

## February 13, 2018 – AGENDA SESSION

President Wollert 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 3<sup>rd</sup> day of January 2018.

**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 | Maeve Cannon, Attorney         |
| ▪ Mr. Schroth – Present       | Kim Macellaro, Municipal Clerk |
| ▪ Ms. Steward – 6:35 p.m.     |                                |
| ▪ President Wollert – Present |                                |

### DISCUSSION

- 1. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225 VEHICLES AND TRAFFIC, ARTICLE II PARKING § 225-8 TO REFERENCE ARTICLE VIII. SCHEDULES, § 225-74, SCHEDULE XXVII: TIME LIMIT PARKING FOR THE COLLEGE OF NEW JERSEY PRIVATE STREETS**

The Attorney said that the College of New Jersey and the Ewing Police Department requested this. The Attorney explained that the current Ordinance includes a Schedule that specifically relates to time limit parking for private streets at the College of New Jersey but that Schedule is not incorporated into the General Section of the Ordinance. This is a housingkeeping issue to amend the General Section to include this Schedule. The Police cite the General Section when issuing parking tickets.

Vice President Baxter asked if the exact streets names are articulated.

The Attorney replied – it does, in the Schedule. That Schedule is not being amended. This just incorporates that Schedule into the General Section.

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

This Item was approved for Action.

The Administrator added that the Police Chief of the College is here tonight. The College Police are asking for the Township’s assistance in addressing some two-hour parking abuse that is happening at Campus Town.

The College Police Chief said that he appreciates the help.

The Administrator and the Attorney responded to Vice President Baxter; the parking lots are referenced in the Schedule.

There were no additional questions.

- 2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225-56 SCHEDULE IX: NO STOPPING OR STANDING TO REMOVE THE BETH ANN WAY CUL DE SAC FROM THE SCHEDULE OF NO STOPPING OR STANDING LOCATIONS**

The Attorney explained that Beth Ann Way backs into the side of Antheil School. Parents use it as a means to drop off their children because the School becomes so congested. Beth Ann Way was originally designated as a “No Stopping or Standing.” The Police requested that the Cul de Sac be removed from the Schedule as a safety issue. It is appropriate to allow parents to “stop” to drop off their children.

Councilwoman Steward mentioned the first Beth Ann Way listing (Repealed 5-13-2003) in the Schedule and said that perhaps originally the entire length of Beth Ann Way was listed in the Schedule, removed in 2003 and then the Cul-de-Sac was reinstated in 2010.

President Wollert, the Attorney and the Administrator briefly discussed this.

Councilwoman Keyes-Maloney stated that both Beth Ann Way listings need to be removed. The first listing was repealed but for whatever reason it is still showing. It is a de minimus change although that does not matter as Council is in the Agenda Session.

Council agreed to remove both Beth Ann Way listings.

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

This Item was approved for Action.

- 3. A RESOLUTION AMENDING RESOLUTION #18R-14 A RESOLUTION OF TEMPORARY APPROPRIATIONS**

Councilwoman Keyes-Maloney commented that this is still below the threshold allowed. The Township believes additional expenditures may occur during this quarter. It allows the Township to continue to operate while the Town goes through this quarterly process.

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

This Item was approved for Action.

- 4. A RESOLUTION AUTHORIZING TAX ASSESSOR TO ACT AS AGENT FOR TOWNSHIP OF EWING FOR THE PURPOSE OF FILING AND SETTLING TAX APPEALS ON BEHALF OF THE TAXING DISTRICT FOR THE TAX YEAR 2018**

President Wollert said that this is standard and is done every year.

Councilwoman Keyes-Maloney added that this just allows the Tax Assessor the functionality to do what he needs to do.

The Attorney explained that at the County there will be a lot of relatively small appeals that the Tax Assessor needs to be able to settle. This allows the Assessor to file and to settle at his discretion. Large appeals tend to be filed with the Tax Court.

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

This Item was approved for Action.

