

October 16, 2018 – AGENDA SESSION

President Wollert called the meeting to order at 6:32 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 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 – Present | Kim Macellaro, Municipal Clerk |
| ▪ Ms. Steward – Present | |
| ▪ President Wollert – Present | |

DISCUSSION

- 1. AN ORDINANCE OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY PROVIDING FOR THE RE-APPROPRIATION OF \$99,600 IN UNUSED DEBT AUTHORIZATIONS AND OTHER FUNDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR STORM DRAIN AND SEWER REPAIRS**

The Administrator said that this is the second half of the money to fix collapsed storm drains. One is by Lore School at Banchoff Park and the other is at the end of Browning Avenue. Earlier in the year, storm drains were fixed on Westwood Drive and Hawthorne Avenue.

Councilwoman Keyes-Maloney added, for the benefit of the Public, that this money is from projects that came in a little under what was expected. The bonds were issued in 2016 and 2017.

There were no additional questions or comments from Council.

Vincent Mancino (525 Cleardale Avenue) asked if a storm drain near 540 Cleardale Avenue could be put on the list as it has been in need of repair for at least three years.

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, CHAPTER 300 SEWERS, ARTICLE III INDUSTRIAL DISCHARGES**

The Administrator stated that ELSA has already adopted this. It sets what ELSA is allowed to charge commercial and industrial users for discharges into the ELSA system.

The Council President said that it is in line with both the DEP and the EPA.

The Attorney added that it is not limited to charges but includes a variety of requirements for industrial discharge in order to protect the infiltration system.

Councilwoman Keyes-Maloney added that the Ordinance is being updated to allow for modern requirements.

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

3. **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 § 225-48 SCHEDULE I: NO PARKING ANYTIME**

The Administrator explained that Brenwal Avenue at Pennington Road is too tight for cars to be parked on both sides of the street. This will limit parking to one side of the street.

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

This Item was approved for Action.

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

The Administrator said that there are two items of revenue. One is the Township's 2018 HUD grant award for \$242,696.00. It is an increase. The Town is permitted to spend it on senior issues at Hollowbrook and the ESCC. Going forward, with the 2019 application, the Township will also use some of the grant money to redevelop properties. This expansion of the HUD funding is the result of a great deal of effort by Vice President Baxter and other members of Council.

President Wollert asked if these redeveloped properties will figure into COAH.

The Administrator replied – yes.

Councilwoman Steward added that this Resolution also includes the bullet proof vest grant.

The Administrator replied – yes, that grant is \$11,613.00.

Vice President Baxter asked how many vests does this cover.

The Administrator replied – about five.

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 TO INCREASE THE CHANGE FUND IN THE TAX COLLECTORS OFFICE**

The Administrator explained that currently the fund is \$200.00. This is for a \$100.00 increase.

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

6. **A RESOLUTION AWARDED MARLIN CONSTRUCTION SERVICES, INC. A CONTRACT IN THE AMOUNT OF \$202,125.34 FOR 2018 MISCELLANEOUS DRAINAGE REPAIRS**

The Administrator said that this is for Hawthorne and Westwood.

President Wollert said that this ties into the reappropriation discussed earlier.

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

This Item was approved for Action.

7. **A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PINGREE AVENUE PROJECT**

The Administrator said that this is for 2019. 2018 has already been approved – Buttonwood Drive will be paved in the spring. This is for Pingree Avenue.

The next application is for Scenic Drive. Pingree runs from Parkside Avenue down to Pingree Court. The Township will see how much grant money it can get.

Councilwoman Keyes-Maloney added that this will also allow the Township add some safety striping at the intersections.

The Administrator replied that it depends on how it is bid out. The Township does want to slow people down on Pingree Avenue.

Vice President Baxter asked if bike lanes are going to be added to Buttonwood when it is restriped.

The Administrator responded that that is two different issues. The Town did not apply for bike lane restriping on the Buttonwood application. That would be funded by the Township. Any speed humps would also be funded by the Town. Each speed hump is \$10-12,000.00.

