

March 11, 2014 – REGULAR SESSION

President Baxter called the meeting to order at 7:00 p.m. and read the Open Public Meetings Statement:

Almighty God who holds the fate of Man and Nation, we most humbly beseech thee to bless these deliberations, and these thy servants, that they may act with wisdom and understanding for the good of our community and thy greater glory. Amen.

Flag Salute

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 6th day of January, 2014.

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

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Charles Green (979 Bear Tavern Road) said that he wanted to clarify a statement from last night. Mr. Green then stated that stealing was not amongst the gardeners. The Mayor responded that the comment he made last night did not imply that it was the gardeners who were stealing.

Mr. Green replied that the reason he wanted to clarify what was said last night was because he did not want others to think that the Mayor thought that the gardeners were stealing.

There were no other statements or comments from members of the Public.

CONSENT AGENDA

_____ The Clerk read the Consent Agenda: (Resolution #14R-57/)

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$825,746.88 and to Pay Supplemental Bills per Resolution #14R-44 in the Amount of \$10,329.15

2. **A Resolution Authorizing the Conduct of a Bingo Sponsored by Ewing High School Project Graduation on April 25th, 2014**
3. **A Resolution Authorizing the Conduct of a Calendar Raffle Sponsored by Rotary Club Trenton Every Thursday from May 15, 2014 to July 3, 2014**
4. **A Resolution Authorizing the Conduct of an On Premise 50-50 Cash Raffle Sponsored by Trenton Community Music School Inc. on April 24, 2014**
5. **A Resolution Authorizing the Conduct of a Tricky Tray sponsored by West Trenton Volunteer Fire Company on March 29, 2014.**
6. **A Resolution Authorizing the Conduct of a Bingo sponsored by West Trenton Volunteer Fire Company on March 29, 2014.**
7. **A Resolution Authorizing a Performance Guarantee Release for Phase II Improvements (Building No. 5) Princeton South Corporate Center (Church and Dwight) (Block 225.04/Lot 1.01) – Ewing Engineers Remington & Vernick and Affiliates #1102 I 019)**

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Resolution, seconded by Ms. Wollert. President Baxter asked for a roll call.

ROLL CALL

Ms. Wollert	YES
Mr. Schroth	YES
Ms. Keyes-Maloney	YES
Ms. Steward	YES
President Baxter	YES

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. **The Clerk read (Ordinance #14-02) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 252 PARKS AND PLAYGROUNDS TO CREATE A COMMUNITY GARDENING PROGRAM (2014)**

President Baxter stated that we had a lengthy discussion on this last night and explained that this Ordinance just puts some guidelines in place. President Baxter then mentioned that there is now a Community Garden Association that is going to help oversee what happens out at the garden. Councilwoman Keyes-Maloney said that this codifies the program and licenses individuals to farm on an individual plot at the location on Whitehead Road.

There were no questions or comments from Council.

Charles Green (979 Bear Tavern Road) stated that he has had an opportunity to look at the guidelines and that he wanted to commend Council and, in particular, Ms. Keyes-Maloney. Mr. Green stated that Ms. Keyes-Maloney has done a great job and has created a document that will go a long way to make this garden club a living thing that will be around for a while. Councilwoman Keyes-Maloney thanked Mr. Green and then added that it was the Township Attorney that crafted the document.

There were no further questions or comments from members of the Public. Ms. Keyes-Maloney then moved the Ordinance, seconded by Ms. Steward. President Baxter asked for a roll call.

ROLL CALL

Ms. Steward	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	YES
Ms. Wollert	YES
President Baxter	YES

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

(None for this Meeting)

NEW BUSINESS

1. The Clerk read (**Resolution #14R-58**) **A RESOLUTION ESTABLISHING THE SEWER RATES AND CHARGES FOR EWING TOWNSHIP FOR CALENDAR YEAR 2014**

President Baxter explained that this is the annual resolution we do for our sewer rates and then explained that the sewer rates are remaining flat. The CFO added that the sewer rates will be remaining consistent with the last two years.

