

## January 8, 2019 – AGENDA SESSION

President Baxter 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 2<sup>nd</sup> day of January 2019.

THE PUBLIC WILL HAVE AN OPPORTUNITY TO ADDRESS THE COUNCIL DURING THE “STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC” SEGMENT OF THE MEETING. A MEMBER OF THE PUBLIC MAY SIGN IN ON THE SHEET AT THE FRONT OF THE ROOM AND UTILIZE FIVE MINUTES OF TIME FOR REMARKS AND QUESTIONS. ALL QUESTIONS SHOULD BE DIRECTED TO THE COUNCIL PRESIDENT. WHEN ADDRESSING THE COUNCIL, PLEASE GIVE YOUR NAME AND ADDRESS.

### ROLL CALL

- Ms. Keyes-Maloney – Present
  - Mr. Schroth – Present
  - Ms. Steward – Present
  - Ms. Wollert – Present
  - President Baxter – Present
- Jim McManimon, Administrator  
Maeve Cannon, Attorney  
Kim J. Macellaro, Municipal Clerk

### PRESENTATION – Money Management Associates LLC presentation to ARC Mercer

President Baxter stated that since representatives from Money Management Associates LLC are not here yet, Council will continue with the Discussion items and will come back to the Presentation when they arrive.

### DISCUSSION

#### 1. AN ORDINANCE AMENDING THE EWING TOWNSHIP SALARY ORDINANCE ESTABLISHING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF EWING

The Attorney stated that by virtue of this Ordinance, the terms and conditions of the Business Administrator’s and the Municipal Clerk’s employment and salary are subject to the terms of the IBEW contract. The Attorney noted for the record that this Salary Ordinance reflects only the salaries that are currently being amended. Salaries of other elected officials, Council included, are included in the Salary Ordinance but are not being changed by virtue of this Salary Ordinance. The Attorney indicated that any other salaries will remain unchanged by this Ordinance that are not otherwise reflected in a collective bargaining agreement. Every other salary in the Township is incorporated by reference into this Salary Ordinance by virtue of being in a collective bargaining agreement which lists each position and the salary for each. But, elected officials, who are not in a union or not otherwise reflected, are. In 2015, there was a phased-in salary increase which was completed in 2017. That does not need to be updated but it can be made clear in this Ordinance that those salaries continue unchanged.

President Baxter said that for these two positions, the salary increase is a result of the of the two percent annual increase.

The Attorney replied – correct. Because the Business Administrator and the Municipal Clerk are not in the IBEW, the Salary Ordinance needs to reflect the fact that their salaries are changing by virtue of the two percent IBEW increase.

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

**2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225 SECTION 59, SCHEDULE XII: STOP INTERSECTIONS, CONVERTING THE INTERSECTIONS OF RIDGEWOOD AVENUE AND STEINWAY AVENUE, AND RIDGEWOOD AVENUE AND CRESTMONT AVENUE TO STOP-CONTROLLED INTERSECTIONS BY INSTALLING NEW STOP SIGNS AND STOP BARS ON STEINWAY AVENUE AND CRESTMONT AVENUE**

The Attorney said that this is part of an ongoing review by the Township Engineer. Councilwoman Steward commented that Council recently took similar action in this neighborhood.

The Administrator said that the Township is continuing its review to find alternatives to speed humps and added that the Administration will be recommending to Council that some roads be made one-way.

President Baxter thanked the Township Engineer as he continues the review and then commented that painting "STOP" and/or speed limits on the road seems to be calming things down. President Baxter asked if this will be mandatory going forward; for instance, on Buttonwood.

The Administrator replied that Buttonwood is being repaved with State grants. Any striping would require separate funding from Council. However, bike lanes are a part of the grant.

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

**3. A RESOLUTION OF TEMPORARY APPROPRIATIONS**

The Administrator said that this is for the first quarter of the year. He, the Mayor and the CFO will start meeting with the department heads in the next two weeks to put together their final budget numbers. After that, the Council President and Vice President will be invited to meet with them. As in the past, all department heads will come before Council.