- 5. A RESOLUTION AMENDING RESOLUTION NOS. 14R-171 AND 15R-199 OF THE TOWNSHIP OF EWING TO AMEND THE AGREEMENT BETWEEN THE TOWNSHIP OF EWING AND PROFESSIONAL PROPERTY APPRAISERS, INC. FOR REVALUATION SERVICES TO UPDATE CONTRACT DELIVERABLE DATES FOR A START DATE OF 2018 WITH VALUES TO BE ESTABLISHED FOR CY2019**

The Council President said that this is with regard to the Township's revaluation project which has been slowly inching its way forward for quite awhile. This contract had been entered into when the actual reval was looking more imminent; it now needs to be amended.

The Attorney added that the delays were due to the tax map. It took awhile to resolve some issues but the State has now signed off on the maps. The Town has been approved by the Mercer County Tax Board to begin the revaluation. In addition, this contract has been approved subject to the adoption of these amendments.

At the request of Councilwoman Steward, the Administrator explained that there will be Public Meetings to explain the process to residents. Access to every property is requested; if access is not granted than it will be based on available information. Residents will be notified that they have the right to appeal. Final results will not be issued until sometime in November to take effect next year.

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

This Item was approved for Action.

**6. A RESOLUTION REJECTING ALL BIDS RECEIVED IN RESPONSE TO THE INVITATION FOR BIDS FOR THE MOODY PARK IMPROVEMENTS PROJECT**

The Administrator explained that the Town received a \$500,000.00 "Mercer at Play" grant which the Town will match. All the bids received were too high. The recommendation is to reject all bids. The Town will rework the specifications. The low bidder was somebody new with not a whole lot of experience.

The Administrator responded to the Council President's question and said that the process to rebid will begin tomorrow.

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

This Item was approved for Action.

**7. A RESOLUTION AWARDED A PROFESSIONAL SERVICES CONTRACT TO MICHAEL W. HERBERT, ESQ. OF THE FIRM OF PARKER McCAY, P.A. FOR THE PROVISION OF PLANNING BOARD ATTORNEY SERVICES FOR JANUARY 1, 2018 THROUGH DECEMBER 31, 2018 PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.5**

The Council President stated that Council is being asked to approve the Planning Board Attorney's contract.

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

This Item was approved for Action.

**8. A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR TOWNSHIP ADMINISTRATIVE AGENT SERVICES TO PIAZZA AND ASSOCIATES, INC.**

The Attorney said that this is a contract the Town has had in the past. The Town is required to have an agent who acts to qualify individuals who are looking to live in COAH housing.

Councilwoman Steward mentioned that there is no copy of the contract.

The Attorney replied that she is waiting on some information from the vendor.

The Administrator added that the contract is for about \$3,800.00 which is what the Town paid him the last few years.

The Council President stated that, in the absence of the actual contract, this item should be held until Council has it.

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

This Item was pulled from the Agenda and held to the next Council meeting.

**9. A RESOLUTION AUTHORIZING EXECUTION OF A PUBLIC DONOR AGREEMENT WITH THE CYO OF MERCER COUNTY**

President Wollert said that this is a long standing contract with the CYO. They provide pre-school care. Everyone is happy with their program. The CYO is happy to be back in their newly renovated classroom space over at Hollowbrook.

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

This Item was approved for Action.

Councilwoman Steward asked to go back to Item Eight and pointed out that a certificate of funds is also needed as no dollar amount is listed.

Items Ten and Eleven were discussed together.

**10. A RESOLUTION DONATING FIRE EQUIPMENT NO LONGER NEEDED FOR PUBLIC USE FROM STATION 30 TO ON ANGEL'S WINGS, INC., A 501(c)(3) NON-PROFIT ORGANIZATION**

**11. A RESOLUTION DONATING FIRE EQUIPMENT NO LONGER NEEDED FOR PUBLIC USE FROM STATION 31 TO ON ANGEL'S WINGS, INC., A 501(c)(3) NON-PROFIT ORGANIZATION**

Vice President Baxter asked if anyone is familiar with On Angel's Wings.

The Administrator replied that they are a charity that takes fire gear, fixes it and then distributes it to third world countries which have different standards. The equipment is better than what they have.

