

March 10, 2015 – AGENDA SESSION

President Keyes-Maloney 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 2nd day of January, 2015.

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

The Clerk stated for the record that the Attorney is on her way.

DISCUSSION

1. **AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, ADDING ADDITIONAL BUS STOPS ALONG MUNICIPAL ROADWAYS PURSUANT TO N.J.S.A. 39:4-8(e)**

President Keyes-Maloney said that NJ Transit requested that we add bus stops on Parkside Avenue and on Buttonwood Drive.

Councilwoman Steward added that NJ Transit noted in their letter that this is at the request of residents.

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, VEHICLES AND TRAFFIC, ARTICLE II: PARKING, ADDING NEW SECTION 10.4 FIRE LANES**

President Keyes-Maloney explained that this is at the request of the Police Department. It will allow both the Police and Code Enforcement to write tickets for improper parking in fire lanes. It is a matter of public safety.

Councilman Baxter stated that these fire lanes are designated and then asked what is the width from the curb – five to six feet.

President Keyes-Maloney said that she believes so and added that this Ordinance is unique as it will allow for the writing of tickets under the existing parking authority and also the Uniform Fire Code.

Councilwoman Steward asked if we are adding both.

President Keyes-Maloney responded, in terms of authority, both.

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 97, ANIMALS, ARTICLE I: DOGS, ADDING NEW SECTION 7, FAILURE TO PROVIDE NECESSARY CARE IN INSTANCES OF EXTREME COLD OR HEAT

President Keyes-Maloney stated that this Ordinance came at the request of the Board of Health after a discussion with our Health Officer and also because of a resident's concern associated with the matter that ended up in the Ewing Observer. Title Four does not specifically address these types of conditions. This will allow our Animal Control Officer to take into consideration the dog's size, breed, age and condition and take possession of the dog if the Animal Control Officer believes that the dog is not receiving the necessary care.

Councilwoman Steward asked if this is at the discretion of the Animal Control Officer.

President Keyes-Maloney responded yes, and then explained that certain breeds have different temperature control requirements; the Animal Control Officer would take that into account.

Vice President Schroth asked if the Animal Control Officer has the necessary training to make this kind of determination.

The Administrator said that two of the three Animal Control Officers are certified to determine if there is animal cruelty. This will give them another arm of enforcement. Right now it is vague.

President Keyes-Maloney said that Title Four does not define "necessary care". There has been some discussion about solving that statutorily, but that has not happened yet.

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

4. A RESOLUTION ESTABLISHING THE SEWER RATES AND CHARGES FOR EWING TOWNSHIP FOR CALENDAR YEAR 2015

The CFO explained that this establishes the sewer rate for 2015. It is calculated annually based on water usage. As last year was a particularly wet summer, water usage was down and hence the rate has to be adjusted to compensate for that in order for the Township to fulfill its obligations to ELSA. This year the sewer rate will increase from \$3.95 to \$4.05.

The Administrator asked the CFO what does that mean as far as a dollar amount is concerned.

The CFO responded that on average it is an increase of \$600.

President Keyes-Maloney said that in part this is due to the usage differentiation year to year.

The CFO replied that water usage was down again. We were lucky the past couple years that we had a surplus and new companies came on line so we did not have to adjust the rate.

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

5. A RESOLUTION AUTHORIZING A CONTRACT FOR THE REDESIGN OF THE TOWNSHIP OF EWING'S WEBSITE IN THE AMOUNT OF \$13,400.00

President Keyes-Maloney explained that the company is Castle Haven Creative; the "author" of Lawrence's and Hamilton's websites. Castle Haven will develop the website infrastructure and then allow the Township to update the website after it has been developed. We looked at a number of companies and thought that Hamilton and Lawrence had the better websites in the County.

The Administrator said that our website just needs to be made a little easier for the public to use.

Councilwoman Wollert asked who in the Township will have the authority to update the website after it is redesigned.

The Administrator responded that it generally will be handled out of IT, however, certain department heads will be able to update their section of the website. The Administration can also update it as well.

Vice President Schroth asked if we have had received complaints about the website.

