

AGENDA SESSION 4-22-13

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

President Hyser stated for the record that Councilwoman Wollert had an excused absence for this evening.

President Hyser asked Council and the public to stand for a moment of silence for the victims and their families as well as for the entire city of Boston that were affected by the horrific events of last week.

DISCUSSION

1. AN ORDINANCE OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF EWING PERTAINING TO SEXUAL ORIENTED BUSINESSES, BAIL BOND AGENTS, BODY ART, CONSIGNMENT SHOPS, CHECK CASHING, MASSAGE PARLORS AND PAWN BROKERS

President Hyser explained that this is part of the Township’s continuing effort to bring our land development ordinances up to date by implementing the Master Plan.

Township Planner Charles Latini (CWL Planning) said as we were going through our ordinances, we realized we did not have anything in the ordinances to protect us against more of these businesses coming in so the Committee worked to define these uses, however, he explained New Jersey law does not permit you to just blanket rule

out these types of businesses from your community. If you did, you would not have a leg to stand on when they come before the Zoning Board looking at a place where you really do not want them.

Mr. Latini stated the Committee looked at the various zones and grouped these businesses according to use.

- 1) Adult establishments, sexual oriented businesses
- 2) Body painting studios, body piercing studios, head shops, tattoo parlors
- 3) Pawn shops, check cashing, second-hand goods and bail bonds

The Committee took into consideration a number of factors. Mr. Latini proceeded to describe the zones and regulations for each of these three groupings.

The zone for adult establishments and sexual oriented businesses would be in Sub Area 3 of the Redevelopment Area which includes Spruce Street, 4th and 5th Street back to Industry Court. These establishments could be no closer than 500 feet from one another and no closer than 1,000 feet to any residential zone if a road or pedestrian pathway connects that zone to the residential area – if no connection exists, then it is 500 feet. Body painting and body piercing studios, head shops and tattoo parlors would be located in BH Zones and Redevelopment Area Sub Area 1, 2 and 4. These business could be no closer than 500 feet from one another and no closer than 1,500 feet from one another if it is the same use. BH Zones and Redevelopment Area Sub Area 1, 2 and 4 would be the zone for pawn shops, check cashing, second-hand goods and bail bonds and these businesses could be no closer than 1,500 feet from one another.

Mr. Latini discussed additional requirements such as these businesses would be required to show detail of the buildings, including the interiors, and conform to all parking and landscaping requirements. There are health and safety provisions and each must coordinate with the police regarding gang related activities.

President Hyser wanted confirmation that any action taken by Council would send the Ordinance back to the Planning Board for their review and then it would come back before Council. Mr. Latini responded – correct. President Hyser than asked about the 1,500 feet distance requirement from a school and how it was measured. Mr. Latini replied that 1,500 feet is generally considered a comfortable walking distance that connects pedestrians to schools or whatever it happens to be. To make it simple for the zoning official, the distance would be measured as a straight line on a map – property edge to property edge.

Mr. Latini reiterated that you have to show that there is a realistic expectation to be able to operate these types of businesses; otherwise your zone would be deemed to be invalid. The Committee measured it out and went through the zoning maps; these are the distance requirements they came up with. President Hyser asked if it only included schools in Ewing. Mr. Latini responded it was schools no matter where they were located. The Committee discussed the type of school. It only deals with private, public and charter schools; not, as an example, a dance academy that could go out of business.

Councilwoman Keyes-Maloney asked how the Committee determined the scope as to the type of business is rather broad from sexually oriented businesses to consignments shops. Mr. Latini replied that the Committee started to think about the types of uses that tend to give a community, in terms of marketability and in terms of public perception, a negative checkmark – will a person buy or invest in a neighborhood that has these types of uses in it. Councilwoman Keyes-Maloney remarked that it is kind of a slippery slope – the difference between sexually oriented business as being more severe and second-hand shops being on the other hand. She appreciated the attempt to divide the uses into separate quadrants and to treat each differently.

