHEREAS, the maximum amount of the purchase is \$12,232.38 and funds are available in Account No. C-04-55-970-915-541 entitled Ordinance 2014-08 "Fire #2 Turn Out Gear", as evidenced by the Chief Financial Officer's Certification No.C2015-013.

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: Firefighter One 34 Wilson Drive, Sparta, New Jersey 07871, for five (5) Turnout coats and six (6) pants in an amount not to exceed \$12,232.38 in accordance with the attached quote.

It was MOVED by Shapiro and SECONDED by Duke to approve Resolution R2015-076 as revised.

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

There being seven (7) ayes and no (0) nays Resolution R2015-076 was approved as revised.

Resolution R2015-077 Approval of Purchase from Firefighter One of Replacement Fire Helmets and Face Shields, Firefighter Boots, Firefighter Gloves, and Nomex Hoods for East Windsor Volunteer Fire Company No. 2

The Municipal Clerk read Resolution R2015-077 by title. Mayor Mironov stated that under the "Now, Therefore" and after "(15)" the words "fire helmets and face shields" should be inserted. She noted three quotes had been received, and recommendations had been received from the Township Manager and Fire Company No. 2 Chief.

RESOLUTION R2015-077

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, there is a need to purchase replacement Fire Helmets and Face Shields, Firefighter Boots, Firefighter Gloves, and Nomex Hoods for East Windsor Volunteer Fire Company No. 2; and

WHEREAS, three (3) quotes were obtained to provide this replacement turn-out gear; and

WHEREAS, the lowest cost proposal was submitted by Firefighter One; and

WHEREAS, since the purchase is under \$17,500, public bids are not required as set forth in N.J.S.A. 40A:11-4 requiring public advertising and bidding for contracts for a sum exceeding the

aggregate amount as calculated periodically by the Governor, pursuant to N.J.S.A. 40A:11-3 which amount is \$17,500; and

WHEREAS, the Township Council has reviewed the Township Manager's recommendations on said purchase; and

WHEREAS, the maximum amount of the purchase is \$7,767.50 and funds are available in Account No. C-04-55-970-915-541 entitled Ordinance 2014-08 "Fire #2 Turn Out Gear", as evidenced by the Chief Financial Officer's Certification No.C2015-014.

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:

2. The Manager and Chief Financial Officer are hereby authorized and directed to approve and forward a purchase requisition to: Firefighter One 34 Wilson Drive, Sparta, New Jersey 07871, for fifteen (15) fire helmets and face shields for \$3,510.00; eight (8) pairs of firefighter boots for \$2,080.00; twenty (20) pairs of firefighter gloves for \$1,240.00; and thirty (30) firefighter Nomex Hoods for \$937.50, in an amount not to exceed \$7,767.50, in accordance with the attached quotes.

It was **MOVED** by Lippman and **SECONDED** by Rosenberg to approve Resolution R2015-077 as revised.

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

Nays – None

There being seven (7) ayes and no (0) nays Resolution R2015-077 was approved as revised.

Resolution R2015-078 Approval of Filing of Application with New Jersey Transit under the Federal Transit Administration (FTA) Section 5310 Program

The Municipal Clerk read Resolution R2015-078 by title. Mayor Mironov stated this had been discussed with New Jersey Transit and was a request for a new community bus.

RESOLUTION R2015-078

EAST WINDSOR TOWNSHIP MERCER COUNTY

WHEREAS, the Federal Transit Administration is authorized to fund the procurement of capital equipment including mass transit vehicles, to serve the elderly and persons with disabilities under Section 5310 of the Federal Transit Act, as amended; and

WHEREAS, New Jersey Transit administers the Section 5310 program in the State of New Jersey; and

WHEREAS, East Windsor Township operates a local bus service to serve the transportation needs of the elderly and the disabled in partnership with Mercer County and Hightstown Borough; and

WHEREAS, East Windsor Township was the recipient of a Section 5310 vehicle in 2008 which is in need of replacement.

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 to execute and file on behalf of East Windsor Township an application for a replacement vehicle with the New Jersey Transit pursuant to Section 5310 of the Federal Transit Act, as amended.

It was **MOVED** by Zoller and **SECONDED** by Yeager to approve Resolution R2015-078.

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

There being seven (7) ayes and no (0) nays Resolution R2015-078 was approved.

Resolution R2015-079 Action on Bid for Lease of Farmland Along Old York Road (Block 29, Lot 6)

The Municipal Clerk read Resolution R2015-079 by title. Mayor Mironov asked that the lease term be checked to ensure it was correct. She also asked that Schedule A be attached to the lease agreement and the date on which Resolution R2014-214 was adopted put into the first paragraph.

Council Member Zoller noted that the block and lot on the agenda and in the resolution did not match. It was determined that Resolution R2015-079 would be for Block 29, Lot 6 and Resolution R2015-080 would be for Block 46, Lot 11.

