

September 23, 2014 – AGENDA SESSION

President Baxter called the meeting to order at 6:34 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 1st day of July, 2014.

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 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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| ▪ Ms. Keyes-Maloney- Present | Jim McManimon, Administrator |
| ▪ Mr. Schroth – 7:03 p.m. | Joanna Mustafa, CFO |
| ▪ Ms. Steward – Present | Maeve Cannon, Attorney |
| ▪ Ms. Wollert – 6:42 p.m. | Kim Macellaro, Municipal Clerk |
| ▪ President Baxter – Present | |

The Clerk stated for the record that Mr. Schroth and Ms. Wollert will be late.

DISCUSSION

1. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 91 ALCOHOLIC BEVERAGES

The Attorney explained that two items are being changed. The first is a clean-up. The current Ordinance incorrectly allows establishments to begin selling alcohol at 7:00 a.m.; this changes the time to 9:00 a.m. The second item changes the existing Sunday start time from Noon to 10:00 a.m. for licensed restaurants only.

There were no questions or comments from Council or the Public. This Ordinance was approved for action.

2. A RESOLUTION TO ESTABLISH A COMPLETE STREETS POLICY

The Administrator stated that Mr. Latini (Township Planner) had a conflict and could not be here tonight. The Administrator explained that the intent of this Resolution is that, going forward when streets are being repaved, bike paths or sidewalks are added, if feasible. We are in the second phase of applying for a grant to repave Green Lane. This Resolution will allow us to include bike paths in that application. The Administrator then stated that if a further policy discussion is necessary, Mr. Latini will be available to Council.

Vice President Keyes-Maloney said that this is also consistent with Sustainable Jersey's focus on trying to create different modes of transportation options. It looks to incentivize those projects where we can or where it is feasible within the Township. Hopefully, this is the first step of what we can do in the Township to effectuate these other modes of transportation.

There were no additional questions or comments from Council.

Peter Boughton (119 Florence Avenue – Chair, Green Team & member of the Planning Board) stated that he believes that this is a very positive step forward; a number of other communities have already adopted such legislation. Mr. Boughton then stated that he generally admires the document but pointed out a possible typo in the “Be It Also Resolved That” section – “authorizes” should be “authorities”. Mr. Boughton then said that his only objection to the document is in the very last condition – “where the cost of accommodations is excessively disproportionate to cost of project (more than twenty percent (20%) of total cost) and exemption shall exist.” Mr. Boughton suggested that “shall exist” be changed to “may be considered” as he is concerned that that might spike every proposed project. Mr. Boughton then said that the Township is fortunate to have a Township Planner who is doing a great job keeping an eye on the big picture.

Council and the Attorney then had a discussion about these changes along with changes made to the draft Resolution by the Township Planner. The Attorney said that the Resolution does not have to be readvertised with these changes; it can be accepted as amended.

Joe Murphy (9 Malaga Drive) said that he supports Mr. Boughton's recommendation that “shall exist” be changed to “may be considered” in order to give some leeway.

There were no additional questions or comments from Council or the Public. This Resolution was approved for action.

3. A RESOLUTION AWARDDING THE CONTRACT TO PROVIDE REVALUATION SERVICES FOR ALL REAL PROPERTY LOCATED IN THE TOWNSHIP OF EWING

The Attorney explained that the Township was ordered by the County Board of Taxation to conduct a reevaluation two years ago. There were some delays in updating the tax maps which delayed this process. An RFP was issued earlier in the spring; modifications had to be made due to feedback from vendors and from the County Tax Administrator. That RFP was rescinded, modifications were made and another RFP was put out using the competitive contracting process. The Attorney then discussed at length the four bids received and the evaluation process. The Attorney said that the recommendation is that Council award the contract to Professional Property Appraisers (PPA) to provide revaluation services in the amount of \$699,185 plus \$12,354 for the CAMA system. There are additional fees in the event of appeals or for additional parcels that were originally left out. These fees are basically done on an a la carte basis.

President Baxter asked what is the CAMA system.

Tom Davis (Professional Property Appraisers - PPA) said that it is a mass appraisal software.

President Baxter then asked Mr. Davis how his company approaches an appraisal.