Ms. Keyes-Maloney then asked if any analysis had been completed to see how many would actually be permitted for each type based on the requirements of the ordinance. Councilwoman Keyes-Maloney mentioned the 2009 Cherry Hill litigation concerning adult establishments which said that a municipality could not do indirectly what it could not do directly - we need to be as neutral as possible – we cannot zone or be perceived as zoning these types of businesses out of extinction. President Hyser mentioned that she spoke with Michael Herbert. He was aware of the 2009 Cherry Hill

case and drew up this ordinance with that in mind. President Hyser agreed with Councilwoman Keyes-Maloney that having an analysis would be helpful.

Mr. Latini said he would do the analysis for Council.

Councilwoman Keyes-Maloney then asked why, with regards to sexual-oriented businesses, 1,500 feet from any private or public school was not included as a requirement. Mr. Latini replied that there is nothing located coincidental and if it was a requirement there would not be a zone that would allow this use. Ms. Keyes-Maloney asked who worked on this. Mr. Latini replied: the Zoning, Planning and Redevelopment Chairs, the Executive Director of the Redevelopment Agency, the Planning Board Attorney - Michael Herbert, Ms. Hyser, himself, the Mayor and the Environmental Commission. Councilwoman Keyes-Maloney stated she understood what the committee was trying to do but she just wanted to make sure the Township was on sound legal ground and asked Mr. Latini to provide the potential number of establishments for all possible combinations and all groupings given the requirements of the ordinance. There were no further questions from Council.

2. **AN ORDINANCE REAPPROPRIATING \$60,000, PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE, IN ORDER TO PROVIDE REDEVELOPMENT EXPENSES FOR THE TOWNSHIP OF EWING, COUNTY OF MERCER, IN THE STATE OF NEW JERSEY.**

President Hyser stated as it had been awhile since Council received an update on the development of the GM property, in light of consideration of this ordinance, she asked Kevin McManimon from McManimon, Scotland and ??? to come before us for an update.

Kevin McManimon informed Council that Racer Trust told him today that RFPs were circulated to five perspective redevelopers and there were plans to circulate it to two more within the next few business days. The RFPs are comprehensive. The Township has had significant input into these documents. It wanted Racer Trust to be clear as to what the Township thinks is its role in who should be the party that will buy and develop this site. Mr. McManimon stated Racer Trust understood The Township's position and was receptive to our comments and/or concerns. Mr. McManimon stated there could 1, 2 or 5 proposals from the RFPs and hopefully it would be possible to identify and designate a developer in August. President Hyser commented that she appreciated the update. Councilwoman Keyes-Maloney asked about the nature of the relationship with Racer Trust. Mr. McManimon responded that it has been very positive especially compared to how extremely challenging it can be to work with corporate landowners of contaminated sites who tend to want to sit on the land and prefer it not be developed. Mr. McManimon then described how Racer Trust has an affirmative obligation to position this site for redevelopment and he believed they are doing this.

Mayor Steinmann explained that we are close to the end of the original \$250,000 that he requested for studies and to hire professionals. He asked for an additional \$60,000 to continue through at least the end of August when developers could be identified. Because there has been a great deal of interest in this project, including at the state level, we had to hire additional professionals. He wanted everyone to understand, that once a developer has been identified, the Township would be reimbursed for this money and the bond would be repaid. The Mayor reiterated that by the end of the day, all of the money we have invested in as a town would be returned to the town and the bond would be paid back over time. The Mayor mentioned it is prudent to move forward with this; at the end of the day with the full build out it will generate \$158,000,000 in tax revenues; the Township will get 25%.

Kevin McManimon reassured Council that developers are accustomed to repaying the municipality - they understand it is a cost of doing their business. He reminded Council the \$60,000 is not "new" money but is being re-appropriated. President Hyser asked the Mayor if he was confident this would be the last time he would be asking Council to appropriate funds for this project. The Mayor responded he would not

come back before Council unless there was an extraordinary situation. The Mayor said an additional \$100,000 to \$200,000 would be needed to move the project forward, however, once a developer was identified these monies would be a part of the developer's expenses.