RESOLUTION R2015-079

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Resolution R2014-215, adopted December 23, 2014, the Mayor and Township Council authorized the bidding for the lease for farming of Township-owned land on Old York Road, specifically 60 acres of approximately 100 acres designated as Block 29, Lot 6; and

WHEREAS, three (3) bids were received by the East Windsor Municipal Clerk's Office on January 29, 2015 for the lease for farming of Township-owned land on Old York Road, specifically 60 acres of approximately 100 acres designated as Block 29, Lot 6; and

WHEREAS, the highest bid submitted was by Carmine Infante for \$4,620.00 for calendar year 2015 and for each successive calendar year for a term ending December 31, 2017 who has since decided to withdraw his bid; and

WHEREAS, the second highest bid submitted was by Kevin Kyle for \$3,900.00 for calendar year 2015 and for each successive calendar year for a term ending December 31, 2017 and has agreed to accept the bid to farm the property ; and

WHEREAS, the Township Council has reviewed the recommendations made by the Township Manager on said bid.

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 lease for farming of Township-owned land, specifically 60 acres of approximately 100 acres designated as Block 29, Lot 6, is hereby awarded to Kevin Kyle, 230 Cedarville Road, East Windsor, New Jersey 08520, on his bid of \$3,900.00 per year, for a term ending December 31, 2017.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached lease for the same.
3. The Municipal Clerk is hereby authorized and directed to forward a copy of the Resolution to the successful bidder.

It was MOVED by Zoller and SECONDED by Rosenberg to approve Resolution R2015-079 as revised.

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

There being seven (7) ayes and no (0) nays Resolution R2015-079 was approved as revised.

Resolution R2015-080 Action on Bid for Lease of Farmland Along Conover Road (Block 46, Lot 11)

The Municipal Clerk read by title Resolution R2015-080. Mayor Mironov asked that the lease term be checked to ensure it was correct. She also asked that “Schedule A” be attached to the lease agreement and the date on which Resolution R2014-217 was adopted put into the first paragraph.

RESOLUTION R2015-080

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, by Resolution R2014-217, adopted December 23, 2014, the Mayor and Township Council authorized the bidding for the lease for farming of Township-owned land on Conover Road, specifically 45 acres of approximately 84 acres designated as Block 46, Lot 11; and

WHEREAS, two (2) bids were received by the East Windsor Municipal Clerk's Office on January 29, 2015 for the lease for farming of Township-owned land on Conover Road, specifically 45 acres of approximately 84 acres designated as Block 46, Lot 11; and

WHEREAS, the highest bid submitted was by Carmine Infante for \$3,465.00 for calendar year 2015 and for each successive calendar year for a term ending December 31, 2017 who has since decided to withdraw his bid; and

WHEREAS, the second highest bid submitted was by Kevin Kyle for \$2,925.00 for calendar year 2015 and for each successive calendar year for a term ending December 31, 2017 and has agreed to accept the bid to farm the property ; and

WHEREAS, the Township Council has reviewed the recommendations made by the Township Manager on said bid.

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 lease for farming of Township-owned land, specifically 45 acres of approximately 84 acres designated as Block 46, Lot 11, is hereby awarded to, Kevin Kyle, 230 Cedarville Road, East Windsor, New Jersey 08520, on his bid of \$2,925.00.00 per year, for a term ending December 31, 2017.
2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached lease for the same.
3. The Municipal Clerk is hereby authorized and directed to forward a copy of the Resolution to the successful bidder.

It was **MOVED** by Yeager and **SECONDED** by Lippman to approve Resolution R2015-080 as revised.

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

Nays – None

There being seven (7) ayes and no (0) nays Resolution R2015-080 was approved as revised.

Resolution R2015-081 Approval of Corrected Resolution Approving Agreement with Mercer County for Grant Funding for East Windsor Municipal Alliance to Prevent Substance Abuse for 2015

The Municipal Clerk read by title Resolution R2015-081. Mayor Mironov stated the prior resolution, R2015-030, was approved although Mercer County had requested some minor changes to the prior resolution.

RESOLUTION R2015-081

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the Township of East Windsor desires to apply for and obtain a grant from the County of Mercer for the East Windsor Municipal Alliance for the Prevention of Substance Abuse; and

WHEREAS, East Windsor Township has been approved for a Municipal Alliance Grant for the July 1, 2015 through June 30, 2016 grant term: and

WHEREAS, funding has been made available to East Windsor Municipal Alliance in the amount of \$22,104.00 for the period of July 1, 2015 to June 30, 2016, contingent upon meeting the 25% Cash Match amount of \$5,526.00 and the 75% In-Kind Match amount of \$16,722.00, which is a grant requirement for the funding.

