

## July 24, 2018 – AGENDA SESSION

President Wollert called the meeting to order at 6:30 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        | Joanna Mustafa, CFO            |
| ▪ Ms. Keyes-Maloney – Excused | Maeve Cannon, Attorney         |
| ▪ Mr. Schroth – Present       | Kim Macellaro, Municipal Clerk |
| ▪ Ms. Steward – Present       |                                |
| ▪ President Wollert – Present |                                |

President Wollert asked everyone to stand for a moment of silence for Dave Evans. Dave was a long-time active member of the Ewing community. He was a committeeman for many years and twice Mayor as well as involved in numerous civic organizations. For a long time, he was an integral part of the Ewing community.

**PRESENTATION** – Presentation of CY2017 Audit – Mercadian – Matt Daly, Warren Broudy and Digesh Patel

President Wollert introduced the Township Auditors, Digesh Patel and Matt Daly from Mercadian, who are here tonight to review the CY2017 audit.

Mr. Patel thanked Council for having them here tonight and said that Mr. Broudy apologizes for not being able to be here tonight. Mr. Patel thanked the Administration and the CFO for providing everything needed to complete the audit in a timely fashion. The audit was filed with the State prior to the June 30<sup>th</sup> deadline. It was an “unmodified opinion” which is the highest level of assurance that one can get on a financial statement audit. There were no audit adjustments and no uncorrected misadjustments which just means that the CFO made all required adjustments throughout the year and during the year end close process. There was one minor finding related to transfers for about \$500.00. It was put into the wrong line item. The CFO has already corrected that for next year so it does not occur again.

Mr. Daly said that the current year fund balance was consistent with the prior year and in terms of the debt ratio, the Township is well within the statutory limitations. The Township has about twenty-six or twenty-seven million in net debt; well below the ninety-eight or ninety-nine million maximum borrowing power of the Township. In terms of the audit, it was conducted in accordance with applicable auditing standards including the requirements of audit from the DLGS. The CFO and her staff elected the proper accounting policies based on the auditors testing performed throughout the year. There were no changes or new accounting policies adopted during the current year as compared to the prior year. There were no significant unusual transactions outside of normal business transactions of a township. There were no disagreements with management; no significant issues or difficulties dealing with management. It is actually to the contrary. Management is always very helpful and accommodating to the auditors requests throughout the process.

There were no material weaknesses; no significant findings based on the auditors testing throughout the Township.

President Wollert said that it sounds like things are in good order and then thanked the CFO and staff members who assisted her throughout the year.

Vice President Baxter asked about the recommendations for something that took place on October 31 and December 31.

Mr. Patel responded that December 31<sup>st</sup> is the finding he mentioned – the \$500 transfer that was proofed to the wrong line item. October 31<sup>st</sup> references transfers that are allowed but are outside of the Township’s control – a bill that must be paid and the Township has no choice but to over extend. There is a countermeasure in place so the auditors can check that all bills are paid appropriately.

Vice President Baxter asked about the use of the term “adverse opinion.”

Mr. Patel explained that “adverse opinion” relates to GAAP (Generally Accepted Accounting Principles) accounting measures. The Township follows cash-basis accounting as required by the State. The way the auditors’ opinions work is that the auditors have to say “adverse opinion” in accordance with GAAP but it was an “unmodified opinion” in accordance with State regulations.

Vice President Baxter asked about language in the report’s introduction that said the next three to five years will be critical to the Town’s tax stabilization; that for the past two decades the Ewing lost out to other towns.

Mr. Patel responded that it represents overall economic conditions. The next three to five years refers to the development of the GM site.

Vice President Baxter thanked the auditors for their dedication and thanked the CFO for always being available to answer questions and address concerns.

There were no additional questions or comments from Council.

## **DISCUSSION**

### **1. AN ORDINANCE REPLACING THE ENTIRE CONTENTS OF THE EXISTING AFFORDABLE HOUSING ORDINANCE OF TOWNSHIP OF EWING TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATIONS**

President Wollert introduced the Township Planner, Chuck Latini, who discussed each COAH item on the Agenda.

