

## AGENDA SESSION 5-26-15

President Keyes-Maloney called the meeting to order at 6:30 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 2<sup>nd</sup> 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. ANY MEMBER OF THE PUBLIC CAN LEAVE THEIR QUESTION AND CONTACT INFORMATION WITH THE CLERK REGARDING MATTERS THAT NEED RESPONSE BY ADMINISTRATION.

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

- |                                 |                         |
|---------------------------------|-------------------------|
| ▪ Mr. Baxter-present            | Administrator McManimon |
| ▪ Mr. Schroth-present           | CFO Mustafa             |
| ▪ Ms. Steward-present           | Attorney Cannon         |
| ▪ Ms. Wollert-arrived 6:34 p.m. | Clerk Macellaro         |
| ▪ President Keyes-Maloney       |                         |

### DISCUSSION

1. AN ORDINANCE AMENDING ORDINANCE 15-10 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO CLARIFY THE ADDITION OF BUS STOPS ALONG STATE, NOT MUNICIPAL, ROADWAYS PURSUANT TO N.J.S.A. 39:4-8(e) AND ADDING APPROPRIATE CLARIFYING DESIGNATION OF EXISTING STOPS IN THE ORDINANCE

President Keyes-Maloney explained that this is to clarify the addition of bus stops along state, not municipal, roadways. There were no questions from Council or the public.

2. A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$4,204,802 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,994,562 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

CFO Mustafa said that this Ordinance will be up after the adoption of the budget. This is the 2015 capital plan that you saw in your budget document. It includes various items for public works, police department, Technology and Recreation. President Keyes-Maloney said that one of the big ones is road work and a substantial item related to upgrades in the police department. CFO Mustafa said that the roof, not covered under HUD, at the ESCC. Councilman Baxter asked the CFO to explain the IT vehicle for \$62,500. CFO said the basic SSV, similar to the ones the police have and it is around \$27,000 IT will use it to move equipment from various different township locations. Councilman Baxter also asked about the CSI

vehicle. CFO said that it is solely dedicated to the CSI function and completely outfitted to their requirements. Councilwoman Steward asked about the acquisition of 146 Scotch Road (Green Acres). Administrator McManimon said that they have been working with D&R Greenway and County Open Space Program to identify property in Ewing to expand our current parks. One 2 acre property on Scotch Road would actually connect to our current park, which green acres supports. There were no more questions from Council or the public.

**3. A RESOLUTION CONSENTING TO THE APPOINTMENT OF JENNIFER J. WINN TO THE EWING TOWNSHIP ARTS COMMISSION**

President Keyes-Maloney said that Ms. Winn is a member of the Glendale Civic Association in addition to being an account executive with a local business. More importantly she has significant arts and teaching experience in music and theatre and regularly performs in and out of Mercer County and the Tri-State area. There were no questions from Council or the public.

**4. A RESOLUTION OF EWING TOWNSHIP AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

President Keyes-Maloney explained that we will participate in the auction next week. Administrator McManimon stated that we did this two years ago and it is up for renewal. President Keyes-Maloney said that it is for electric and heating. Administrator McManimon stated that they are allowing members of the Green Team and the Environmental Advisory Committee to listen in online. There were no questions from Council or the public.

**5. A RESOLUTION AUTHORIZING EXECUTION OF A RECYCLING TONNAGE GRANT APPLICATION**

President Keyes-Maloney explained that we do this on an annual basis. There were no questions from Council or the public.

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

**BILLS LIST**

The Council President presented the Bills List for Review.

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$10,800,371.79 and to Pay Supplemental Bills per Resolution #15R-27 in the Amount of \$42,205.70.

Council Baxter asked about PO #82480/demolition. Administrator McManimon said that it was an arson fire, put a lien on the property and couldn't get the bank to do anything. It was unsafe. There were no more questions on the bills list and it was approved for action.

**CONSENT AGENDA**

The Council President reviewed the Consent Agenda.

1. A Resolution Authorizing the Conduct of a Bingo Sponsored by Prospect Heights Volunteer Fire Co. #1
2. A Resolution authorizing Spring Meadows Home Owners Association to hold a block party/road closing on June 20, 2015
3. A Resolution Authorizing a Refund, as Recommended by the Tax Collector in the Amount of \$830.79 for May 1, 2015 tax qtr., to Heath, Robert H. & Suzanne, 17 Glen Stewart Drive, Ewing, New Jersey 08618, for property owners Heath, Robert H. & Suzanne, for Block: 474 Lot: 17 also known as 17 Glen Stewart Drive.

4. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector in the Amount of \$1,534.75 for May 1, 2015 tax qtr., to Geller, Brian S., 101 Summit Avenue, Ewing, New Jersey 08628, for property owner Geller, Brian S., for Block: 377 Lot: 270 also known as 101 Summit Avenue.**
5. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector in the Amount of \$989.29 for May 1, 2015 tax qtr., to Wooley, Daniel J. & Allette F., 2 Holiday Court, Ewing, New Jersey 08638, for property owners Wooley, Daniel J. & Allette F., for Block: 214 Lot: 44.02 also known as 2 Holiday Court.**
6. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector in the Amount of \$1,673.79 for May 1, 2015 tax qtr., to Greco, David & Cheryl, 24 Wardman Avenue, Ewing, New Jersey 08638, for property owners Greco, David & Cheryl, for Block: 103 Lot: 165 also known as 24 Wardman Avenue.**
7. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector in the Amount of \$1,458.66 for May 1, 2015 tax qtr., to Brown, Matthew C., 3 Bradway Avenue, Ewing, New Jersey 08618, for property owner Brown, Matthew C., for Block: 451 Lot: 43 also known as 3 Bradway Avenue.**
8. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector in the Amount of \$763.52 for May 1, 2015 tax qtr., to Giovannetti, Michael, 2201 Columbia Avenue, Ewing, New Jersey 08638, for property owner Giovannetti, Michael, for Block: 52 Lot: 148 also known as 2201 Columbia Avenue.**

**President Keyes-Maloney stated that they needed to move these as a block and if anything needed to be discussed, it would be moved to new business and discussed separately.**

**There were no questions and the Consent Agenda was approved for action.**

**Council President stated that with regard to the Public Hearing and the Adoption of the Budget, we will have a discussion during our regular session**

#### **CY2015 BUDGET**

1. **Public Hearing on the CY2015 Amended Budget**
2. **A Resolution to Adopt the CY2015 Budget**

#### **ORDINANCE(S) FOR FIRST READING AND INTRODUCTION**

**President Keyes-Maloney stated that we had a walk on item and she read the title for purposes of inclusion in the minutes.**

1. **AN ORDINANCE OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, AMENDING RESIDENTIAL ZONING WITHIN THE TOWNSHIP.**

**She further went on to say that this came to us by way of our Township Planner who has had informal conversations with the Planning Board. This Ordinance will be introduced for first reading, referred to the Planning Board for their consideration to ensure that any of the changes noted herein are consistent with the Master Plan. Specifically, the Ordinance seeks to add a little more meat to the bones associated with a particular zone of the township on and around the current GM property. There were no questions from Council. Joe Murphy (9 Malaga Drive) asked if this would require ETRA review and said he doesn't remember having any discussions on it. President Keyes-Maloney said that it would need to go to the Planning Board**

first and then to the Redevelopment Agency for their input as well. Caroline Steward (30 Gilmore Road) asked exactly what property they are talking about. President Keyes-Maloney said Parkway Avenue area from the GM Site all the way down where Scotch Road intersects with Parkway. Ms. Steward asked about the stipulations and President Keyes-Maloney explained in detail. There was some more discussion between Ms. Steward and Council President Keyes-Maloney. President Keyes-Maloney stated that the Clerk could provide her with the Ordinance. Thomas Tighue (10 Boleyn Court) commented that he read the 54 page report, July 14, 2014, that has all the maps and he is trying to picture it after looking at all the maps. President Keyes-Maloney stated that Master Plans can be amended, and equally a Redevelopment Plan can be amended. She said that this is simply related to zoning changes within this area. Mr. Tighue said that he is concerned about the transparency of this Ordinance. President Keyes-Maloney stated that he could have a copy of what was being proposed tonight. Ron Prykanowski (16 Thurston Avenue) asked for a point of clarification as to whether this is a re-zone or an overlay zone. President Keyes-Maloney said that it would be an overlay zone. The professionals may argue slightly differently, but her reading of it would be an overlay zone. There were no more questions from the public.

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

1. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, ADDING ADDITIONAL BUS STOPS ALONG MUNICIPAL COUNTY ROADWAYS PURSUANT TO N.J.S.A. 39:4-8(e)

President Keyes-Maloney stated that we are modifying this from Municipal Roadways to County Roadways. There were no questions from Council or the public.

### COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

President Keyes-Maloney had nothing to report but should have something at the next meeting in light of

Councilwoman Steward – the Green Team meets tomorrow. They are trying to get the word out that they organized an energy seminar for small business owners that will take place on Wednesday, June 3, 2015 from 7:00 – 9:00 p.m. at the ESCC. The Green Team has spent a lot of time on this and the Mayor sent a letter out to the businesses.