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 and Municipal Clerk are hereby authorized and directed to execute and file a grant application on behalf of East Windsor Township to Mercer County for the East Windsor Municipal Alliance for the Prevention of Substance Abuse
2. This Resolution rescinds and replaces R2015-030

It was MOVED by Yeager and SECONDED by Rosenberg to approve Resolution R2015-081.

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

There being seven (7) ayes and no (0) nays Resolution R2015-081 was approved.

Resolution R2015-082 Authorizing Approval of Contract with Vital Communications, Inc. for Computer Services for the Tax Assessor's Office

The Municipal Clerk read by title Resolution R2015-082. Mayor Mironov stated there was a request from Tax Assessor and a recommendation from the Township Manager.

RESOLUTION R2015-082

EAST WINDSOR TOWNSHIP

MERCER COUNTY

WHEREAS, there exists a need for data processing services for the East Windsor Township Tax Assessor's Office; and

WHEREAS, Vital Computer Resources, Inc. is the sole provider of the software and the Township Council has reviewed the Township Manager's recommendation on said software; 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 maximum amount of the contract is \$8,352.00 and funds are available in the Current Fund Account No. 5-01-20-140-140-245 entitled Data Processing, as evidenced by the Chief Financial Officer's Certification No.B2015-020.

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:

3. The Mayor and Municipal Clerk are hereby authorized and directed to execute the attached Contract with Vital Computer Resources, Inc., 900 South Broad Street, Trenton, New Jersey 08611, for data processing services for the East Windsor Township Tax Assessor Office, in an amount not to exceed \$8,352.00.

It was MOVED by Duke and SECONDED by Zoller to approve Resolution R2015-082.

Mayor Mironov stated this is an annual purchase provided for in the Municipal Budget.

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

There being seven (7) ayes and no (0) nays Resolution R2015-082 was approved.

Resolution R2015-083 Resolution Refunding Overpayments

The Municipal Clerk read by title Resolution R2015-083. Mayor Mironov stated there is a certified list requested from the Tax Collector.

RESOLUTION R2015-083

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, the East Windsor Tax Collector has certified that there have been overpayments for various reasons on certain properties; and

WHEREAS, the taxpayers are entitled to refunds.

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 Chief Financial Officer is hereby authorized and directed to make payments to the taxpayers for overpayments according to the attached Tax Collector's 2015 Refund of Taxes List Number 2 -dated April 7, 2015.

It was MOVED by Shapiro and SECONDED by Rosenberg to approve Resolution R2015-083.

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

There being seven (7) ayes and no (0) nays Resolution R2015-083 was approved.

Resolution R2015-084 Approval of Person-to-Person and Place-to-Place Transfer of Plenary Retail Distribution Alcoholic Beverage Control License from Windsor Wines and Liquors, 8 Princeton Hightstown Road, East Windsor, New Jersey, to Divya and Krishna, LLC, 529 Route 130, Unit B, East Windsor, New Jersey

The Municipal Clerk read by title Resolution R2015-084. Mayor Mironov confirmed with the Municipal Clerk that all documentation was in order and asked if anyone objected to the license. Nobody registered an objection.

Council Member Zoller noted the license number in the resolution was different than on the attachment. The Municipal Clerk explained that a transfer changed the license number.

RESOLUTION R2015-084

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, an application has been filed with the Municipal Clerk for a Person-to-Person and Place-to-Place Transfer of Plenary Retail Distribution License No. 1101-44-002-005 from John McDonnell, Chapter 7 Trustee for Windsor Wines and Liquors, Inc., with a previous address of 8 Princeton-Hightstown Road, East Windsor, NJ 08520 to Divya and Krishna, LLC at 529 Route 130 North, Unit B, East Windsor, New Jersey 08520; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid; and

WHEREAS, no objections have been made to the transfer of this license; and

WHEREAS, the Chief of Police has reported that there are no facts or circumstances that would preclude the transfer and has no objection.

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

1. The application for the person-to-person and place-to-place transfers of Alcoholic Beverage License No. 1101-44-002-005 from Windsor Wines and Liquors, Inc., of 8 Princeton-Hightstown Road, East Windsor, NJ 08520 to Divya and Krishna, LLC at 529 Route 130 North, Unit B, East Windsor, New Jersey 08520 are hereby approved nunc pro tunc to June 30, 2014.
2. The Municipal Clerk is hereby authorized and directed to endorse the license pursuant to N.J.A.C. 13:2-7.14.

It was MOVED by Zoller and SECONDED by Duke to approve Resolution R2015-084.

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

There being seven (7) ayes and no (0) nays Resolution R2015-084 was approved.

Resolution R2015-085 Renewal of Alcoholic Beverage Control License for Divya and Krishna, LLC, for the 2014-2015 License Term

The Municipal Clerk read by title Resolution R2015-085. Mayor Mironov confirmed with the Municipal Clerk that all documentation was in order and asked if anyone objected to the license. Nobody registered an objection.

