

February 14th, 2017 – AGENDA SESSION

President Steward called the meeting to order at 6:35 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 – Excused | Jim McManimon, Administrator |
| ▪ Ms. Keyes-Maloney – Present | Maeve Cannon, Attorney |
| ▪ Mr. Schroth – 6:43 p.m. | Kim Macellaro, Municipal Clerk |
| ▪ Ms. Wollert – Present | |
| ▪ President Steward – Present | |

The Clerk stated for the record that Councilman Schroth called to let her know that he is running late and Councilman Baxter has an excused absence.

DISCUSSION

1. AN ORDINANCE OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, AMENDING THE REVISED ORDINANCES OF THE TOWNSHIP OF EWING, AMENDING SECTION 225-52, ENTITLED “SCHEDULE V: HANDICAPPED PARKING ON STREETS,” TO ADD A HANDICAPPED PARKING SIGN AT 1420 N. OLDEN AVENUE (COMMONLY KNOWN AS “SHORT OLDEN AVENUE”)

President Steward said that this was requested by the resident. It has been reviewed by the Police Department for eligibility and compliance.

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

2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 325 TITLED “STREETS AND SIDEWALKS”

President Steward thanked Councilwoman Keyes-Maloney for her excellent work on this. President Steward explained that due to recent events the Township has decided to review its process on the naming and renaming of streets. Currently, the Tax Assessor has the authority to rename Township streets. To ensure the opportunity for public comment when these matters arise, this Ordinance proposes that Council has the authority to act on the Tax Assessor’s recommendation.

Vice President Wollert commented that she would like to see further refinement of the entire process so that everybody is extremely clear on what can and cannot be done.

President Steward responded that Council should not go too far and make the naming of streets a political endeavor subject to the whims of Council. That is why Council should seek the input of the Tax Assessor who has an impartial non-political view. President Steward then explained that before any renaming takes effect, there will be a ninety day notice period to the effected residents.

Councilwoman Keyes-Maloney said that this allows the Tax Assessor to make appropriate recommendations, allows Council to weigh in and allow for Public review and redress as well as act with due process.

There were no additional questions or comments from Council.

Andrea Belardo (10 State Police Drive) asked if this Ordinance passes, will members of Council vote on street name changes.

President Steward responded – that is correct.

Ms. Belardo then asked if all five members have to agree or only a majority.

The Attorney responded that it takes the majority of the quorum present.

The Council President added that it is normally three out of five, but tonight it is two out of three. President Steward then explained the process for an Ordinance to be adopted.

The Attorney added that the renaming of streets does not require an Ordinance, just review by Council which would normally take the form of a Resolution. This changing of the current process is happening by Ordinance.

Ms. Belardo said that she picked up on what the Council President said earlier, regarding the renaming of streets, that it should not be at the whim of Council; Ms. Belardo commented that the renaming of streets should not be a the whim of one individual either.

Ms. Belardo then informed Council that she and two of her neighbors are not getting their electric bills and said that the residents are already having issues with not getting their mail. PSE&G informed one of her neighbors that her bill was sent to John Gregerson Drive.

President Steward replied that she would be happy to reach out to PSE&G to get this resolved.

The Administrator said that he will speak with the Tax Assessor to again reach out to the Post Office. Under any circumstances, mail is forwarded for at least six months. The name change as it was proposed and cancelled should not effect it yet. The Administrator added that he just approved payment on a Verizon bill that the Township received in February after not getting the November and December bill. Sometimes it happens either with the utility or the Post Office.

Ms. Belardo responded that it was at least three of them that did not get their mail correctly and then said that she does not know what other mail she has not received.

Ms. Belardo then asked what is the status of the proposal put forth to Shirley Turner about asking the State Police to renumber their buildings.

The Administrator replied that the State Police has not yet responded to Senator Turner.

Ms. Belardo added that the residents are going to keep coming to Council meetings; they are not going to quit until there is a resolution.

The Council President added that part of this Ordinance being considered tonight is to make sure that there is a public notification process and a public hearing process on any potential changes. President Steward said that she is not saying that the street name could not change but what happened last December would not happen again because the process would be different.