The Administrator replied that we have received some complaints, mainly about finding items on the website.

Vice President Schroth asked if the updating of the website will be supervised if a department does not make updates.

The Administrator answered that the IT Department should be on top of it.

Vice President Schroth asked, in terms of the cost, did we solicit other companies.

The Administrator replied – yes.

Vice President Schroth asked if this is a competitive fee.

The Administrator answered – yes.

President Keyes-Maloney said that this will also allow us to utilize new technologies.

The IT Director is ultimately responsible for making sure that the website is updated and has administrative rights to add or remove content as required.

Councilwoman Steward said that she has received a lot of feedback from residents concerning the website. A new design is wonderful, but it is only as valuable as the content that is being put on the website. The focus on maintenance will serve as well.

There were no additional questions or comments from Council.

Lou Ischinger (2191 Pennington Road) asked if it is typical to expect the postings of the Council minutes to be a couple of months behind as opposed to being current. Mr. Ischinger stated that other municipalities use technology to the fullest and live stream their Council meeting; the next day you are even able to watch the entire meeting. Mr. Ischinger said that he knows that that would be expensive. While we are discussing spending money to upgrade the technology; the Administration should ensure that the information is posted in a timely fashion. It is not unreasonable to expect that Council minutes be posted by the next Council meeting.

President Keyes-Maloney said that the recording has to be officially done, there is some delays associated with that, but it is something that we can look to do in the future.

The Attorney added that the minutes have to be approved by Council; the minutes would not be posted until after approved and adopted by this Body.

Mr. Ischinger asked if “unofficial” minutes can be posted and then asked how do other municipalities do it with the live streaming.

President Keyes-Maloney responded that live streaming is something separate and distinct; in terms of official minutes, which is a public record, there is an official aspect that has to go through approval to be posted as a record.

Mr. Ischinger then asked again if “unofficial” minutes can be posted in a reasonable timeframe.

President Keyes-Maloney replied, typically no, and said that she is curious how other municipalities are doing that. President Keyes-Maloney said that she would be glad to reach out to them to see what they are doing and see if it is something that we can explore.

Mr. Ischinger asked what would be a reasonable time period to post the official minutes.

President Keyes-Maloney said that in the past we have had varying lengths of time. We are in the process of recording through the last fiscal year.

The Attorney added that any member of the Public can request a CD of the meetings before the minutes are ready at the Clerk’s Office via an OPRA request.

Mr. Ischinger then asked if it is possible to use technology to get that.

President Keyes-Maloney said that we can explore it but it is not something that we are entertaining at this time.

Councilman Baxter said that that is our goal. We have heard the feedback from the Public; we are trying to get to the point where things can be happening in real time.

Vice President Schroth said that that is why we are going through this process at this time.

Peter Boughton (119 Florence Avenue) suggested that the heads of boards and commissions, after being vetted, be able to post their own approved minutes. By spreading out the responsibilities, it might speed things up a little bit.

Mildred Russell (119 King Avenue) stated that she usually has to call the Clerk's Office to find out where the Agenda is and then asked if this would help with that. President Keyes-Maloney replied – we hope so.

Caroline Steward (30 Gilmore Road) said that she would like to see more community events listed on the Township calendar.

President Keyes-Maloney said that the first step is to get the website infrastructure in place and then we can look into having more community events on the website.

George Steward (30 Gilmore Road) asked if Council has the ability to put the website on the board right now.

President Keyes-Maloney asked Mr. Steward why he wants this to be done.

Mr. Steward replied that he wants to give Council an example of something that is not right on the website; to bring it to Council's attention in real time.

Council and Mr. Steward then looked at the Council Minutes section of the website and saw that the last date archived is January 2014. Both President Keyes-Maloney and Mr. Steward then discussed that the Public should not have to tool around the website to find the information.

President Keyes-Maloney said that being able to modify the infrastructure will allow us to manage the content better and make the website more efficient.

Lou Ischinger (2191 Pennington Road) again asked what is considered a reasonable timeframe to have these minutes posted.

