

July 10, 2018 – AGENDA SESSION

Councilwoman Steward called the meeting to order at 6:39 p.m. and stated that both the Council President and Council Vice President have an excused absence this evening; as the immediate past president, she is filling in for them. Past President Steward then 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 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 – Excused | Jim McManimon, Administrator |
| ▪ Ms. Keyes-Maloney – Present | Ryan Kennedy, Attorney |
| ▪ Mr. Schroth – Present | Kim Macellaro, Municipal Clerk |
| ▪ Past President Steward – Present | |
| ▪ President Wollert – Excused | |

DISCUSSION

1. AN ORDINANCE BY THE TOWNSHIP OF EWING CONCERNING DEVELOPMENT OF COMMERCIAL ROOMING UNITS AND AMENDING CHAPTER 215 OF THE CODE OF EWING TOWNSHIP

The Attorney stated that this came up through the Township’s Planning Department to start to address what is being defined here as a “commercial dwelling unit.” Currently, there are many structures that can be built in residential zones that differ greatly from the character of the existing neighborhood. It is a problem that a lot of Towns in Mercer are going through right now. Tonight is First Reading and Referral to the Planning Board for their consideration. This creates the concept of a “commercial dwelling unit.” These types of units have multiple bedrooms, kitchens and bathrooms. The Township has looked at other university towns to see what is an appropriate way to define and regulate these types of units. These units would be permitted: First, only after a Site Plan review. New Jersey’s Municipal Land Use Law does not permit the Planning Board to look at site plans for residential houses. This tries to parse out what is a residential house and what is this other more advanced, more dense structure having a more intense need for parking with multiple entrances - the features these buildings have that residential homes do not have so these building can come before Site Review to address these issues. Second, there will be a process through the Redevelopment Agency to figure out which redevelopment areas would be the most appropriate for these types of units.

The Attorney then introduced the Township Planner’s partner, Paul Gleitz, to answer any questions that Council may have.

Councilwoman Keyes-Maloney asked, if Council was to introduce this this evening, would it go to the Planning Board and then they would send any recommendations back to Council.

The Attorney replied that that is correct. Assuming that there were not so many changes that would required reintroduction, it would go to Second Reading and Public Hearing at a future Council meeting.

Councilwoman Keyes-Maloney asked if the Planning Department looked to other jurisdictions to get a sense of what might be permissible or not permissible.

Mr. Gleitz responded that he and Mr. Latini started to look at this a year ago. There are constraints on regulating these types of structures. They looked at South Orange and Montclair, two other host communities for universities that have smaller campuses and a larger student population, that see this conversion of units from a single family home into these higher occupancy dwelling units beyond what a single family home traditionally is. The approach now is to focus on the physical attributes of the structure itself - the number of rooms, the number of bedroom suites, the number and location of kitchens, the type of entrances, the parking requirements necessary to develop these structures and any kind of buffering requirements. It has gone away from trying to define the use itself.

Councilwoman Keyes-Maloney said that this Ordinance would preclude these types of structures in the R1 zones but allow it in other zones in which the Redevelopment Agency has jurisdiction. The Agency would review the plan and make a determination.

Mr. Gleitz said that it is a two part process. This Ordinance creates the definitions and the recommendation from ETRA would come separately. All of this would not be permitted if the Town did not do both parts of the process.

Past President Steward introduced the Planning Board Chair, Mr. Owen, who briefly spoke about this Ordinance. Mr. Owen said that the idea is to try to maintain the character of the neighborhoods.

Past President Steward said that Council gets feedback all the time from residents who are interested in preserving the character of their neighborhood and is appreciative of the work the Planning Board has done already on this.

Councilwoman Keyes-Maloney clarified for the Public that the reason why the focus is on the attributes of the property because to do anything other than that could lead the Township to be afoul of what is permissible under the law. She is looking forward to seeing how both the Planning Board and the Public view it.

