

June 27, 2017 – AGENDA SESSION

President Steward called the meeting to order at 6:31 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

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

DISCUSSION

1. 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 said that this is a further extension of the licensing period for taxicabs and limousines due to the decoupling of the relationship between Ewing and Hamilton. Ewing was doing most of the licensing for Hamilton. Hamilton will now process their own licenses. This extends the time until September.

Councilwoman Keyes-Maloney asked if the taxicab and limousine companies will be notified of this extension.

The Clerk replied – yes.

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

2. A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO WILLIAMS SCOTSMAN, INC. IN THE AMOUNT OF \$158,138.64 TO PROVIDE TEMPORARY FURNISHED OFFICE SPACE FOR A 60-MONTH PERIOD

The Administrator stated that Construction/Code Enforcement is out of space. The Township is also hiring an additional person to help with all of the support work. The Administration looked at “outfitting” the courtyard but those estimates were a couple million dollars give or take. We also looked at an addition, but with the shale underneath the ground, it is cost-prohibitive. So, instead, the Administration is looking to rent modules which will house at least four from Code Enforcement, one support staff and the Zoning Officer. The lease will be for five years and then we will see where we are in terms of staffing needs. The office can not be retrofit any more. We did that in 2006 when space was “taken” from the Tax

Assessor's Office. The Township went out to bid and received one bid. Funding will come out of the Construction Trust Fund.

Councilman Baxter said that the Township is adding a staff person.

The Administrator replied that the new staff person will help with answering phone calls and entering inspections into the system. There have been complaints about calls not being answered.

The Administrator and Councilman Baxter then briefly discussed a support staff person who is currently out on family leave. That person will be returning to the Construction Office.

Councilman Baxter asked where will this trailer sit.

The Administrator replied right outside the Construction entrance.

Councilman Baxter said that this is for five years.

The Administrator said that it is about \$32,000 per year.

Councilman Baxter then mentioned the trailer ordinance Council recently adopted that only allows residents to have trailers on their property for fourteen days without asking for extensions.

The Administrator replied that this is going to be put up according to Code, with electric. It will be handicapped accessible. It will look a lot like those that schools put up to handle growth in their districts. The Administrator stated that he does not believe the trailer will be needed past five years. We are out of space in this building and using the courtyard does not make economic sense.

Councilman Baxter asked if it would be better to look at this on an annual basis or at two years instead of jumping out to five years.

The Administrator replied that it would cost more.

Councilman Baxter asked if a supervisor will be in the trailer.

The Administrator answered that everyone will still report to Jim Scott. The Zoning Officer will be in there. We have not yet decided which folks will go in there but their jobs have to fall under the Construction Trust Fund.

Councilman Baxter asked the Mayor if he is comfortable with this.

The Mayor stated that the people going in there are the subcode officials. Right now, stations will be set up for six people, with a seventh for the Zoning Officer. No taxpayer money will be used as it will be paid out of the Construction Trust Fund. The problem with only going out a year or two is the cost goes up by another thirty to forty percent. Five years is doable. Big construction projects, such as GM, are coming on line and we will be busy. Right now, we are busy, not with new construction, but with home additions, decks, roofs, and people putting in new heaters. The Mayor added that the Township did have a consultant come in and to see what could be done to free up space. There are things that we could do but it would not satisfy the needs of the Office. We could probably add one more person and try to make it work. This way, we can completely rearrange the Office and operate with more efficiency. Most of the complaints are for this Office. Not all are their fault. There is no storage place; things get misplaced. Residents are frustrated; kept waiting. Technology upgrades are also making it easier. This will solve problems for four or five years and then we will see where we are with the construction cycle. The cost of filling in the courtyard is prohibitive - 400 square feet would cost \$50 to \$60 per square foot when the average cost per square foot is only \$12. The kitchens in each office could be taken out, but we would not really gain a whole lot by doing so. This is a process that is long overdue.

Councilman Baxter asked how often is the breakroom used.

The Mayor replied – every day.

