

AGENDA SESSION 1-13-15

President Keyes-Maloney called the meeting to order at 6:31 p.m. and read the Open Public Meeting Statement:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 2nd day of January, 2015.

THE PUBLIC WILL HAVE AN OPPORTUNITY TO ADDRESS THE COUNCIL DURING THE “STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC” SEGMENT OF THE MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO SIGN IN ON SHEET PROVIDED IN THE FRONT OF THE ROOM. ALL QUESTIONS AND COMMENTS FROM THE PUBLIC WILL BE DIRECTED TO THE COUNCIL PRESIDENT, WHEN ADDRESSING THE COUNCIL, PLEASE GIVE YOUR NAME AND YOUR ADDRESS.

THE COUNCIL INVITES AND ENCOURAGES PARTICIPATION BY THE PUBLIC IN ITS MEETINGS, HOWEVER A MEMBER OF THE PUBLIC MAY UTILIZE FIVE MINUTES OF TIME FOR REMARKS AND QUESTIONS, UNLESS OTHERWISE ENGAGED IN A DIALOGUE WITH A MEMBER OF THE COUNCIL, ANY FURTHER REMARKS OR QUESTIONS BEYOND THE TIME LIMIT MUST BE AUTHORIZED BY THE PRESIDENT OF THE COUNCIL.

ROLL CALL

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| ▪ Mr. Baxter - Present | Joanna Mustafa, CFO |
| ▪ Mr. Schroth - Present | Maeve Cannon, Twp. Attorney |
| ▪ Ms. Steward - Present | Kim Macellaro, Clerk |
| ▪ Ms. Wollert – Present | Jim McManimon, Administrator |
| ▪ President Keyes-Maloney - Present | |

DISCUSSION

1. RESOLUTION OF TEMPORARY APPROPRIATIONS

CFO Mustafa explained that this is the temporary budget. Every year we appropriate 26.25% of our prior years’ budget, exclusive of debt service, capital improvement and public assistance. She further stated that this should take us to the end of March, 2015. There was some discussion amongst Council and the CFO about the budget. If the budget is not adopted, we will have to do an emergency appropriation. There were no other questions.

2. A RESOLUTION AUTHORIZING CHECK AUTHORIZATION PRIOR TO BILLS LIST APPROVAL

President Keyes-Maloney said this allows us to make these appropriations in the event that we need to. Councilwoman Steward asked if we would still get a separate list as we did last year. CFO responded yes.

3. A RESOLUTION AUTHORIZING AND APPROVING 2015 SHARED SERVICES CONTRACT FOR HEALTH SERVICES BETWEEN THE TOWNSHIP OF EWING AND THE TOWNSHIP OF HAMILTON

President Keyes-Maloney said that again this is an item that we have done in years past. Administrator McManimon elaborated. Councilman Baxter asked Mr. McManimon how the fee schedule works. Mr. McManimon explained. President Keyes-Maloney asked how long we have had this agreement. Mr. McManimon stated that it was here in 2005 when he was here and in 2006. This is under shared services and we do get credit for this. There were no more questions.

4. A RESOLUTION AWARDDING THE CONTRACT FOR INTERIOR RENOVATIONS AND ADA RAMP AT THE EWING SENIOR AND COMMUNITY CENTER IN THE AMOUNT OF \$206,000

Administrator McManimon explained that this is a continuing upgrade using HUD money. We did get ten bids on this. We had a base bid and an alternate bid. We will continue to do the front and the back and we are upgrading the old tennis courts.

5. **A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO FORMAN SIGN COMPANY FOR THE SITE SIGN REPLACEMENT AT THE EWING SENIOR AND COMMUNITY CENTER**

President Keyes-Maloney said that this allows for independent lighting regardless of whether or not the lot lights are on. It is necessary to have it lit up as it provides the community with upcoming events. There were no questions from Council

6. **A RESOLUTION APPROVING CHANGE ORDER #2 TO PJM MECHANICAL CONTRACTORS FOR THE EWING MUNICIPAL BUILDING BOILER REPLACEMENT**

Administrator McManimon explained that this is a decrease of twenty one thousand and change. President Keyes-Maloney said that as a point of personal privilege it was great to hear Mr. McManimon talk about the boilers at the Green Team meeting last night. It is important for them to hear about the upgrades. President Keyes-Maloney said that they are economically efficient and great for the environment as well.

7. **A RESOLUTION AUTHORIZING THE SUBMISSION OF THE EWING (EDAA) MUNICIPAL ALLIANCE GRANT FOR JULY 1, 2015 TO JUNE 30, 2016**

CFO Mustafa explained that this is a regular grant we use to provide services to the kids such as D.A.R.E. This is to establish it for the next fiscal year. President Keyes-Maloney said that it is customary to do it at this time of the year. There were no questions from Council.