Mr. Kevin McManimon explained the Township was not able to seek reimbursement for these funds at an earlier stage as it is not permitted until a redevelopment plan is adopted and certain steps are completed in the RFP process.

The Mayor mentioned that even though Racer Trust is under no obligation to sell to a particular developer, the bottom line is when we had these negotiations, whoever the Township can get a redevelopment agreement with, Racer Trust will sell to them. He emphasized it is not just about price. Racer has 6 criteria it must work with and the number one criteria is it must have the cooperation of the town.

The CFO explained the terms of the original bond. It was a 2008 Ordinance for Road improvements that was started and completed in 2011. This is the balance in that account.

Councilman Schroth asked for confirmation regarding the nature of Racer Trust and their affirmative obligation to do something with this property. Kevin McManimon responded that it was created out of a bankruptcy action initiated by GM. As part of that action, GM transferred title to all their properties to Racer Trust. GM entered into a settlement agreement with all states where property was located and with the federal government which is why the Mayor mentioned the six criteria. Racer Trust exists only to clean up the property and sale to a redeveloper; it cannot sit on a property otherwise it would not be meeting its obligations. Councilman Schroth asked if it was a state-wide, well-known practice, that redevelopers are not surprised that municipalities will ask for reimbursement of their costs. Mr. McManimon responded yes – it is recognized that they will repay municipalities for basically setting the table for them.

The Mayor ???????? (cannot hear anything)

There were no further questions from Council.

President Hyser deviated from the agenda and asked if any member of the public had questions regarding Discussion Item 1 & 2.

There were no questions from the public. President Hyser thanked Mr. Latini and Mr. McManimon for coming before Council.

3. A RESOLUTION TO AMEND THE INTRODUCED CY2013 BUDGET (following the approval of the amended budget, a public hearing will be held on the amendments to the CY2013 budget only)

The CFO explained the State required the Township to do a few amendments after it reviewed our introduced budget. The FEMA reimbursement was not what we had anticipated so we had to amend that down from \$400,000 to \$82,000 (??????). The State would only allow us to anticipate 50% of what we expected to receive from FEMA.

President Hyser asked how much had FEMA committed. The CFO responded - \$164,000. President Hyser then stated FEMA has committed \$164,000 but the State is not allowing us to apply all \$164,000 to the budget. The CFO replied no, because we have not yet received any funds, we could only anticipate 50%. President Hyser followed with asking how was the difference made up? The CFO responded – the surplus. President Hyser stated the surplus was used to make up the difference and it would be repaid upon receipt of the money from FEMA. The CFO answered yes, a portion of it would be used to offset that. President Hyser then stated, as the general appropriations amount and the taxation rate amount had not changed, how was this accomplished? The CFO responded purely through the use of the surplus. President Hyser asked if there were additional comments from the State. The CFO answered, a couple of appropriations, nothing really major. The State did not want the entire Public Works Salary & Wage to be listed together and insisted we split it out to the various departments – Roads, Parks etc. – as had been done in the past. She had to move

emergency appropriations to the correct page. There was also a matter of the debt service. The Township had not expended all of our MCIA lease proceeds from back in 2006. The State had asked if we wanted to apply that to our debt service over the next four years. The CFO had applied it all in the first year, but the State decided to spread it out over the remaining years so we had to adjust that back. President Hyser asked if any surplus was used beyond the amount "borrowed", for a lack of a better term, until the FEMA money came in. The CFO said a little bit went to Community Center rentals. We had anticipated \$180,000 but the State wanted certified actual revenue from last year which was a little lower. The CFO added we also had the inclusion of the Master Plan – as a new item in the budget. President Hyser then asked if the State had reviewed the amendments and was it okay to now adopt the budget. The CFO replied it was okay to adopt.

President Hyser stated that tomorrow we will have a public hearing on the amendments to the budget. The Attorney explained the amended budget adoption process.

There were no further questions from Council.