Councilman Schroth commented that our equipment has a shelf life so it is not so much that it is unusable; it is just that under federal law once an expiration date is reached, the equipment can no longer be used.

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

Items Ten and Eleven were approved for Action.

**12. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ENTER AN ADOPTION AGREEMENT WITH SERGEANT LARRY CABELL FOR THE ADOPTION OF A RETIRING POLICE CANINE**

The Administrator explained that this dog aged-out.

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

This Item was approved for Action.

Items Thirteen, Fourteen and Fifteen were discussed together.

**13. A RESOLUTION APPROVING STEPHEN L. ETTENGER AS A SENIOR FIREFIGHTING MEMBER OF THE PROSPECT HEIGHTS VOLUNTEER FIRE COMPANY NO. 1**

**14. A RESOLUTION APPROVING GREGORY J. STEWART AS A SENIOR FIREFIGHTING MEMBER OF THE PROSPECT HEIGHTS VOLUNTEER FIRE COMPANY NO. 1**

**15. A RESOLUTION APPROVING CARMEN N. MAZZUCA, JR. AS A SENIOR FIREFIGHTING MEMBER OF THE WEST TRENTON VOLUNTEER FIRE COMPANY NO. 1**

President Wollert commented that it is good to see that the Township is pulling in some volunteers.

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

All three Items were approved for Action.

### ALCOHOLIC BEVERAGE CONTROL MATTERS

1. **A RESOLUTION AUTHORIZING THE 2017-2018 RENEWAL OF LIQUOR LICENSE FOR BUCKS-MERCER MANAGEMENT, INC. t/a CURTIS LANES (#1102-33-005-002)**

The Council President stated that this renews a long-standing liquor license at the bowling alley.

There were no questions or comments from Council or 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 \$1,044,057.57 and to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$185,099.94**

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

The Bills Lists were approved for Action.

### CONSENT AGENDA

Council President Wollert presented the Consent Agenda for review.

1. **Approval of Agenda Session Minutes for September 26, 2017; Approval of Regular Session Minutes for September 26, 2017; Approval of Reorganization Minutes for January 1, 2017; Approval of Reorganization Minutes for January 2, 2018**
2. **A Resolution Authorizing a Refund, as Recommended by the Township Construction Official in the amount of \$427.00 to RGB, P.O. Box 162, Westville, NJ 08093 for a permit at 2044 Pennington Road, Ewing, NJ 08638. The permit was not priced correctly and the contractor paid a higher amount.**
3. **A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$243.42 for overpayment of transport service on October 3, 2016 for patient Sophia Hayda to Sophia Hayda, 95 Orient Way, Apt. 5B, Rutherford, New Jersey 07070**
4. **A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$422.10 for overpayment of transport service on November 2, 2017 for patient Steve Shipman to Aetna Inc., P.O. Box 14079, Lexington, Kentucky 40512-4079**
5. **A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector: a REFUND in the amount of \$6,356.06 and a CANCELLATION in the amount of \$7,814.72 for April 1, 2017 to June 30, 2018 to Graves, John, 35 Glen Stewart Dr., Ewing, New Jersey 08618 for property owner Graves, John for Block: 474, Lot: 41, also known as 35 Glen Stewart Dr. due to 100% disabled vet since March 23, 2017**
6. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$16,933.87 for overpayment of November 1, 2017 Added/Omitted Tax Bill, to Capital Health Systems/W. Keffer, 750 Brunswick Ave., Trenton, NJ 08638, for property owner Capital Health Systems/W. Keffer for Block: 305 Lot: 1 (1.01) also known as 413 Hillcrest Ave. due to Tax Appeal being granted in taxpayer's favor.**

7. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector: a REFUND in the amount of \$1,271.88 and a CANCELLATION in the amount of \$2,128.57 for November 1, 2017 to June 30, 2018 to Graves, James, 3 New Hillcrest Ave., Ewing, New Jersey 08638 for property owner Graves, James for Block: 73, Lot: 43, also known as 3 New Hillcrest Ave. due to 100% disabled vet since November 17, 2017.
8. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector: a REFUND in the amount of \$4,527.26 and a CANCELLATION in the amount of \$6,744.66 for November 1, 2017 to June 30, 2018 to Mucciarelli, Jamie, 12 Wilburtha Rd., Ewing, New Jersey 08628 for property owner Mucciarelli, Jamie for Block: 420 Lot: 15 also known as 12 Wilburtha Rd. due to 100% disabled vet since September 28, 2017.