8. **A RESOLUTION GRANTING WILLIAM BENNETT, JR. PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA912) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT FEBRUARY 1, 2015**

President Keyes-Maloney said that this is consistent with what we have done before past practice. There were no questions from Council.

9. **A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF ROGER T. HALEY AS MUNICIPAL COURT JUDGE FOR THE TOWNSHIP OF EWING**

President Keyes-Maloney explained that this is for a period of three years. This will continue his service to the town from January, 2015 to January, 2018. There were no questions from Council.

10. **A RESOLUTION AUTHORIZING THE EXECUTION OF A ONE-YEAR AGREEMENT WITH THE COLLEGE OF NEW JERSEY FOR THE PROVISION OF AN EMPLOYEE ASSISTANCE PROGRAM IN THE AMOUNT OF \$5,520.00**

President Keyes-Maloney said we have always had an EAP program in the town. This is shifting to another provider in light of the fact that we believe that will provide even more valuable services. The EAP program is for employee situations where they may need someone to talk to of the psychological nature. Administrator McManimon said that this is in addition to the benefits and allows the employee to go six visits anonymously. Brochures are available through the public works building and this building. Councilman Baxter asked which department at the college handles this. Administrator McManimon said the psychology department and they have a 24 hour hotline. They can request a male or a female, whichever makes them more comfortable. Councilman Schroth asked what other towns do they provide their service to. Administrator McManimon said that there are three in Mercer County. There were no questions from Council.

11. **A RESOLUTION OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, STATE OF NEW JERSEY, PROCLAIMING AND SUPPORTING JANUARY OF EACH YEAR AS HUMAN TRAFFICKING AWARENESS MONTH**

Attorney Cannon explained that Womanspace is one of the organizations that require a resolution. Human trafficking is an ongoing problem typically involving women and children. This resolution will raise awareness of our opposition to human trafficking. Councilman Baxter stated that he was glad to see this resolution as it is a major problem and he is in definite support of this. There were no other questions from Council.

12. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 91 ALCOHOLIC BEVERAGES

Attorney Cannon explained that currently Ewing has on the books that any two alcohol licensees must be within 1000 feet of each other. She explained that it is not a State requirement but a township requirement. This Ordinance would provide a provision for the licensee to request a waiver from the township Council. President Keyes-Maloney said that it provides a limited exception and she elaborated a bit on the exceptions. Councilwoman Wollert asked what prompted this to which Attorney Cannon responded that a licensee asked about it and he has an inactive but sighted license at another location and he asked if he could sight it at another location, across from a bar. Councilman Baxter asked where the 1000 feet came from. Attorney Cannon said that it has been on our books for a long time. It is not a State statute. Councilman Baxter asked how 1000 feet is measured off. Attorney Cannon stated that it is the way you walk from door to door, not as the crow flies. There were no other questions.

President Keyes-Maloney asked the Clerk to move all items to the regular agenda for action.

BILLS LIST

The Council President reviewed the Bills List

1. A Resolution Authorizing the Chief Financial Officer to Pay Supplemental Bills per Resolution #15R- in the Amount of \$6,003,509.47

There were no other questions from Council or the public.

CONSENT AGENDA

The Council President reviewed the Consent Agenda.

1. Approval of Minutes of the Meetings of February 10, 2014 (Agenda), and February 11, 2014 (Regular)
2. A Resolution Authorizing a Maintenance Guarantee Release for Abiding Presence Church Site Plan, Block 560 Lot 1 2220 Pennington Road Ewing Township for Project Number RV&A#1102 I 010 Subject to their Compliance with Specifications Outlined by Ewing Township Engineers Remington, Vernick & Arango
3. A Resolution Authorizing a Performance Bond Release for Way of the Cross Holy Temple Site Plan, (Block 13/Lot 33) – Ewing Engineers Remington, Vernick & Arango RV&A #1102-I-028
4. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, for C/O in the Amount of \$200.00 to Lorraine Kennedy, 563 Cleardale Ave., Ewing, NJ 08638 for a C/O at 2124 Spruce Street, Ewing, NJ 08638. The Applicant Paid for a Commercial C/O when it was already Paid for and Completed.
5. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official for Fees in the Amount of \$100.00 to Louis Jolibois, 200 Dearborn Ave., Ewing, NJ 08638 for a Fire Prevention Registration at 200 Dearborn Ave., Ewing, NJ 08638. The Homeowner Decided Not to Rent the Property Back.
6. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official for Fees in the Amount of \$110.00 to Gloria Champion, 70 Lanning St., Ewing, NJ 08638 for a Permit Fee at 70 Lanning St., Ewing,

NJ 08638. She was unaware that she was entitled to a Senior Discount. The Refund Amount is 50% off Minus the DCA Fee.

7. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, for Fees in the Amount of \$258.00 to Fred & Karen Farreny, 1265 Lower Ferry Rd., Ewing, NJ 08628 for a Permit at 1265 Lower Ferry Rd., Ewing, NJ 08628. They Paid for a Permit when there was already a Permit Submitted into the Construction Office for the Same Job.

There were no questions from Council or the public. The Consent Agenda was approved for action.

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

(None)

ORDINANCE(S) FOR SECOND READING, PUBLIC HEARING AND FINAL ADOPTION

(None)

NEW BUSINESS

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Administrator McManimon explained that there are some people here tonight regarding parking/rental concerns in Shabakunk Hills. The Clerk and I had received a petition and he offered to go door to door to verify this petition. Mr. Calderone dropped off the petition. He further said we can't address the issue of not allowing a dwelling to be used as a rental property because of a ruling by a judge that is now retired. Rental property cars are allowed to park on public streets but we could put a limit on the street. Mr. Murphy and Mr. Calderone were in attendance. Councilwoman Steward asked if he went door to door yet. Administrator McManimon said no because the petition asks for something that is illegal – not allowing rental properties in their neighborhood. He did drive through the neighborhood a couple of times, once while they were in class and the other when they were not (Rider stickers on their cars). President Keyes-Maloney stated that there is something in the drop box for consideration, if we were to contemplate a two hour idea.

At 7:01 p.m. Joseph Murphy (9 Malaga Drive) asked about how many times the board has come back to the court with regard to illegal students. President Keyes-Maloney said that by enlarge this is not something that is heard in municipal court. Those cases are heard in the superior court. He also commented about the EAP program and said Council should be complimented on having it as it allows for people to get the help they need. He went on to discuss the two hour parking on Malaga Drive. He said lets go for the whole week, 24/7. He urged them to put it on the agenda and get it moving.

At 7:05 p.m. Ron Prykanowski (16 Thurston Avenue) wished everyone a Happy New Year and success to the new Council for the coming year. He talked about a nuisance snow storm and he thinks Council should consider a brine system for the coming year. It is 5% salt as opposed to 82% rock salt. He said it is efficient, cost effective and environmentally friendly. He wasn't sure of the cost but said we should put it in the capital budget. He asked Mr. McManimon when they are taking care of the water leak on Route 31. Administrator McManimon said that they are working on it.

At 7:09 p.m. Carmen Calderone (7 Metekunk Drive) said he would like to have a copy of Judge Mathesius' decision. He doesn't know how one judge could change the Ordinance that clearly stated what a boarding house is. He said that

the neighbors are concerned because there are houses for sale and they are afraid another “slumlord” might turn those houses into boarding houses. He said that he got 85 out of 90 houses to sign the petition to park no more than two cars in the street. Maeve explained that Judge Mathesius’ decision did not deal with boarding houses, it dealt with rental properties. Maeve said that if he can prove that it is a boarding house in his neighborhood, they would have to follow state regulations. After much conversation, President Keyes-Maloney asked Mr. Calderone if the residents in the neighborhood would support two hour parking all the time or all the time absent certain holidays. He commented that that is not what the petition was asking for. President Keyes-Maloney asked if they ever talked about restricted parking for a durational period of time. He replied no. He further said that the petition states that you could park as many cars in the driveway as you want and only two in the street – overnight. President Keyes-Maloney said they would contemplate either two hour parking all the time or all the time absent certain holidays – they are the only options they have. She went on to say that they would have no idea whose two cars belonged to which house in his neighborhood so they would have no way to enforce it. She thought that this needed more investigation and the petition is not really viable to this. Attorney Cannon stated that you could issue two placards per house and then if the car is in the street and didn’t have the placard, then they would get a ticket. Councilman Baxter said we have been through this before up, down and sideways. President Keyes-Maloney said at this point we will take this into consideration but it is not something we will act on this evening.

At 7:23 p.m. Ron Prykanowski (16 Thurston Avenue) commented that this is a point of information along the boarding house subject, construction is in process of doing fire inspections and registration of rental units and they should know the difference between rental and boarding houses.

At 7:24 p.m. Paul Steward (277 Clamer Road) wished everyone a Happy New Year! He then commented on unpaid traffic tickets – how much money have we collected to date. Attorney Cannon replied. The contract has been awarded and the process has started within a few months. This is our test year and we are very optimistic, but to be honest some of this debt may be deceased. Mr. Steward said he would be interested in getting an update on this in a few months.

CLOSED SESSION

ADJOURNMENT

There being no further business, President Keyes-Maloney asked for a motion to adjourn. Ms. Wollert so moved seconded by Ms. Steward. The meeting was adjourned at 7:27 pm.

Jennifer Keyes-Maloney, President

Kim J. Macellaro, Municipal Clerk