

January 10, 2017 – AGENDA SESSION

President Steward called the meeting to order at 6:32 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 4th day of January, 2017.

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

PRESENTATION – Chief Stemler – End of Year Report

President Steward introduced Chief Stemler.

Chief Stemler stated that the December UCR Report is not yet available and then said that tonight he will mainly be talking about what happened September through November. The Chief stated that, overall, crime was about the same as it was last year and then gave a brief overview of the UCR Report. The Chief commented that some of these numbers sound scary but shoplifting is now reported as a robbery if a guard is shoved or something. Chief Stemler then discussed the burglaries in greater detail. Next, the Chief mentioned that Narcan deployments were up significantly - twenty-three in 2016 but only seven in 2014 and seven in 2015. To help with that the Department started the CARE (Community Addiction Recovery Effort) program in November. The Chief then explained the program. The Department also instituted a medicine dropbox which is located outside the Police information bubble. There is also a portable unit that can be brought to community events. Chief Stemler then listed some notable occurrences during this time period. Some of those mentioned include: charges were filed in the homicide that occurred on Homecrest Avenue in October; officers stopped a large party from occurring at the Sigma Pi House on November 16; arrests were made for the bomb threats at Ewing High in September and October; the shooting at Parkway Garden Apartments in November is under investigation; in December, Ewing officers participated in a several months long narcotic investigation with the FBI and participated in ten drug raids; also in December, a juvenile was charged with false public alarm after he threatened to shoot up Fisher; in December, there was an investigation of a possible meth lab over on Boone Avenue, a search warrant found heroin and meth but no lab; on December 26th, there was a robbery at a Lukoil convenience store. President Steward said that, with regard to the bomb threats, the School Board deeply appreciates the coordination with the Township Police. They are grateful for the response and for the help in getting the students evacuated.

President Steward asked if all Officers carry Narcan.

The Chief replied that everyone is issued Narcan.

President Steward then asked the Chief to give his perspective on how bail reform is playing out.

Chief Stempler replied that, in his opinion, it was a rush job. Not everything was well thought out. There will be a few bumps down the road as things are worked out. Prosecutors do not have answers for some of our questions; it will be a learn as we go process.

Councilman Baxter asked who supplies the Narcan.

The Chief replied that initially the County supplied it but now we have a grant from Capital Health who distributes it to all Police Departments.

Councilman Baxter then asked the Chief if he knew how much.

The Chief replied that they are putting together a quote now to put in for next year.

Councilman Baxter then asked if it has become mandatory for the Police to carry Narcan.

Chief Stemler replied – yes.

Councilwoman Keyes-Maloney thanked the Chief for the work he has done around the Community with the Community Response Unit and also said that she appreciates all the work done with addiction and recovery efforts. Councilwoman Keyes-Maloney then asked if we can make sure that the Township's nursing homes and funeral parlors know where leftover medications can be dropped off.

The Chief replied that we do have pamphlets.

Councilwoman Wollert commented that that is a radical spike in the use of Narcan and then asked how many, if any, were repeats for the same person.

The Chief replied that he does not have the numbers on repeats but said that he can say there were more than three.

Councilwoman Wollert stated that this is an universal issue.

At the request of the Administrator, the Township Attorney then updated Council on what Ewing is doing with other Towns regarding the bail reform and the necessity of having a prosecutor available after hours for warrant work, in particular, for blood draws, as the County will no longer have someone on call for this. It does not happen very often, but the Township is trying to work out a shared service to have a prosecutor on call after hours on a rotating basis.

The Chief added that the County is still going to do search and arrest warrants. Local prosecutors need to be available for drug blood draws. They realize that this is going to be an overtime strain. We are a test county where they are allowing Police supervisors in Mercer County to approve warrants and summonses.

The Administrator added that the City of Trenton has a number of prosecutors so they can rotate who is on duty; we only have one prosecutor who is also a Trenton prosecutor. She has agreed to cover us for January, at no expense, while we work out this shared service agreement. If we have two, that would be a lot, but we have to do it. The Administrator said that he agrees with the Chief, this was rushed through but we do not have a choice.

The Attorney added that there was an unsuccessful court challenge.

Councilman Baxter asked if Narcan is just for heroin addiction.

