

## March 26, 2019 – AGENDA SESSION

President Baxter 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 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

### DISCUSSION

#### 1. 2018 ANNUAL REPORT – ZONING & PLANNING BOARD ACTIVITY – INFORMATION PURPOSES ONLY

President Baxter said that this is the annual report Council receives from the Zoning Officer. If Mr. Latini is in the building, we will circle back to it so he can expound on his report.

#### 2. AN ORDINANCE FOR THE CALENDAR YEAR 2019 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

The Attorney explained that this Ordinance is done annually. It is a way of banking the differential a town saves in its budget. A municipality is limited to a budget increase of two point five percent but is allowed to save up to an additional one percent and bank it for the future. So, the following year, a municipality could have a three point five percent budget increase.

The Administrator added that the Town did not use it last year but will request to use some this year; otherwise, it will be lost. The CFO will be here for the Department Head meetings and the Budget Hearing. The Cap Bank is being done now as it must be established prior to the adoption of the Budget.

The Attorney added that it is good for two successive years.

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

#### 3. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, AMENDING AND REVISING § 225-64, SCHEDULE XVII: BUS STOPS

The Attorney said that the Town, by Ordinance, has adopted the location of all the bus stops throughout the Township. These stops are usually recommended by NJ Transit and a resolution of approval is required by them. While related to the same bus stops, the Ordinance and the Resolution serve two different purposes.

Councilwoman Steward asked if this is Princeton Avenue.

The Administrator responded - yes. It is located three properties up from the old Extension Patio on the right hand side. The other side of the road is Trenton.

President Baxter asked if a shelter will be built.

The Administrator responded – yes. The Township will then maintain the shelter.

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

4. 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 VARIOUS INTERSECTIONS OF SPRING VALLEY LANE, NANCY LANE, ROCKLAND ROAD, SUSAN DRIVE, TODD LANE, WORTHINGTON DRIVE, LANGMOORE DRIVE, KENNEDY LANE, APRIL PLACE, BAKUN WAY, AND ALEXANDER DRIVE TO STOP-CONTROLLED INTERSECTIONS BY INSTALLING NEW STOP SIGNS AND STOP BARS, AND OTHERWISE UPDATING THE TOWNSHIP CODE

President Baxter said that over the past several months the Township has been updating the its stop signs. This is another method the Township is trying as opposed to just putting up road humps everywhere.

The Administrator said that the Administration met with the Township Engineer to find a balance between speed humps and allowing residents and emergency vehicles to get to all parts of Town. This neighborhood is off Ewingville Road back by Nancy Lane across from Antheil.

President Baxter stated that there are private associations in this neighborhood and asked if these associations are lending to any of the expense for these new signs.

The Administrator replied - no. The Township is putting it on our road. The associations have the right to put up signs on their roads. The homeowner associations did reach out to the Township. We can help out with Spring Valley and any road that intersects it; smaller roads are their responsibility.

Councilman Schroth asked about resident feedback.

The Administrator responded that residents have been fairly receptive. Some did not want speed humps, especially in front of their house. Also, it costs about \$5,000 per speed hump so the Engineer recommended other alternatives.

President Baxter said that it is State law that emergency vehicles have to have a means of connectivity.

The Attorney said that there has to be at least one throughfare without stop signs or speed humps.

Vice President Keyes-Maloney commented that having experienced the implementation of this firsthand, it does work without the determent of the speed hump for first responders. It is a nice balance.

The Administrator added that for Federal City Road, the speed limit was painted on the road. The Town is looking to do that on other roads. Speed humps cannot be put on certain roads.

The Council President asked the Administrator to thank the Engineer. This is part of an overarching program to look at all Township streets, calm traffic and make the Town more pedestrian friendly.

There were no additional questions or comments from Council.

Joanne Mallowney (20 Alexander Drive) said that she would be happy to have traffic calming measures on Alexander as it is used as a cut-through and then asked what are stop bars.

The Administrator replied that it is the painted bar on the roadway as you approach a stop sign.

Ms. Mallowney asked if the stop signs are going to be bigger as well.

The Administrator replied – in some areas. The Engineer is recommending where they will go.

Ron Prykanowski (16 Thurston Avenue) said that he appreciates the larger stop sign but just like any other stop sign, after a while you become blind to it and suggested that the Town install solar-powered lights which flash when a car approaches. It gets your attention.

The Administrator responded that was one of the recommendations in today's meeting with the Engineer about Green Lane behind the College going out to Browning. It costs about \$10,000 to put up flashing lights, not flashing stop signs. We are looking into it because you do not want to put speed humps on Green Lane.