4. A RESOLUTION TO ADOPT THE CY2013 BUDGET, AS AMENDED.

President Hyser asked if all members of Council felt they have had ample opportunity to review the budget and would be able take a vote on it tomorrow evening. Council would not have to do a temporary appropriation for the month of May and would allow us to go ahead and give the Town and its employees a budget to work with. Council said yes.

As there were no questions from Council, President Hyser thanked the CFO for all her work.

5. A RESOLUTION ACCEPTING THE PROPOSAL OF SEAN'S LANDSCAPING, INC. FOR GRANITE BOULDERS, SPLIT RAIL FENCE AND GRAVEL STRIPES AT THE EWING SENIOR AND COMMUNITY CENTER IN AN AMOUNT NOT TO EXCEED \$3,420.00.

The Administrator explained that this is a follow-up from a recommendation as spring approached – to work with the County to stop the folks from driving directly across the grass areas as you come into the Senior Community Center.

?????CAN'T HEAR conversation betw. Ms. HYSER AND ADMINISTRATOR

President Hyser asked Mr. Forst if he felt it would be sufficient to solve the problem. Mr. Forst said he thought it would address the issue of cars cutting corners and driving across the grass. It would help with appearances as well. President Hyser and Mr. Forst then addressed the issue of the pooling of water along the tree line.

There were no additional questions from Council.

6. A RESOLUTION AWARDED A CONTRACT FOR THE PURCHASE OF SIX LAW ENFORCEMENT, FULL SIZE MOTOR VEHICLES, MARKED.

The Attorney explained that this was a placeholder resolution as bids were to be received tomorrow at 11am. At the last meeting, Council rejected all bids as the two that were received were non-compliant. This was a rebid. By law, bids cannot be accepted on Monday or any day following a State or Federal holiday. Hopefully, the bids tomorrow would be responsive. If responsive, the blanks on the resolution would be filled in, if not, tomorrow we would swap it out for a bids rejected resolution. President Hyser confirmed that the Clerk would have enough time to input the information.

There were no additional questions from Council.

7. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING'S USE OF COMPETITIVE CONTRACTING FOR THE PROCUREMENT OF A CONCESSION

AGREEMENT FOR THE EWING SENIOR & COMMUNITY CENTER POOL SNACK BAR

The Administrator explained that in the past we had worked with an organization and it just had not worked out. Three or four organizations expressed an interest. Experience would be needed. President Hyser spoke with Mr. Forst who stated the complaints centered around the fact that the snack bar was not operational for the same hours that the pool was open. Mr. Forst asked for recommendations from a number of recreation departments in Mercer County and then forwarded them to the Attorney and to the Administrator. The Attorney explained that the hours of operation to mirror pool hours would be written into the specs. This was a resolution to authorize the competitive contracting process. This would allow us to evaluate the bidders instead of just taking the low bid.

President Hyser asked if this process would be completed for the opening of the pool Memorial Day weekend. The Attorney replied it should.

There were no additional questions from Council.

8. A RESOLUTION EXTENDING THE TIME FOR THE RENEWAL OF TAXI AND LIMOUSINE LICENSES AND PLACING A MORATORIUM ON THE RECEIPT OF NEW LICENSE APPLICATIONS PENDING AMENDMENT OF THE TAXICAB AND LIMOUSINE LICENSING ORDINANCE

The Attorney explained she had been working with the Clerk and the Clerk of Hamilton on updating the taxi and limo license ordinance. It will take some time. It made sense to extend the renewal deadline from May 1 until July 1 and then all the new license requirements and fee structure would be in place for the renewal of the licenses.

President Hyser asked if Hamilton was now communicating with us. The Attorney replied, yes – we have a meeting later this week.

There were no additional questions from Council.

9. A RESOLUTION OPPOSING SENATE BILL S-2364 AND ASSEMBLY BILL A-3553 TO CREATE A SYSTEM OF EARLY VOTING IN NEW JERSEY

President Hyser stated this was a request from the League of Municipalities. The State already has early voting via the Vote By Mail process. The additional monetary layouts by a municipality are a consideration. The Attorney added it is kind of needless and costly. Councilwoman Keyes-Maloney added Vote By Mail already had options for the voter.