Ms. Belardo replied that their issue is that they do not want the street name to change.

Judith Peoples (295 West Upper Ferry Road) said that there is another overriding issue that came up. Ms. Peoples then asked does the new language in the Ordinance prioritize residences.

President Steward replied that it does not. This is about the decision-making process. The Tax Assessor would weigh whatever merits he has to weigh in order to make a recommendation to Council.

Ms. Peoples responded that, if it is Council's policy and Council's opinion that residents should be given priority, it should be in this process.

The Attorney added that the Tax Assessor is merely going to make a recommendation to Council. Nothing that the Tax Assessor does will be binding because it will be up to Council to make the ultimate decision. Council can take into consideration and weigh all the factors, including the number of residences involved. President Steward responded that, speaking for herself, she is a little hesitant to identify all the criteria and rank the criteria because these situations get very complex. What Council is trying to do here is to create a transparent public process so Council can get input from all the relevant stakeholders as these decisions are being made. The Ordinance does not prescribe which criteria override in one situation or another because the criteria would change over time and in each situation. President Steward added that it would always be her intention to prioritize the residences.

Ms. Peoples responded that if a situation arose again, Council would have a lot of upset residents on their hands, unnecessarily.

President Steward stated that part of her reason for bringing this Ordinance up this evening is that as a Council we are elected to represent the residents' interests. The Council President said that it is her hope that this new process makes Council even more responsive to the residents.

Andrea Belardo (10 State Police Drive) said that this Council is telling us that it is for the residents but what about a future Council, they might not care.

Councilwoman Keyes-Maloney said that although it may be lovely to be able to list criteria; when developing criteria, it is not always possible to foresee everything. This allows residents the ability and the opportunity to say why something is not advisable. It is our duty as your representatives and if residents are not happy with our response, there is always the opportunity at the ballot box.

The Attorney added that if the goal is to try to tie the hands of a future Council, it would not be effective as a future Council can amend the Ordinance and change the criteria.

There were no additional questions or comments from the Public.

3. 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.

President Steward explained that this addresses some concerns brought to our attention by members of the Public about the short-term use of pods. The current Ordinance says that, after seventy-two hours, these storage pods have to be registered with the Township. The concern is that this is too short of a window for people who are moving over a long weekend; that they are unfairly required to pay a registration fee. Council reflected on that and thought about the best way to move forward. The Council President thanked Councilwoman Keyes-Maloney for her excellent work on this issue and for suggesting an amendment which would allow a two week grace period for those who are getting a temporary storage pod at their residence.

Councilwoman Keyes-Maloney said that it would require registration after the end of that fourteen day period. Residents that are moving into the Township who may not be aware of the Ordinance, it allows them that flexibility; it allows for short durational periods of time where a pod is required for renovation at a house but it also balances that against a pod that theoretically is being used for an elongated period of time, inappropriately. There is a fourteen grace period, followed by a fourteen day post-registration period. After that, there would have to be special dispensation that exceeds the twenty-eight day limit.

President Steward added that the residential registration fee is not changing; it is still \$25.00.

The Attorney added that the original Ordinance provided for a one hundred twenty day phase-in period and these amendments will run concurrently with that existing one hundred twenty day period which has already begun.

President Steward said that Council did not want to effect the enforcement timeline which was already "ticking".

Councilwoman Wollert said that she just wanted to be clear on exactly what things have to be registered – it is not just pods. It may be helpful to the Public to know what else needs to be registered besides pods.

The Council President then listed the items that are required to be registered.

Councilwoman Wollert asked if it includes dumpsters.

The Attorney replied that she thought it would.

A discussion followed as to what items are required to be registered.

Counsel said that she will take a look at it.

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

4. A RESOLUTION AUTHORIZING AND APPROVING 2017 SHARED SERVICES CONTRACT FOR HEALTH SERVICES BETWEEN THE TOWNSHIP OF EWING AND THE TOWNSHIP OF HAMILTON

The Administrator explained that this is a renewal of a shared service that we have had with Hamilton Township for a number of years to provide services that we do not provide. The Administrator listed the services and then said that it is similar to an agreement the Township has with the City of Trenton.

