

AGENDA SESSION 3-25-13

President Hyser 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 2nd day of January 2013.

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

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

DEPARTMENTAL BUDGET REVIEW

1. Office in Charge – Lt. Ron Lunetta stated that he currently has 69 sworn personnel, 11 dispatchers, 2 administrative secretaries and his personal secretary. His budget is staying the same as last year and he stated that it is manageable for his department. He did ask for six SUV’s through the Capital Budget. Ms. Keyes-Maloney asked what the replacement schedule is for capital purposes. Administrator McManimon responded by saying that because these cars run twenty four seven all year, they run up mileage very quickly and they also often operate at high rates of speed, so the wear and tear is excessive and the plan is to take the older ones and replace them with reliable ones. Administrator McManimon stated that the average is to replace at least five a year. Ms. Wollert asked if the number in the budget is reflective of the IT needs. Administrator McManimon responded yes. Mr. Schroth asked Lt. Lunetta if the SUV’s are going to replace sedans. Lt. Lunetta responded. Mr. Schroth asked if Lt. Lunetta has an ideal number with which the Ewing Township Police Department would operate. Lt. Lunetta said ideally he would like to see 75 but realizes that will be a challenge with losing an additional 14 to 15 officers to retirement soon. President Hyser asked if we still have one School Resource Officer to which Lt. Lunetta replied yes. After much discussion, President Hyser thanked Lt. Lunetta for his time and presentation of his budget.
2. Public Works Director – Angelo Capuano – CFO Brewster started by saying that Public Works budget is consistent with last year. She explained that the Road Department has remained static at \$46,500, Vehicles Maintenance up a fraction from \$143,800 to \$145,000, Buildings and Grounds up a fraction from \$83,925 to \$85,000, Solid Waste, with going to Central Jersey Waste, there will be no extra expenses and they have combined the salary and wage

for the entire public works into one line item this year. President Hyser asked that with regard to vehicle maintenance and getting out of the garbage business so to speak, and eliminating some trucks why the need to increase this line item. CFO Brewster responded. Mr. Capuano explained that he has 47 employees, including himself. He stated that 1 retires next week and 1 mechanic will be retiring by the end of the year. He stated that he is asking for four 4X4 pickup trucks with plows from the capital budget. Ms. Wollert asked about not doing much road repair and whether that was due to a staffing issue. Mr. Capuano commented that fifteen years ago there were 30 people in each division and now we have 47 in total between road division and recreation division and mostly other companies are handling the roads. President Hyser asked if we are doing road signs in house. Mr. Capuano said that we are doing most of it in house but some things we have to bid out. Ms. Keyes-Maloney asked about vehicle repair and if that is in house. Mr. Capuano said approximately 95% of it is done in house. Ms. Keyes-Maloney also asked about tree service under park maintenance and whether we have a tree person. Mr. Capuano stated that we have been doing quite a bit of that work ourselves and Nevel Jones, Superintendent and Supervisor, Chris Olson is a senior tree climber and two other gentlemen can also climb and cut trees. Mr. Schroth asked about computer software for vehicle troubleshooting and wanted to know if that was in the nature of diagnostics to which Mr. Capuano replied yes. Mr. Schroth also asked under Park Maintenance (equipment rental) and why there was nothing requested in the budget for that. Mr. Capuano stated that we haven't used that in a few years. Ms. Keyes-Maloney asked what the average mileage is on some of his vehicles. Mr. Capuano responded that most have between 80,000 to 100,000 miles on them. Mr. Capuano commented that workers compensation is down 80-90 percent now that we are out of sanitation. Administrator McManimon commented that just out of the first year in sanitation, workers' compensation is down 1.2 million compared to the last full year that we were in sanitation and we just received a \$500 award from the Joint Insurance Fund for our reduction in worker's compensation. President Hyser wanted to make sure that she was very clear on the Flood Maintenance Project, so to speak and the town had engaged in a project with the Army Corp of Engineers and we have three basins, one by the golf range, one on Carlton and one by Incarnation. She wanted to know if the township is responsible for maintaining them. Mr. Capuano clarified that the township still maintains the weirs on an as needed basis. President Hyser asked if there has been any thought, due to the fact that the department is down 17 employees, to hire summer help for park maintenance or do we have the staff to do that. Administrator McManimon replied that they are always looking to hire summer help and they would like to hire six. President Hyser thanked Angelo Capuano for his presentation.