Councilman Baxter and the Mayor then discussed the complaints about the Construction Office.

The Mayor explained that the Office is down another person and that the Administration is actively looking for another two code enforcement individuals as well as two clerical; one who will strictly answer the telephone. Space is needed and this will give us the space. Right now, fire inspectors do not have a desk. We have already taken space from the Tax Assessor and cannot take any more especially now since they have the electronic filing system.

Vice President Wollert said that we have been talking about the lack of space in this building for many years. Vice President Wollert stated that she understands the need for space, however, this is just kicking the can down the road. It is not going to get any cheaper to build later on. The interior courtyard might not be the best use of money but she does not know that for a fact as she has not spoken with an architect. In terms of the whole setup, there is nothing that says that Construction has to be in that space and asked about the Tax Office.

The Mayor replied that the Tax Office is the same square footage and the same configuration.

Vice President Wollert asked if the shale is underneath the entire building. The Mayor replied yes and said that we had an issue with the shale when we tried to put in a sewer line at the Animal Shelter.

Vice President Wollert wondered if there might be a better way - to rent the trailer for a couple of years while looking for a more permanent solution because five years from now we are going to be in the same situation.

The Mayor responded to Vice President Wollert and then added that there was a good price break at five years. The Township may no longer need the space in five years because the GM site might be complete and the "extra" inspectors would be laid-off just as happened in Hopewell with Merrill Lynch. The Mayor then described some of the other solutions that were discussed: tearing down the walls to make one large space or using the breakroom. The Mayor then stated that the modules are the solution and said that he hopes Council will support this.

Councilwoman Wollert asked how big is the trailer.

The Mayor responded – 800 square feet. Five fifty by twenty units bolted together.

The Mayor responded to Councilwoman Keyes-Maloney's question about the difference in cost between two, four and five years.

Councilwoman Keyes-Maloney asked if Code Enforcement is still going to get the new filing system this year.

The Mayor replied that the Court is this year, next year is the Tax Office and then Construction.

Councilwoman Keyes-Maloney then asked if the contract gives the Township the flexibility, if we do not need the space, to remove ourselves from the agreement.

The Attorney responded that it is a multi-year agreement subject to appropriation.

Councilwoman Keyes-Maloney asked if the Administration looked at purchasing instead of leasing.

The Mayor replied that we talked about that – lease than purchase – but our intent is not to leave it out there so long. If space is still needed after five years, we will look for a different solution within the building, if it is feasible.

Councilwoman Keyes-Maloney asked who is responsible for maintenance.

The Mayor replied that the vendor is responsible for the heating and air conditioning.

The Council President asked if the trailer came furnished.

The Mayor replied – yes. It would be cheaper if we did it ourselves but our furniture is not sufficient. This comes with workstations where you can sit or stand and there is also a print table; inspectors no longer have to go into the Agenda Room to read plans.

In response to Councilwoman Keyes-Maloney, the Mayor said that the Administration is prepared to have conversations if there is a need for a more permanent solution. The Mayor stated that this is an immediate need. Right now there is one free desk, and we are hiring two. We are not going to put people in other offices; that would be chaos.

Councilman Baxter asked what is the final monthly breakout.

The Administrator responded - \$32,000 divided by twelve.

Vice President Wollert asked if the Township can end the lease before the five year mark.

The Mayor said that there is no severability clause.

The Attorney added that we have to make it subject to appropriation but it is a five year contract.

Councilwoman Keyes-Maloney asked that a copy of the contract be shared with Council.

Councilman Schroth and the Mayor then discussed the cost per month - \$32,000 divided by twelve - actually being \$2,666 per month.

Vice President Wollert added that she wants to see a breakdown from the company of the cost at one year, two years, and five years because she feels that at the end of five years, we still may need to move.

The Mayor added that we also have to address residents' needs right now and emphasized that we did bring in a consultant but if we moved things around we might only gain ten square feet. It is not something we have taken lightly, we have been discussing it for a year.