The Chief replied that it is for any addiction.

President Steward asked if those addiction specialists are our employees or are we partnering with another entity.

The Chief replied that we partner with different groups and then briefly explained the process.

Councilman Baxter stated that he sees officers patrol the main roads and then said that he does not see them so much in the neighborhoods. Councilman Baxter then asked if there is some sort of strategy or is it that he is just sleeping at two in the morning when they are riding through.

The Chief responded that people just do not notice that they are there. We have ways to check, through GPS in the vehicles, which neighborhoods are being patrolled. It is correct to say that the cars are seen more on the main streets because main roads are generally used to respond to calls. Units patrol neighborhoods during their down time. It can get rather busy during the day.

Councilman Baxter asked if the two homicides in 2016 were spillover.

Chief Stemler replied that both were targeted events with one being a domestic. The Chief added that since 2013, we have had five homicides with only one being random in 2015.

Councilman Baxter thanked the Chief and his fellow officers for all they do keeping the residents safe.

There were no additional questions from Council. President Steward and Vice President Wollert thanked the Police Chief for coming this evening.

CLOSED SESSION – The Attorney read (Resolution #17R-10) A Resolution Excluding the Public from a Public Meeting – Discussion of Negotiations on Town Center PILOT Request/Advice of Counsel

At 6:51 p.m., the Attorney read the Resolution to enter into a Closed Executive Session pursuant to the Open Public Meetings Act to discuss negotiations on a Town Center PILOT request and to receive the advice of Counsel. Minutes will be made available, if and when appropriate, when the matter is concluded.

At 6:51 p.m., Ms. Keyes-Maloney made a motion to enter into Closed Executive Session, seconded by Ms. Wollert. It was agreed by unanimous voice vote.

At 7:45 p.m., Ms. Keyes-Maloney made a motion to close the Closed Executive Session, seconded by Mr. Schroth. It was agreed by unanimous voice vote.

At 7:46 p.m., Ms. Wollert made a motion to enter back into Open Session, seconded by Mr. Baxter. It was agreed by unanimous voice vote.

DISCUSSION

1. AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EWING UNDER THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1, ET SEQ., TO ENTER INTO A PAYMENT IN LIEU OF TAXES (“PILOT”) AGREEMENT WITH PARKWAY TOWN CENTER URBAN RENEWAL, LLC IN WHICH PARKWAY WILL PAY THE TOWNSHIP OF EWING, IN LIEU OF CONVENTIONAL REAL PROPERTY TAX PAYMENTS, AN ANNUAL MONETARY PAYMENT COMPUTED IN ACCORDANCE WITH N.J.S.A. 40A:20-12(B)(1).

The Attorney explained that this Ordinance, under the long term tax exemption law, allows for a thirty year tax exemption for the old GM site. The Developer will pay ten percent on the gross revenue of the property for the first fifteen years of the site and then that will increase to twelve percent over the second fifteen years. The purpose behind a PILOT is to encourage the redevelopment of a property that otherwise would be financially infeasible to develop without it. The Developer made an application to Council for the approval of such a long term tax exemption agreement. Once the agreement is approved, the Developer will close on the property from RACER Trust, who currently owns it, and proceed with the development. Until Council approves the agreement, the development will not proceed.

There were no questions or comments from Council.

Ron Prykanowski (16 Thurston Avenue) asked if there is any provision in this agreement to pass some of these savings along to potential renters.

The Attorney responded that if Mr. Prykanowski is asking if their rents would somehow be tied to the fact that the property is tax exempt, then the answer is no.

Mr. McManimon (Special Counsel to the Redevelopment Agency) responded that being tax exempt gives the Developer the ability to charge lower rents. Otherwise, the property would be so expensive that the Developer would have to charge rents that would be unaffordable.

There were no additional questions or comments from the Public.

2. AN ORDINANCE AMENDING THE EWING TOWNSHIP SALARY ORDINANCE ESTABLISHING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF EWING

President Steward said that this is an annual Ordinance to properly set the salaries for the Township Clerk and the Township Administrator.

The Attorney explained that all Township employees are in collective bargaining agreements with the exception of the Clerk and the Business Administrator who can not be in one. Normally, the salary ordinance is adopted and sets those two salaries which are also tied to the IBEW agreement in all respects.