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There were no additional questions from Council.

The Clerk moved all 9 discussion items to the Agenda for tomorrow night.

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 \$5,644,517.51.**
- 2. Approval of minutes of the meeting of March 11, 2013 (Agenda), March 12, 2013 (Regular), March 18, 2013 (Special), March 25, 2013 (Agenda) and March 26, 2013 (Regular).**
- 3. A Resolution authorizing a Refund, as recommended by the Municipal Clerk in the amount of \$10.00 to Sawicki, Larissa, 535 Masterson Court, Ewing, NJ 08618 for a Community Garden payment for 2013 gardening plots G10 and H10 that was paid for and resident moved out of Ewing Township.**

4. A Resolution authorizing the conduct of an On Premise 50/50 Cash Raffle sponsored by Villa Victoria Academy.
5. A Resolution authorizing the conduct of an On Premise 50/50 Cash Raffle sponsored by St. Mary's Catholic Church.
6. A Resolution authorizing the Patriotic Committee to hold its annual Fourth of July Parade.
7. A Resolution authorizing the West Trenton Presbyterian Church to hold a block party/road closing on May 11th, 2013.

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

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

(None for this meeting)

G. **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 187 FIRE PREVENTION, ARTICLE I UNIFORM FIRE SAFETY CODE § 181-7 ADOPTION TO ELIMINATE THE PROVISION PERMITTING THE WEST TRENTON FIRE HOUSE ENFORCEMENT RESPONSIBILITY TO BE TRANSFERRED TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS. (2013)
2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 161 DWELLINGS, UNFIT OF THE CODE OF THE TOWNSHIP OF EWING TO ADD A NEW SECTION ESTABLISHING PROVISIONS GOVERNING THE MAINTENANCE OF VACANT AND ABANDONED PROPERTIES AND LEVYING A REGISTRATION FEE ON OWNERS OF VACANT AND ABANDONED PROPERTIES . (2013)
3. AN ORDINANCE REAPPROPRIATING \$640,000, PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES, IN ORDER TO PROVIDE FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS IN AND FOR THE TOWNSHIP OF EWING, COUNTY OF MERCER, IN THE STATE OF NEW JERSEY AND TO AMEND BOND ORDINANCE #2012,2013, FINALLY ADOPTED MAY 29, 2013, IN ORDER TO AMEND THE USEFUL LIVES. (2013)

President Hyser asked if Council had any questions regarding the three ordinances for second reading which Council will entertain tomorrow night. There were no questions and all Ordinances were approved for action.

H. **NEW BUSINESS**

1. A RESOLUTION AUTHORIZING THE DISCHARGE OF FIREWORKS AT THE ANNUAL FOURTH OF JULY CELEBRATION.

President Hyser stated the parade will be on July 4th, and the fireworks celebration on the 6th.

Councilwoman Keyes-Maloney asked why were we having the fireworks on the 6th – if there were some savings involved. The Administrator stated that the bids were higher than we had hoped for the 4th so we checked what it would be on the 6th. We not only saved a few thousand dollars by moving it to the 6th; it also allowed us to do more.

There were no further questions from Council.

I. STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Judith Peoples (295 W. Upper Ferry Road) stated there was a continued lack of communication between Council and members of the Ewing public. The Mayor's budget submitted to Council for deliberation appears to have had little or no change to bring it in line with the desires of Council. Ms. Peoples further stated that even if your meetings were available on cable for viewing at the convenience of the voting public, she had not heard members of Council ask substantial questions that would allow the public to understand what the budget represents. ???????(coughing can't hear). In the Mayor-Council form of government it is the role of Council to set policy that is implemented by the Administration. She stated that this past week, she heard a thorough budget debate that aired on cable in another municipality and that it was a shame we cannot do that here. Many people cannot come to council meetings and would pay attention if they had the opportunity to do so. She stated she will continue to deliver this message – if you really wanted the tax payers to know what they are getting for their taxes, you could do much better than the current state of affairs.