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

2. A RESOLUTION AUTHORIZING USE OF JOHNSON CONTROLS, INC. AS SOLE BRAND NAME IN BID SPECIFICATION FOR DIRECT DIGITAL CONTROL SYSTEM FOR THE HVAC PNEUMATIC CONTROLS REPLACEMENT PROJECT AT THE EWING TOWNSHIP MUNICIPAL BUILDING

Past President Steward stated that the Township is considering some upgrades to the Municipal Building's HVAC systems. These systems were installed with a certain brand of product. This would allow the Township, in the bid specifications, to indicate this brand of product so the Township would not have to start over with a new brand that might cost more to retrofit.

The Attorney explained that this authorization of a single type of brand does not preclude the Township from going out to bid; it just means that the Town does not have to deal with other products that will not fit in with the existing structure.

Past President Steward added that there are multiple contractors that provide this particular brand.

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

BILLS LIST

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$5,403,461.50 and to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$34,502.66

Councilwoman Keyes-Maloney announced that she will abstain on Bills List item - #7591960998 - because she participated in the actual paint party.

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

CONSENT AGENDA

Past 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 \$200.26 for overpayment of transport service on November 21, 2017 for patient Courtney Lee to Aetna, 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 \$383.85 for overpayment of transport service on April 2, 2018 for patient Marion Terry to Horizon BCBSNJ, P.O. Box 420, Newark, New Jersey 07101-0420.
3. A Resolution Authorizing a Refund, as Recommended by the Municipal Clerk in the amount of \$30.00 to William D. Hillman of 25 Bonnie Rae Drive in Trenton, New Jersey 08620-2609 for overpayment of mobile retail food license fees. Mr. Hillman was charged for ten daily mobile retail food licenses instead of nine.
4. A Resolution Authorizing St. John's Baptist Church to Hold a Block Party/Road Closing (Auto Show) on July 21, 2018

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

All Agenda Items, up until this point, were approved for Action.

The Attorney stated that, because there are only three Council members present tonight, that one Bills List item will need to be pulled from the Bills List and deferred; otherwise, the entire Bills List cannot be adopted as a majority of the entire Council is needed.

Past President Steward stated that that one item is removed from consideration.

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 AMEND CHAPTER 225 VEHICLES AND TRAFFIC, ARTICLE VIII SCHEDULES, § 225-50 SCHEDULE III: NO PARKING CERTAIN HOURS TO ADD ENTIRE LENGTH INSIDE CURB RADIUS ON PENNWOOD DRIVE

There were no questions from Council.

Past President Steward stated that there will be a Public Hearing during the Regular Session.

2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING TO PROHIBIT PARKING AT ANY TIME ON THE WESTBOUND SIDE OF SPRUCE STREET FROM ARCTIC PARKWAY TO PARKSIDE AVENUE

Past President Steward stated that this will also restrict parking. The roadway was recently repaved. The hope is to install bicycle lanes which have been requested several times.

The Administrator added that if you are on Spruce Street where Parkway, Parkside and Ewingville come together, westbound is the left side going down the hill towards Trenton.

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

Both Ordinances for Second Reading, Public Hearing and Final Adoption were approved for Action.

COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

Past President Steward stated that the Green Team had a lovely garden tour this past weekend. It was a lovely day with a lot of beautiful gardens. Local girl scout troupes also supported the event. It is a reminder of how many varied interests there are in the Town. People are very gracious in opening up their homes.

Councilwoman Keyes-Maloney said that the work of a local artist is on display at the Municipal Building. It is anticipated that artwork will be displayed in the other hallway. The Arts Commission will continue to participate in the 31 & Main Farmer's Market. The next one is scheduled for July 22. The hours have changed slightly.

There were no additional Commission and Committee Reports from Council.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

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

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business, Past President Steward asked for a motion to adjourn. Ms. Keyes-Maloney so moved seconded by Mr. Schroth. It was agreed by unanimous voice vote. The meeting was adjourned at 6:54 p.m.

Sarah Steward, Past President

Kim J. Macellaro, Municipal Clerk