President Baxter asked if this is reflective of the first quarter based on last year's budget appropriations.

The Administrator replied – yes.

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

**4. A RESOLUTION AUTHORIZING CHECK AUTHORIZATION PRIOR TO BILLS LIST APPROVAL**

Council President Baxter said that this gives the CFO permission to pay bills so as to not incur interest or late fees. Any payments are then reported to Council.

There were no questions or comments from Council.

**5. A RESOLUTION TO INCREASE THE CHANGE FUND IN THE OFFICE OF THE REGISTRAR**

The Administrator explained that right now the current Registrar needs the ability to give change until the Civil Service process is completed for the new Registrar.

President Baxter asked if this Resolution creates a change drawer in that Office or does it just increase it.

Councilwoman Steward replied that right now the change drawer is \$50; this increases it by \$50. The Resolution notes that the Registrar is bonded for a lot more than that.

President Baxter asked about the Civil Service process.

The Administrator replied that not too much can be discussed about the individual here but the Civil Service process can take months.

Councilman Schroth suggested that the last sentence of the Resolution be amended to include language that makes it clear that this authorizes a \$50 increase for a total of \$100.

Council agreed and the language was amended.

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

**6. A RESOLUTION AWARDED THE ORIGINAL W. HARGROVE DEMOLITION COMPANY, INC. A CONTRACT FOR THE DEMOLITION OF 21 & 23 NEW TRENT STREET IN THE AMOUNT OF \$36,900.00**

The Administrator explained that this was discussed during a Closed Session at the last Council meeting. The resident agreed to the initial price offer of \$45,000.00. She owes about \$41,000.00. The title work is complete and the Township Engineer has gotten three quotes to knock both places down and clean up the lot. This is the lowest of the three prices. The house has been cleaned out by the resident.

The Attorney added that her office is waiting for the current payoff statement because the one they have expired and then they are ready to close.

The Administrator added that he put her in touch with Piazza & Associates who will help her find affordable housing.

President Baxter thanked the Administrator for his extra work on this as being displaced can be challenging. All the Township can do to help her is good.

The Administrator said that she had been there for about twenty-six years and then responded to President Baxter's question about the \$36,900.00

President Baxter also thanked the Township Attorney for working on it.

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 AUTHORIZING EWING TOWNSHIP TO ENTER INTO A SHARED SERVICES AGREEMENT WITH MERCER COUNTY FOR EMS DISPATCH SERVICES**

The Attorney said that this is a renewal of an existing shared services agreement.

The Administrator explained that Capital Health went out of business and under an emergency deal last year, the County took it over. It cost about \$50,000.00 last year and this year it is about \$52,700.00. Cost is based on call volume which is about 4,500-4,700 calls per year. It is a one year contract. The Administrator added that he likes one year deals for this in order to be able to at least take a look at what the private sector is offering.

At the request of the Council President, the Administrator briefly explained the cost formula and then added that the Township had about 300 more calls in 2018 than in 2017.

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

This Item was approved for Action.

**8. A RESOLUTION AUTHORIZING THE AWARD OF A ONE-YEAR PROFESSIONAL SERVICES CONTRACT TO SEAN J. MCWILLIAMS, D.V.M. FOR THE PROVISION OF VETERINARIAN SERVICES TO THE EWING TOWNSHIP DEPARTMENT OF HEALTH FOR A FEE OF \$100.00 PER HOUR AND \$500.00 PER RABIES CLINIC, IN AN AMOUNT NOT TO EXCEED THREE RABIES CLINICS PER YEAR**

The Council President said that a veterinarian is required to be at the Township's rabies clinics.

The Administrator said that this is mainly for when the Township provides this service for its residents. Occasionally, he will have to put down a dog that is not EASEL owned.

The Attorney added that there had not been any agreement in the past because the number was so low. But, it is more appropriate to memorialize with a professional services agreement.