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

Ms. Steward then moved the Resolution, seconded by Ms. Wollert. President Baxter called for a roll call.

ROLL CALL

Ms. Wollert	YES
Ms. Steward	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	YES
President Baxter	YES

2. The Clerk read (**Resolution #14R-59**) **A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR A EWING TOWNSHIP DISASTER RELIEF TRUST FUND REQUIRED BY N.J.S.A. 40A:4-39**

President Baxter said that this trust fund is being set up so that we can receive monetary donations for all those affected by the disaster at South Fork.

The CFO added that this Resolution dedicates by rider for a separate bank account and accounting structure for this Trust. Monies donated by the Community and further afield are designated solely to those affected by the disaster.

President Baxter said that the Mayor pointed out last night, that the Township will receive the money but will not be involved in the disbursement of it.

The Mayor said that a volunteer committee has been set up and hopefully, by Saturday, we will be able to start some of this process, which will depend on a number of factors, including whether or not someone has insurance.

The Mayor said that he wants to take this opportunity to say that he is extremely proud of all the first responders that responded; everyone kept calm – including the residents. The Mayor then said that the most moving moment came when the victim’s family came in to see him to thank the town and then made a donation as well because that was how the victim was, always trying to help others.

Councilwoman Keyes-Maloney thanked the Mayor for all of his hard work.

There were no further questions or comments from Council. There were no questions or comments from members of the Public. Mr. Schroth then moved

the Resolution, seconded by Ms. Keyes-Maloney. President Baxter called for a roll call.

ROLL CALL

Ms. Keyes-Maloney	YES
Mr. Schroth	YES
Ms. Steward	YES
Ms. Wollert	YES
President Baxter	YES

3. The Clerk read (Resolution #14R-60) A RESOLUTION PURUSANT TO N.J.S.A. 40A:11-4.3 AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR THE PROCUREMENT OF REVALUATION SERVICES

President Baxter said that this is a Resolution to start our revaluation process of the town. President Baxter then stated that we will be using competitive contracting as opposed to a lower cost bid. Any time that we do this type of contracting, a resolution is needed.

The Attorney confirmed that that is correct. The initial procurement has to be authorized by Council to use this evaluative process.

Councilwoman Keyes-Maloney stated that she is thankful that we are being allowed to use competitive contracting for this because the evaluative nature will benefit the residents of the Township much more than the low bid process.

There were no further questions from Council.

Charles Green (979 Bear Tavern Road) asked if there is a cap on this or is that for any contract.

The Attorney responded that this Resolution is only for the contract to procure revaluation services for the revaluation that will have to take place in the Town.

Mr. Green then asked if all contracts can now be done by resolution.

The Attorney responded – no, only certain types of contracts, by statute, are allowed to be done by the competitive contracting process; revaluation services is one of them because the Division of Local Government Services has authorized the Town to use it for this particular service. If the service is not already enumerated by Statute or is not authorized by the Division of Local Government Services than the lowest bid process has to be used. This Resolution only authorizes this particular contracting process for this particular contract, any future contracts that are allowed to use competitive contracting will have to be authorized by Council before it can be used.

Mr. Green then asked if there was any idea when this will happen.

The Attorney explained that the Township had been ordered by the County Board of Taxation to conduct a revaluation last year. The Township has been doing the preliminary work and it is now ready for procurement. The vendor will hopefully do the assessments during the summer and fall and assuming everything stays on schedule, it will be for the following tax year.

Mr. Green asked if that is for 2015 or 2016.

The Attorney responded that the number will be out for 2015.

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

Ms. Wollert then moved the Resolution, seconded by Ms. Steward.

President Baxter asked for a roll call.