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

All items were approved for action.

BILLS LIST

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$6,806,658.70 and to Pay Supplemental Bills per Resolution #17R-14 in the Amount of \$1,344,327.47

Councilwoman Keyes-Maloney thanked the Administration for doing a good job of articulating what things are so she does not have to ask any questions.

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

The Bills List was approved for action.

CONSENT AGENDA

Council President Steward presented the Consent Agenda for review.

1. Approval of Agenda Session Minutes for December 13, 2016; Approval of Closed Session Minutes for September 13, 2016, November 14, 2016, November 29, 2016, January 10, 2017; Approval of Regular Session Minutes for December 13, 2016
2. A Resolution Authorizing the Conduct of an Off-Premises Merchandise Raffle Sponsored by Credit Union of New Jersey Foundation
3. A Resolution Authorizing the Conduct of a Bingo Sponsored by EASEL (Ewing Animal Shelter Ext. League Inc.)
4. A Resolution Authorizing the Conduct of an On-Premises 50/50 Cash Raffle Sponsored by EASEL (Ewing Animal Shelter Ext. League Inc.)
5. A Resolution Authorizing the Conduct of an On-Premises Merchandise Raffle Sponsored by EASEL (Ewing Animal Shelter Ext. League Inc.)
6. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$605.88 for overpayment of transport service on November 17, 2016 for patient William Love to Horizon BC BS of NJ, P.O. Box 420, Newark, New Jersey 07101-0420

7. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$295.34 for overpayment of transport service on October 23, 2016 for patient Jennifer Parrott to Horizon BC BS of NJ. P.O. Box 1301, Neptune, New Jersey 07754-1301
8. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$777.79 for November 21, 2016 to December 31, 2016 to Gary Griffin & Evelyn Mims, 72 Jacob Ct., Ewing, NJ 08628, for property owner Gary Griffin & Evelyn Mims for Block: 419 Lot: 147 also known as 72 Jacob Ct. Homeowner qualified for 100% disabled veteran as of 11/21/2016.
9. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$3947.41 for November 1, 2016 to Uninvest Bank and Trust Co, PO BOX 97, Souderton, PA 08964-0197, for property owner Phyllis Couch for Block: 317 Lot: 48 also known as 409 Vannest Ave. Tax appeal was granted for 2016 added/omitted in favor to the homeowner.

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

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, AMENDING AND REVISING § 225-64, SCHEDULE XVII: BUS STOPS, PURSUANT TO N.J.S.A. 39:4-8(e)

President Steward said that this Ordinance was requested by the State Department of Transportation. It reorganizes the Township's bus stop ordinance. No bus stops are being added, changed or deleted. It is merely relisting them in a format that they preferred.

The Attorney added that it also cleans up the descriptions as to the exact locations of where the bus stops are. Some were not specific enough.

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

COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

Councilwoman Keyes-Maloney said that we had a really amazing art show on the 29th of January. Over four hundred residents attended, approximately one hundred forty students and over two hundred fifty pieces of art were displayed during the event. Some of which are now on display at the Municipal Building. Councilwoman Keyes-Maloney then announced two upcoming events – the student art show in the Spring as well as a new option for the Arts Commission in conjunction with Homefront and The Arc of Mercer County. This Art Show will be here sometime in April.

President Steward said that the Planning Board has not met.

There were no additional Commission & Committee Reports from Members of Council.

President Steward announced, for the benefit of the Public, that the Redevelopment Agency has a meeting tomorrow at 7:00 p.m. at the Municipal Building. The main topic will be the old Navel Warefare Station across from the GM site. Proposals for the future development of that site will be discussed.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

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

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business, President Steward asked for a motion to adjourn. Ms. Wollert so moved seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote. The meeting was adjourned at 7:02 p.m.

Sarah Steward, President

Kim J. Macellaro, Municipal Clerk