Kathy Wollert – said the SAC Committee met last Thursday and she was out of town and couldn't attend. She said she spoke with members of the committee and they want to make it known that they are continuing their international food dinners and the next one is on the first Wednesday of the month, which will have Indian cuisine and the cost is \$5

Vice President Schroth – Ewing Drug and Alcohol Alliance met last week and they have a phenomenal program in place for Post Prom activities at Ewing High to eliminate drinking on this night. The traditional car wreck will be placed in front of Ewing High School shortly. They have expressed concerns regarding new drugs hitting the teens and there will be more coming on that front.

Councilman Baxter – Recreation Advisory Board met. Memorial Day weekend had great attendance at the pool. There will be free tennis lessons offered at Ewing High School on Monday from 5:30 p.m. to 7:00 p.m. and Saturday mornings from 9:00 a.m. to 10:30 a.m. Field use was discussed as well. All the fields are in pretty good shape but they need water as we all do here in Ewing. Basketball Courts at Moody are complete and we are in full swing. There is one vacancy on this board so if anyone is interested or knows someone who is interested, please forward a copy of your resume to Council President and Mayor.

Administrator McManimon – the County has two bridge projects starting today. The first bridge is at Ewingville and Whitehead Road, which will take five days a lane at a time. The second at Lower Ferry Road, down by Trenton Country Clubs' par 3, one bridge has been deemed unsafe, which will take about 15 days. The County indicated that they will be paving Parkway Avenue from Railroad Avenue

down to Scotch Road. State Grant first phase on Green Lane from Pennington Road to Hollowbrook and second phase will be completed out to Ewingville Road. He continued that the three emergency road projects were completed, which consisted of Bull Run Road, part of Browning Avenue and two roads up by Lore Elementary School.

President Keyes-Maloney said that in shifting back she was able to swear in a new member of the Environmental Commission who is actually a member of TCNJ's faculty (Dean of Education). He comes to us with a number of years of involvement down in the Maryland area. He is a great addition. She mentioned that Kevin and her attended TCNJ's commencement and the college did a very good job, in spite of rainy conditions.

#### NEW BUSINESS

#### STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Ron Prykanowski (16 Thurston Avenue) talked about the Incarnation-St. James Grammar School is going to become a Trenton Charter School. It is going to take our tax dollars and fund that school. He said that it is another "Trenton" item. We have a West Trenton Train Station, Trenton-Mercer Airport, Trenton Country Club and he said he can say from selling real estate that the "Trenton" name in this town is a hindrance. Perception is reality and people perceive us as an extension of the city of Trenton, they don't want to be here. He further commented that it is the same thing with our school system, it's a shame, because we have an excellent school system. But, when you tell people that their kids will go to Ewing School, they don't want them to go there. They say they would rather send their kids to a private school. He said it behooves Council right now to do something to approve our image. He said we need something to bring people in and change the image of this town. President Keyes-Maloney said that that this came up during the visioning process that the Green Team went through. She further stated that part of the plan was branding and developing a package for folks contemplating the town or are new to the town. She further stated that the "Incarnation" situation is temporary. She further went on to say that sometimes we undervalue the amazing things going on in Ewing Schools and our performance reports show that. She said she shared Mr. Prykanowski's passion and she will be there to have conversations with the school board and in concert making sure the good word is getting out to our residents about that. Councilwoman Wollert said that Ewing will not be funding this Charter School, Trenton Board of Education will be funding most of it. The money follows the child and we have one student from Ewing attending.

Sara Hendrickson (481 Walker Avenue) said she is concerned that Trenton High kids will be coming to Ewing High. President Keyes-Maloney said that Trenton High is being rebuilt, based on her limited information. They have farmed kids to different schools within Trenton. She asked why we are building more houses and apartment complexes when we know that educating children is very expensive, which means our taxes will go higher. She said we should be building big businesses. President Keyes-Maloney said that the good thing is we have the pleasure of working with the school board. We recently had a meeting with them about the demographics over the next several years. What we found out is that we have more than enough capacity within our existing school structures, based on what we know right now. She said we believe that some of the housing proposed at the GM Site will in fact be more transit oriented. She urged Ms. Hendrickson to take a look at our website because the report is on there and it lays out the plan. She said based on the demography, coupled with what we are doing commercially, we are going to be ok, but it will be a continuing conversation.

Caroline Steward (30 Gilmore Road) asked where kids that go to Charter School go to High School. President Keyes-Maloney replied that depending on where the child lives, dictates where the child goes to High School.

Ron Prykanowski (16 Thurston Avenue) said that as a clarification, this is a Charter High School. President Keyes-Maloney said that he was absolutely right. It can start at any grade and end at any grade.

