

May 8, 2018 – AGENDA SESSION

President Wollert called the meeting to order at 6:32 p.m. and read the Open Public Meetings 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 3rd 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

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| ▪ Mr. Baxter – Present | Jim McManimon, Administrator |
| ▪ Ms. Keyes-Maloney – Present | Maeve Cannon, Attorney |
| ▪ Mr. Schroth – 6:56 p.m. | Kim Macellaro, Municipal Clerk |
| ▪ Ms. Steward – Present | |
| ▪ President Wollert – Present | |

The Clerk stated for the record that Councilman Schroth will be a little late this evening.

DISCUSSION

1. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 267, PEDDLING AND SOLICITING TO PROVIDE FOR THE LICENSING AND OPERATION OF SEASONAL FARMERS MARKETS AND AMENDING CHAPTER 172, FEES

The Attorney said that, as Council is aware, for the last couple years there has been a farmers’ market at the College of New Jersey – Campus Town. It even helped the Town receive its Silver Certification for the Green Team. The Town does not have a specific licensing process for the operation of farmers’ markets; this Ordinance creates one. It is a seasonal farmers’ market – April 1st to October 31st – and is set up with a sliding scale based on the number of vendors. The license is not vendor specific but is to the operator of the market itself. However, a vendor will still have to get other licenses, if required. The operator of the market must satisfy a number of requirements: have liability insurance, pass a background check, identify vendors, and submit proof of any other necessary license.

Councilwoman Keyes-Maloney asked how were some of the parameters decided.

The Attorney responded and added that this is a farmers’ market, not a flea market. Council President Wollert asked if vendors would be permitted to sell products made from the fruits and grains.

The Attorney replied – yes.

Councilwoman Steward added that if a vendor is selling slices of pie, a food handler’s license is needed but if the vendor is selling a whole pie, then that license is not needed. Councilwoman Keyes-Maloney commented that she understands the need to insure; but she is not sure if \$1,000,000 is appropriate and asked for guidance - is the amount on parity with other jurisdictions.

The Attorney said that she will see what she can find.

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

**Council President Wollert asked if this should be held for clarification.
Council members said - no.**

This Item was approved for Action.

2. A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

**The Administrator said that this is for Cops in Shops.
Councilwoman Keyes-Maloney mentioned that this is affirmatively split out between the Cops in Shops and the Cops in Shops College Initiative.
The Administrator replied that this is the first time he has seen it this way.**

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 AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAW OF 1997

The Attorney explained that there is a statutory process if someone loses a tax lien certificate. The Tax Collector does not have the authority to reissue without authorization from Council.

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

This Item was approved for Action.

4. A RESOLUTION AUTHORIZING THE EWING TOWNSHIP DEPARTMENT OF PUBLIC SAFETY TO TRANSFER SURPLUS AIR BOTTLES AND EAGLE AIR CENTURION SAFE STATION TO AIRPOWER INTERNATIONAL, INC. IN EXCHANGE FOR AN 18 MONTH SERVICE AGREEMENT FOR THE PERIOD JANUARY 2019 TO JUNE 2020

The Administrator stated that air bottles age out after a certain number of years. This process is being used instead of going out to bid. It is an eighteen month contract.

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

This Item was approved for Action.

**The Administrator asked about the award for the ambulance.
Council President Wollert replied that it had been pulled because of the Bond. It will be on the Agenda once the Bond becomes effective.**

5. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO REDUCE THE PERFORMANCE BOND REDUCTION NO. 2 OF EWING PARKWAY LLC – WAWA BUILDING AREA, 1300 SILVIA STREET / 1239 PARKWAY AVENUE (BLOCK 344, LOTS 1.01 & 31) – EWING ENGINEER REMINGTON, VERNICK & ARANGO ENGINEERS RV&A #1102 I 072

President Wollert said that the Engineer recommended this reduction because the work has been satisfactorily completed.

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

This Item has been approved for Action.

- 6. A RESOLUTON AUTHORIZING A PERFORMANCE BOND RELEASE FOR EWING PARKWAY, LLC SITE PLAN – COUNTY RIGHT-OF-WAY IMPROVEMENTS, 1300 SYLVIA STREET / 1239-1243 PARKWAY AVENUE, (BLOCK 344, LOTS 1.01 & 31) – EWING ENGINEERS REMINGTON, VERNICK & ARANGO RV&A #1102-I-072**

President Wollert said that this is a performance bond release for right-of-way improvements on Sylvia Street relating to the Wawa Project.

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

This Item was approved for Action.

- 7. A RESOLUTION OF SUPPORT FOR THE EXPANDED IMPLEMENTATION OF MEDICAL MARIJUANA IN THE STATE OF NEW JERSEY**

The Council President said that Council supports following the law in all its facets. Councilwoman Keyes-Maloney added that if and when there were to be any type of siting, it would need to be referred to the Planning Board for them to determine the most appropriate place for it to be sited within the Town.

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

This Item was approved for Action.

ALCOHOLIC BEVERAGE CONTROL MATTERS

- 1. A RESOLUTION APPROVING A PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) FOR H.K. LIQUORS, 1784 N. OLDEN AVENUE, EWING, NJ 08638 (LICENSE NO. 1102-33-012-007)**

President Wollert said that the owner requested this.

