

## October 27, 2015 – AGENDA SESSION

President Keyes-Maloney called the meeting to order at 6:35 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 14<sup>th</sup> day of August, 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

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

### CLOSED SESSION – (Resolution #15R-201) A Resolution to Enter Into Closed Executive Session

At 6:36 p.m., the Attorney read the Resolution to enter into Closed Session into the record. At 6:37 p.m., Councilwoman Wollert made a motion to enter into Closed Session, seconded by Councilman Baxter. It was agreed by unanimous voice vote. At 7:17 p.m., Vice President Schroth made a motion to close the Closed Session, seconded by Councilman Baxter. It was agreed by unanimous voice vote. A motion was made by Councilwoman Wollert to enter back into Open Session, seconded by Councilwoman Steward. It was agreed by unanimous voice vote.

### DISCUSSION

#### **1. A RESOLUTION APPROVING SETTLEMENT IN MATTER OF MITCHELL HUMPHREY V. TOWNSHIP OF EWING**

President Keyes-Maloney stated that this allows us to close out business with an IT provider.

There were no questions or comments from Council or the Public.

#### **2. A RESOLUTION AWARDED CONTRACT TO SHI INTERNATIONAL CORPORATION FOR SPATIAL DATA LOGIC, INC. SOFTWARE PURSUANT TO STATE CONTRACT NO. 89851/M00003 IN THE AMOUNT OF \$63,450.00**

President Keyes-Maloney stated that this allows us to have a new database to provide management services for all sorts of data.

The Attorney, along with the Council President, then described this new enterprise solution database.

There were no questions or comments from Council or the Public.

Items Three and Seven were discussed together.

3. **A RESOLUTION PROVIDING FOR THE PAYMENT OF COURT APPOINTED SPECIAL MASTERS TO MEDIATE AND ADVISE THE COURT IN THE TOWNSHIP'S *MOUNT LAUREL* DECLARATORY JUDGMENT ACTION ENTITLED *IN THE MATTER OF EWING TOWNSHIP, DOCKET NO. L-1556-15***
7. **A RESOLUTION AUTHORIZING THE ENTRY INTO AN AMENDMENT TO THE MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT**

The Attorney provided background on these two items.

President Keyes-Maloney explained that Item Three allows for the appointment of a Special Master to address the litigation process itself. Item Seven allows for the potential new appointment of an expert to address the particulars of the case in light of the illness of the previous expert. The Court required us to appoint these Special Masters. Historically, the Township has been very good in ensuring that our fairshare housing has been in place; that COAH requirements have been addressed.

There were no questions or comments from Council or the Public.

President Keyes-Maloney addressed Items Four and Five together.

4. **A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87**
5. **A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87**

President Keyes-Maloney stated that Item Four has to do with a grant that we have received in the past. It is for a bullet proof vest partnership in the amount of \$11,958.00. Item Five has to do with the HUD CDBG grant that we have also received in the past.

The Administrator stated that the HUD CDBG grant will be used for the renovation of the Hollowbrook Center starting with the roof. The HUD grant is specific as to what it can be used for. The Administrator then gave a few examples – handicapped ramps, elevators, upgrade bathrooms to be handicapped compliant.

There were no questions or comments from Council or the Public.

6. **A RESOLUTION OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, STATE OF NEW JERSEY, APPROVING A CORRECTIVE ACTION PLAN FOR CY2014 AUDIT**

President Keyes-Maloney stated that this relates to the Township audit. Last week we had a discussion with our auditor. This addresses our corrective action in terms of the minutes. Going forward the minutes will be distributed in a timely fashion.

There were no questions or comments from Council or the Public.

8. **A RESOLUTION AUTHORIZING THE PURCHASE OF BODY CAMERAS AND/RELATED EQUIPMENT BY THE POLICE DEPARTMENT FOR THE TOWNSHIP OF EWING FROM, ADVANCED ELECTRONICS dba PATROL PC THROUGH STATE CONTRACT A81300 T-0106 (expires 04/30/2016)**

President Keyes-Maloney explained that this authorizes the purchase of body cameras and related equipment via state contract using the Attorney General's guidelines.

Councilman Baxter asked how many body cameras will be purchased.

The Administrator replied – thirty-five at this time.

Vice President Schroth asked if the cameras will be assigned to a particular officer.

The Administrator replied that the cameras will be assigned to a group of officers as we have seventy-five officers. The Administrator then explained how it is going to work and added that the procedure is based on recommendations from the Prosecutor's Office and the Attorney General's Office.

There were no additional questions or comments from Council. There were no questions or comments from the Public.