Mr. Latini said that over the last year the Town has been in Court, as has every other Town, showing the Court, which now has jurisdiction over all affordable housing matters, that Ewing is meeting its fair share obligation. The Town has received top marks for its efforts in providing affordable housing. Part of that review process with the Court Master and the Fair Share Housing Center was to look at several things that are still on the books from the old affordable housing rounds. This is part of the Land Development Ordinance and explains what the affordable housing affordability controls are for affordable components of all projects and also explains the obligations that a developer might have when they develop in the Town.

### **2. AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF EWING TO PROVIDE FOR THE COLLECTION OF DEVELOPMENT FEES IN SUPPORT OF AFFORDABLE HOUSING AS PERMITTED BY THE NEW JERSEY FAIR HOUSING ACT**

Mr. Latini said that the Town already has a development fee Ordinance in effect; this merely reflects the Courts jurisdiction over this particular plan.

### **4. A RESOLUTION OF THE EWING TOWNSHIP COUNCIL OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, STATE OF NEW JERSEY ADOPTING THE ‘AFFIRMATIVE MARKETING PLAN’ FOR THE TOWNSHIP OF EWING**

Mr. Latini explained that each affordable housing project has to be affirmatively marketed out to the Public.

It cannot be pigeonholed to a group of folks that a Town wants to identify. It has to be open to people in a housing region. The marketing plan outlines how it will be put into the newspapers and transmitted to the various watchdog agencies who are tracking where the housing is being built.

**5. A RESOLUTION ADOPTING AMENDED TRUST FUND SPENDING PLAN**

Mr. Latini said that this reflects, with the help of the CFO, the Town's current balance and also identifies the projects that the Town is going to spend its money on in order to realize the Plan. Most of the money in this Plan is diverted to rehabilitation as Ewing has satisfied its obligations for providing very very low income housing which is subsidized that through projects such as Rely on Whitehead Road, Ujima or the new one coming on Sullivan Way. The rest is strengthening the Town's partnership with the County on the housing rehab program and then developing one that supplements that.

**7. A RESOLUTION APPOINTING THE EWING TOWNSHIP COMMUNITY AFFAIRS DIRECTOR AS THE DESIGNATED MUNICIPAL HOUSING LIAISON**

Mr. Latini said that the Community Affairs Director will continue to be the Municipal Housing Liaison.

**6. A RESOLUTION OF INTENT TO BOND FOR SHORTFALL**

Mr. Latini said that everyone has been obligated since day one under the Fair Housing Act to develop a safety net just in case any funds dry up or a developer fails to fulfill his promise to provide affordable housing. This says that Ewing will use its power to bond to realize any part of the Plan. Mr. Latini said that he has never had a client that actually had to bond. Ewing has never come close because the Town has a development fee ordinance in place and works closely with developers.

At the request of Councilwoman Steward, Mr. Latini explained this further.

The Council President reiterated that Ewing has never had to bond.

At the request of Vice President Baxter, Mr. Latini explained how the guidelines/requirements for rehabilitation are decided and then described the Township's plan.

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

All COAH Items were approved for action.

Council then discussed Discussion Item Number Three.

**3. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER CHAPTER 215, ARTICLE IV ZONING DISTRICT REGULATIONS; CONDITIONAL USES, PARKING AND SIGN REQUIREMENTS WITH RESPECT TO COMMERCIAL ROOMING STRUCTURES**

Mr. Latini said that this Ordinance is Part II of the Ordinance that is on tonight's agenda for Second Reading. The Second Reading Ordinance is the "what". The Ordinance Introduced tonight is the "where", because the Town does not want to get into a spot where it practices exclusionary zoning. The Town is providing places where we think it makes good sense to allow these higher intensity residential uses.