President Keyes-Maloney replied that that will improve in time and then said in terms of an official record there is not, per se, an amount of time that it has to be done within; we look to do a better job than what we are doing now.

Mr. Ischinger asked what are our sister communities doing with posting minutes.

President Keyes-Maloney replied that she is not aware, but she can inquire. At the moment, we are focusing on fixing the website.

Mr. Ischinger said that even with the technology that you have, you are not doing an effective job in getting the information on the website in a timely manner.

President Keyes-Maloney answered that that may be a category issue and said that it is her understanding that we are okay at getting our minutes up based on the existing parameters.

Mr. Ischinger said that the last minutes on the website are from November 14th. Four months ago is not an effective time especially with today's technology.

President Keyes-Maloney said that we will explore these items and get better.

Mr. Ischinger said that after we spend the \$13,000; what is a reasonable timeframe to come back and have some accountability.

President Keyes-Maloney said that it will take several months to have the website designed and built. It is a separate conversation about the time needed to create a public record as far as the minutes are concerned.

Mr. Ischinger said would it be unreasonable to expect it by September 2015; to at least keep current within the past month.

President Keyes-Maloney said that that is not unreasonable but she could not commit to timeframes until she has conversations with her staff and the Administration.

There were no additional questions or comments from members of the Public.

6. A RESOLUTION AUTHORIZING THE PURCHASE OF THREE FIRE TRUCKS AND RELATED APPARATUS FROM THE NATIONAL JOINT PURCHASING ALLIANCE IN THE TOTAL AMOUNT OF \$2,466,661.67

President Keyes-Maloney explained that this will be the addition of one fire truck for each of the three firehouses. The firehouses are giving up pieces of equipment as they acquire these new trucks. For the first time, the equipment will be the same for each of the firehouses. We saved a good amount of money because we are a part of a consortium called NJPA and because we had to purchase three vehicles.

The Administrator added that two squirts and a quint are being purchased. West Trenton is giving up two trucks to get a new one; Prospect Heights is also giving up two trucks for a new one and Pennington Road already gave up a truck and will give up another. Those vehicles will be sold and the money will go to the general treasury.

Vice President Schroth asked what is the approximate value of the trucks that are being sold.

The Administrator replied that we will not know for about a year because although these trucks will be approved tonight, they will not be acquired for about a year. The money was part of the 2014 capital budget as we knew that this equipment was getting old. We also cannot keep equipment that is not being used. This is the first time that each firehouse cannot pick their own trucks, with their own bells and whistles. We told them that we will go out and get the best price based on buying all three at once. In the past, the firehouses used to buy their own trucks, now it is the taxpayer.

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

7. A RESOLUTION RAISING CONCERN REGARDING THE PROPOSED PENNEAST PIPELINE PROJECT

President Keyes-Maloney said that there was a community meeting with FERC about two weeks ago and then said that the pipeline has an indirect effect on the Township and could have a direct effect on the Township if co-location occurs. Colocation is the process by which we use an existing right of way to transfer or input another pipe within an existing spot. It has the same effect as building a new pipeline route. Even if co-location does not occur, it will have an indirect effect on our drinking water. FERC is now studying the environmental impact of these pipelines on our region. This Resolution calls for FERC to review any environmental impact on this Community regardless if it is a co-location situation or an indirect situation. This Resolution will be provided to our State and Federal delegation as well as to FERC.

Councilwoman Steward commented that sending it to FERC is not in the Resolution.

President Keyes-Maloney made a note to amend the Resolution.

There were no additional comments or questions from Council.

Louis Ischinger (8 Glenmore Avenue) said that his house is equipped with well water and asked how would this impact him.

President Keyes-Maloney replied that it could have an indirect impact on the arsenic level in his drinking water. There are some studies that point to that; is it directly causal, we are not sure. But it has to be a consideration as part of the environmental resource review.

Mr. Ischinger then asked if it does affect his drinking water, would he be compensated for the measures that he would have to put in place in order to make it drinkable or to run city water to his house.