9. **A RESOLUTION AUTHORIZING THE PURCHASE OF SELF CONTAINED BREATHING APPARATUS FOR PROSPECT HEIGHTS, PENNINGTON ROAD AND WEST TRENTON FIRE HOUSES FOR THE TOWNSHIP OF EWING FROM, MUNICIPAL EMERGENCY SERVICES THROUGH STATE CONTRACT A80961 T-00790 (expires 03/31/2016)**

The Council President said that this was part of our capital budget. The bottles have a shelf life and need to be replaced periodically. This will ensure that all three fire houses have the same apparatus.

The Administrator added that right now two of the three firehouses have the same apparatus. Since all three will have the same apparatus, the bottles can be interchanged. These bottles have a fifteen year life span.

There were no questions or comments from Council or the Public.

10. **A RESOLUTION AWARDDING CONTRACT FOR 2016 INTERNATIONAL MODEL #7400 SBA 6X4 FOR HIGH COMPACTION REAR LOADING REFUSE COLLECTION TRUCK TO BUCKS COUNTY INTERNATIONAL INC. IN THE AMOUNT OF \$178,347.00**

President Keyes-Maloney said that one bid was received.

There were no questions or comments from Council or the Public.

11. **A RESOLUTION AWARDDING GPS TRACKING SERVICES TO AIR-TRACK, INC. IN THE AMOUNT OF \$39.00 PER MONTH PER VEHICLE FOR A TOTAL AMOUNT OF \$46,800.00 FOR 100 VEHICLES FOR A ONE (1) YEAR CONTRACT WITH TWO (2) ONE-YEAR OPTIONS FOR RENEWAL**

President Keyes-Maloney said that this will allow us to track vehicles that the Township owns. We will be able to track one hundred vehicles.

The Administrator added that the same contractor won the bid; the price came down \$10,000 from the last contract.

There were no questions or comments from Council or the Public.

12. **A RESOLUTION DESIGNATING A TAX SEARCH OFFICER FOR THE TOWNSHIP OF EWING**

President Keyes-Maloney explained that due to an imminent retirement the Township needs to have a new Tax Search Officer. Sandra Leming will replace Jean Andrusiewicz effective November 1<sup>st</sup>.

Councilman Baxter asked what kind of certifications are needed.

The Administrator replied that only experience and the recommendation of the Tax Collector are necessary. She is the most senior member in the Tax Office and will make \$1200 per year for being the Tax Search Officer.

There were no additional questions or comments from Council. There were no questions or comments from the Public.

13. **A RESOLUTION OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, STATE OF NEW JERSEY SUPPORTING THE NEED FOR THE DROUGHT WATCH DECLARED ON SEPTEMBER 23, 2015 AND PROMOTE EFFORTS RELATED TO THE CONSERVATION OF WATER RESOURCES THROUGHOUT MERCER COUNTY**

President Keyes-Maloney explained that this does not enact mandatory water restrictions, but rather, in light of a significant reduction in the amount of rainfall over the past several months, encourages good behavior on the part of all of us.

President Keyes-Maloney asked the Administrator to put something up on the Environmental Commission's website.

There were no questions or comments from Council or the Public.

All items were approved for action.

### **BILLS LIST**

1. **A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$6,017,379.55 and to Pay Supplemental Bills per Resolution #15R-27 in the Amount of \$26,224.41**

Councilman Baxter asked what period of time is covered by PO 84142 and PO 84156.

The Administrator replied that the contractor bills us quarterly for lawns that are not properly taken care of.

Councilman Baxter then asked what is the difference between lawn maintenance and high grass cut.

The Administrator replied that there is an extra fee for cutting lawns over six inches; it also includes a clean-up fee.

Mr. Baxter asked about PO 84247 – the uniform for Mr. Hughes.

The Administrator replied that Mr. Hughes is a new Public Works employee; we are required to buy their first uniform and then after that it comes from their annual uniform allowance.

Councilman Baxter asked about Number 66574.

The Administrator answered that this is for background checks for new police officers.

The CFO and the Administrator responded to Councilwoman Steward's question regarding the process for government asset forfeiture.

Councilwoman Wollert asked for clarification of Check #9999 paid to the State.

The CFO replied that is for health insurance – one is an active employee and the other is retired.

Vice President Schroth inquired about Check #66455.

The CFO said that that is for repairs to one of our current ambulances. It is one of the trade-ins, but since the new ambulances are not ready yet, we had to repair this one to keep it going.

Vice President Schroth asked if we have a contract with Haldeman Ford.