Councilwoman Steward announced that she will be abstaining from one of these items as a classmate is involved.

There were no additional questions or comments from Council. There were no questions or comments from 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**

**(None for this Meeting)**

#### **COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL**

Councilwoman Keyes-Maloney said that she is happy to report that there is art in the hallways again. The art is from the Student Art show held last month at the Elks. The featured artist/student artist reception will be held on March 1<sup>st</sup>. The second Open Mic Night, sponsored by the Arts Commission, was also held.

Councilwoman Steward stated that the Green Team's planning for recertification is well underway and the Neighborhood Committee continues to work on the "Welcome to Ewing" booklet. The County-wide Green Fest is St. Patrick's Day at Rider. The shredding dates are listed on the Township website.

President Wollert reported that the Planning Board met. The New Ewing Diner is planning to expand. They are going to expand the building and the parking lot and remove the old flower shop building.

Councilwoman Steward added that on February 17<sup>th</sup> there will be a community gathering at Freddie's to get neighborhood input on Freddie's Tavern's plans to expand as a commercial/residential property and how that will fit in with the changes at the train station.

There were no additional Commission and Committee Reports. There were no additional notices.

#### **NEW BUSINESS**

**(None for this Meeting)**

#### **STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC**

Robert Britton (98 W. Upper Ferry Road) asked the Administration to put pressure on the County to put left-hand turn signals at two intersections: Parkway Avenue and Lower Ferry Road; West Upper Ferry Road, Grand Avenue and Bear Tavern. Mr. Britton mentioned that he brought this to the attention of the County Board of Freeholders.

The Administrator replied that the Township has met with the State DOT concerning the light at Parkway and Lower Ferry and with the County regarding the traffic light in West Trenton particularly in light of the GM development.

Mr. Britton then asked if there is an update on the new juvenile detention center that is going to be built on State owned property off Stuyvesant Avenue.

Councilwoman Keyes-Maloney replied that there has been communication with the Administration. There is a question about land ownership. It will most likely go back through the legislative process.

The Administrator added that there is a strip of land owned by a long time Ewing business; energy to his business runs directly through that property. Last week, he and the Mayor met with the Governor's representative to discuss all the issues in Ewing. This came up because as it turns out that representative lives near there. Yesterday, Governor Murphy spoke with the Mayor and acknowledged the conversation. That only means that the Governor acknowledged that concerns are being raised.

Jeff Preischel (636 Concord Circle) said that he was here a few months ago and mentioned the sight line issue at the corner of Maple and Pingree. It is has become more personal after his wife's car was hit after someone ran the stop sign which caused \$4,600.00 in damage. It would be nice if something could be done about this intersection. There are a bunch of gas line upgrades being done in Glendale and asked if there is going to be increased paving to cover up the patchwork. Mr. Presichel then stated that he is noticing a number of water leaks in the streets and asked if there are any plans to have the pipe infrastructure looked at.

The Administrator briefly described the agreement the Town has with Trenton regarding Trenton Water and said that the City has been very responsive lately. Trenton has brought in outside professionals to run the filtration plant. The Administrator asked Mr. Preischel to email him the approximate addresses of these water leaks. Trenton Water hired a company to upgrade the pipes. They are still in the process of doing this.

There were no additional statements and comments from members of the Public.

#### **CLOSED SESSION**

**(None for this Meeting)**

#### **ADJOURNMENT**

There being no further business, President Wollert asked for a motion to adjourn. Mr. Schroth so moved seconded by Ms. Steward. It was agreed by unanimous voice vote. The meeting was adjourned at 7:21 p.m.

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Kathleen Wollert, President

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Kim J. Macellaro, Municipal Clerk