The Administrator added that the PSA will help with the upcoming Health Department audit. The Health Department has not had an audit in at least the past eight years.

Vice President Keyes-Maloney commented on the cap of about \$2500 listed in the certificate of funds and asked if it is known that in past years the vet fee stayed around that number.

The Administrator responded that that is how they came up with that number. Mr. McWilliams used to be the vet for the Animal Shelter but he is not any more which is why his number came down.

Vice President Keyes-Maloney said that she wanted to make sure that the Township was in line as it is not known how many sick animals there may be.

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 AWARD OF A ONE-YEAR PROFESSIONAL SERVICES CONTRACT TO MALTI DAMANI, M.D., FOR THE PROVISION OF PEDIATRIC SERVICES TO THE EWING TOWNSHIP DEPARTMENT OF HEALTH FOR A MONTHLY CHILD HEALTH SERVICES CLINIC AND AT LEAST ONE PEDIATRIC FLU CLINIC PER YEAR FOR A FEE OF \$350.00 PER CLINIC, IN A TOTAL AMOUNT NOT TO EXCEED \$5,000.00 PER YEAR

President Baxter said that this is for the Health Department.

The Administrator said that they had a clinic today for children. It is done once a month and they were quite busy this morning. There are also the three flu clinics for residents. Based on this fee, it is \$4200.00 per year; there is a cushion in case another clinic needs to be added.

The Attorney added that the pediatric flu clinic must have a M.D. present.

Council President Baxter commented that it is another great service provided by the Township.

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 CONSENTING TO THE APPOINTMENT OF LISA K. FELDMAN TO THE ARTS COMMISSION

President Baxter stated that the Arts Commission is robust and booming thanks to the work of Councilwoman Keyes-Maloney.

Vice President Keyes-Maloney added that Ms. Feldman also sits on the Green Team so this will allow for some Sustainable New Jersey points.

Councilwoman Steward added that this encourages collaboration between those two bodies. Ms. Feldman is an asset – she helps out at Shred Day and the scarecrow contest is her invention.

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

11. A RESOLUTION APPOINTING MONICA M. HARVEY-TALBERT TO THE ZONING BOARD OF ADJUSTMENT

President Baxter said that Ms. Harvey-Talbert is a local realtor. She provided a resume and has long standing ties to the Township. She will be an asset to the Zoning Board.

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

This Item was approved for Action.

12. A RESOLUTION DECLARING FEBRUARY 11, 2019 TO BE NATIONAL MAKE A FRIEND DAY IN EWING TOWNSHIP

President Baxter stated that this came from Mercer Street Friends.

The Clerk clarified that there is a second Resolution for National Food Bank Day which will be in September.

President Baxter added that, in light of that second resolution, he asked the Mayor to start a food drive so that in September the Town will have a donation to the food pantry.

Councilwoman Steward added that Mercer Street Friends does a real service to the community. It is a food bank that serves all of the area food pantries. It is located here in Ewing Township behind Heritage Court.

In her day job, she interacts with them and knows that they provide a really high quality service and feed thousands of families.

The Administrator added that the money the Township gives the local food pantry gets sent to Mercer Street Friends.

President Baxter said that on February 11 at 4:00 p.m., Mercer Street Friends is having a presentation at the food bank.

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

All Discussion Items were approved for Action.

#### **BILLS LIST**

1. A Resolution Authorizing the Chief Financial Officer to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$866,270.94
2. A Resolution Authorizing the Chief Financial Officer to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$5,169.00
3. A Resolution Authorizing the Chief Financial Officer to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$183,050.07

President Baxter said that this are most likely all left over from last year as Council only had one meeting in December and one meeting in November.

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

#### **CONSENT AGENDA**

Council President Baxter presented the Consent Agenda for review.