3. Bill Erney – Construction/Zoning/Planning – CFO Brewster explained the different line items for Mr. Erney's Department. Fire Prevention last year was budgeted at \$4700 and it stays the same this year, for Housing last year was \$55,000 and this year it is \$76,024 due to some demolitions that Mr. Erney will elaborate on, Planning Board last year was \$7500 and this year will be \$7300, and Zoning last year was \$2500 and this year will be \$2300. Mr. Erney stated that housing went up primarily because code enforcement took a positive step and we had 280+ vacant properties in the town and most of the time people walk away and finance agencies and banks sometimes don't take care of those properties so we send a contractor out to take care of it and then we put a lien on their taxes. President Hyser asked if we have been successful in the collection of that money thus far to which Mr. Erney said you will have to ask the tax collector. Mr. Erney stated that his office takes care of construction, fire prevention, housing, planning and zoning and he has 12 inspectors and 4 clerical staff in his department. He further stated that he has 8 full time inspectors, 4 part time inspectors and 4 full time clerical. President Hyser asked if his office took care of parking enforcement to which Mr. Erney replied yes. He stated that at this time he is asking for no additional staff. President Hyser asked if he had any capital budget requests, to which he replied no. Ms. Wollert asked if the part time inspectors are limited to the number of hours that they work. Mr. Erney responded that they can't work any more than 20 hours but they work more than that, but only get paid for 20 hours and they get no benefits or pension. Ms. Keyes-

Maloney asked about the 280+ vacant properties and asked if the banks have gotten a little bit better about taking care of the properties and Mr. Erney commented that they have, however now they are contracting out the work to be done themselves. There were no other questions from Council and Ms. Hyser thanked Mr. Erney for his presentation of the budget.

4. Ted Forst and Jeanette Spann – Recreation/Senior Services Department – CFO Brewster explained that this budget is a little different format this year for the community centers. In the past the operational costs have been co-mingled with the recreation trust and they want to make sure that it is separated out and where it should be in the current fund. She stated that there is a slight increase for the Ewing Community Center from \$70,000 last year to \$73,600 this year and for Hollowbrook Community Center, who didn't have an operating budget last year because they were co-mingled, has a budget this year of \$63,100. President Hyser asked about the substantial jumps in salary and wages for both Ewing Senior Center and Hollowbrook and she asked CFO Brewster to explain that. CFO Brewster explained that there used to be a category for recreation services and programs and it has now been combined into the two community centers and we also have a full time driver at the senior center. President Hyser commented that there is a lot of clean up in this department and CFO Brewster agreed. Mr. Forst stated that he is happy with his budget. He further stated that he has 7 full time staff, 2 full time department of public works employees and 13 part time employees who work year round. He also has seasonal and voucher employees for summer programs. President Hyser asked if the two full time employees in the public works department are a part of the recreation budget or the public works budget, to which CFO Mustafa commented that their salaries fall under the Public Works Department. Mr. Forst stated that he has capital budget requests which consist of replacing the shade structures at the pool, a section of the roof that still needs to be replaced and some renovations of the baby pool all at the Ewing Community and Senior Center and second floor renovations at the Hollowbrook Community Center. Ms. Keyes-Maloney asked about community center rentals estimated at \$180,000 and she wanted to know how we derived at that number. CFO Brewster explained that it is a combination of all rentals from private parties that was a part of revenue going into the trust that needed to be in the current fund to offset the operational costs of the centers. After a few more questions from Council, President Hyser thanked Mr. Forst and Ms. Spann for coming and presenting their budget.

DISCUSSION

1. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 151 DEEDS, PLOTTING OF, §151-1. PRESENTATION OF DEED OR TITLE; FEE AND CHAPTER 172. FEES, § 172-13 TO ELIMINATE THE REQUIREMENT THAT DEEDS BE PRESENTED TO THE TOWNSHIP ENGINEER AND REQUIRE THAT A SURVEY OF THE PROPERTY CONVEYED BE PRESENTED TO THE TAX ASSESSOR AND TO REMOVE THE DEED PLOTTING FEE FROM THE FEE SCHEDULE

Attorney Cannon explained that this was really just a housecleaning Ordinance that was at the Assessor's request. We no plot deeds and we no longer require deeds. The Assessor's office gets a copy of the recorded deed from the County. There being no questions from Council, the Ordinance was approved for action.

2. A RESOLUTION APPROVING OF SALES OF TOWNSHIP RETAINED TAX LIENS TO THIRD PARTY PURSUANT TO *N.J.S.A. 54:5-113*

Attorney Cannon explained that we discussed this Resolution at the last meeting but we couldn't act on it because of the very specific advertising requirements. She clarified this resolution for the public's edification. President Hyser asked for questions from the Council. Seeing none, the Resolution was approved for action.