ROLL CALL

Ms. Steward	YES
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Ms. Wollert	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	YES
President Baxter	YES

4. The Clerk read (Resolution #14R-61) A RESOLUTION AUTHORIZING MUTUAL AID AGREEMENTS WITH ALL MUNICIPALITIES OF MERCER COUNTY, NEW JERSEY, THE MORRISVILLE BOROUGH, BUCKS COUNTY, PENNSYLVANIA, AND THE JOINT FIRE DEPARTMENT BETWEEN THE YARDLEY BOROUGH, BUCKS COUNTY, PENNSYLVANIA AND THE TOWNSHIP OF LOWER MAKEFIELD, BUCKS COUNTY, PENNSYLVANIA

President Baxter stated that this is our mutual aid agreements that we have with surrounding municipalities and even in Pennsylvania. President Baxter then said that the Mayor will try to get some shared services credits for this because Trenton is part of this.

The Attorney added that this just memorializes a long-standing existing arrangement between all the towns in Mercer County.

Councilman Schroth then asked about how long has this existed.

The Attorney responded that towns have been giving mutual aid for as long as we have had fire departments. The Attorney added that the State has requested that we memorialize this with agreements.

There were no further questions from Council. There were no comments or questions from members of the Public. Ms. Keyes-Maloney then moved the Resolution, seconded by Mr. Schroth. President Baxter called for a roll call.

ROLL CALL

Mr. Schroth	YES
Ms. Keyes-Maloney	YES
Ms. Steward	YES
Ms. Wollert	YES
President Baxter	YES

5. The Clerk read (Resolution #14R-62) A RESOLUTION GRANTING JOHN COLEMAN PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA901) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT MAY 1, 2014

President Baxter said that this allows retiring police officers to receive their service weapon. President Baxter explained that we do this from time to time and that we have been notified by the Officer-in-Charge Lt. Lunetta that this officer is retiring in good standing and he is recommending that we give him his weapon.

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

Ms. Wollert then moved the Resolution, seconded by Mr. Schroth. President Baxter asked for a roll call.

ROLL CALL

Mr. Schroth	YES
Ms. Wollert	YES
Ms. Keyes-Maloney	YES
Ms. Steward	YES
President Baxter	YES

6. The Clerk read (Resolution #14R-63) A RESOLUTION GRANTING TIMOTHY COPELAND PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL

NUMBER RYA924) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT MARCH 1, 2014

President Baxter stated that this and Item Number Seven are similar to Item Number Five and asked the Public if they had any questions or comments regarding this or Item Number Seven.

There were no questions or comments from Council or the Public. Ms. Keyes-Maloney then moved the Resolution, seconded by Ms. Steward. President Baxter asked for a roll call.

ROLL CALL

Ms. Steward	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	YES
Ms. Wollert	YES
President Baxter	YES

7. The Clerk read (Resolution #14R-64) A RESOLUTION GRANTING AMERICO ROSENA PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA934) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT APRIL 1, 2014

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Resolution, seconded by Ms. Wollert. President Baxter called for a roll call.

ROLL CALL

Ms. Wollert	YES
Mr. Schroth	YES
Ms. Keyes-Maloney	YES
Ms. Steward	YES
President Baxter	YES

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

President Baxter stated that he has received a communication from a Township resident that there will be a “Bullying Empowerment Skills Training Session” that will be held at the College of New Jersey on Monday, March 17th.

President Baxter then thanked all the First Responders, the Police Officers and the Mayor for what they did handling the tragedy and he also thanked everyone for standing together during this difficult time and showing that we are a community. Councilwoman Wollert also expressed her thanks to everyone, from both inside and outside the community, who participated in the relief efforts, along with the First Responders and Police Department, and the volunteers who manned the hotline. Councilwoman Wollert then thanked the Mayor for doing a great job handling this difficult situation.

Councilman Schroth stated that he would like to echo what everyone has said and said that he wanted to reiterate that our town came together in a way that you would never know that this was a Town of about 35,000 people; you would think when this happened that everyone was just around the corner.

Councilwoman Steward also echoed what everyone else said and then said that there is still a need for donations for some specific items.

President Baxter added that this list can be found on our website.

There being no further business President Baxter called for a motion to adjourn. Ms. Wollert so moved, seconded by Ms. Keyes-Maloney. The meeting was adjourned at 7:28 p.m.

Jennifer Keyes-Maloney, President

Kim Macellaro, Municipal Clerk