Vice President Wollert again stated that she wants to see the cost differential.

Councilman Schroth asked if this can wait until the next Council meeting.

The Mayor replied that the longer we delay, the longer it gets pushed back. The vendor also has other projects and we will be put on the backburner. There is an immediate need. We cannot hire since we do not have the space.

President Steward asked to see the full bid specs prior to the Regular Session.

Councilman Schroth said that he appreciates what the Mayor is saying but “urgent” is not perhaps the best word as he associates urgency with public safety issues. A better word to use may be “importance.” Asbestos at Hollowbrook was urgent.

The Mayor responded that this is truly a necessity.

Councilman Schroth responded that he is not arguing about the necessity. This has been described, up until a few moments ago, as an emergency. Councilman Schroth stated that he has not heard any facts to back that up.

The Mayor replied that it is an emergency in the sense that we need to hire three additional people. We are looking for a plumbing subcode official because he is retiring at the end of the year. We had looked at different options. The last resort was this flex space. It gets us out of trouble. It has more efficient desk space and it is more private.

Vice President Wollert asked if the public will be going into these modules.

The Mayor replied – no, only if they are invited in to discuss their project.

President Steward asked how is access controlled.

The Mayor replied – by a regular key.

Councilwoman Keyes-Maloney asked that Council be given the agreement and the bid spec in order to make an informed decision and said that, theoretically, can be done between the two meetings tonight.

There were no additional questions or comments from Council.

Mildred Russell (119 King Avenue) commented that something needs to be done with the Construction Office. The first thing is that it needs is to be cleaned-up.

Wayne Kemper (255 Somerset Street) said that he came tonight to thank Council because today he saw someone from the Township moving “junk” cars and then asked how this came about.

The Administrator replied that it was from the Police Chief responding to your concerns at the last meeting.

Mr. Kemper said that the neighborhood is getting better. It needs to be kept nice. We really appreciate you sending someone over. Mr. Kemper said that he hopes that the Administrator realizes that the people just want to keep their place nice and want a clean Ewing Township.

Council President Steward said that Council has heard you loud and clear on the importance of this. The Administration has heard you loud and clear. President Steward then added that, at this time, comments are only for this particular resolution.

There were no additional questions or comments from the Public.

3. A RESOLUTION REJECTING ALL PROPOSALS IN RESPONSE TO THE REQUEST FOR PROPOSALS FOR THE OPERATION OF THE EWING ANIMAL SHELTER

The Attorney stated that the Animal Shelter is currently being operated by EASEL under a Pilot Agreement. One bid was received from EASEL. An evaluation report and recommendation was prepared by the QPA. The price came in high and the bid was not responsive to the terms of the Request for Proposal. The recommendation is to reject all proposals and re-bid with revised specifications.

The Administrator said that the period on the re-bid going out is twenty days.

The Attorney added that the advertising period is twenty days since it is competitive contracting.

The Administrator said that the Township will re-bid and hopefully it comes back with a lower price.

Councilwoman Keyes-Maloney asked for clarification on the process.

The Attorney responded that competitive contracting is a different process from competitive bidding. The Attorney then explained the competitive contracting process and said that it might be before Council the first meeting in August.

Councilwoman Keyes-Maloney said that she presumes that the last bid process informed what modifications, if any, might be required for this round.

The Administrator replied – yes and added that, in his opinion, the price is a little higher than what it needed to be and they changed some language that the Township does not agree with. The Administrator stated that his number one concern is price. Along with the QPA and the Attorney, they also looked at the language to make sure the bidder can provide for Ewing animals. This is a requirement. The bidder has indicated that that is not a problem.

There are some other issues with services. The one bidder wants to sit down sooner rather than later but the Township has to follow the process so the Township does not violate anything.

The Attorney said that, to be very clear, in the competitive contracting process, the terms that are advertised are not subject to negotiation. The Township cannot accept any changes to those terms.