Rebecca Lynn (1008 River Road) stated that for many years, the Township had a five year tax abatement for additions and renovations to existing homes to simulate growth and to eliminate blight and accommodate the needs of the residents at no cost to the municipality.

One homeowner was informed that even though they had completed the paperwork sent to them by Township staff, they were not allowed to receive the promised tax abatement that they were qualified for and were not given an explanation. Ms. Lynn stated that because she also had an addition in progress, and had returned the tax abatement paperwork; she called to ask what had happened to the Township Ordinance and was informed that it was not in place and they were not sure what she was talking about. Ms. Lynn then spoke with Administrator McManimon and he informed her that Council had not renewed the Ordinance and therefore it expired in 2010. She asked him to reinstate it on the Agenda and he told her he would not. In addition, he told her it was for low income residents to fix their homes. She stated that in her opinion, that was a discriminatory statement – why should not all residents be offered the same opportunities? She further said that she came before Council tonight as the Administrator said there were two ways to get an item on the Agenda – through him and he refused or through Council. Ms. Lynn commented that several residents would benefit from a temporary tax abatement to repair and fix their homes and could be back on the tax rolls. If the ordinance was reinstated with zero cost to the Township, it would eliminate blight in the Township. Homeowners who are invested in the Township should have the same benefits as multi-million dollar corporations that do get abatements from the Township. Council has the ability to give tax paying homeowners a break by reinstating a five year tax abatement for home improvements. President Hyser asked if it was correct as to what Ms. Lynn spoke to – that the ordinance had sunset. The Attorney responded – correct, the statute is N.J.S.A. 41:21-4. It automatically sunsets in the 11th tax year following its adoption unless Council readopts it. She reviewed the history and in her belief said the Administrator was correct, it did sunset in 2010. It would have been illegal for the tax office to circulate the abatement applications. The Redevelopment Area does provide both 5 and 30 year tax abatements, done by ordinance, specifically, because of eligibility in the Redevelopment Area. This would be township wide.

President Hyser asked if there was any income eligibility criteria. The Attorney replied no and proceeded to read the original ordinance. President Hyser followed with asking in the past, how many residents took advantage of this program. The Administrator replied that he has asked the Assessor to provide him the numbers but he does not

have it today. He stated that neither he nor the Assessor have had any questions about it except for Ms. Lynn and there had not been any applications in the few years prior to it sunsetting. The Administrator stated, if asked, he would look into it. Ms. Lynn continued by saying her sister received and submitted the application after 2010; in 2011 or 2012.

President Hyser stated Council would need to review and understand the issue before it made a decision.

Judith Peoples (295 W. Upper Ferry Road) stated she had completed the tax abatements forms and had called the tax office to ask how it should be submitted. She was told there was not the money to do this. She added – but it does not cost anything.

Paul Steward (???????) said that he was glad the JCCC parking lot was getting attention as at times the water level almost reached Lower Ferry Road.

CLOSED SESSION – A Resolution to enter into Closed Executive Session

At 7:36 p.m. President Hyser asked for a motion to enter into closed session. Ms. Keyes-Maloney moved to go into closed session, seconded by Mr. Baxter. It was agreed by a unanimous voice vote. Attorney Cannon read a resolution to enter into closed executive session. At ?????? p.m. Ms. Keyes-Maloney moved to close the closed session, seconded by Mr. Baxter. It was agreed by a unanimous voice vote.

????? moved to enter back into regular session, seconded by ??????. It was agreed by a unanimous voice vote. No one from the public was present at this time.

ADJOURNMENT

There being no further business, President Hyser asked for a motion to adjourn. Ms. Keyes-Maloney so moved seconded by Mr. Schroth. The meeting was adjourned at 7:53 p.m.

Hilary Hyser, President

Kim J. Macellaro, Municipal Clerk