President Keyes-Maloney replied that that would be something that he should address directly to FERC. Those indirect impacts are typically not, mostly because we do not know if there is a direct causality just an inference of causality. This is the time to speak out as an individual citizen. This Resolution is our way, as a Governing Body, to raise the concern.

Joe Murphy (9 Malaga Drive) said that those questions have to be answered because most of the people in Shabakunk Hills have well water. Mr. Murphy suggested that the Township consider filing a suit against PennEast.

There were no additional comments or questions from the Public.

8. A RESOLUTION URGING IMPLEMENTATION OF ADDITIONAL RAIL CAR SAFETY RULES AND REGULATIONS

President Keyes-Maloney said that Ewing is host to a CSX line that is unique, it has an increasing number of rail cars that contain oil from the Bakken region in North Dakota. This oil tends to be more highly flammable than traditional oil. Because of that and because we have a significant population density here, there is a risk associated with that. A few weeks ago, there was an explosion in West Virginia. The explosion happened in a less populated area as compared to here; it did have an impact on the ground water. This Resolution seeks to encourage the NTSB to step in and order that these particular tankers be retrofitted to handle these more flammable conditions. The Counties of Mercer and Bergen have also passed similar resolutions.

Councilwoman Wollert said that this is something people do not generally think about. Councilwoman Wollert then said that she hopes that the retrofitting would be sufficient to address any big problems because she had read some articles about the effectiveness of retrofitting. Obviously, it is better than just a single shell. The oil companies and the rail lines should step up to the plate and make sure that there are many types of safety measures in place.

Councilman Baxter added that our first responders need to have the proper training to be able to respond to this type of accident. It should be done proactively and not reactively and the safety measures should be put in place regardless if the rail cars are retrofitted or not.

There were no additional questions or comments from Council.

Paul Steward (277 Clamer Road) stated that he has lived within 100 feet of the rail line his entire life and then asked if the three railroad overpasses are inspected regularly, and if so, when was the last time each was inspected, as the overpasses look “bad” to him.

The Administrator responded that we have reached out to CSX, who owns the tracks, and asked them to improve the visual look of the bridges. CSX responded that as long as the bridges are structurally sound, CSX is not concerned with the visual. The Administrator added that we are looking to have the bridge on Scotch Road painted. A local business has offered to paint it; their logo would then be on it. The last time it was painted was in the 1980’s and when we went out to bid, it was about \$220,000. It is a heavily travelled road which would have to either be shut down and/or nets put underneath.

Mr. Steward asked if it is inspected yearly or quarterly.

The Administrator responded that it is inspected by CSX; they said yearly, but he does not have the inspection dates.

President Keyes-Maloney added that the NTSB manages this and there are regulations associated with that but she is not aware of what those regulations are; we can get you that information.

There were no additional questions or comments from members of the Public.

9. A RESOLUTION AMENDING (RESOLUTION #15R-58) THE PROCEDURES FOR THE CONDUCT OF COUNCIL, 2015

President Keyes-Maloney stated that when we made the last change to include our “Committee Reports to Council” we noticed that although we had updated the Agenda to separate out the Bills List from the Consent Agenda, we did not affirmatively indicate that as part of the rules of Council. President Keyes-Maloney then explained that the reason we separated out the Bills List from the Consent Agenda is that there may be regularly occurring questions associated with the bills that we have to approve. In comparison, the Consent Agenda has to be moved as a block; if there is a question on a particular item, it must be removed from the Consent Agenda and moved to the Discussion part of the Agenda. It allows us to have those regular conversations about the Bills, without us having to pull the Bills List out of the Consent Agenda each time there is a question.

There were no questions or comments from Council.

Peter Boughton (119 Florence Avenue) said that this is something that he has been concerned about for a number of years. Mr. Boughton said that he knows that Council is trying to be more efficient by having the Regular Session immediately follow the Agenda Session. In some cases, there is insufficient time for people to think things through, or to catch any errors. It is too accelerated. Mr. Boughton asked that Council give some consideration to changing when the meetings are held to give Council and the Public time to digest what it going on.

There were no additional questions or comments from the Public.