3. A RESOLUTION AFFIRMING SOLID WASTE CONTRACT FOR SECOND YEAR OF CONTRACT AFTER REVIEW OF PERFORMANCE

Administrator McManimon commented that the privatization in sanitation, in Administration's view, has been an overwhelming success in terms of service to the residents of the township. We have saved over \$550,000 and they are picking up on holidays, where the township did not. We have reduced our overall workers compensation. Central Jersey also picks up bulk items, so the township does not have to pick it up. President Hyser expressed that she lives in close proximity to the college and from what she sees, Central Jersey Waste is picking up much more by way of bulk than they had initially indicated they were going to, which is an added benefit. Administrator McManimon expressed that many residents are also dropping off their bulk items at the Scotch Road site. President Hyser wanted to clarify that this resolution is not required, but our review of the performance is required and this resolution acknowledges that the review was done. Attorney Cannon commented that she was surprised how few complaints there were and most of them were run-offs where someone got their garbage out late. Mayor Steinmann added that the contract with Central Jersey Waste did not include bulk. They volunteered on their own to do that. Now each resident can put three pieces of bulk out with their regular garbage. This Resolution was approved for action.

4. A RESOLUTION AUTHORIZING TAX ASSESSOR TO ACT AS AGENT FOR TOWNSHIP OF EWING FOR THE PURPOSE OF FILING AND SETTLING TAX APPEALS ON BEHALF OF THE TAXING DISTRICT FOR THE TAX YEAR 2013

Attorney Cannon explained that this is a fairly standard resolution that most towns have. The Township Assessor goes out to the County Tax Board and meets with the vast majority of tax appeals, which are residential, and makes adjustments on the spot. This gives the Assessor the authority to settle these based on his judgment as to the appropriate level of the assessment. This Resolution was approved for action.

5. AN ORDINANCE OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF EWING PERTAINING TO SIGN REGULATIONS

President Hyser stated that our Sign Ordinance was last updated in 2002. She also pointed out that the Township Planner really worked in collaboration with members of the Environmental Commission as well as the Chair of the Zoning and Planning Board, Redevelopment Agency, Mr. Erney and the Mayor to comprehensively overhaul the towns' current sign ordinance. Township Planner, Chuck Latini started by saying that this is phase 2 of the comprehensive approach we are trying to take to the Ordinances in general. Last month we attacked the residential R1, R2 and R3 zones. The second priority, as per the Mayor, is to look at the signage in town. This seeks to really add different definitions that we didn't have before, clarification on what is permitted and what is not. He further stated that they were cognizant that businesses need the market, so they didn't want to be overly burdensome on them, but they also didn't want five million signs up in the window fronts. He said this Ordinance really seeks to clamp down on what is permitted and what is not and to provide a lot more direction. Also added were new billboards on 95, keeping them out of the center of town. Also in that same vane, we looked to address the digital display issue. Moving this tonight would move this to the Planning Board for full presentation and discussion. President Hyser stated that she really appreciates how comprehensive this is. Councilwoman Keyes-Maloney asked what the genesis is for the recommendations and thought processes for this Ordinance. Mr. Latini responded by saying that the Municipal Land Use Law mandates that the Zoning Official provide a report every year on variances throughout the year. So between that and our experience and the types of applications we are getting, you start to look at difference solutions to address the issues that you have, such as signs popping up all over the place and excessive window signage. Ms. Keyes-Maloney asked that they make the businesses aware of the change. Mayor Steinmann explained that he meets with the Mercer County Board of Realtors quarterly and they are ok with everything that has been talked about. Seeing no additional comment from Council, President Hyser approved this Ordinance for action at the regular meeting.

CONSENT AGENDA

Council President Hyser presented the Consent Agenda for review.

1. Authorization for the Chief Financial Officer to pay Township bills in the amount of \$5,554,585.05.
2. Approval of minutes of the meeting of February 25, 2013 (Agenda) and February 26, 2013 (Regular).
3. A Resolution authorizing a Refund, as recommended by the Tax Collector in the amount of \$146.20 for 2013 sewer bill over payment to Vasquez, Andres S. & Richard S., 517 Maple Avenue, Ewing, NJ 08618, for property owner Vasquez, Andres S. & Richard S., for Block: 290 Lot: 23 also known as 517 Maple Avenue due to overpayment.
4. A Resolution authorizing a Refund, as recommended by the Tax Collector in the amount of \$30.70 for February 1, 2013 tax quarter to CoreTitle LLC, 1300 Route 73, Suite 112, Mt. Laurel, NJ 08054, File#CT13-3417 for property owner Bierman, Richard & Sovoie, Ronald, for Block: 365 Lot: 2.01 Qual: CO311 also known as 28 Kyle Way due to overpayment.
5. A Resolution authorizing a Refund, as recommended by the Tax Collector in the amount of \$231.94 for April 1, 2013 sewer bill over payment to Crawford, Leon N. Jr. & Delores, 6 Pershing Avenue, Ewing, NJ 08618, for property owner Crawford, Leon N. Jr. & Delores, for Block: 234.04 Lot: 4 also known as 6 Pershing Avenue due to overpayment.
6. A Resolution authorizing the conduct of an On Premise Merchandise Raffle sponsored by The Children's Home Society on May 10, 2013.
7. A Resolution authorizing the conduct of an On Premise 50/50 Cash Raffle sponsored by The Children's Home Society on May 10, 2013.
8. A Resolution authorizing the conduct of a Bingo Night sponsored by The Children's Home Society on May 10, 2013.
9. A Resolution authorizing a Refund, as recommended by the Construction Official in the amount of \$156.00 to Public Storage Facilities Services Dept., 701 Western Avenue, Glendale, CA 91201 for an elevator inspection payment for 1411 Parkside Avenue, Ewing, NJ 08618 that was paid inadvertently.