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

4. A RESOLUTION ACCEPTING THE DONATION OF A VEHICLE TO THE EWING TOWNSHIP POLICE DEPARTMENT

President Steward stated that a resident is interested in donating a vehicle to be used for police work.

The Attorney added that it is a 1993 Buick Century valued at \$884. The Police Department would like it to be used for undercover work. As with any donated item, a Resolution is necessary to accept the donation.

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

The Council President announced the need to add an Item to the Agenda.

5. A RESOLUTION AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT FOR THE REPLACEMENT OF THE EMERGENCY GENERATOR AT THE TOWNSHIP MUNICIPAL BUILDING AND THE REMOVAL OF THE UNDERGROUND FUEL-STORAGE TANK

President Steward said that we have been discussing the need for this for a couple of weeks.

The Administrator, the CFO and Councilman Baxter then discussed funding. Partial funding is in the reappropriation ordinance adopted last December.

President Steward added that the rest of the funds cannot be certified until tonight's bond ordinance is adopted.

Councilwoman Keyes-Maloney stated that this allows the Township to run emergency operations for the entire building.

The Administrator explained that the old generator that broke only serviced the Police Department and some emergency lighting on this side of the building which was why we were in the process of replacing it. After Hurricane Sandy, the Township first took care of the Senior Center, Hollowbrook and two of the firehouses as residents would go there in an emergency.

The Mayor gave the reasons as to why a new generator is necessary and said that with the new generator, Township operations will not be interrupted. The Mayor added that after consulting with the Township Engineer and an environmental group, the Township decided to remove the underground fuel-storage tank.

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

This and the other four items were approved for action.

ALCOHOLIC BEVERAGE CONTROL MATTERS

1. A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2017-2018 EWING MUNICIPAL LIQUOR LICENSES

President Steward stated that we renewed a bunch of these at the last meeting. They all must be renewed by June 30th. These four have received all of their State clearances. The three still outstanding are working with the Clerk's Office and/or letting their license go.

Councilwoman Keyes-Maloney thanked the Clerk for compiling all the information. At the request of Councilman Baxter, the Council President listed the four liquor licenses that are being renewed tonight – Revere, The Element, Winemart and High Spirits

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

This Item was approved for action.

BILLS LIST

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$1,731,822.04 and to Pay Supplemental Bills per Resolution #17R-14 in the Amount of \$69,979.26

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

CONSENT AGENDA

Council President Steward presented the Consent Agenda for review.

1. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$170.22 for overpayment of transport service on January 27, 2017 for patient John Roberts to Aetna Inc., P.O. Box 14079, Lexington, Kentucky 40512-4079.
2. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$335.76 for overpayment of transport service on November 17, 2016 for patient William Schoelwer to Horizon Medigap 2ndary Only, P.O. Box 1184, Newark, New Jersey 07101-0025.
3. A Resolution Authorizing Kwenyan and Associates to Hold a Block Party/Road Closing on June 30, 2017
4. A Resolution Authorizing Stout Street & Friends to Hold a Block Party/Road Closing on July 1, 2017

Councilman Baxter asked if both of these block parties are on Stout Street. The Council President replied that the first is on 4th Street and the second is on Stout.

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

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 ADD § 225-10.6, TO PROHIBIT PARKING IN FRONT OF A PUBLIC OR PRIVATE DRIVEWAY

The Attorney stated that this is the second second reading.

The Council President explained that this is in response to residents' concerns about not being able to access their driveway because people were parking in front of them. This prohibits parking in front of a driveway. Two weeks ago, it was amended to include prohibiting parking within five feet of an opening. This evening, we will have a Public Hearing on the amendment.

There were no questions or comments from Council.

Rebecca Lynn (1008 River Road) asked how is the "five feet" determined.

The Council President read the Ordinance.

Ms. Lynn asked if the Public is going to really be made aware of this because when you park between two driveways you are usually within those five feet.

President Steward replied that she did not believe that the Township is going to start measuring. The Township is just trying to find the most egregious offenders.