**Mr. Prykanowski mentioned that on the Hopewell-Pennington Trail where it crosses major roads there are solar-powered pedestrian signs to get your attention.**

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

- 5. A RESOLUTION INTRODUCING AND APPROVING THE MUNICIPAL BUDGET OF THE TOWNSHIP OF EWING, COUNTY OF MERCER FOR THE CALENDAR YEAR 2019**

**The Council President moved this Resolution to the Regular Meeting.**

- 6. A RESOLUTION OF EMERGENCY TEMPORARY APPROPRIATION**

**The Administrator stated that this is the last set of transfers asked for by the CFO.**

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

- 7. A RESOLUTION AUTHORIZING CY2019 RESERVE BUDGET TRANSFERS**

**President Baxter said that this is routine.**

**The Administrator added that it is \$7,900 and then listed the transfers.**

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

- 8. A RESOLUTION OF CONCURRENCE BY THE TOWNSHIP OF EWING DESIGNATING BUS STOPS ON COUNTY ROAD 583 (PRINCETON AVENUE)**

**The Attorney said that this is the Resolution. The County Freeholders will also adopt a concurring Resolution because it is a County road.**

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

- 9. A RESOLUTION AUTHORIZING THE TAX ASSESSOR TO ACT AS AGENT FOR THE TOWNSHIP OF EWING FOR THE PURPOSE OF FILING AND SETTLING TAX APPEALS ON BEHALF OF THE TAXING DISTRICT FOR THE TAX YEAR 2019**

**President Baxter said that this is done annually.**

**The Administrator explained that this allows the Tax Assessor reach small settlements before the County Tax Appeal Board. Large settlements have to come back before the Administration and Council to approve.**

**Council President Baxter asked what is the dollar differentiation between large and small.**

**The Attorney said that the issue is the impact. Smaller ones are typically settled at the County Tax Board. Ones that involve \$75,000 or more go to the State Tax Board. Those potentially impact the Township's Budget. Usually, you try to settle it with some sort of credit so there is no cash outlay.**

**The Administrator said that the Town has already given the money to the Schools and to the County. If the Board rules against the Township, it will hit the Town directly and not the School Board or the County.**

**The Attorney added that because the budget amount had already been paid to the School Board and the County, the Town does not get that money back. The Township absorbs those losses. By the same token, the Assessor has the authority to file for ad interim tax assessments. The Town keeps the full amount of those. The theory is that it will balance out.**

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

- 10. A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT FOR 355 4<sup>TH</sup> STREET BETWEEN THE TOWNSHIP OF EWING, THE EWING TOWNSHIP REDEVELOPMENT AGENCY, AND THE COUNTY OF MERCER**

**The Attorney said that is the old 4<sup>th</sup> Street Garage. It was hoped that it would be sold but those efforts have not been fruitful.**

The County approached the Town about leasing the property to store seized vehicles. The Town would retain the ability to store vehicles there as well. Currently, there is a license with a company called Dewcon (a contractor for Trenton Water Works), who came in to redo piping in the Township. They needed a place to stage all of their materials. The license allowed them to store their materials for essentially the taxes that would be on that property if it was not Township owned. That license is revocable at will and will be revoked as part of this lease agreement. Their project is mostly complete. The property had already been transferred to the Redevelopment Agency so they could facilitate the hoped for sale that did not work out. It is a three-party agreement between the County, the Redevelopment Agency and the Township. The Administrator added that it is \$2500 per month to the Township. The County will secure the property. Any vehicles taken during Police investigations can be stored there at no charge to the Township.

Councilman Schroth stated that the Prosecutor's Office had stored their seized vehicles at the Airport and asked if they are eliminating that and everything is being relocated.

The Administrator replied – yes. The County is doing something else with that facility and have been looking for a spot. There is a building on the 4<sup>th</sup> Street property. If the County wants to improve the building with a new roof, the Township is okay with that but the Township is not going to make any improvements.

President Baxter said that the Township used to store salt beyond the building at the end of the street.

The Administrator replied that the Township still does. There is the salt dome, which is on a fifty year lease with the State, and an ELSA pump station that is not part of this land. The rest of that backed up property will be trails developed in conjunction with the Green Team, the Environmental Advisory Board and the Township Planner after the agreement with the State is updated.

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

**11. A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE FOR B & W KIDS ACADEMY, 1640 PENNINGTON ROAD (BLOCK 142/LOT 15) – EWING ENGINEERS REMINGTON & VERNICK R&V #1102-I-082**

President Baxter stated that this is a routine bond release as the project is complete. The Administrator said that it is a day-care center.