Council, by adoption of the salary ordinance, adopts by reference all of the collective bargaining agreements in the Town. Collective bargaining agreements come to Council for approval as they are negotiated and then once they are approved by Council they are incorporated by reference into the salary ordinance. The collective bargaining agreements themselves delineate the specific salaries of the positions that they are tied to.

Councilwoman Keyes-Maloney added that this is an annual requirement.

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

3. A RESOLUTION OF TEMPORARY APPROPRIATIONS

The CFO explained that this is our temporary budget that will tie us through the end of March. It is twenty-six point two five percent of the 2016 Budget with some exclusions for debt service, capital improvements and public assistance. Adopting this will allow us to operate and have some appropriations.

At the request of Councilman Baxter, the CFO repeated the exclusions and mentioned that the Township does not have any state mandated public assistance.

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

4. A RESOLUTION AUTHORIZING CHECK AUTHORIZATION PRIOR TO BILLS LIST APPROVAL

The CFO explained that this is to provide for those situations that may arise when we need immediate payment. It includes any account that would accrue interest or involves late fees or fines if it waited for the regular bill cycle. The supplemental list is presented to Council at the next meeting for review and approval.

Councilman Baxter asked if this includes employee reimbursements.

The CFO responded that she will include any contractual obligations if there is a gap between meetings.

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

5. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO AWARD A TEMPORARY EMERGENCY CONTRACT PURSUANT TO N.J.S.A. 40A:11-6 FOR TOWNSHIP ELEVATOR INSPECTION SERVICES TO EIC INSPECTION, CORP.

The Attorney explained that this is a short term contract. The Township's current vendor for Elevator Inspection Services is EIC Inspection, Corp. The Township is in the process of reprocurring those services as their contract has expired. This is a temporary emergency contract to extend that contract pending receipt of bids and the awarding of that contract. The Township is required to have an elevator inspector on contract.

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

6. A RESOLUTION AUTHORIZING THE SUBMISSION OF THE EWING (EDAA) MUNICIPAL ALLIANCE GRANT FOR JULY 1, 2017 TO JUNE 30, 2018

The CFO explained that this is the Municipal Drug Alliance Grant that is included each year. About two years ago, they changed it back to a fiscal year.

President Steward asked what is the total.

The Administrator replied that it is \$31,228.00; the cash match is \$7,807.00 and the in-kind match is \$23,421.00.

President Steward asked how is this money spent.

Councilwoman Keyes-Maloney replied that it is everything from the Project Graduation activities to information they provide to the school districts associated with everything from marijuana edibles, to heroin, to bath salts. They interact with the school districts on an ongoing basis as well as provide support to the community.

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

7. **A RESOLUTION APPROVING CHANGE ORDER NO. 1 INCREASE TO SCOZZARI BUILDERS, INC. FOR THE HOLLOWBROOK COMMUNITY CENTER RENOVATIONS AND ALTERATIONS IN THE AMOUNT OF \$133,298.32**

The Administrator explained that Council has a letter from the Township Engineer explaining the changes which include: a gas isolation valve, kitchen equipment now required by Code, electric hand dryers, fire alarm upgrades and HVAC duct work, insulation and cleaning. It is still well under the amount projected in the Capital Budget.

President Steward, for the benefit of the Public, explained the situation at Hollowbrook.

The Administrator added that asbestos was discovered after a major rainstorm. We had no choice, all the tenants had to be moved out and all but one will return. It is a couple months behind schedule but will be wrapped up by the middle of spring.

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

8. **A RESOLUTION AUTHORIZING A MAINTENANCE GUARANTEE RELEASE FOR THE WAY OF THE CROSS HOLY TEMPLE, BLOCK 13 LOT 33, PRINCESS DIANA WAY, EWING TOWNSHIP FOR PROJECT NUMBER RV&A#1102 I 028 SUBJECT TO THEIR COMPLIANCE WITH SPECIFICATIONS OUTLINED BY EWING TOWNSHIP ENGINEERS REMINGTON, VERNICK & ARANGO**

The Attorney explained that after the performance guarantees are completed, the Township Engineer gets a two year maintenance bond to make sure the improvements are done correctly and do not deteriorate over time. This is the Engineer's recommendation that the maintenance bond be released as the improvements have been completed as specified.