Introducing higher density housing within a commercial component in a mixed-use environment works two-fold. One, it promotes walkability and continuity of the landscape. Two, in higher density neighborhoods, people carry more wallets and support the local business district. Mr. Latini then listed the zones where these units will be allowed: Business Highway, Neighborhood Commercial, Town Center and Sub Area One and Two of the Olden Avenue Redevelopment Area. These will be conditional use, conditioned on the mix use of structures and a host of conditions similar to what is currently required for residential mixed use housing. Currently, only apartments above are allowed; this allows this other housing type - commercial rooming structures - as well. Mr. Latini then mentioned that in discussions the Planning Board Chairmen brought up a couple of points related to parking.

Mr. Owen remarked that the Ordinance reads as if the Town is encouraging on street parking as part of the parking requirement for these developments. He wanted to make sure, while we may encourage on-street parking in these mixed use developments, as that is typical of downtown areas, that we make sure on-street parking does not count toward the parking requirement. Mr. Latini requested the following addition to the Ordinance: one on-site parking space be provided for a bedroom and one point two five on-site parking spaces be provided for a bedroom suite.

Councilwoman Steward asked will this go to the Planning Board for review if Council acts on this tonight.

Mr. Latini responded – yes.

President Wollert asked Mr. Latini how he came up with 1.25 parking spaces per bedroom suite.

Mr. Latini responded that it is an average as not every bedroom suite will have three or four people. Mr. Latini added that he is sure Chairman Owen is going to look at that intensely because he is very interested in the parking part of this.

President Wollert added that as long as it encompasses on-site parking.

Mr. Latini added that he does not want to burden the surrounding streets and neighborhoods.

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

**8. A RESOLUTION AUTHORIZING AN EXTENSION OF THE 3<sup>RD</sup> QUARTER TAX REMITTANCE GRACE PERIOD FOR THE AUGUST 1, 2018 TAX BILL TO THE DATE OF AUGUST 20, 2018**

The CFO said that the Township sent out estimated tax bills at the end of last week for the Third Quarter August 1<sup>st</sup> billing. Because of the lateness of sending them out, the grace period is being extended to the 20<sup>th</sup>. Interest will be accumulated back to the 1<sup>st</sup> if not paid by the 20<sup>th</sup>.

President Wollert commented that this has been done in previous years.

The CFO added that school aid has caused the delay. Ewing is not the only town sending out estimated bills.

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

This Item was approved for Action.

**9. A RESOLUTION AWARDED A CONTRACT FOR THE PENNINGTON ROAD FIRE COMPANY ROOF REPLACEMENT, CONTRACT NO. 1102-T-051 TO MAK GROUP, LLC IN THE AMOUNT OF \$148,100.00**

The Attorney said that this was a public bid. This is the lowest responsible bidder. Seven bids were received with a range from about \$148,000.00 to \$255,000.00. The Attorney stated that both she and the Engineer independently reached out to the low bidder, Mak Group, to confirm that their very low bid was not a mistake and that they stand by their bid. The owner confirmed that his numbers are legitimate. There was a protest received from the second low bidder, Northeast Roof Maintenance, who alleged that the low bidder failed to disclose their subcontractors. However, the low bidder submitted a form which said that the company does not have any subcontractors. The protest was denied. It is the recommendation of the Engineer to award the contract for the Pennington Road Fire Company Roof Replacement to Mak Group, LLC in the amount of \$148,100.00.

Council President added that this company has done business in the area for years.

Councilman Schroth asked if they had done work for the Township.

The Council President and the Attorney both said no.

The Mayor added that he was not even aware that they did commercial work.

Councilman Schroth asked if we know their reputation.

The Attorney remarked that the Engineer was not aware of anything outstanding; one way or the other. They do have to guarantee their work. The concern with a very low bid is that they will ask for change orders. The owner stated that he understood that this is a prevailing wage job.

Vice President Baxter asked if the funds came from capital.

The CFO replied – yes, Capital 2018.

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

This Item was approved for action.

10. A RESOLUTION AUTHORIZING THE PURCHASE OF 2019 FORD F450 CREW CAB 4X4 FOR THE TOWNSHIP OF EWING PUBLIC WORKS FROM WINNER FORD OF CHERRY HILL NJ #88215 THROUGH STATE CONTRACT T-2102 (expires 12/11/2018)

The CFO explained that this is the base for the landscape truck that is in the 2018 Capital Budget.