(Typo in the title of Item 10. Changed from “Resoluton” to “Resolution”)

10. A RESOLUTION SUPPORTING NATIONAL READING MONTH

President Keyes-Maloney said that March is Reading Month; this Resolution encourages parents to read to their children and also encourages the community to reach out and read to the kids in their life.

Councilman Baxter said that he is part of “Read Across America”. It is a great program. Reading is fundamental. The earlier we start children learning to read, the better off we will be as a nation.

Councilwoman Wollert said that she cannot stress enough the importance of reading to their children, not just little children, but with older children as well - sharing a book with them and having a discussion. Reading is invaluable.

There were no additional questions or comments from Council.

Caroline Steward (30 Gilmore) said that she is not against reading, but wanted to note that March is also National Kidney Month.

There were no additional questions or comments from the Public.

All items were approved for action.

BILLS LIST

- 1. A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PAY BILLS IN THE AMOUNT OF \$5,180,394.59 AND TO PAY SUPPLEMENTAL BILLS PER RESOLUTION #15R-27 IN THE AMOUNT OF \$25,354.04**

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

CONSENT AGENDA

Council President Keyes-Maloney presented the Consent Agenda for approval and then stated that if there are any questions, that item will have to be moved from the Consent Agenda to Discussion.

- 1. A Resolution Authorizing the Conduct of an Off Premise Merchandise Raffle Sponsored by Credit Union of New Jersey Foundation**
- 2. A Resolution Authorizing the Conduct of an On Premise 50/50 Cash Raffle Sponsored by Prospect Heights Volunteer Fire Co. #1**
- 3. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, for CO in the Amount of \$250.00 to Huzefa Hussain, 3 Irma Rivera Way, Unit C, Ewing, NJ 08618 for CO at 528 Pingree Ave., Ewing, NJ 08628.**
- 4. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, for Overpayment in the Amount of \$50.00 to Laura Sawicki, 20 Ronit Dr., Ewing, NJ 08628 for Rental Registration at 20 Ronit Dr., Ewing, NJ 08628.**

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

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

President Keyes-Maloney spoke at length reiterating the points she made in her letter to the Observer that was published in March. President Keyes-Maloney stated that this Body is under the Faulkner Act and then explained that the Faulkner Act says that Council is responsible for authorizing expenditures and setting salaries along with a number of other responsibilities. The Mayor's responsibilities are also detailed by the Faulkner Act. However, The Faulkner Act does not stipulate how many hours a Mayor or a member of Council is required to be in the building. The only way for the Public to address whether or not they are performing to expectations is through the ballot box. President Keyes-Maloney stated that she is firmly of the belief that this Township needs a full-time Mayor, as this Township expands, who is appropriately compensated to ensure that the person is here full-time. President Keyes-Maloney also said that she firmly believes that the compensation package for Council also needs to be addressed in order to ensure that regardless of who occupies these roles they will have the skill set and the commitment to do this job. President Keyes-Maloney said that she is curious as to what the Public thinks about this and hopes that we can have an active, an engaged and a polite conversation about these issues this evening.

Councilwoman Wollert said that these raises in salary are very much warranted. We must remember that this is not just for one mayor, but future mayors. Councilwoman Wollert explained that she has been a member of Council, except for two years, since 1995 when the form of government was changed and then explained how the commissioners decided to set salaries for the new Council and Mayor. Councilwoman Wollert stated that, as a Body, Council makes \$2500 less than what the committee members made twenty years ago. The role of Council has expanded in the past twenty years; Council does a lot more than just showing up at two meetings a month. Ms. Wollert stated that she is not here for the salary but to help the residents as best as she can. The increase in salary falls in line with the salaries of other towns in our area. The percentage increase is large, however, there has not been an increase for the past ten years or so. Councilwoman Wollert then asked for the community's support and also said that she hopes the Public will come out to Council meetings and speak when there are other important issues, such as the Budget, being discussed.