Vice President Keyes-Maloney added that they will enter into a maintenance bond.

The Attorney replied – yes, a two year maintenance bond will need to be posted to ensure that the improvements the bond guaranteed will not fall apart.

There were no additional questions or comments from Council.

The Administrator announced that he just received a message from the Zoning Officer. He got held up and will not make it to the meeting. The Administrator added that he told the Zoning Officer that it will be on for a future agenda.

**BILLS LIST**

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$819,586.10 and to Pay Supplemental Bills per Resolution #19R-16 in the Amount of \$7,350.43

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

**CONSENT AGENDA**

1. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the Amount of \$12.71 for Overpayment of Transport Service on October 9, 2018 for patient Hanuschik, Mark to Hanuschik, Mark, 512 Sutherland Road, Ewing, NJ 08618-2104
2. A Resolution Authorizing the New Jersey State Police Memorial Association to Hold its Annual Chase (5KRun)

President Baxter said that there are two items on the Consent Agenda: a refund recommended by the Director of EMS and an annual 5K run.

The Administrator said that that is up on West Upper Ferry Road, comes by the Ravine Club and runs around West Trenton. It irritates some residents for a few hours. It is good that the Township knows about it ahead of time so message boards can be put up.

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

Councilwoman Steward said that the Green Team meets tomorrow night at the Senior and Community Center. There was a talk last evening as part of the Wildlife Gardening series. This Saturday is one of Mercer County's hazardous waste disposal days at the Dempster Center. Saturday, April 6<sup>th</sup> there will be a stream cleanup on the Home Depot property from 9:00 to 11:00 a.m. The stream along there has been subject to a lot of dumping by various commercial and other entities. It is in need of some help.

President Baxter said that the next Planning Board meeting is April 4<sup>th</sup>.

President Baxter announced that Trenton Water Works will be holding a public information forum at 7:00 p.m. on Wednesday, April 3 at the Ewing Senior and Community Center. Recently, a notice was sent out about another possible contamination in the water. Council hears a lot from residents about the on going situation with Trenton Water. We echo it to the Business Administrator and the Mayor. All of us are trying to help get this problem solved but it is never ending.

The Administrator said that it seems to be a state-wide problem. Newark is having a tremendous problem. American Water is having some issues with water coming off of Delaware Avenue and mixing with well water and then there are some folks who have to deal with lead pipes. He and the Mayor will be meeting with Trenton Water and the Mayor of Trenton the same week as the forum to get an update. Trenton Water has been much more aggressive in talking about what they are doing. The last notice was something that occurred the year before. They are in compliance to a point with the agreement Mayor Jackson signed before he left office.

The Council President mentioned that he knows that the Green Team's stream cleanup at Home Depot will be successful because he ran into the Chair scouting out the area. It shows the dedication of the Green Team when they are trying to get a project done.

The Administrator informed Council that there have been a complaint about dumping on the Johnson Trolley Trail. That has been picked up. The Township will be placing a camera at the bottom of Whitehead Road Extension.

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

Joanne Mullowney (20 Alexander Drive) said that one Green Team member who is newer to the area commented that she thought that the Town could use a little bit of a clean-up. Ms. Mullowney asked if there could be some sort of spring cleaning effort.

The Administration said that Public Works is going to begin picking up debris and brush on the streets starting April 15<sup>th</sup>.

Ms. Mullowney said that she understood that. She is thinking more of a citizen call to action.

The Administrator replied that she can come speak with him about it when she is in on Thursday.

Vice President Keyes-Maloney mentioned that several years ago, the Town had a nice partnership with the College - a Neighbor to Neighbor program - but does not know if Town & Gown has discussed it recently. It might be worth it as it is a great way to get the kids out with some citizens. In that case, it was a park cleanup.

President Baxter mentioned recent cleanup efforts.

Council mentioned that people would help out if there was an organized effort.

The Administrator added that Councilwoman Steward's neighborhood is being updated by PSE&G – every street, every home – and when they are done, they have to repave the streets. Those streets do not have to be in the Capital Budget, at least not this year.


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

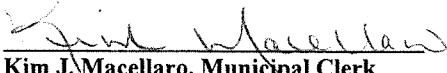
**CLOSED SESSION**

**(None for this Meeting)**

**ADJOURNMENT**

There being no further business, President Baxter asked for a motion to adjourn. Ms. Keyes-Maloney so moved seconded by Ms. Steward. It was agreed by unanimous voice vote. The meeting was adjourned at 7:07 p.m.

  
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Kevin Baxter, President

  
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Kim J. Macellaro, Municipal Clerk