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

This Item was approved for Action.

Items Eleven, Twelve and Thirteen were discussed as a block.

11. A RESOLUTION OF CONCURRENCE BY THE TOWNSHIP OF EWING DESIGNATING BUS STOPS ON COUNTY ROUTE 579 (BEAR TAVERN ROAD)
12. A RESOLUTION OF CONCURRENCE BY THE TOWNSHIP OF EWING DESIGNATING BUS STOPS ON COUNTY ROUTE 634 (PARKWAY AVENUE)
13. A RESOLUTION OF CONCURRENCE BY THE TOWNSHIP OF EWING DELETING AND ADDING A BUS STOP ON COUNTY ROAD 634 (PARKWAY AVENUE)

President Wollert said that the Transit company adds or changes bus stops periodically.

The Attorney added that, after this is approved, Council will see an Ordinance amending the Township's Ordinance to officially designate these bus stops.

Vice President Baxter asked if there will be shelters for these additional bus stops.

The Mayor explained that the Town has to petition the State. The State puts up the shelters and then it becomes the Township's responsibility to maintain them.

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

These three Items were approved for Action.

14. A RESOLUTION GRANTING JEFFREY CALDWELL PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA-929) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT AUGUST 1, 2018

The Council President said that this is standard.

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

This Item was approved for Action.

15. A RESOLUTION SUPPORTING ELECTRIC VEHICLES TO REDUCE GLOBAL WARMING AND IMPROVE AIR QUALITY

President Wollert said that this Resolution was brought to Council; it is self-explanatory.

Councilwoman Steward asked if the request was made of Council.

The Mayor replied that it came from the general public, not from a Township Committee.

There were no additional questions or comments from Council.

Lee Farnham (68 Lochatong Road) asked how does electric vehicles apply to the landscaping truck for Public Works.

President Wollert replied that it does not.

Vice President Baxter pointed out that there are a few electric car charging stations in the Township.

The Mayor added that there are a couple of places – the College of New Jersey and the Element. The one at the College of New Jersey is used very infrequently.

There were no additional questions or comments from the Public.

This Item was approved for Action.

The Attorney asked the Council President to pull Items Sixteen and Seventeen from the Agenda as there are some things that need to be sorted out.

**16. A RESOLUTION SUPPORTING REDEVELOPMENT STUDY AT 1000 PENNINGTON ROAD, EWING TOWNSHIP, NEW JERSEY (THE PROPERTY)**

**17. A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH BRINKERHOFF ENVIRONMENTAL SERVICES, INC. TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES AND LICENSED SITE REMEDIATION PROFESSIONAL SERVICES FOR 1000 PENNINGTON AVENUE UNDER A NON-FAIR AND OPEN CONTRACT AND AUTHORIZING BRINKERHOFF TO MAKE APPLICATION UNDER THE NEW JERSEY HAZARDOUS DISCHARGE SITE REMEDIATION FUND FOR REIMBURSEMENT FOR THE COSTS OF SUCH SERVICES**

Council President Wollert pulled Items Sixteen and Seventeen from the Agenda upon the recommendation of the Township Attorney.

#### **BILLS LIST**

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$531,804.03 and to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$40,886.83

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

The Bills List was approved for Action.

#### **CONSENT AGENDA**

Council President Wollert presented the Consent Agenda for review.

1. Approval of Agenda Session Minutes for March 27, 2018; Approval of Regular Session Minutes for March 27, 2018; Approval of Closed Session Minutes for July 25, 2017, August 8, 2017, September 12, 2017, December 12, 2017, March 27, 2018, April 24, 2018
2. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official in the amount of \$125.00 to Louise Littwin, 12 Conover Ave., Ewing, NJ 08638 for a property transfer at 12 Conover Ave., Ewing, NJ 08638. The applicant paid for a property transfer twice when she was only required to pay for one.
3. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$269.15 for October 1, 2018 2<sup>nd</sup> half sewer bill to Edwards, Pamela, 4 Beckett Ct., Ewing, NJ 08628, for property owner Edwards, Pamela for Block: 588 Lot: 62 also known as 4 Beckett Ct. due to overpayment.
4. A Resolution Authorizing the Catholic Church of St. Hedwig to Hold a Walking Pilgrimage on August 11<sup>th</sup>, 2018
5. A Resolution authorizing the Ewing Green Team to hold an annual Fall Bike Tour on Saturday, September 29, 2018
6. A Resolution authorizing Trenton Professional Old Timers Association to hold a Liberian Independence Parade on July 28, 2018

Vice President Baxter thanked the Clerk for all of her work on the Closed Session minutes.