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

9. **A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO REDUCE THE PERFORMANCE BOND OF BEAR TAVERN GREENE ON-SITE IMPROVEMENTS – 750 BEAR TAVERN ROAD (BLOCK 373, LOT 2) -- EWING ENGINEERS REMINGTON, VERNICK & ARANGO RV&A #1102 I 059**

The Attorney explained that this is a performance bond for the initial improvements on a site. This is not a release but a reduction. The site is almost complete. Under local land use law, application can be made to have the performance bond reduced by up to thirty percent of the original amount of the bond. The Engineer inspects the site and confirms that that amount of site improvements has actually been completed and then makes a recommendation that the bond can be reduced commensurate with the amount of work completed on the site.

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

10. **A RESOLUTION APPROVING NICHOLAS A. CIMINO AS A SENIOR FIREFIGHTING MEMBER OF THE WEST TRENTON VOLUNTEER FIRE COMPANY NO.1**

President Steward commented that the Township is excited to have an additional senior firefighter.

The Administrator added that this just means that he phased out of being a junior firefighter. He has been sent to the fire school and can now officially be on the truck.

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

BILLS LIST

Council President Steward presented the Bills List for review.

1. **A Resolution Authorizing the Chief Financial Officer to Pay Supplemental Bills per Resolution #16R-13 in the Amount of \$476,644.14**

Councilwoman Keyes-Maloney asked about the sign printer for the Public Works Department in the capital section.

The Administrator said that this is for street signs and explained that the Township has an issue with street signs disappearing in certain neighborhoods during certain times of the year. The Township needs to be able to make them up quicker than sending out to a vendor. It is not a full time job. Current employees, under their job title, can do this as needed. The Township just needs new equipment. The Township is also trying to come up with new ideas as to how make the street signs more difficult to take. The Administrator mentioned that they also working on Councilman Baxter's suggestion of painting street numbers on curbs for emergent needs.

Councilwoman Keyes-Maloney stated that "Property of Ewing Township" is embossed on the back.

The Administrator added that if street signs are found in a house, they can be charged with stealing government property. This was started three years ago.

President Steward asked if it will be cheaper to do this in-house.

The Administrator replied – not cheaper, just faster.

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

CONSENT AGENDA

Council President Steward presented the Consent Agenda for review.

1. **Approval of Agenda Session Minutes for November 29, 2016; Approval of Regular Session Minutes for November 29, 2016**
2. **A Resolution Authorizing the Conduct of a Bingo Sponsored by Prospect Heights Vol. Fire Co. #1**
3. **A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$70.25 for overpayment of transport service on November 14, 2016 for patient Sheree Fleming to Horizon NJ Health, P.O. Box 24077, Newark, New Jersey 07101-0406.**

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

All Discussion items, the Bills List and the Consent Agenda were 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 OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, AMENDING CHAPTER 354 TRAILERS TO PROHIBIT THE USE OF PORTABLE ON-DEMAND STORAGE OR PORTABLE STORAGE CONTAINERS ON RESIDENTIALLY ZONED PROPERTY EXCEPT IN CONFORMANCE WITH THE TERMS OF THE ORDINANCE.**

The Attorney explained that this is actually the third time this has come before Council because on Second Reading substantial amendments were made and those had to be advertised.

The Council President thanked Councilwoman Keyes-Maloney for her work on this. There were no questions or comments from Council.

Nate Lust (552 Maple Avenue) stated that although he is sure that it is a well-intentioned Ordinance, he does have concerns. Mr. Lust stated that his concerns are not so much with the trailer section, as he can see how it is a public safety issue for those to be on the street, but with the portable on-demand storage section. Mr. Lust said that he has a fundamental disagreement with pre-charging someone for doing something on their own property. There are many legitimate uses for these storage units. Mr. Lust said that he is more than happy to pay property tax that will benefit the Community; but, in this situation, he does not see how collecting this nominal fee benefits homeowners, but rather only gives them an additional regulatory burden and even harms them by penalizes them if they do not comply. Mr. Lust then stated that he does recognize that there are potential conflicts between neighbors with people abusing their use. Mr. Lust proposed an alternative to Council: a resident would have fourteen days to move the storage unit or register it after a complaint is filed by a neighbor or the Police. Mr. Lust then gave other reasons why he is opposed to the storage unit section of this Ordinance: people moving into Ewing and national POD retailers would not know about it; there should not be a charge to move into the Community; generally, municipalities are not in the habit of creating a penalty to prevent some possible future crime, instead they go after those who have broken the law; the money collected would not pay for someone, who most likely is already overworked with many responsibilities, from going around and enforcing this Ordinance. Mr. Lust mentioned to Council that several of his neighbors are also concerned about this but were unable to be here tonight. Mr. Lust said that he came to speak on their behalf.