RESOLUTION R2015-085

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

WHEREAS, Divya and Krishna, L.L.C. has filed an application for renewal of Plenary Retail Consumption License No. 1101-44-002-005 with the Municipal Clerk; and

WHEREAS, the Municipal Clerk represented that the application is in order and the proper fee has been submitted to the Township of East Windsor and to the Division of Alcoholic Beverage Control; and

WHEREAS, the applicant has applied for and, on April 1, 2015, been granted relief under N.J.S.A. 33:1-12.18 via Special Ruling issued by J. Wesley Geiselman, Acting Director, Division of Alcoholic Beverage Control for a new license for the license term 2014-2015; and

WHEREAS, notice of the application has been published in the Trenton Times on April 3, 2015, and April 10, 2015, as evidenced by an Affidavit of Publication; and

WHEREAS, no objections have been made to the renewal of said license; and

WHEREAS, the Chief of Police has advised that a review of police records and records supplied by the New Jersey Division of Alcohol Beverage Control do not reveal any facts or circumstances that would preclude license renewal; and

WHEREAS, this license has been inactive since December 17, 2013

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of East Windsor, in the County of Mercer, State of New Jersey, does hereby approve the renewal of the aforesaid license for the year July 1, 2014 to June 30, 2015, and the Municipal Clerk is hereby authorized and directed to issue said license.

Councilmember Shapiro stated the license number should be corrected to read 6.

It was **MOVED** by Duke and **SECONDED** by Lippman to approve Resolution R2015-085 as revised.

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

There being seven (7) ayes and no (0) nays Resolution R2015-085 was approved as revised.

APPLICATONS:

None.

REPORTS BY COUNCIL AND STAFF:

Council Member Yeager stated the Environmental Commission met on April 15 and discussed ANJEC and New Jersey Shade Tree membership, as well as actions that needed to be taken for the Sustainable Jersey Silver Certification.

Council Member Shapiro stated the Planning Board met on April 20. Concept plans were for a warehouse and a sports facility were brought before the Planning Board.

Mayor Mironov stated the Walter C. Black School had its 5th Grade DARE graduation on April 17, at which she and Council Member Zoller were present.

CORRESPONDENCE:

None.

APPOINTMENTS:

None.

APPROVAL OF BILLS:

It was MOVED by Duke, SECONDED by Rosenberg to approve the Bill Lists.

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

There being seven (7) ayes and no (0) nays the presented Bill Lists were approved.

MATTERS BY COUNCIL:

Mayor Mironov stated there was a memo from the Township Manager dated April 9 regarding prior questions on the Bill List.

Mayor Mironov stated there was an April 10 letter from the NJ Department of Transportation notifying the Township of its \$250,000 grant award for Dorchester Drive.

Mayor Mironov stated Recycling Day was scheduled for Saturday, April 25 from 10:00 am to 2:00 pm.

Mayor Mironov stated that Operation Medicine Cabinet was scheduled for Saturday, April 25 from 10:00 am to 2:00 pm.

Mayor Mironov stated Local Passport Day was scheduled for Wednesday, May 29 from 3:00 pm to 7:00 pm.

Mayor Mironov stated the State of the Township address, sponsored by the New Jersey Chamber of Commerce, was scheduled for Wednesday, May 6.

Mayor Mironov stated that on Saturday, May 9 the Environmental Commission will be distributing seedlings at the PAL fields.

Council Member Zoller asked if there was a PAL field event on Saturday and Mayor Mironov stated their grand opening was scheduled for the following Saturday, April 21 at 9:00 am.

DISCUSSION ITEMS AND COUNCIL ACTION WHERE APPROPRIATE:

1. Township Roadway Improvement Projects

Mayor Mironov stated a memo had been forwarded to Council regarding Hickory Corner Road, Dutch Neck Road and Dorchester Drive. The work would commence in early May. The Township had received a \$300,000 grant for Hickory Corner Road and a \$250,000 grant for Dorchester Drive from New Jersey DOT.

She noted there were other roads in town that were being looked at as future projects, including Dutch Neck and Mill Creek Roads so she asked Council Members to start thinking about next year's grant applications.

MATTERS BY PUBLIC:

John Brooks, 888 Old York Road, commented about EMS services.

Michael Foley, 6 Barrington Drive, West Windsor, commented about EMS services.

Jonathan Wassef, 175 Canterbury Court, East Windsor, inquired about the Municipal Budget.

Sean O'Connor, 152 Hickory Corner Road, asked Council Member Shapiro to clarify the proposals heard at the Planning Board.

ADJOURNMENT:

There being no further business Mayor Mironov declared the meeting adjourned at 8:30 p.m.

Gretchen McCarthy
Municipal Clerk

Janice S. Mironov
Mayor