Councilwoman Steward recommended that everyone participate in the annual Fall Bike Tour as it is a great time.

There were no additional questions or comments from Council.

Peter Boughton (133 West Farrell Avenue) said that this is the fourth year and the second year that the Township has covered their expenses such that they can find a worthy charity. This year, the Green Team chose the Arc. The ride will be less strenuous than in the past in order to encourage those of medium abilities and it will go through areas of Ewing that it has not gone through before. The entire registration fee will go to the Arc.

There were no additional 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**

1. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ESTABLISH A BULK DROP OFF PROGRAM AND AN IDENTIFICATION SYSTEM FOR RESIDENTS TO DISPOSE OF BULKY ITEMS AT THE TOWNSHIP COLLECTION CENTER AND ESTABLISHING A FEE FOR ADDITIONAL DISPOSAL BEYOND THAT ALLOWED HEREIN

President Wollert said that additional work is needed on this Ordinance. The intention is to vote it down at the Regular meeting in order to be able to work on it.

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

2. AN ORDINANCE AMENDING CHAPTER 215 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CONCERNING DEVELOPMENT OF COMMERCIAL ROOMING STRUCTURES

The Attorney added that the Planning Board referred this back to Council with some de minimis changes.

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

This Item was approved for Action.

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

Vice President Baxter said that the Recreation Advisory Board is on its summer recess. August 7<sup>th</sup> is National Night Out over at the ESCC beginning at 6:00 p.m.

Councilwoman Steward said that the Green Team will meet tomorrow night at 6:30 p.m. at the ESCC.

The Council President said that she was not at the Planning Board meeting because she was on vacation and then asked the Mayor if there was anything of note.

The Mayor said that there was a long, spirited discussion regarding some of the things that need to be edited in Chapter 215.

President Wollert mentioned that she attended a jazz concert at the Sanctuary last Friday and encouraged people to attend. For a nominal fee, it is great entertainment. A non-profit group runs it and they do a fantastic job.

Vice President Baxter added that Moody Park's reopening has been moved to July 30<sup>th</sup> at 7:00 p.m.

There were no additional Commission and Committee Reports from Council. There were no additional announcements.

## NEW BUSINESS

(None for this Meeting)

### STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Peter Boughton (133 West Farrell Avenue) said that he supports the encouragement of electric vehicle use. It would be a boost to Ewing's reputation if PSE&G or some other entity could fund a charging station on public property. The more accessible charging stations are, the more likely people will purchase an electric vehicle. Mr. Boughton said that the Mak Group worked on his house a few years ago. He gives them a B+ but recommends that the Township's building inspectors stay on top of things as they did a good job; not a perfect job.

Mildred Russell (119 King Avenue) said that she is here tonight on behalf of the Ewing Park/Braeburn Civic Association. The Association has a list of people who are still putting brush out on the street even after the deadline has passed. These people need to be fined.

The Mayor replied that he will take the Association's list. However, the Town has proactively issued over seventy-five summonses. Some have cleaned up the brush on their own within the grace period; others are defiant and want their day in Court.

Mrs. Russell asked Council to think of those who hire someone to do their lawns. These people should be able to drop brush and grass off in Ewing as they were hired by Ewing residents.

President Wollert explained that the Ordinance discussed earlier does not relate to brush or grass but to bulk waste.

Lee Farnham (68 Lochatong Road) asked Council to consider a draft resolution from the Association of New Jersey Environmental Commissions which is designed to show municipal support for New Jersey's Comprehensive Single Use Carryout Bag policy. Its aim is to get rid of plastic bags. ANJEC is urging the Governor to issue a conditional veto as opposed to an outright veto as a conditional veto will allow changes to be made.