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

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 224 LITTERING § 224-6 VEHICLES AND TIRES TO ELIMINATE THE PROVISION PROHIBITING VEHICLES FROM BEING PARKED ON ANY RESIDENTIAL LAWN AND AMENDING CHAPTER 225 VEHICLES AND TRAFFIC, ARTICLE II PARKING TO ADD § 225-10.3 PARKING PROHIBITED ON UNPAVED SURFACES ABSENT A SPECIAL EVENTS PERMIT (2013)
2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225 VEHICLES AND TRAFFIC, ARTICLE II PARKING § 225-8 PARKING TIME LIMITED ON CERTAIN STREETS AND ARTICLE VIII SCHEDULES, § 225-51 SCHEDULE IV TIME LIMIT PARKING TO LIMIT THE DURATION OF PARKING AT THE DESIGNATED COMMUNITY PARKING SPACES LOCATED AT 80 W. UPPER FERRY ROAD TO TWO HOURS (2013)

3. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING AMENDING THE FEES FOR AMBULANCE TRANSPORT BY EWING TOWNSHIP EMERGENCY MEDICAL SERVICES DIVISION (2013)
4. AN ORDINANCE FOR THE CALENDAR YEAR 2013 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-15.14) (2013)

President Hyser commented that all four Ordinances have been discussed previously and asked if any member of Council had any new concerns, questions or comments before they take action. There were no questions and all Ordinances were approved for action.

NEW BUSINESS

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Mildred Russell (119 King Avenue) said that she sent correspondence to Council via email and got no response. She stated that they are a pro-active organization and when they see things or a neighbor comes to them with a complaint, they follow through and try and come up with a solution. President Hyser commented that she didn't receive any email from her and all members of Council concurred. President Hyser commented that she would be happy to confirm all emails of Council with her. Administrator McManimon expressed that he does call Mrs. Russell and has occasionally responded to her emails. Mrs. Russell also told Council about several more mailboxes damaged. She provided Council with grant information for security cameras. Administrator McManimon explained that we have had the Cops in Shops Grant and the Click It or Ticket Grant, but when our police force fell below 75 we do not qualify for certain grants. He commented that he will inquire about it with Officer in Charge, Lt. Lunetta. He also said he would pass the grant information on to our grant writer. He further stated that they are looking to put security cameras in at the intersection of Browning and Green Lane. President Hyser commented that the college is looking to potentially implement a "mailbox restoration program" for folks whose mailboxes are destroyed to reach out to the college and through volunteer efforts of the students, they will come and repair and/or replace the mailbox. Mrs. Russell commented about garbage pickup and the sign Ordinance. Ron Prykanowski (16 Thurston Avenue) asked about grants for Clean Communities, Safe Communities and Sustainable New Jersey and why it is not included in the budget. President Hyser explained that we do not qualify for Safe Communities Grant because we fell below the 75 sworn personnel threshold. Administrator McManimon explained that we don't qualify for as much as we used to. The rules have changed and last year we received about \$6,000. Mr. Prykanowski also talked about the Clean Communities Grant and hiring summer help and that Grant would help pay for those employees and also some little equipment. CFO Brewster clarified that in the budget there are only two grants because we haven't been notified of any awards at this point, so we can't anticipate something that hasn't been awarded. She also commented that Mr. Prykanowski has a good point with Clean Communities Grant although there are strict guidelines as to what the summer help can do. Mayor Steinmann commented that the biggest bulk of the Clean Communities Grant goes to biodegradable bags and paying for summer help employees.

ADJOURNMENT

There being no further business, President Hyser asked for a motion to adjourn. Ms. Wollert so moved seconded by Ms. Keyes-Maloney. The meeting was adjourned at 8:22 pm.

Hilary Hyser, President

Kim J. Macellaro, Municipal Clerk