President Steward said that Council appreciates Mr. Lust's feedback. It is something that Council is sensitive to and is trying to find a balance as this is being considered. Initially, the fee was higher. The Council President pointed out that this is similar to other registrations in the Township - such as pets - that residents are asked to register in advance.

The Administrator said that this has been a long discussed issue. There have been complaints about these trailers and PODS from throughout the Township. The Administration's intent is not to just go around and ticket; but rather, as with other code violations, first give the resident an opportunity to comply. The Administrator added that, based on feedback such as we are hearing tonight, this Ordinance can be amended in the future.

Councilwoman Keyes-Maloney said, as discussed previously, it will be incumbent on the Administration to make sure that these companies are informed of this change. For people moving into the Township, it does create an issue and Council will need to contemplate what then happens in this situation. The difficulty with the Speaker's suggestion, that only after a complaint has been filed, is not definite enough in the law. However, the Speaker may be getting at something that could work here which is that the first fourteen days would not necessarily require registration but after the fourteenth day, it would be required. It might be a good balance of ensuring that people moving into the Community and those doing renovations would not be disadvantaged while at the same time the Township would still be able to track those pods that are there for a long duration.

Councilwoman Wollert said that the goal of this Ordinance is laudable. However, it is going to be hard to enforce. Current code enforcement is not consistent. Councilwoman Wollert said that she agreed with the Speaker; how is a new resident to know of this Ordinance. Councilwoman Wollert also asked who is to say how long a pod has been sitting there. Councilwoman Wollert said that enforcing this is going to be difficult and added that she has seen other Ordinances passed with good intentions, but were not well enforced. Councilwoman Wollert added that she has driven around Town, and is not seeing that the Town is overloaded with these things. Councilwoman Wollert suggested that perhaps there should be an Ordinance which allows someone to file a complaint and then it goes to Court.

Nate Lust (552 Maple Avenue) commented that he supports some sort of Ordinance because it does impact people and he agrees that people will abuse it. However, he said that he has a fundamental issue being forced, at the start, to pay a municipality

for something done on ones own property. Mr. Lust added that he can guarantee that, if this passes, there will be a petition before the next election. Mr. Lust then reiterated his alternative solution.

Councilman Schroth asked the Township Attorney if someone does not know of this Ordinance, can they come in and “cure” it.

The Attorney responded – yes, and then added that she believes that the Speaker’s issue is not with the registration itself, but with the twenty-five dollar up-front fee which he believes to be a fine.

Councilman Schroth responded that people pay registration fees all the time and gave the example of pet registration.

The Attorney listed some other fee registrations.

Councilman Schroth added that these are not prospective punishments and there are clear instances of abuse in the Township.

Councilwoman Keyes-Maloney added that the difference here is with people moving into the Community and the fact that PODS are becoming the way people move.

The Administrator then made a suggestion as to when fees are charged.

Nate Lust (552 Maple Avenue) said that he understands that there are fees for other regulatory behaviors but that in itself does not imply that there needs to be a fee for a new regulatory behavior. If a fee, is to pay a municipality back for regulating the situation, might not the penalty also serve the same purpose. Also, most people do not want additional paperwork to manage.

Councilwoman Schroth said that Mr. Lust’s point is well taken but is factually and logically flawed. The mere presence of a pod will necessarily trigger an investigation of some sort. Reliance on a neighbor’s complaint would subject some to the whims of a complaining neighbor and thus have to register their pod, while others might not have complaining neighbors and would not have to register theirs.

Mr. Lust responded by saying, in itself, the point of this Ordinance is how you impact your neighbors. If there is no conflict amongst neighbors, why does a Municipality have to get involved.