The Administrator replied that we take it to the closest certified repair shop as the vendor is far away.

There were no additional questions or comments from Council. There were no questions or comments from the Public.

### **CONSENT AGENDA**

Council President Keyes-Maloney presented the Consent Agenda for review.

1. **Approval of Reorganization Meeting Minutes of January 1, 2015; Approval of Agenda Session Minutes for August 12, 2014 and October 13, 2015; Approval of Regular Session Minutes for August 12, 2014 and October 13, 2015.**
2. **A Resolution Authorizing the Conduct of a Bingo Sponsored by Ewing High School Project Graduation**
3. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$183.20 for Oct 1, 2015 sewer bill, to Mcveigh, Dennis A. & Patricia S., 211 Concord Drive, Riveredge, NJ 07661 for property owner Mcveigh, Dennis A. & Patricia S., for Block: 176 Lot: 462 also known as 221 Crescent Avenue.**
4. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$28.46 for Oct 1, 2015 sewer bill, to Deangelo Edward J. & Susan S., 32 Delaware Ave, Ewing, NJ 08628 for property owner Deangelo, Edward J. & Susan S., for Block: 500 Lot: 14 also known as 32 Delaware Ave.**

5. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$64.33 for Oct 1, 2015 sewer bill, to Poonolly, Joseph & Beena Jose, 20 Fran Ave., Ewing, NJ 08638 for property owner Poonolly, Joseph & Beena Jose, for Block: 225 Lot: 58 also known as 20 Fran Ave.
6. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$17.64 for Oct 1, 2015 sewer bill, to Lust, Nathaniel & Elizabeth J. Sanz, 552 Maple Ave., Ewing, NJ 08618 for property owner Lust, Nathaniel & Elizabeth J. Sanz, for Block: 234.05 Lot: 30 also known as 552 Maple Ave.
7. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$22.67 for Oct 1, 2015 sewer bill, to Wolverton, Laure P., 38 Montague Ave., Ewing, NJ 08628 for property owner Wolverton, Laure P., for Block: 430 Lot: 18 also known as 38 Montague Ave.
8. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$18.35 for Oct 1, 2015 sewer bill, to Tard, Hazel & Felicia, 873 Parkway Avenue, Ewing, NJ 08618 for property owner Tard, Hazel & Felicia, for Block: 320 Lot: 16 also known as 873 Parkway Avenue.
9. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$33.18 for Oct 1, 2015 sewer bill, to Brown, Peter B. & Teresa A., 26 Pershing Ave., Ewing, NJ 08618 for property owner Brown, Peter B. & Teresa A., for Block: 297 Lot: 32 also known as 26 Pershing Ave.
10. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$17.66 for Oct 1, 2015 sewer bill, to St. Luke's Episcopal Church, 1620 Prospect Street, Ewing, NJ 08638 for property owner St. Luke's Episcopal Church, for Block: 43 Lot: 399 Qual: T0001 & T0002 also known as 1628 Prospect Street.
11. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$10.32 for Oct 1, 2015 sewer bill, to Brister, William L. Estate, 89 Theresa Street, Ewing, NJ 08618 for property owner Brister, William L. Estate, for Block: 468 Lot: 184 also known as 89 Theresa Street.

There were no questions or comments from Council or the Public.

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

**(None for this Meeting)**

**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, TO AMEND CHAPTER 225-61 SCHEDULE XIV; TRUCKS OVER FOUR TONS TO EXCLUDE TRUCKS OVER FOUR TONS FROM OLD EWINGVILLE ROAD BETWEEN STONEHAM ROAD AND SPRUCE STREET

President Keyes-Maloney explained that this will restrict trucks on all of Old Ewingville Road between Stoneham and Spruce due to the impact on the neighborhood, not only the quality of life and public safety, but road issues as well.

There were no questions or comments from Council or the Public.

2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225-51 SCHEDULE IV; TIME LIMIT PARKING TO PROVIDE THAT TWO HOUR PARKING ON LOUISIANA AVENUE SHALL RUN FROM KING AVENUE TO OAK LANE

The Council President explained that this will modify the parking on Louisiana Avenue such that there will no longer be a two hour parking limit on this section of Louisiana Avenue. The two-hour parking limit will remain for the rest of Louisiana. This came as a result of a petition from residents who live on this portion of the street.

There were no questions or comments from Council or the Public.

#### **COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL**

The Council President said that she does not have a report as her group did not meet.

Vice President Schroth said that he did not have anything to report.