Vice President Baxter said that this is the first that he has heard of this and urged Mr. Farnham, in the future, to also disseminate any information to the Council President.

Councilwoman Steward added that there is some disagreement – there is the bill sitting on the Governor's desk that he has not signed and there are alternative proposals out there.

Mr. Farnham then read from the letter sent by the Executive Director of ANJEC which describes some of the problems with the current bill on the Governor's desk.

Ron Prykanowski (16 Thurston Avenue) said that support for natural gas cars should be included in the Resolution Council is going to consider later tonight. Mr. Prykanowski said that, besides brush, grass clippings blown into the street are also an issue. Mixed with rain, someone on a bike could go end-over-end. Grass clippings need to be bagged. Mr. Prykanowski mentioned all the litter generated by a STEM school and suggested that Council and the Administration consider setting up a Juvenile Conference Committee to address matters involving juvenile offenders. It could be used for bully intervention as well. The Mayor responded that people are fined for blowing grass clippings into the street. The Town is going to put out several messages in the next months for this fall's leaf pick-up and will begin to enforce the size of the branches that can be put out to the curb. The Mayor added that he believes that every leaf should be bagged; loose leaves should not be allowed at the curb. There will be a lot of pushback on changing that.

President Wollert stated that she is glad that the Administration is going to revisit loose leaves at the curb. Leaves in the gutter are in violation of storm water management rules. Other municipalities cannot believe that we allow it. There will be pushback.

The Mayor said that the Town has reached out to STEM. They want no part of it. They said that once those kids leave the school, they are no longer responsible for them. The Town takes the opposite view and has reached out to the New Jersey Education Association to see what kind of control they have over these charter schools.

Vice President Baxter said that he is 100 percent in support of doing something to get leaves bagged for this fall.

Mr. Farnham said that a few years ago Ewing borrowed a truck with a monster vacuum cleaner that was very effective.

The Mayor responded that people throw all sorts of stuff in with the leaves which ruins the equipment.

Rick Fletcher (13 Dawes Avenue) said that there is a law already called obstruction of traffic. Mr. Fletcher then provided examples of brush in the roads; including an instance where Township vehicles were present when cut trees were allowed to be in the road for a week. It is a matter of safety and liability.

Mr. Fletcher stated that as a Ewing taxpayer he is not going to pay for businesses to use Township roadways as parking lots; making it unsafe for others. Mr. Fletcher then detailed an interaction he had with Ewing Police last week regarding double parked cars along 4<sup>th</sup> Street and then said that the Police not handling the situation will leave the Township open to liability. Mr. Fletcher suggested that Township Zoning check on the number of businesses being run out of 339 4<sup>th</sup> Street. It is not fair to other businesses for that owner to be using the street as their parking lot.

James Sanocki (owns and manages multiple rental properties in Ewing) stated that he has had numerous conversations with both Mr. Latini and the Mayor and said that although he understands the purpose of the Ordinance, he sees inconsistencies with many of the definitions and is concerned as to where in the Township these commercial rooming units will be allowed.

The Council President replied that that is in tonight's Ordinance for First Reading.

The Attorney added that Mr. Latini said that the last meeting was the "what"; this meeting is the "where".

Mr. Sanocki mentioned some of his specific concerns and he and Mr. Latini then discussed them.

Council President Wollert brought this discussion to an end, saying that Mr. Sanocki has had many conversations with Mr. Latini and the Mayor and there will be an opportunity to discuss this further at the Public Hearing later tonight. Any zoning questions will come on an individual basis as projects are brought forth. Council is ready to act on this tonight. The Ordinance can be amended if any adjustments are necessary. Council needs to be responsive to residents' concerns.

There were no additional statements and comments from 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 Mr. Baxter. It was agreed by unanimous voice vote. The meeting was adjourned at 8:08 p.m.

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Kathleen Wollert, President

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Kim J. Macellaro, Municipal Clerk