Ms. Lynn said that she thought that it is a state law that you can not block someone's driveway.

The Administrator responded that the fines would come to the Township instead of the State.

The Attorney added that it is easier for the Police to write a ticket and this would be slightly different because the five feet is being added. There were numerous complaints of people parking in front of driveways.

Ms. Lynn responded that she is just wondering why there needs to be an Ordinance when there already is a law.

The Council President replied that the five feet is not in the State law; this allows us to craft it to be more responsive to the concerns that have come to the Township.

The Attorney added that State law authorizes a Town to adopt an ordinance to prohibit parking.

Councilman Schroth said that there are other instances where there are duplicative laws.

The Mayor added that the intent is not for the Town to ride around and write summonses. We get constant complaints about this from residents who live near the College and the High School. The intent is for the homeowner to be able to get out of their driveway.

There were no additional questions or comments from the Public.

2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ADD § 325-5, TITLED DAMAGE TO MAILBOX BY TOWNSHIP

President Steward said that this is damage to residents' mailboxes in the course of plowing when the mailbox is struck by a snowplow.

The Administrator added that the maximum reimbursement is fifty dollars. Anything beyond that a resident can file an insurance claim.

The Council President added that the plow operators will be given additional training.

The Administrator said that the Township has arranged training through the Joint Insurance Fund.

President Steward stated that this also formalizes the process to seek that reimbursement.

Councilman Baxter asked why would the Township not reimburse for a more elaborate mailbox if we damaged it.

The Administrator replied that the Town cannot afford to keep doing that. The Post Office only requires a standard mailbox and a pole for mail to be delivered. We checked what other Towns are doing.

Councilman Baxter asked who is going to actually fix the mailbox. Is the Town just going to cut a check and then it is up to the homeowner.

The Administrator replied – yes.

Councilman Baxter then asked if the Town is sure that fifty dollars will cover the cost.

The Administrator replied that he went to Home Depot and Loews; fifty dollars covers it.

President Steward added that there is some choice for fifty dollars; it does not just cover the cheapest one.

The Mayor stated that many mailboxes do not meet the requirement and stick too far out over the curb. The Town is going to be very specific as to where mailboxes can be placed. The Town will only be responsible when plows actually hit the mailbox and not for snow pushed into mailboxes.

Councilwoman Keyes-Maloney added that the Ordinance is trying to create some certainty as to what the Town's responsibility is and the cost going forward.

President Steward added that the Ordinance can be revisited if we find next winter that this is not adequate.

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

3. A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,530,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,453,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

The CFO said that this provides for the generator and the Mercer at Play grant for the courts at Moody and the splash playground at the ESCC.

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

These Items were approved for action.

COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

President Steward stated that the Planning Board has not met.

Councilwoman Keyes-Maloney said that the Ewing Drug & Alcohol Alliance met last Thursday and reviewed what happened post-Prom and also addressed outstanding items regarding the School District's summer drug and alcohol prevention programs.

Councilman Baxter said that at the Recreation Board, Mr. Sam Page and his associates offered to give free basketball clinics. They just need space and are working that out with Mr. Forst.

The Board also discussed the rink over on Carlton Avenue. That group requested help to replace the lights. Councilman Baxter said that he understood that there has been a lot of vandalism done to the lights and the light box. There is not a lot of demand for lights as there are only about twenty members who attend on a regular basis. The Board also coordinated field requests. This time of year, the fields are busy and the parks are heavily used. Mr. Forst is fielding a lot of requests. Summer camp is also off to a good start – about forty-four families are signed up – a little ahead of last year. Senior Swim is at full capacity - 106 seniors have signed up for the program. Councilman Baxter added that a local resident, who played recreation basketball, last week was drafted by the NBA's Phoenix Suns as the second pick in the second round.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Mildred Russell (119 King Avenue) stated that the Officer assigned to ticket homeowners who leave garbage and junk out at the curb for a lengthy period of time is very good; he did a great job over on Stokes. Mrs. Russell stated that this Officer still has his other Police duties and then asked the Administration, just as was done ten or fifteen years ago, to consider assigning someone to do this as their full-time job.