Councilwoman Steward reported that the this past Saturday was very busy for the Green Team. The group held their inaugural Fall Spin. Fifty riders participated in the twelve mile bike tour around Ewing. There were two stops of interest - at the GM property and the 1867 Sanctuary. Councilwoman Steward, on behalf of the Green Team, thanked the Administration for all of their support for this event. The Green Team is talking about doing this again next year. Ms. Steward also reported that the last Shred Day for the year was a success. And this past Saturday, the Green Team held a scarecrow contest as part of Trunk or Treat.

Councilman Baxter reported that the Recreation Advisory Board will hold a President's Meeting on November 9<sup>th</sup>. At the last meeting, some of the program directors spoke about their programs' strengths and weaknesses and what they needed to keep these programs going. One idea is for a travel baseball team. Events were held for Trunk or Treat. The Board is also looking at the use of facilities with the School Board.

The Administrator added that this week we are completing the rebuilding of the hard ball field at Ewing High School by the Township Recreation Department because the new baseball coach at Ewing High wants to play their home games at the high school.

Mr. Baxter then reported that the tennis courts are complete at the Ewing Senior and Community Center and Ewing Soccer needs help.

There were no additional Commission and Committee reports by Council.

President Keyes-Maloney asked the liasions to report to their Boards that the events this past Saturday were amazing - from the bike ride to the Scarecrow Contest to Trunk or Treat.

Councilwoman Steward thanked the two Ewing Police officers who helped the bike riders get around Town safely.

President Keyes-Maloney then mentioned that there are still a number of flu clinics coming up.

#### **NEW BUSINESS**

(None for this Meeting)

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

Ron Prykanowski (16 Thurston Avenue) stated that by now everyone has seen the "buzz" cut along Olden Avenue done by PSE&G. Mr. Prykanowski suggested that Council undertake a tree ordinance so that one, when trees are taken down, they are replaced and two, when a new business comes in; trees are planted somewhere else. Mr. Prykanowski mentioned the "Healthy Forest Initiative" and then asked if the Township has any employees who are knowledgable in tree management.

President Keyes-Maloney responded that the Township does have someone on Staff who is educated in forestry. Also, as part of the Planning Board proces, the Environmental Commission does weigh in and make recommendations. Ms. Keyes-Maloney added that recently we did articulate, in one of our ordinances, guidance concerning the best species for this area.

Mr. Prykannowski said that the first area that the “Healthy Forest Initiative” should be applied to is directly across the street from where PSE&G removed the trees because of the power lines. That property is a mess.

The Administrator added that the Township did meet with PSE&G regarding the Olden Avenue issue. They have until the end of October to finish the job because of a small animal that could not be disturbed in the soil. Regarding the opposite side of the street, it is difficult to work in there because it is wetlands. Nature is taking its course there.

Ernie Doggett (5 Keswick Avenue) said that his concern is the fire protection services in the Township. September 17<sup>th</sup>, there was a house fire on Stowman Drive. Mr. Doggett asked if the Township has enough manpower to handle this type of situation.

The Council President responded that this incident is under investigation so there are things that can be discussed and things that cannot. The Administration is meeting with both the Career Firefighters and the Volunteer Firefighters to ensure that we have enough coverage to provide public safety for our community.

Mr. Doggett said that he has witnessed a number of calls where only a chief’s truck shows up.

President Keyes-Maloney told Mr. Doggett that he should contact the Administration or Council if he notices any future timeliness incidents.

Mr. Doggett then asked if the firefighters are properly qualified.

President Keyes-Maloney said that all three fire companies are responsible for providing training to the volunteers as well as the Township who is responsible for the career firefighters. All three companies do provide training and are required to follow state standards just as the Township is required to do so for the career staff.

The Administrator said that we have met with the career staff and representatives of the volunteer firefighters. The Mayor will be making recommendations. The Administrator then described the training involved and that it is more difficult to get on the career list. The Administrator stated that this will not happen again and thanked Mr. Doggett for bringing this forward and said that he can meet with him if he wants.

Councilman Baxter thanked Mr. Doggett for coming out and voicing his opinion and then said action is being looked at. Council is just as concerned as the Public.

The Administrator detailed the incident and then said that the investigation will take whatever direction it will take and the Township will make any changes necessary going forward.

There were no additional questions or comments from members of the Public.

#### CLOSED SESSION

(None for this Meeting)

#### ADJOURNMENT

There being no further business, President Keyes-Maloney asked for a motion to adjourn. Mr. Schroth so moved seconded by Mr. Baxter. The meeting was adjourned at 8:06 p.m.

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David P. Schroth, President

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Kim J. Macellaro, Municipal Clerk