1. Approval of Agenda Session Minutes for November 20, 2018; Approval of Regular Session Minutes for November 20, 2018
2. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$429.00 for overpayment of transport service on December 10, 2017 for patient Tora, Isabelle to Aetna Inc., 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 \$429.00 for overpayment of transport service on December 10, 2017 for patient Tora, Gianna to Aetna Inc., PO Box 14079, Lexington, KY 40512-4079

President Baxter mentioned that Ewing residents do not have to pay for ambulance transportation.

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

#### **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**

Vice President Keyes-Maloney stated that on January 17<sup>th</sup> from 6:00 to 8:00 p.m. there will be a "featured artist" reception at the Municipal Building. The Student Arts Show will be on January 27<sup>th</sup> at the Elks. The art from this show will be transitioned over to the Municipal Building in mid-February.

Councilwoman Steward said that the Green Team "kick-off" retreat was held on Saturday. They are on track to receive silver recertification and right now are only thirty points away from bronze certification because of the amount of work that they did last time around.

Vice President Keyes-Maloney asked if there are any gold communities. Councilwoman Steward replied that gold does not exist as a standard but it can be achieved on certain actions such as recycling. Last year, we got more points than any other Town of comparable size.

President Baxter said that at the first Planning Board of the year the one applicant was a holdover from last year. Ewing Diner finally got approval to tear down the flower shop next door and put in additional parking. Also, one of the cutouts to the street will be eliminated and the diner itself will be expanded slightly.

At the request of Councilman Schroth, President Baxter further explained what will happen with the cutouts and then mentioned that a side fence and some shrubbery will be put up because there is a home next to the flower shop. President Baxter said that he attended the School Board Reorganization meeting last night. Anthony Messina was appointed President and Lisa McConnell Hall was appointed Vice President.

The Administrator said that tomorrow night he will be attending the meeting at the War Memorial for the census. The way the census is currently being setup, some people are being discounted; their voices need to be heard. He and the Mayor also attended the canine graduation. The Police Department has four new canines.

President Baxter said that he and the Administrator also attended a water infrastructure meeting given by the Governor, the Commissioner of Water and the Mayor of Newark. Infrastructure issues are statewide.

The Administrator added that Trenton Water was also discussed. Trenton Water did just get approval to hire new professionals and once that is done, they will get rid of the private company from Michigan.

President Baxter added that Trenton Water is now its own department; no longer under Public Works. Hopefully, that will streamline some of the process and make them more accessible.

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

#### NEW BUSINESS

(None for this Meeting)

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

President Baxter stated for the record that there are no members of the Public present.

CLOSED SESSION – The Attorney read (Resolution #19R-10) A Resolution Excluding the Public from a Public Meeting for the Purpose of 1) Personnel Matter and Receive the Advice of Counsel

At 7:05 p.m., the Attorney read the Resolution to enter into Closed Executive Session pursuant to the Open Public Meetings Act N.J.S.A. 10:4-6; specifically, under N.J.S.A 10:4-12 to exclude members of the Public on the basis that the matter to be discussed involves a potential personnel issue, potential pending or scheduled litigation and a matter falling within attorney-client privilege. Minutes of the meeting will be made available once the matter is concluded, if appropriate.

At 7:06 p.m., Councilwoman Steward made a motion to enter into Closed Executive Session, seconded by Councilman Schroth. It was agreed by unanimous voice vote.


At 8:00 p.m., Vice President Keyes-Maloney made a motion to close the Closed Executive Session, seconded by Councilwoman Steward. It was agreed by unanimous voice vote.

At 8:00 p.m., Councilman Schroth made a motion to enter back into Open Session, seconded by Vice President Keyes-Maloney. It was agreed by unanimous voice vote.

#### ADJOURNMENT

There being no further business, President Baxter asked for a motion to adjourn. Ms. Steward so moved seconded by Ms. Wollert. It was agreed by unanimous voice vote. The meeting was adjourned at 8:00 p.m.

  
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Kevin Baxter, President

  
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Kim J. Macellaro, Municipal Clerk