The Administrator asked Council if they received the Chief's status report concerning this. Council replied – yes.

Anne Chmielewski (49 Sunset Avenue) stated that she is here this evening to talk about Trenton Mercer Airport and said that she is sure that the Mayor and Council as well as the Freeholders are beginning to hear a groundswell from residents regarding this. Lower Makefield Township has hired a lawyer in regard to noise levels. Ms. Chmielewski said that she is not trying to shut down the airport or end commercial operations but wanted to note that there has been an increase in the noise and it appears as if there has been a change in the flight patterns as of late. Consultants conducted a meeting on May 24th relating to the development of the Master Plan. There had been a previous meeting in September that no one in her community knew about. She had been told that only a small ad had been placed in the newspapers to let the Public know about that September meeting. At the May 24th Master Plan meeting, a change was recommended to the runway protection zone. If this zone is changed, it would encompass at least six homes. Ms. Chmielewski stated that this means something to people who live in those homes; it also means something to the Township as the Township would lose tax dollars for those homes. Ms. Chmielewski mentioned that nearby residents had to endure traffic issues while the apartments on Bear Tavern Road, very near the airport, were built. Ms. Chmielewski stated that she believes that the expansion of the airport would: increase noise levels, necessitate the further removal of trees and decrease property values.

Ms. Chmielewski stated that she can live with the airport but she is asking that the airport be responsible, be considerate and that they do not expand. Ms. Chmielewski believes that incremental action has been taken below the radar screen so that there would not be a level of accountability with the FAA on the environmental impact on the community. A complete environmental impact analysis has not been done. Before the County proceeds with the Master Plan, Ms. Chmielewski requests that the Township, on behalf of the residents, demand that the County conduct a full environmental assessment so the concerns of the residents can be heard. Signs will be seen around Town saying "Stop Trenton-Mercer Airport Expansion." A groundswell will occur throughout Ewing Township. It will be heard here, the County Freeholders will be hearing it and the State representatives will be hearing it. We will be heard.

Dr. Al Page (67 Broad Avenue) stated that the issue on Charles Street has been going on for two years. Dr. Page said that from the very beginning, he said that he is a team player but the Township is not using his skills or the skills of Senator Turner and that could be a problem. Dr. Page thanked Councilwoman Keyes-Maloney for being the only person to respond to him in the past two years. Dr. Page then discussed the letter Senator Turner sent the Township and said that Senator Turner was kind to the Township because in that letter she indicated that the Township misinformed her and also said that the Township would lose. Dr. Page said that he has never lost a case and then discussed how Trenton is wasting money and how Ewing can learn from them and save money. Dr. Page asked Council if they have followed up with the Senator regarding all of the things that have transpired and then said that now is the time to team up with him to solve this problem. If the Township goes to Court, Pandora's box may be opened and stuff might come out from ten to fifteen years ago. Dr. Page suggested that the Township combine his address with 31 Broad Avenue and then said that if it does go to Court, he will make sure that everything is looked at including who owned that property previously. Dr. Page reiterated that the Township should solve the problem now and not allow Pandora's box to be opened.

Dr. Page also asked Council, if Senator Turner had been Congresswoman Bonnie Watson-Coleman, would they have responded to her. Dr. Page mentioned that he is a good friend with another Congresswoman from Delaware and if the Township opens Pandora's box, he will go to the Congresswoman and ask that his case be turned over to the Federal Government and to the New Jersey Governor. Dr. Page then mentioned the pump house adjacent to 31 Broad Avenue and the issues that he has had to deal with because it is there. Mistakes were made twenty-five to thirty years ago when that pump station was built. Why was another pump station remodeled and not the one by his house. Dr. Page reiterated that he is a team player and wants everyone to win; however, he cannot wait much longer as he has to help his daughter. Dr. Page asked Council to consider what is taking place in Washington regarding health care and education and to not spend a dime until the Township has a ten year plan in place to deal with both issues as it will fall on the Township to take care of both issues. Dr. Page stated that Trenton has wasted four to five million dollars on lawsuits; Ewing should not follow their path.