There were no additional questions or comments from Council.

Vincent Mancino (525 Cleardale Avenue) asked if this restriping will be similar to what happened on Federal City Road with the miles-per-hour painted on the roadway as a reminder.

The Administrator responded – yes.

Mr. Mancino stated that he thinks that that is a good idea. It helps on Federal City Road.

There were no additional questions or comments from the Public.

This Item was approved for Action.

8. A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SCENIC DRIVE PROJECT

The Administrator said that the Township applied for both roads but Pingree needs the resurfacing more than Scenic. Until the construction for the new development is complete, the Administrator said that he does not want to repave Scenic Drive. It has been patched to help get through this construction phase and the Scudders Falls Bridge project. The Administrator said that he had to prioritize the applications and will have to wait to see how much funding the Town will get.

President Wollert asked if there has been any update on the bridge completion date. The Administrator replied that the first roundabout - near Villa Victoria - is supposed to be opened next week. Give or take a few weeks, the bridge is on schedule for the Fall of next year.

President Wollert commented that this is long awaited.

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

This Item was approved for Action.

9. A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) DODGE JOURNEY FWD SE VEHICLES FOR USE IN AND BY THE CONSTRUCTION OFFICE WITHIN THE TOWNSHIP OF EWING FROM HERTRICH FLEET SERVICES AS PER STATE CONTRACT T-0099

The Administrator said that this is replacing one vehicle and adding another one. A second vehicle will need to be replaced soon. This is paid for out of the Construction Trust. Only two vehicles are being purchased now so as not to take the Construction Trust down too low.

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

This Item was approved for Action.

10. A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE FOR HOPEWELL REAL ESTATE, LLC, 160 EWINGVILLE ROAD (BLOCK 105/LOT 22) – ZBA-17-008 – EWING ENGINEERS REMINGTON & VERNICK R&V #1102-I-091

President Wollert said that this is a performance bond release for work completed to the satisfaction of the Township Engineers.

Councilwoman Steward asked if this can happen automatically now because of changes in the law.

The Attorney said that the Engineer still has to sign off on the improvements and then briefly explained changes made to the State statutes. It is the maintenance bond that can be automatically released.

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

This Item was approved for Action.

11. A RESOLUTION APPROVING TORIANO D. PERRY AS A CAREER FIREFIGHTER FOR THE EWING TOWNSHIP FIRE DIVISION 30

The Administrator said that this firefighter was hired back in January as an intergovernmental transfer from Atlantic City. Atlantic City was under State control. Because the State put the Civil Service function on hold, the Town had to go through a process to get him into the system for pension purposes. This also allows him to get into the Police and Fireman's Fund.

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

This Item was approved for Action.

12. A RESOLUTION AUTHORIZING THE ADDITIONAL HONORARY NAME OF "REV. DR. VINCENT H. JACKSON WAY" TO BE ADDED TO THE STREET SIGNS AT THE CORNER OF SOMERSET STREET AND OREGON AVENUE AND AT THE CORNER OF OREGON AVENUE AND SUSSEX STREET

President Wollert said that this honors the long time Pastor of St. John's Baptist Church. Reverend Jackson has been a very active member of the Community and recently celebrated forty years as pastor of St. John's.

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

This Item was approved for Action.

ALCOHOLIC BEVERAGE CONTROL MATTERS

1. A RESOLUTION AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF AMEE & SWETA, INC. (1102-44-028-004); A PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE, TO MISHTI CORP t/a PAUL'S LIQUOR STORE

The Attorney said that this comes before Council after the Police Department signs off on it.

