

May 13, 2014 – REGULAR SESSION

Acting President Keyes-Maloney called the meeting to order at 7:07 p.m. and read the Open Public Meeting 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 2nd day of May, 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 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**

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

The Clerk stated for the record that both Councilwoman Wollert and President Baxter have been excused.

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

Joe Murphy (9 Malaga Drive) thanked the Clerk for her good work. Mr. Murphy also thanked the CFO for getting the Township out of a large hole.

Acting President Keyes-Maloney thanked all of our awesome professionals that do a great job working for the residents of the Township.

**CONSENT AGENDA**

The Clerk read the Consent Agenda: (Resolution #14R- 88/)

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$5,777,172.85 and to Pay Supplemental Bills per Resolution #14R-44 in the Amount of \$349.94
2. Approval of Minutes of the Meeting of October 7, 2013 (Agenda), October 8, 2013 (Regular)

3. **A Resolution Authorizing Karissa Kozlak and Vincent Czepiya to Hold a Block Party on May 31<sup>st</sup>, 2014**
4. **A Resolution Authorizing Spring Meadows Home Owners Association to Hold a Block Party/Road Closing on May 31<sup>st</sup>, 2014**
5. **A Resolution Authorizing the Conduct of a 50-50 On-Premise Cash Raffle Sponsored by the Victorians of Villa Victoria Academy on June 16, 2014**
6. **A Resolution Authorizing the Conduct of an On-Premise Merchandise Raffle Sponsored by Thomas J. Carnevali Jr. Memorial Foundation, Inc. on June 9, 2014**

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

**Ms. Steward abstained from Item Two – Minutes of the Meeting of October 7, 2013 and October 8, 2013.**

**ROLL CALL**

<b>Ms. Steward</b>	<b>YES</b>
<b>Mr. Schroth</b>	<b>YES</b>
<b>Acting President Keyes-Maloney</b>	<b>YES</b>

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

1. **The Clerk read (Ordinance #14-08) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, ADDING ADDITIONAL BUS STOPS ALONG MUNICIPAL ROADWAYS PURSUANT TO N.J.S.A. 39:4-8(e)**

**There were no questions from Council.**

**Bob Hall ( 197 Browning Avenue) asked where are these stops located.**

**The Administrator responded that the stops are along Upper Ferry Road.**

**Mr. Hall then stated that NJ Transit has recently been using King Avenue as part of their route.**

**The Administrator replied that King Avenue is not part of the route unless there is a problem on Green Lane.**

**Mr. Hall said that it happened for a few days, and then stated that he spoke with Mrs. Russell and she said that there were no issues on Green Lane. Mr. Hall then stated that the bus would even stop along the road and take a break later in the day.**

**Acting President Keyes-Maloney asked if the bus was out of service.**

**The Administrator said that he would ask NJ Transit about it.**

**Councilman Schroth asked when did this happen and has it happened since.**

**Mr. King replied that it happened about two weeks ago for three or four days and it has not happened since.**

**Councilwoman Steward asked if any passengers were boarding or being discharged.**

**Mr. King replied that he did not notice.**

**Acting President Keyes-Maloney asked Mr. Hall to share additional details with the Administrator who will reach out to NJ Transit.**

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

**Ms. Steward then moved the Ordinance, seconded by Mr. Schroth. Acting President Keyes-Maloney asked for a roll call.**

**ROLL CALL**

<b>Mr. Schroth</b>	<b>YES</b>
<b>Ms. Steward</b>	<b>YES</b>
<b>Acting President Keyes-Maloney</b>	<b>YES</b>

2. The Clerk read (Ordinance #14-09) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225 TRAFFIC REGULATIONS, TO PROHIBIT COMMERCIAL TRUCK PARKING IN ALL RESIDENTIAL ZONES OF EWING TOWNSHIP

The Attorney stated that this Ordinance came about after many complaints from residents who noticed large commercial trucks being parked and maintained on residential streets. This Ordinance would prohibit the parking or maintenance of trucks or buses at any time in any residential zone of the Township. The Attorney explained that trucks are defined as being vehicles with three or more axles and/or with a tandem axle and/or having a gross tonnage of ten tons. Buses are defined as carrying ten or more persons.

Acting President Keyes-Maloney added that it is not only an environmental issue but a safety one as well.

There were no questions or comments from Council.