The Council President thanked Dr. Page and said that Council has allowed him fifteen minutes which is over the allotted time. President Steward asked Dr. Page if he has any additional comments related to Ewing.

Dr. Page replied that there is not anything else except that all that he is saying is that smart people would say let us get together and solve these problems because we must have a ten year plan and we cannot waste money.

Ron Prykanowski (16 Thurston Avenue) said that two weeks ago, Council passed a resolution as to whether a certain property constitutes an area in need of redevelopment. The Administrator had said that there is one acre which is the Township's brush and leaf dropoff and that the Township was given the deed to that property and then the Township gave the deed back. Mr. Prykanowski stated that he has a lot of problems with that because that is not how property is transferred. Mr. Prykanowski said that he asked for a copy of that deed under OPRA but as yet has not received it. The problem is that that acre was taken off the thirty some acres of the Naval Air Warfare Center which is under the Industrial Site Recovery Act and when property is transferred under that Act certain documents need to be filed and DEP must be notified. Mr. Prykanowski asked if these documents have been filed and if DEP has been notified that the property is being transferred. This property was bought back in 1947. There were five parcels. One parcel, of twenty-seven acres, was exempt from ISRA because it was pollution free and it was conveyed to Mr. Rank. The rest of the ground is not pollution free. Mr. Prykanowski then stated that he wants to know how this property was subdivided because if it was done by deed then it is illegal. Mr. Prykanowski asked Council if anyone remembers the property being subdivided by the owner.

The Council President replied that it was not subdivided during her time here.

Mr. Prykanowski stated that if this property is legally owned by the Township, then the Township cannot just hand the deed back to the owner. It becomes a municipal asset and must go to auction.

The Mayor asked to speak and said that he wants to contradict Mr. Prykanowski. The Mayor said that that one acre site was never part of the Jet Propulsion Lab. It was owned by Mercer County who conveyed the property to Homefront for a warehouse that had been on that property. Once the property became available, Homefront received \$200,000.00 from the County and the County reverted the property over to the Township. The Township has owned it all along; it was never part of the Jet Propulsion Lab. When the Township was initially going to do the Redevelopment, it was going to be included, but for some reason it was missed and that is what we are doing here tonight.

Mr. Prykanowski said that that is fine and that he will not argue with the Mayor. The Administrator said that it was acquired by a deed and that is what triggered this conversation. If it was acquired by a deed, why has someone not produced that deed. If it is Township property, you just cannot just give the deed back. It has to go to auction.

The Attorney added that once the property is designated as an area in need a redevelopment, then it will be incorporated as part of the Redevelopment Plan. As the Township has done with other properties in the Redevelopment Area, it will be conveyed to the Redevelopment Agency. By statute, the Redevelopment Agency can dispose of the property as it sees fit; it does not have to go to public auction.

Mr. Prykanowski said that Council can understand his confusion if Council goes back to the minutes because that was not what was said here.

The Attorney apologized that she was not at the last meeting and was not here to clarify it.

Mr. Prykanowski stated that he just wants the record cleared as to who owns the property and how it is going to be transferred because a deed given and a deed given back is not the thing to do.

The Attorney stated that that is not going to happen. It will be done in the appropriate order under the statutes.

Mr. Prykanowski asked since this is adjacent to the Jet Propulsion Center will the Township be required to follow DEP requirements to make sure that this land is clean. There should be some sort of DEP clearance.

The Administrator replied that there is already a monitoring well on the property which is being monitored by the Navy.

Mr. Prykanowski asked if the well is on this Township property or on the Warfare property.

The Administrator replied that one of the monitoring wells is on this Township property.

The Mayor added that because of the type of development that is going to happen, no remediation is necessary. Everything has been worked out concerning the monitoring wells. The Attorney added that the Navy retained responsibility for the remediation of that site when it was auction off.