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 \$605,646.33 and to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$24,348.98

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 July 24, 2018; Approval of Regular Session Minutes for July 24, 2018

2. **A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$140.08 for overpayment of transport service on February 22, 2018 for patient Martin Vincent, Sarah to Aetna, PO Box 14079, Lexington, KY 40512-4079**
3. **A Resolution Authorizing a Refund as Recommended by the Director of EMS for Overpayment in the amount of \$53.20 for overpayment of transport service on January 27, 2017 for patient Mottley, Lorraine to WPS Tricare for Life, PO Box 7928, Madison, WI 53707-7928**
4. **A Resolution Authorizing a Refund, as Recommended by the Municipal Clerk in the amount of \$30.40 to Nikol Carey of 61 Sanhican Drive in Trenton, New Jersey 08618 for two dog license payments (License #'s – 1363 & 1364). The aforementioned homeowner applied for the dog licenses at the September 2018 Rabies Clinic and the Clerk's Office inadvertently gave her said licenses not realizing that she lived in Trenton.**
5. **A Resolution Authorizing Cancellations, as Recommended by the Tax Collector in the amount of \$154,770.00 for October 1st third quarter to November 1, 2018 fourth quarter taxes to One Foot Fence Urban Renewal, LLC., 215 S. La Cienega Blvd. 203, Beverly Hills, CA 90211 for property owner One Foot Fence Urban Renewal, LLC. for Block: 118.01, Lot: 27, also known as 1460 Parkside Avenue due to adoption of Ordinance #18-06 aka Pilot Program.**
6. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,091.92 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Stavitsky & Associates, LLC., 350 Passiac Avenue, Fairfield, NJ 07004, for property owner US Bank Trust for Block: 137 Lot: 155 also known as 36 Ardsley Avenue for overpayment. 2018 tax appeal granted.**
7. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$10,079.20 for November 1, 2018 4th Quarter Taxes to Turks Holdings, LLC., 1519 Calhoun Street, Ewing, NJ 08638, for property owner Turks Holdings, LLC. for Block: 12 Lot: 1 also known as 1519 Calhoun Street for overpayment due to lower assessment created by demolition of building.**
8. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,173.33 for November 1, 2018 4th Quarter Taxes to Glappa, Michael T., 14 Darwin Road, Somerset, NJ 08873, for property owner Glappa, Michael T. for Block: 442 Lot: 254 also known as 10 Clermont Avenue for overpayment due to house fire on March 13, 2017.**
9. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$306.37 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Saint-Jean, Baudelaire, 12 Ewington Avenue, Ewing, NJ 08638, for property owner Saint-Jean, Baudelaire for Block: 121 Lot: 14 also known as 12 Ewington Avenue for overpayment. 2018 tax appeal granted.**
10. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$145.82 for overpayment of November 1, 2018 4th Quarter Taxes to Collins, Michael P., 35 Holland Street, Needham, Mass. 02492, for property owner Collins, Michael P. for Block: 214 Lot: 56 also known as 396 Green Lane.**
11. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$180.99 for overpayment of October 1, 2018 2nd Half Sewer to O'Rourke, Christine, 4 Woodstream Court, Lambertville, NJ 08530, for property owner O'Rourke, Christine for Block: 365 Lot: 2.01 Q: C0924 also known as 102 Kyle Way.**
12. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$361.80 for overpayment of November 1, 2018 4th Quarter Taxes to Duhart, Willie ET & Betty Jenn, 12 Lanning Street, Ewing, NJ 08618, for property owner Duhart, Willie ET & Betty Jenn for Block: 243 Lot: 7 also known as 12 Lanning Street.**

13. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,477.77 for November 1, 2018 4th Quarter Taxes to Woolverton, Laure P., 38 Montague Avenue, Ewing, NJ 08628, for property owner Woolverton, Laure P. for Block: 430 Lot: 18 also known as 38 Montague Avenue for overpayment due to house fire.
14. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$622.93 for overpayment of November 1, 2018 4th Quarter Taxes to Hodak, Joseph G AL, 4 Newfane Avenue, Ewing, NJ 08618, for property owner Hodak, Joseph G AL for Block: 508 Lot: 9 also known as 4 Newfane Avenue.
15. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$9,171.30 for August 1, 2018 3rd Quarter Taxes to 1st National Bank, 40 S. State Street, Newtown, PA 18940-1953, for property owner Cross Development CC Ewing, LLC. for Block: 13 Lot: 12 also known as 1641 N. Olden Ave. Ext. for overpayment. Paid in error by mortgage company.
16. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$802.44 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to David Shafkowitz ESQ., 16 Sunset Avenue, Chalfont, PA 18914, for property owner Pennewing Holding, LLC. for Block: 61 Lot: 5 also known as 1026 Pennington Road for overpayment. 2018 tax appeal granted.
17. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$999.41 for overpayment of November 1, 2018 4th Quarter Taxes to Armenti, Carmine, 8 Scudder Road, Ewing, NJ 08628, for property owner Armenti, Carmine for Block: 568 Lot: 4 also known as 8 Scudder Road.
18. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$253.11 for overpayment of August 1, 2018 3rd Quarter Taxes to Dresser, Teresa J., 9 Shelton Avenue, Ewing, NJ 08618, for property owner Dresser, Teresa J. for Block: 510 Lot: 14 also known as 9 Shelton Avenue.
19. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$604.88 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Sadres, Danielle, 261 Upper Ferry Road, Ewing, NJ 08628, for property owner Sadres, Danielle for Block: 367 Lot: 67 also known as 261 Upper Ferry Road for overpayment. 2018 tax appeal granted.
20. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector – A Refund in the amount of \$1,828.60 and a Cancellation in the amount of \$3,957.53 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Smaw, Darius & Martha, 304 Ewingville Road, Ewing, NJ 08638 for property owner Smaw, Darius & Martha, for Block: 559, Lot: 29, also known as 304 Ewingville Road due to 100% disabled veteran from July 16, 2018 to December 31, 2018.
21. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector – A Refund in the amount of \$553.36 and a Cancellation in the amount of \$1,998.51 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Roman, Jonathon & Kiperberg, Rachel, 782 Lower Ferry Raod, Ewing, NJ 08628 for property owner Roman, Jonathon & Kiperberg, Rachel, for Block: 414.01, Lot: 15, also known as 782 Lower Ferry Road due to 100% disabled veteran from August 29, 2018 to December 31, 2018.
22. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector – A Refund in the amount of \$10,166.86 and a Cancellation in the amount of \$12,673.06 for October 15, 2017 to December 31, 2018 Taxes to Brady, Kevin M., 8 Sandy Lane, Ewing, NJ 08628 for property owner Brady, Kevin M. for Block: 422, Lot: 111, also known as 8 Sandy Lane due to house fire.
23. A Resolution Authorizing Glendale Civic Association to Hold a Halloween Parade/Road Closing on October 31st, 2018

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. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO ADD § 215-39, TITLED: MEDICAL MARIJUANA ALTERNATIVE TREATMENT CENTERS**

The Council President stated that there will be a Public Hearing on this during the Regular Session.

- 2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND § 110: BRUSH, GRASS AND WEEDS, AND § 407: NUISANCES, PUBLIC HEALTH**

The Council President said that this will be heard at the Regular Session.

- 3. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND SECTION 225-59, SCHEDULE XII: STOP INTERSECTIONS, CONVERTING THE INTERSECTION OF GREENLAND AND DOUGLAS AVENUES TO FOUR-WAY STOP-CONTROLLED INTERSECTION BY INSTALLING NEW STOP SIGNS AND STOP BARS ON GREENLAND AND DOUGLAS AVENUES**

President Wollert stated that this will also be considered at the Regular Session; there will be a Public Hearing.

COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

Councilwoman Keyes-Maloney said that the Arts Commission met the first day of the month to prepare for the November art display, related to pets and other animals, which is in partnership with EASEL. Donations will benefit the Animal Shelter. The Commission is also assisting the Green Team with upcoming events for the Halloween season. The Student Art Show is scheduled for Pro Bowl Sunday at the Elks. It allows any child who lives in Ewing or goes to a Ewing school to participate. There may also be some music this year. New art is hanging at the Municipal Building. It is a compilation of a couple different things: art associated with “Art Has No Boundaries” which sponsors classes on a bi-weekly basis here at the Municipal Building and Arts Commission art depicting superheroes and some photographs as well.

Vice President Baxter said that the Recreation Advisory Board met last night. Trunk or Treat is coming up on October 27th. They are looking for volunteers to either donate candy or a trunk. There was a wrap-up of the summer activities. This year the swimming pools came back a little more positive. The splash pad was a big hit and did very well over at Hollowbrook. League presidents’ reports will be given at the next meeting on November 19th, 7:00 p.m. at the ESCC. They will let the Advisory Board know what is needed for their League to continue to be successful. Director Forst met today with the Mayor to discuss how the swimming pools are going to be run next summer – whether the Township is going to again run the pools in-house or to continue to have an outside vendor do the job. There is a debate. The Recreation Advisory Board would like to see pool operations run in-house. Shred Day is October 27th and because of that, for those involved with soccer, you will have to use Graphics Drive to get to the fields.

Councilwoman Steward applauded the Clerk and the Administrator for another wonderful Community Fest and added that she does many of these in other communities and said that Ewing does it better than anyone else. The Green Team’s Fall Spin, held that same day, was a success. October 27th is Shred Day and Medicine Take Back Day. Trunk or Treat and Build a Scarecrow Contest are also being held that same day. Scarecrows must be made from 80% recycled materials. The Green Team is working on promoting the “Direct Install” program. It is for businesses interested in making some sustainability improvements to get support from the State to cover up to seventy percent of the cost of those improvements. A workshop will be held on October 23rd, 7:00 p.m., at the ESCC.

There were no additional Commission and Committee Reports from members of Council.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Vincent Mancino (525 Cleardale Avenue) said that, as a life-long Ewing resident, he is concerned that there are so many houses being sold as college rental units. Within a three minute walk from his home, there are five houses with college students. Mr. Mancino asked if there is any restriction that the Town can put on the amount of houses that can be sold as college rentals in a vicinity. Mr. Mancino was told by a Rider student who lives in Ewing that he does not live in Lawrence because Lawrence has a five person limit to the number of people who can live in one house. Mr. Mancino is very concerned that Ewing is becoming a rental and not a family community. Rentals in a residential area depreciate value and there is an increased turnaround. It is time that the Township realize that Ewing is inundated with college rentals in residential areas, take a stance and adopt an Ordinance that limits the number of homes that can be sold as college rentals. If Lawrence can adopt an Ordinance that limits the number of people that can live in a house, why can't Ewing. Mr. Mancino said that he wants to move out of Ewing because he is concerned that his property value is going down. Rentals are a negative for the prospective homebuyer.

The Attorney responded that occupancy is driven by the size of the house – the number and size of the bedrooms and the amount of living space. The Attorney suspects that Lawrence's ordinance is similar to Ewing's and is based on the size of the property and the occupancy is driven by size. It is illegal in New Jersey to just limit the number of occupants. You cannot define a family as being a certain type of unit or restrict the occupancy of a rental unit to a certain type of living arrangement. A lot of these types of restrictions have been tried in college towns throughout New Jersey and have been overturned again and again. Ten years ago, Ewing tried to restrict the overuse of rental properties by restricting the occupancy of those units by expanding the size of bedrooms and living space. This was challenged by a consortium of landlords and overturned, along with a number of other restrictions - including parking.

Mr. Mancino stated that he has a real problem because he is being told that there is no recourse on this issue.

The Attorney stated that the Town is continuously looking at its land use ordinances and updating them to put reasonable restrictions on the use and then explained some recent changes.

Mr. Mancino reiterated that if this continues, within five years, every third house is going to be a rental, each occupied by five or six college students. Why would someone move into Ewing?