Mr. Davis gave a lengthy description of his company's procedure.

Mr. Burd (Township Assessor) added that there will be public forums prior to PPA going into the field.

President Baxter said that you physically inspect each property and then asked if residents would have to be at home twenty-four seven.

Mr. Davis replied that if no one is at home we leave a card and ask them to call us to set up an appointment. We give an hour window.

President Baxter asked what happens if a homeowner does not respond. Mr. Davis replied that eighty percent is a good response. We will estimate. If a homeowner appeals, the first question will be – did you let them in. The homeowner will not win the appeal if we were not let in.

President Baxter stated that it is about an eight month process.

Mr. Davis said yes, but the weather will dictate it.

President Baxter asked how many public forums will there be.

Mr. Burd replied that the RFP states two or three. It can be held here, at the ESCC, schools or churches, wherever a large crowd can be accommodated.

There were no additional questions or comments from Council. This Resolution was approved for action.

4. A RESOLUTION APPROVING CHANGE ORDER NO. 1 FINAL TO GEN II CONTRACTING CO., INC. FOR THE ESCC ACTIVITY ROOM ROOF REPLACEMENT

The Administrator explained that this is for a decrease, not an increase and it will complete what we can do with the HUD money. Other work is still being done.

President Baxter asked what is the reduction price.

The Administrator responded that it went from \$44,150 to \$41,000.

There were no additional questions or comments from Council. This Resolution was approved for action.

President Baxter said that there is a walk-on item.

5. RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) JEEP PATRIOT 4 X 4 SPORT VEHICLES FOR USE IN THE PUBLIC HEALTH DEPARTMENT HERTRICH FLEET SERVICES AS PER STATE CONTRACT T2007

President Baxter corrected the typo in the title: "us" to "use".

The CFO explained that at the last Council meeting, Council approved the reappropriation of \$35,000 in order to purchase two new vehicles for the Health Department. This is the Resolution to purchase these vehicles by State contract.

There were no questions or comments from Council and this Resolution was approved for action.

CONSENT AGENDA

Council President Baxter presented the Consent Agenda for review.

- 1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$368,455.61 and to Pay Supplemental Bills per Resolution #14R-44 in the Amount of \$731.02**
- 2. A Resolution Authorizing the Conduct of a Bingo Sponsored by Ewing High School Project Graduation on November 21st, 2014**
- 3. A Resolution Authorizing the Conduct of an On-Premise 50-50 Cash Raffle Sponsored by VFW Post 7298 Ladies Auxiliary on October 11th, 2014**
- 4. A Resolution Authorizing the Teal Tea Foundation, Inc. to Hold its Annual Pursuit 5K Run**

President Baxter asked if Johnson Controls is coming out of the general fund or the capital fund.

The CFO replied that she will verify that before the payment is made.

The Administrator said that it is the maintenance agreement.

Vice President Keyes-Maloney asked what is the crossing guard software for the Police.

The CFO answered that she believed it is a scheduling program.

Councilwoman Steward remarked that the 5K had already occurred.

President Baxter said that their race was Sunday. They have this annually; it was a timing issue.

The Clerk said that the organization has been warned about when an application is due to the Clerk's Office prior to an event.

There were no additional questions or comments from Council.

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

(None for this Meeting)

ORDINANCE(S) FOR SECOND READING, PUBLIC HEARING AND FINAL ADOPTION

- 1. AN ORDINANCE OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, AMENDING THE REVISED ORDINANCES OF THE TOWNSHIP OF EWING, AMENDING SECTION 225-52, ENTITLED "SCHEDULE V: HANDICAPPED PARKING ON STREETS," TO ADD A HANDICAPPED PARKING SIGN AT 34 STOUT AVENUE**

President Baxter explained that a resident has requested a handicapped parking spot in front of their home. It has been vetted by the Police Department.

There were no questions or comments from Council.

- 2. AN ORDINANCE CHANGING THE NAME OF PART OF SAM WEINROTH ROAD NEAR TRENTON-MERCER AIRPORT TO AIRPORT CORPORATE DRIVE**

The Administrator described where this is located and then said that the name change is at the request of the property owners to help with the marketability of their businesses. The Administrator added that Mercer County does not have an objection.