Mr. Prykanowski said that he is talking about the Township property.

The Attorney said – understood. It is the responsibility of the Navy. The Navy has a monitoring well on that site to make sure that there is not an issue because of their activities on the adjacent site.

Mr. Prykanowski said that it was never meant to be an argument, just a clarification as to what was said at a previous meeting.

Rebecca Lynn (1008 River Road) stated that she has four things. Ms. Lynn first discussed the senior van. She had been told the morning of a senior event on June 16th, that the senior van could not be used as the air conditioning was broken. Since it was 70 degrees that day, there was no reason why the residents could not use the van. Fourteen residents that had signed up to use the van, could not use it that day to attend a senior event that they had paid for in advance. Ms. Lynn and her son drove them over. Ms. Lynn is concerned that the senior van, paid for by taxpayer money, is not being used for the seniors on a daily basis.

The Administrator mentioned that it has more problems than just the air conditioning.

Ms. Lynn then mentioned that the lift on the senior van is not being used. One of her residents has been told for the last six months that she can not use the van as the lift does not always work. Ms. Lynn said that this is an American with Disabilities Act issue; either the lift works or it does not. If handicapped transportation is offered, it should actually work so someone does not get stuck on the bus. The third item Ms. Lynn spoke about was billing for ambulance services. These bills are still coming. One of her residents did not know that she should send the bill over here and paid the \$800.

The Administrator said that all such bills should be faxed over to Administration or to the Clerk's Office.

Ms. Lynn said that she came before Council a few weeks ago to ask for an amendment to the Affordable Housing Spending Plan and asked if anything had been done to include a rental subsidy for veterans.

The Council President replied – not at this time.

The Administrator added that he spoke with Ms. Lynn about three weeks ago and told her that Mr. Latini will be in touch with her to review her request for additional money consideration for the Whitehead Road property and to review her expenses. Any changes to COAH, Mr. Latini would have to present to Council. There was a settlement to the COAH case so anything new would most likely be subject to that.

Ms. Lynn then asked if there is a timeline on this because this WWII veteran is ninety-four years old and is looking for a subsidy.

The Administrator responded that he did not know if a subsidy is there but he did ask Mr. Latini to speak with Ms. Lynn. The current COAH settlement does not have a subsidy in there for this gentleman. This was not part of the settlement talks.

Ms. Lynn replied that she had been asking about this for years.

Councilman Baxter said that I thought you said a month ago.

Ms. Lynn replied – for this gentleman - but that she had been speaking with the Administrator about rental subsidies for years.

The Administrator said that he had conversations with Ms. Lynn over the years and then briefly described the nature of those conversations and then discussed the Township's obligations under the COAH settlement.

President Steward said that it is her understanding that it has been the Township's practice to subsidize the development of the properties such that then they would be affordable for people as opposed to providing direct subsidies.

Ms. Lynn replied that she is aware of that but she has contacted the Fair Share Housing Association who told her that this is doable.

President Steward said that Council will consider it and then said that she did not want to give the wrong impression. Just because it is possible does not mean that it is necessarily going to happen. President Steward reiterated that it is Township practice to support the development of the projects to make them affordable instead of providing direct subsidies.

Ms. Lynn said that, with all due respect, she understands that and then the rules are changed. Township fees are increased and the subsidy provided by the Town is not really there any more.

The Administrator responded that is why we are going to review it.

Florine Warner (134 Browning Avenue) stated that she is the President of Ewing Hollowbrook Seniors and wants to know how she can get in touch with someone regarding the status of the senior van.

The Administrator replied that the old van is difficult to repair. The Township has been awarded a new van that will be delivered in September. If you want to be picked up by the van, contact Raquel or Ted.

There were no additional statements 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 Mr. Baxter. It was agreed by unanimous voice vote. The meeting was adjourned at 8:38 p.m.

Sarah Steward, President

Kim J. Macellaro, Municipal Clerk