Mildred Russell (119 King Avenue) stated that she is happy with this Ordinance but then asked why long trailers are not included.

The Administrator replied that we are still working on that.

Mrs. Russell then stated that these trailer owners should at least be told not to park near street corners. Mrs. Russell added that what are we going to do, wait until something happens.

The Administrator said that he does not disagree with Mrs. Russell, but we are working on it.

Acting President Keyes-Maloney said that this is a step in that direction; we are waiting to see if we are on firm legal ground before proceeding.

Councilman Schroth added that we are actively working on it.

There were no further questions or comments from the Public.

Mr. Schroth then moved the Ordinance, seconded by Ms. Steward. Acting President Keyes-Maloney asked for a roll call.

ROLL CALL

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

3. The Clerk read (Ordinance #14-10) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ADD CHAPTER 421, LIVE ANIMAL SLAUGHTERING AND PROCESSING FACILITIES, AND TO AMEND CHAPTER 172, FEES

The Clerk stated that we are adding to the Agenda as it was left off accidentally.

Acting President Keyes-Maloney stated that this would allow us to regulate small animal slaughter facilities. We already have one such establishment that is located in an appropriate zone. Acting President Keyes-Maloney said that this would allow us to regulate that business in a way that we need to both from a health and from a safety perspective.

The Attorney then further explained the Ordinance.

There were no questions from Council or the Public.

Ms. Steward then moved the Ordinance, seconded by Mr. Schroth. Acting President Keyes-Maloney then asked for a roll call.

ROLL CALL

Mr. Schroth	YES
Ms. Steward	YES

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

1. The Acting President read (**Ordinance #14-06**) A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$5,994,176.10 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,695,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Acting President Keyes-Maloney explained that the Public Hearing will be opened and closed and then continued to the next meeting as a super majority is needed for passage.

Mr. Schroth made a motion to open the Public Hearing, seconded by Ms. Steward. It was agreed by unanimous voice vote.

Joe Murphy (9 Malaga Drive) asked what are the components included in this Bond Ordinance.

The Acting President, the CFO and the Administrator listed the various capital improvements that are included.

Mr. Murphy then asked whose turn is it to repave Bull Run Road.

The Administrator responded that he has a meeting with Hopewell to determine that. The Administrator added that the last time was 2005 and we had a grant to do it.

There were no further questions or comments from the Public.

Ms. Steward made a motion to close the Public Hearing, seconded by Mr. Schroth. It was agreed by unanimous voice vote.

Acting President Keyes-Maloney then asked for a motion to continue the matter to the May 27<sup>th</sup> Council Meeting. Mr. Schroth made the motion, seconded by Ms. Steward. It was agreed by unanimous voice vote.

2. The Clerk read (**Ordinance #14-07**) AN ORDINANCE OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, AMENDING THE REVISED ORDINANCES OF THE TOWNSHIP OF EWING, AMENDING SECTION 225-52, ENTITLED "SCHEDULE V; HANDICAPPED PARKING ON STREETS," TO ADD A HANDICAPPED PARKING SIGN AT 9 NEW TRENT STREET

WHEREAS, Daisy Bethea resides at 9 New Trent Street in the Township of Ewing and has requested one designated handicapped parking sign in front of her residence, and

WHEREAS, the Ewing Traffic Office has approved Daisy Bethea's designated handicapped parking sign request for 9 New Trent Street.

BE IT ORDAINED by the Township Council of the Township of Ewing that the Revised General Municipal Ordinances of the Township of Ewing be amended to provide for the designation of a handicapped parking sign at 9 New Trent Street, as follows:

Section 1 CHAPTER 225, VEHICLES AND TRAFFIC, ARTICLE VIII Schedules, §225-52. Schedule V: Handicapped Parking on Streets, of the Code of the Township of Ewing, is hereby amended as follows:

**§225-52. Schedule V: Handicapped Parking on Streets.**

In accordance with the provisions of § 225-9A, restricted parking spaces for use by handicapped persons with special vehicle identification cards shall be prescribed in the following locations:

<b>Name of Street</b>	<b>Location</b>
New Trent Street	One parking space in front of 9 New Trent Street

Section 2 This Ordinance shall take effect after final publication according to law.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to provide for the designation of one handicapped parking space at 9 New Trent Street.