There were no questions or comments from Council.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

George Stafford (16 Kitchell Avenue, Wharton, NJ) stated that he is here as the Outreach Director of the New Jersey Highlands Coalition to speak about the Highlands Regional Master Plan which is up for review. Mr. Stafford said that his group is a coalition of sixty environmental groups and a bunch of individuals that have been monitoring environmental issues in the Highlands, in particular water, since before the 2004 Highlands Water Protection and Planning Act was passed. Mr. Stafford stated that the NJ Department of Environmental Protection and the US Geological Survey say that you get up to twenty percent of your water supply from Highlands sources. Mr. Stafford explained that the idea of the Highlands Act was to: One, preserve the quality of the water that comes out of the Highlands, Two, preserve the quantity of the water that comes out of the Highlands and Three, keep the runoff to 2004 levels. Mr. Stafford said that the Highlands Act has pretty much done that. Mr. Stafford then said that the Master Plan is up for review and some people want to tinker with it. Mr. Stafford then described what some of these proposed changes are.

Mr. Stafford stated that he wants Council to pass a Resolution in support of the Highlands Act and the Highlands Master Plan as it currently exists. The Resolution is necessary as the Highlands Council mainly only hears complaints from property owners and does not hear from those who actually use the water and want the Act and Master Plan to be keep as is. Mr. Stafford mentioned that about sixty entities have already passed a resolution of support. Mr. Stafford then described the process for the review of the Highlands Master Plan.

President Baxter asked Mr. Stafford to explain some of the proposed changes to the Regional Master Plan that his group opposes.

Mr. Stafford then discussed some of these changes and then commented that he believes that the Highlands Act is under assault.

President Baxter and Mr. Stafford had a discussion about compensation for land owners in the Highlands and then a discussion about the positions of the Highlands Council.

President Baxter then asked Mr. Stafford about the water consumption fee.

The Administrator added that he worked for Elizabethtown Water at the time this Act was signed into law. Some of the water does flow into the Delaware River. The Administrator said that, in his opinion, the Act was a very good thing; it showed that we had to protect our water supply before everything was paved over. The Governor will have a say in who sits on the Highlands Council; the debate will continue. Mr. Stafford's group wants to protect the water supply.

Councilwoman Wollert said that it is always interesting to see how things go around. In the 1970's, we spent a lot of time and effort to clean up the environment; now things are going the other way. Councilwoman Wollert said that she believes it is time that we go back to realizing how pollution does not just stay local; there are unintended consequences.

Councilwoman Wollert and Mr. Stafford then briefly discussed what can cause fluctuations in property values. Mr. Stafford then said that the Highlands Act is not completely responsible for any damage that has been done; there are other factors.

Mildred Russell (119 King Avenue) said that the Civic Association had a good meeting with the new Officer-in-Charge Lt. Stemler; he answered all of our questions and we have noticed that there have been more patrols in our area, including patrols by the College of New Jersey. Mrs. Russell stated that the Civic Association is aware that there are certain things that no one can do anything about; however, the Association will continue to pursue other things that they want done. Mrs. Russell said that there are 165 rentals; housing is under control; what is not under control is the five hundred students who come off the campus and cause issues in their neighborhood. The Association wants the Township and, in particular, the College to do something about it. The Association will be at the next Town & Gown meeting. Mrs. Russell said that the Association is looking for legal advice on how a curfew can be instituted.

Mrs. Russell then asked when will the two-hour parking sign for Arden Avenue be put up. The Administrator replied that we just have to schedule when to put them up.

Joe Murphy (9 Malaga Drive) gave advice to the last speaker – picket the landlords.

Peter Boughton (119 Florence) said that he would like to speak in favor of Mr. Stafford and the New Jersey Highlands Coalition. Mr. Boughton then said that he has offered a link to Mr. Stafford's organization on the Green Team's website. Mr. Boughton also asked Council to support Mr. Stafford's proposed Resolution.

There were no additional questions or comments from 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. Wollert. The meeting was adjourned at 7:35 p.m.

Jennifer Keyes-Maloney, President

Kim Macellaro, Municipal Clerk