Councilman Schroth responded that you are then creating a situation where you are subjecting the Town to chaos and the arbitrary enforcement of the law.

Elizabeth Lust (552 Maple Avenue) said that she believes that it was already pointed out that this is not a big issue. It is not causing chaos.

Councilwoman Schroth said that he understands their points. But the Township has had numerous complaints including the back of an eighteen wheeler parked in a driveway and a backyard for months. Councilman Schroth said that Council appreciates you being here and giving your point of view.

Elizabeth Lust responded that there is a big difference between an eighteen wheeler and a pod.

The Council President added that Council is trying to find that distinction in this Ordinance which is why we are making a difference between residential and commercial. There is an urgency in the Town to try to address the commercial side. Council and the Administration are eager to curtail what in effect is people running a commercial enterprise out of their driveway. President Steward mentioned that this can be revisited. There is also 120 days before this goes into effect which gives Council time to take a closer look.

Nate Lust (552 Maple Avenue) said that he has an issue with preemptively charging someone for doing something on their own property and is opposed to it on moral grounds as being an overreach of regulation. Mr. Lust stated that he would go door-to-door with petitions and to encourage people to vote the way needed to to get this overturned.

The Council President thanked Mr. Lust for coming and bringing this to Council’s attention.

Councilwoman Keyes-Maloney commented that typically Council can not regulate between individuals, Council can only regulate for the system. To regulate for the system, Council has to set specific criteria that applies regardless of which actors are employed. The Ordinance as drafted and administered is universally applied regardless of whether someone is calling that week or that month. As a Body, what will eventually come out of this is that universal application regardless of whether there is a complaint or not a complaint; that is the legal requirement. That being said, there is an understanding that this is not about penalizing someone who is moving into the Community or doing a renovation it is about ensuring that we have proper behavior in neighborhoods consistently regardless of whether or not a neighbor cares or not.

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

This item was approved for action.

COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

Councilwoman Keyes-Maloney announced that the Student's Art Show is the end of the month, January 29th, at the Trenton Elks from 1 p.m. to 4 p.m. The art will then be displayed at the Municipal Building for about a month or so. Then we will be transitioning as a Body into potentially an art installation and coordination with Homefront and Arc which we are looking forward to. Councilwoman Keyes-Maloney reported that a number of new members of the Arts Commission were sworn in at their first meeting with a new Chair and then thanked the Administrator for coming out that evening. Councilwoman Keyes-Maloney asked everyone to come to the art show.

Councilman Baxter said that the first Recreation Advisory Board meeting will be held next Monday at the Ewing Senior Center at 7:00 p.m. Ewing High's Winter Concert will be this Thursday at 7:00 p.m.

Councilwoman Wollert said that she has no report from the Senior Advisory Committee.

Councilman Schroth said that the Green Team's meeting this month is on the 25th.

President Steward reported that the Planning Board met to consider improvements to the Old Extension Patio site. It will be a Dollar General.

There were no additional Commission and Committee Reports from members of Council.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Judith Peoples (295 West Upper Ferry Road) said that one, she would like to know the status of the State Police Drive issue and two, computer experts have told her that this issue can be solve with computer technology; hopefully, that can be done so no one has to change their address.

The Administrator said that he did speak with Ms. Peoples earlier today. The Administrator stated that there is no action pending on changing the street name. It has been withdrawn by the Town. The Administrator then informed Council and the Public what Jeff Golumb (County Central) told him about what happened with that call that caused all of this concern. Through conversations with Senator Turner and her Office, the Township has petitioned the Attorney General to have the State Police change their buildings' numbers. The State Police are considering it; they turned down changing the name of State Police Drive East to Trooper Drive. The road out to Ravine Club was changed to Cosey Road. No one objected as they all get their mail by PO Box. There has to be a street name for emergency response. State Police also get all their mail via PO Box. The Administrator reiterated that if you call 911 on your home phone, there is no problem. The Administrator said that he has heard loud and clear from the residents; we are hoping that we will not have to change their street name. But, if we do, the process would start all over again with a required ninety day notice to the residents. An Ordinance adopted in 2006, does not require Council action, it only requires that we report to Council. The Administrator stated that he does not think that the Administration would make this change, based on resident feedback, without a Public Hearing and Council action. The Administration is trying to force the hand of the State, as it is an emergent situation that residents and those on State Police property are covered in an emergency situation. There is no action before Council. The Mayor had everything withdrawn. And, if the Administration is going to do this, the Administrator said that he would go out to State Police Drive and knock on doors.