**Thomas Tighue (10 Boleyn Court) asked about the reval. He understands we have a contractor do that and he asked when it was intended that letters would go out to residents to tell them about this. Attorney Cannon said that as part of the reval the Township's obligation is to provide to the reval contractor, a current set of updated maps. The Township Engineer has been working on updating the maps and bringing them current. They need to be approved by the State Division of Taxation. They have gone back and forth to the division several times now and the maps are still not approved, so as a result, there will be a point of no return. The reval has to start within a certain window to be able to have those figures of those evaluations done by that end date. She further stated that we are approaching that end date and if that happens, then the reval will have to be bumped for another tax year. The reval can't start without the maps. Mr. Tighue also commented that there are 10 sites in New Jersey that are historical and Ewing has two of them. The William Greenhouse is a historical treasure and is one of the two in Ewing. Since 1989 nothing has happened with this property and it's just going to fall apart. President Keyes-Maloney said that even though the property hasn't been rehabbed, it is stable. She said as a body they will definitely have conversations with the College of New Jersey to encourage them to do the right thing because it is an essential part of our history, just like the Benjamin Temple House. Mr. Tighue stated that the Ewing Presbyterian Church is the other one. He then went on to talk about tax rebates (Pilot) and asked where they are in the township. Attorney Cannon asked if he was looking for agreements and if so they are on record with the Tax Assessor. President Keyes-Maloney said that he would have to fill out an OPRA and give to the Clerk to get that information. President Keyes-Maloney said that in terms of what has been approved, he could see the compilation of the properties that would qualify for PILOT status. CFO Mustafa said that with the new user friendly budget, he will be able to see that information on the website once the budget is approved. Mr. Tighue thanked CFO Mustafa.**

**Steve Camp (Lochatong Road) said he feels an urge to comment on the perception of Ewing. He said he refuses to use Trenton or West Trenton in his life. He further went on to say that he was here many years ago when they tried to promote Ewing. They painted the water tower and the railroad bridge over Scotch Road, which he said looks absolutely ridiculous and dirty. Thousands of cars go by every day. He said Mountain View is a beautiful place. There is a perception and perception turns into reality and houses do not sell. Mr. Camp said we need to work on quality of life. Administrator McManimon stated that the railroad bridge on Scotch Rd has had two offers to paint. It belongs to CSX. He further went on to say that Attorney Cannon advised them to bid it out, but it will be expensive because of the type of paint you have to use. Two businesses have shown interest.**

**Sara Hendrickson (481 Walker Avenue) asked about Knights Farm. Administrator McManimon stated that it is State property and the township rezoned it several years ago from residential to conservation so if they ever try to sell it, the developer would have to figure out how to get conservation easement or get us to change the zone, which will be very difficult to do.**

**Jim Grillo (15 Diane Drive) said he was curious about the Scotch Road railroad bridge. Administrator McManimon said that it is owned by CSX. He asked if they gave us permission to paint it. Administrator McManimon stated that it is there property but when we price it out to do it, it will cost about \$225,000 to paint it. One business is interested in paying for it, but we still need to bid it out.**

**Caroline Steward (30 Gilmore Road) asked why don't we get a sign board (electronic) that says "Welcome to Ewing" and then list the different organizations that are having activities.**

**Mildred Russell (119 King Avenue) said that the perception of Ewing will continue to be the way it is until each home that is walked away from or purchased for the reason to make an income are fined. It all goes back to residential housing and how people maintain their community and where they live. She said she doesn't believe that we track school students and where they are coming from. President Keyes-Maloney stated that her and Mr. Baxter had the opportunity of riding with code enforcement over the last two weeks. There were 180 grass violations that had been written based on quality of life issues. Included within that is also**

the rental properties that exist within Ewing and we keep an index of those as well. The difficulty that code enforcement has from time to time is that the banks sell their homes to other banks and so there is a little bit of tracking to do. Our code enforcement folks are out and busy and keeping track of what is going on in the town.

**CLOSED SESSION – A RESOLUTION (Resolution #15R-103) TO ENTER INTO CLOSED EXECUTIVE SESSION**

Attorney Cannon read the Resolution into the minutes for entering into Closed Session and asked Council to adopt said resolution to discuss the settlement proposal in the matter of Birdsall v. Ewing Township and the second to discuss a shared services agreement with the County for Health Services. The minutes of the meeting will be made available if and when appropriate after the matter is concluded. At 7:52 p.m., Councilman Schroth made a motion to enter into closed session, seconded by Councilwoman Wollert. It was agreed by a unanimous voice vote. At 8:04 p.m., Councilwoman Steward made a motion to close closed session, seconded by Councilman Baxter. It was agreed by a unanimous voice vote. A motion was made by Councilman Schroth to enter back into open session, seconded by Councilwoman Wollert. It was agreed by a unanimous voice vote.

**ADJOURNMENT**

There being no further business, President Keyes-Maloney asked for a motion to adjourn. Councilwoman Steward so moved seconded by Councilman Schroth. The meeting was adjourned at 8:05 p.m.

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Jennifer Keyes-Maloney, President

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Kim J. Macellaro, Municipal Clerk