**Acting President Keyes-Maloney stated that as with all such requests, the Police Department verifies that a handicapped sign is needed. The Police have verified that a handicapped parking sign is needed at this address.**

**Mr. Schroth made a motion to open the Public Hearing, seconded by Ms. Steward. It was agreed by unanimous voice vote.**

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

**Ms. Steward then made a motion to close the Public Hearing, seconded by Mr. Schroth. It was agreed by unanimous voice vote.**

**Ms. Steward then moved the Ordinance, seconded by Mr. Schroth. Acting President Keyes-Maloney asked for a roll call.**

**ROLL CALL**

<b>Mr. Schroth</b>	<b>YES</b>
<b>Ms. Steward</b>	<b>YES</b>
<b>Acting President Keyes-Maloney</b>	<b>YES</b>

NEW BUSINESS

**The Clerk explained that a Resolution of Emergency Temporary Appropriations was walked on at the Agenda Session.**

- 1. The Clerk read (Resolution #14R-89) RESOLUTION OF EMERGENCY TEMPORARY APPROPRIATIONS**

**Acting President Keyes-Maloney explained that this will allow the Township to continue the emergency appropriation given the fact that we have had a late response from the State in terms of their approval of our Budget.**

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

**Mr. Schroth then moved the Resolution, seconded by Ms. Steward. Acting President Keyes-Maloney called for a roll call.**

**ROLL CALL**

<b>Ms. Steward</b>	<b>YES</b>
<b>Mr. Schroth</b>	<b>YES</b>
<b>Acting President Keyes-Maloney</b>	<b>YES</b>

- 2. The Clerk read (Resolution #14R-90) A RESOLUTION TO CANCEL CERTAIN GRANT BALANCES**

**Acting President Keyes-Maloney stated that this dates to a 2008 Justice Assistance Grant that came up as part of the audit process. We have to cancel these balances given the fact that they have aged out.**

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

**Ms. Steward then moved the Resolution, seconded by Mr. Schroth. Acting President Keyes-Maloney asked for a roll call.**

**ROLL CALL**

<b>Mr. Schroth</b>	<b>YES</b>
<b>Ms. Steward</b>	<b>YES</b>
<b>Acting President Keyes-Maloney</b>	<b>YES</b>

3. The Clerk read (Resolution #14R-91) RESOLUTION TO AMEND THE INTRODUCED CY2014 BUDGET

Acting President Keyes-Maloney said that this is the amendments to the Budget that the CFO discussed earlier.

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

Ms. Steward then moved the Resolution, seconded by Mr. Schroth. Acting President Keyes-Maloney called for a roll call.

ROLL CALL

Mr. Schroth	YES
Ms. Steward	YES
Acting President Keyes-Maloney	YES

4. The Clerk read (Resolution #14R-92) A RESOLUTION AUTHORIZING THE PLACE-TO-PLACE TRANSFER OF GIANT WINE AND LIQUOR t/a BUY RITE LIQUOR (POCKET LICENSE #1102-32-009-004)

Acting President Keyes-Maloney said that this is a customary transfer of a liquor license.

The Attorney added that this has been vetted and approved by the Police Department as is the case with all liquor license transfers.

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

Mr. Schroth then moved the Resolution, seconded by Ms. Steward. Acting President Keyes-Maloney then called for a roll call.

ROLL CALL

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

5. The Clerk read (Resolution #14R-93) A RESOLUTION APPROVING EWING TOWNSHIP'S APPLICATION FOR A TRANSPORTATION ALTERNATIVES GRANT FOR "THE ACCESS POINT PROJECT"

The Administrator explained that first we received a grant from the State for some \$280,000 to pave Green Lane from Ewingville Road to Route 31; next year we will ask for the other half of the grant to finish paving Green Lane. Second, the Township and the College are applying for a grant to put in sidewalks and ramps along Green Lane. This will coincide with improvements that the College has planned to the Green Lane entrance to the College. The Administrator then explained that there is a lot of in-kind work about \$150,000. We have also asked for support letters for the grant from three groups – The Board of Education, The Board of Chosen Freeholders and the Brae Burn Association.

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

ROLL CALL

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

6. The Clerk read (Resolution #14R-94) A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE FOR THE JEFFERSON (BLOCK 225.01/LOTS 2.01 THRU 2.05) – EWING ENGINEERS REMINGTON, VERNICK & ARANGO #1102 I 003

Acting President Keyes-Maloney said that this would allow for the release of the performance bond for the Jefferson. The Township Engineer has reviewed the request.