Ms. Peoples asked what should the residents anticipate.

The Administrator replied that if we are going to make a change, he would reach out to the neighbors ahead of time.

Andrea Belardo (10 State Police Drive) said that she appreciates what the Administrator has told them. Ms. Belardo then asked what recourse do they have if you come knocking on our door.

The Administrator replied that, technically, your recourse is here before Council.

Ms. Belardo then appealed to Council to help them saying that they do not sleep well at night with this dark cloud hanging over their heads. They need to have this resolved.

The Administrator said – our intent is not do this.

Ms. Belardo reiterated that they are counting on Council to help them.

President Steward said that Council heard the residents loud and clear in December and then credited the Administration for exploring every alternative.

President Steward then stated that previously, it was said that Council would have to pass an Ordinance to change the name of a street but that is not the case.

At the request of the Council President, the Township Attorney explained that the 2006 Ordinance delegated to the Assessor the ability to change the names and numbers of the streets upon ninety days notice to the effected residents. The Attorney said that it is her concern that this Ordinance may have delegated authority that it might not have been allowed to delegate. The Attorney said that she believes that the naming of streets should come to Council and not be at the sole discretion of the Assessor. In any case, in this particular case, the original notice was inadequate.

Councilwoman Keyes-Maloney said that this Ordinance may need to be modified.

The Administrator added that we have directed the Tax Assessor to get the Mayor's approval before renaming any streets.

President Steward added that there is merit in having a Public Hearing as it does effect people as we heard in December.

The Attorney added that Council does accept private streets and just recently gave a street a ceremonial name.

Ms. Belardo commented that she believes that it is wrong that one man can make this decision and added that just because he can, it does not mean he should. Ms. Belardo stated that she hopes Council still has the petition from December, as they still need help; they do not want this to happen to them.

Lorraine Papszycki (12 State Police Drive) said that day she never got a knock on her door asking if there was an emergency at her address and then asked, if this name change occurs, who is going to take the responsibility of having all of our personal papers changed – deeds, wills, banks, utility bills.

Ms. Papszycki stated that she is eighty-seven years old and has paid her dues. Ms. Papszycki stated that she has been at this address for forty-seven years and then asked Council to help them.

Ron Prykanowski (16 Thurston Avenue) commented on the large amount of rock salt that had been used on the sidewalks at the Municipal Building. The Township prides itself on being a Green Community. There are other environmentally friendly ingredients that can be used. Granted, it costs more but you can use one-third less. Mr. Prykanowski urged the Township to consider including a brine machine in the upcoming capital budget.

The Administrator said that it is already on for discussion.

Mr. Prykanowski relayed an incident that happened to him on Green Lane and then mentioned the difference that can be seen on Eggerts Crossing Road between Ewing and Lawrence as Lawrence has a brine machine. Mr. Prykanowski suggested a shared service with Lawrence or the County as they already blend the liquid; Ewing could pay them for the liquid and then only have to purchase the machine.

The Administrator said that we have spoken with those communities that combine brine with salt and sand and have also sent Public Works to meet with their colleagues from around the State. Although brine has its benefits in light weight storms, it also enlarges existing cracks just as with rock salt. The Administration is looking at the cost of capitalizing this product. The Administrator said that the Township does use an environmentally friendly product as well, but when you hear complaints from residents, it becomes a balancing act. The past two storms, the biggest complaints were about Federal City Road and Green Lane and we had already salted each of them three times. The Administrator stated he drove around the County; their side roads looked like ours. They only used brine on the main roads. The Administration has to look at it from a capital perspective.

There were no additional questions or comments from the Public.

ADJOURNMENT

There being no further business, President Steward asked for a motion to adjourn. Ms. Wollert so moved, seconded by Mr. Schroth. It was agreed by unanimous voice vote. The meeting was adjourned at 8:59 p.m.

Sarah Steward, President

Susan Bate, Deputy Municipal Clerk