Council President Wollert said that part of it is a perception problem and said that she was on Council ten years ago, when the Town tried to do something but it was thrown out. The laws have not changed.

Vice President Baxter added that the Federal Housing Act says that you cannot discriminate against who you sell a house to.

Mr. Mancino stated that his solution is to move out and four of his neighbors will move out as well.

Councilwoman Keyes-Maloney said that she was once one of those college students and decided to buy here. It can be a transitional experience if the students are encouraged. It is a good place to buy a decent home – there is value for your dollar. The Town has developed a Welcome Book that can be shared with realtors to show the value a homeowner gets in Ewing. Councilwoman Keyes-Maloney said that she always talks about this both in her day job and as a council member. There are amazing things being done in this Community. We all need to continue to talk about it.

Mr. Mancino disagreed.

Councilwoman Keyes-Maloney said that in her neighborhood it is a mix. It is not just college students. Every community with a college has these issues. It is how Ewing promotes itself that matters.

Mr. Mancino said that he has lived here for sixty-one years and this issue is going to be the downfall of Ewing. Council needs to recognize this.

President Wollert said that she understands his frustration; she lives in a neighborhood with college rentals and group homes. Sometimes it is good; sometimes it depends on who is renting. It also depends on who owns the property and the maintenance the owner puts into the upkeep of the property. If the owner is not on top of things, it does not matter who lives there, there is going to be a problem. Council is responsive; we understand the frustration. We understand the problems especially with the parking on older, narrower streets. It is not unknown to us; Council experiences it and tries to address it by using any appropriate legal means.

The Attorney added that, specifically with respect to students living in the community, the College does not provide an adequate amount of on-campus housing. The Township has tried to work with the College as evidenced by the Campus Town development. Part of the solution is getting the College to buy more campus housing so students do not have to live in the surrounding communities.

Mr. Mancino said that this is just not his issue; it is an issue that effects everybody in Ewing. Councilwoman Steward added that given the restrictions of the housing laws and regulations, another way that the Township has tried to handle this is to take steps to address the behavior of the residents. New procedures have been put into place to hold owners more accountable – financially - for the behavior of their renters.

The Attorney briefly explained the recently adopted ‘animal house’ ordinance.

Mr. Mancino asked if Council can offer an incentive – a partial tax reduction – to people who are currently renting to college students to instead turn that home into a residential home.

Councilwoman Steward replied that the problem is that Council cannot, legally, differentiate between different types of renters. Ms. Steward asked Mr. Mancino to forward to Council any ideas that he may hear about.

The Council President thanked Mr. Mancino for his comments.

Christa Cleeton (6 Carrigg Avenue) said that she is concerned about Railroad and Decou Avenues; with the GM apartments, Freddie’s development, and SEPTA, it is a twenty-five mile-per-hour road and people already fly down it. Ms. Cleeton said that she is not sure that she wants speed humps, but something needs to be done. There is going to be a lot of traffic. Mr. Latini (Township Planner) said that the short answer is the Board can take a look at Railroad Avenue. Railroad and Decou were looked at in the context of the redevelopment at both the GM and Naval base sites. Traffic studies done involved Silvia Street going through which should take away some of the cut-through traffic. It also involves the future extension of Parkway Avenue into the West Trenton bypass. Looking at Railroad and noticing that it is used as a speedway and a cut-through, there are things the Township is hoping to do. One thought is to close Decou at Parkway; making it a cul-de-sac.

Ms. Cleeton also mentioned that there are no stop signs on Central and Summit at Decou; that is something that can be addressed in the short-term. Also, a stop sign on New at Railroad might be helpful.

President Wollert thanked Ms. Cleeton for her comments.

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 Wollert asked for a motion to adjourn. Ms. Steward so moved seconded by Mr. Baxter. It was agreed by unanimous voice vote. The meeting was adjourned at 7:31 p.m.

Kathleen Wollert, President

Kim J. Macellaro, Municipal Clerk