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

**ROLL CALL**

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

7. The Clerk read (**Resolution #14R-95**) A RESOLUTION APPROVING CHANGE ORDER NO. 1 FINAL TO ARAWAK PAVING COMPANY, INC. FOR THE 2012 ROAD IMPROVEMENT PROGRAM

Acting President Keyes-Maloney said that this is a savings, in part, because of some cost savings associated with the cost of paving material. This will allow us to release the obligations associated with this project for purposes of potentially other projects in the future.

There were no questions or comments from Council.

Mildred Russell (119 King Avenue) stated that all the intersections are bad because of the horrible winter.

The Administrator responded that in the capital budget that we hope to pass, there is \$200,000 for patch work. There are a number of intersections throughout the Township and the Administrator stated that he has to spread the patch work around the entire Township.

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

**ROLL CALL**

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

8. The Clerk read (**Resolution #14R-96**) A RESOLUTION RECOGNIZING THE MUNICIPAL CLERK AND HER STAFF DURING MUNICIPAL CLERK'S WEEK, MAY 4-10, 2014

Acting President Keyes-Maloney stated how happy we are to have the Clerk working with us and then said that she hopes that the Clerk does not go anywhere else soon.

The Clerk then thanked Council.

Councilman Schroth echoed the Acting President's remarks.

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

**ROLL CALL**

Mr. Schroth	YES
Ms. Steward	YES
Acting President Keyes-Maloney	YES

9. The Clerk read (**Resolution #14R-97**) A RESOLUTION TO RAISE AWARENESS AND SUPPORT RESEARCH OF FIBRODYSPLASIA OSSIFICANS PROGRESSIVA

Acting President Keyes-Maloney stated that this is a very debilitating disease.

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

**ROLL CALL**

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

**10. The Clerk read (Resolution #14R-98) A RESOLUTION SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF MAY 19<sup>TH</sup> – JUNE 1<sup>ST</sup>, 2014**

Acting President Keyes-Maloney stated that this a program that we participate in annually. It ensures that the Public is aware of the importance of wearing seatbelts. We receive about \$4,000 in grant money on an annual basis.

Councilman Schroth asked what exactly does the Police do to raise awareness – circulate flyers, speak in schools, extra patrols.

Acting President Keyes-Maloney replied that it can be all of the above; it can also be speed stops.

The Administrator explained the speed stop.

Councilman Schroth then asked what is the grant money for.

The CFO replied that the money allows for extra patrols to conduct these speed stops.

There were no further questions or comments from Council.

Grace Montgomery (170 Upland Avenue) asked if the speed stops were random.

The Administrator replied that it is random.

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

**ROLL CALL**

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

**11. The Clerk read (Resolution #14R-99) A RESOLUTION GRANTING RONALD P. LUNETTA PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA891) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JULY 1, 2014**

Acting President Keyes-Maloney stated that this is a customary practice of the Township to honor a retiring police officer.

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

**ROLL CALL**

Mr. Schroth	YES
Ms. Steward	YES
Acting President Keyes-Maloney	YES

**12. (The Clerk read (Resolution #14R-100) A RESOLUTION GRANTING EDWARD DEANGELO PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA906) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JUNE 1, 2014**



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

**ROLL CALL**

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

13. The Clerk read (Resolution #14R-101) A RESOLUTION GRANTING EDMUND SHANOSKIE PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA904) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JULY 1, 2014

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

**ROLL CALL**

Mr. Schroth	YES
Ms. Steward	YES
Acting President Keyes-Maloney	YES

14. The Clerk read (Resolution #14R-102) A RESOLUTION GRANTING JOSEPH SMITH PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA919) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JULY 1, 2014

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

**ROLL CALL**

Ms. Steward	YES
Mr. Schroth	YES
Acting President Keyes-Maloney	YES

**CLOSED SESSION**

(None for this Meeting)

**ADJOURNMENT**

There being no further business Acting President Keyes-Maloney called for a motion to adjourn. Ms. Steward so moved, seconded by Mr. Schroth. The Meeting was adjourned at 7:50 p.m.

---

Jennifer Keyes-Maloney, President

---

Kim Macellaro, Municipal Clerk