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 \$4,536,920.57 and to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$35,657.44**

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 January 9, 2018; Approval of Regular Session Minutes for January 9, 2018**
- 2. A Resolution Authorizing the Springmeadow Estates Homeowners Association to Hold a Block Party/Road Closing on June 2, 2018**
- 3. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, Due to the Property Being Tax Exempt for 2018, in the amount of \$2,125.52 for February 1, 2018 1st Tax Quarter, to TCNJ – The College of New Jersey, P.O. Box 7718, Ewing, NJ 08628, for property owner TCNJ – The College of New Jersey for Block: 220 Lot: 15 also known as 26 Clement Avenue.**

4. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, Due to the Property Being Tax Exempt for 2018, in the amount of \$933.72 for February 1, 2018 1st Tax Quarter, to TCNJ – The College of New Jersey, P.O. Box 7718, Ewing, NJ 08628, for property owner TCNJ – The College of New Jersey for Block: 193 Lot: 18 also known as 289 Green Lane.

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. BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,900,000 BONDS OR NOTES OF THE TOWNSHIP OF EWING TO FINANCE PART OF THE COST THEREOF.

President Wollert asked for an overview for members of the audience who might be interested. Administrator McManimon explained that this combines all of the requests from the Department Heads, reviewed by Administration and now before Council for approval. He mentioned that we are looking to purchase a new ambulance, police vehicle, technology equipment, fire alarm systems, laptops, fire hose, backstops for park department, lead meter for the Health Department, Splash Pad for the ESCC, architectural services for the municipal building and various building improvements at all the municipal buildings. She asked for any questions from Council. There were none and she instructed the Clerk to move it to the Regular Agenda for action.

COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

Councilwoman Keyes-Maloney said that the Arts Commission had another successful Student Art Show several weeks ago. Some of that art will be coming over to the Municipal Building. A mural, done in partnership with the Ewing High School Art Club, will be unveiled in June. Its title is “Ewing in a Nutshell” and showcases individual sites of historic and cultural importance to the community. There will be an Arts Commission event on May 31st at the ESCC where people can enjoy making abstract art. Ms. Keyes-Maloney said that the Historic Commission is reaching out to people who live in the Historic District of the Town (Grand Avenue) to let people know what is available to them if they choose to register their property as a historic property.

Council President Wollert said that she hopes people will do so.

Councilwoman Keyes-Maloney said that some property owners have already done so; the Commission has a flyer which outlines the options and what funding may be available.

Councilwoman Steward said that the Green Team had an Arbor Day tree planting at the Benjamin Temple House and the Shred Day was a success.

Vice President Baxter said that the next meeting for the Recreation Board will be on May 21st. Because of a scheduling conflict, the Township Planner will now be attending the June 18th meeting instead of the next meeting in May. The Board’s Recording Secretary will be retiring after many years of taking minutes. Vice President Baxter added that the ribbon cutting ceremony for Hollowbrook’s reopening will be on May 31st.

There were no additional Commission & Committee reports from members of Council.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Leonard Pope (20 DeCou Avenue) stated that no one is holding Trenton Water Works accountable. Now, Trenton Water Works is going out to bid (\$2500 to \$5000) to replace water lines from the curb to the house. The Township should be involved in this bid; it is a lot of money. Mr. Pope said that he worked for the City of Trenton for twenty-nine years; he was accountable every day that he went to work. No one is holding these people accountable. Council should have the Superintendent of Trenton Water appear and explain everything that is going on and why. It is sad that no one is holding anybody accountable any more.

The Council President said that there was a robust conversation about Trenton Water Works at the last meeting. The Health Officer was here and addressed residents' concerns. The Administration has been meeting with Trenton Water. The DEP has told Trenton Water that they had to improve by hiring an outside company; to put qualified people in place who could run the equipment. President Wollert said that the communication has been horrible; there is conflicting information as some people have received letters which referenced incidents from a year ago. Not everyone received the letter about replacing pipes. It would behoove people to have their water tested prior to having the pipes on their property replaced, as it is expensive. The Township is not responsible for Trenton Water Works maintenance of its lines. The Township is in contact with Trenton Water and the DEP. There is now oversight; new qualified employees have been put in place.

The Administrator added that tomorrow the third meeting with Trenton Water, affected municipalities, the DEP and state legislators will be held. There is a consent agreement in place that Trenton had to sign. The City is no longer running the infiltration plant; two large companies have brought in their professional engineers to run it. Ewing has threatened litigation. The new DEP Commissioner is holding Trenton accountable. We have been disappointed with the lack of communication. Legislators have drafted bills which require immediate notification instead of waiting for the DEP test results. The affected municipalities requested that representatives from Trenton Water appear before Council on at least an annual basis.

Mr. Pope asked if it will be mandated that Trenton Water get a permit for every property that they enter into to replace the pipes.

The Administrator replied that private companies have to; Trenton Water does not.

The Council President suggested that the Administration put the results of tomorrow's meeting on the website.

The Administrator responded that any information that they can will be put on the website.

There were no additional questions or comments from the Public.

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business, President Wollert asked for a motion to adjourn. Ms. Keyes-Maloney so moved seconded by Mr. Baxter. It was agreed by unanimous voice vote. The meeting was adjourned at 7:09 p.m.

Kathleen Wollert, President

Kim J. Macellaro, Municipal Clerk