Vice President Schroth first thanked the Public for being here this evening. Mr. Schroth then cited the Council salaries and population of Lawrence, Princeton, East Windsor, Trenton and Hamilton and then said that the proposed Council raises are right in line with what our neighboring councils are paid. Mr. Schroth said that it is regrettable that the salary increase was not done gradually over time. The salary increase, if it passes, will have zero impact on our taxes – it will not cost the taxpayer a penny. Vice President Schroth then said that he looks forward to hearing from the Public on this issue.

Councilman Baxter said that he knows that the position of Mayor and Council has evolved over time. Mr. Baxter said that he agrees with Vice President Schroth that this salary increase should have been done gradually over time and then said that perhaps a mechanism should be put in place so a similar situation does not occur in the future. Councilman Baxter asked the Public not to look at this as giving Mr. Baxter or Mayor Steinmann a raise, but to look at it as a way of this Council trying to put something in place to attract the best and the brightest whoever they may be. Mr. Baxter said that the job is a huge commitment - when someone stops him at Home Depot or wherever he may be, he does not tell them that they cannot talk to him now but come to a Council meeting; he speaks to them right there. Mr. Baxter said that he views the job as being twenty-four seven. Councilman Baxter said that

we should have the best in government, but it seems at times that we do not want to put any extra money out for the best. Councilman Baxter said that we have gotten better, but we still have things we need to do and gave the earlier conversation about the website as an example. Councilman Baxter said that he does struggle with giving himself a raise, but that is how it is structured right now and then said that if anyone has a better idea on how that should be done, we can have a discussion about it. Mr. Baxter then said that he welcomes all the debate and the comments concerning this issue and enjoys nights like this to see a full crowd coming out to speak about an issue.

Councilwoman Steward said that she is grateful that we are discussing this this evening. Ms. Steward said that she agrees that the Town is getting great value with the present Mayor. Ms. Steward said that she believes it is the residents' expectation that we have a full-time Mayor and this is our mechanism to try to create that for the future. Councilwoman Steward said that she is uncomfortable with raising her own salary. Ms. Steward then said that she is interested in what the people here tonight are thinking about this issue.

There were no additional questions or comments from Council.

Joe Murphy (9 Malaga Drive) said that before people get upset about this issue, they should first go back and read the Charter Commission Report issued in 1995 when the change in government occurred. Part of the problem is that this Report did not really say what the role of the Mayor and Council is; instead, it has evolved over time. Mr. Murphy then suggested that, if Council wants to avoid these problems in the future, they should include a Cost-of-Living-Adjustment in the Ordinance. Mr. Murphy said that a full-time mayor is needed to keep a handle on things within the Township, in particular, the budget. Mr. Murphy stated that he supports the salary raise for both the Council and the Mayor.

Mary Lincoln (2 Leicester Lane) asked what was the job description of a mayor before.

President Keyes-Maloney responded that the Faulkner Act dictates the job description of a mayor whether full-time or part-time. It is the needs of the community that decide if a full-time or a part-time mayor is necessary.

Ms. Lincoln then asked if the mayor receives benefits as either part-time or full-time.

President Keyes-Maloney replied that elected officials do not receive benefits.

Ms. Lincoln then asked if the Mayor has a Township vehicle.

President Keyes-Maloney responded that he has a vehicle that he can use; it is actually a construction trust vehicle.

Ms. Lincoln asked, before he had that vehicle to use, was he compensated for mileage.

President Keyes-Maloney replied that in her time here, she has never seen a bill for his mileage.

Ms. Lincoln stated that she is on the fence as to whether a full-time mayor is needed and then said that the Mayor is doing a good job.

Peter Boughton (119 Florence Avenue) stated that he is strongly in favor of a full-time mayor and also in favor of bringing up salaries to be in line with the salaries of comparable neighboring communities. Mr. Boughton then made two suggestions: one, two separate resolutions for the mayor and council salaries because there are different rationales for each and two, the salary increase for Council should be done incrementally. Mr. Boughton said that he hopes that the supporting documents concerning Council's salary be made public.

President Keyes-Maloney replied that we looked at (inaudible) so it is their data. We looked at similarly populated municipalities around the State and also looked at the compensation for Council in the surrounding municipalities.

Mr. Boughton added that the Town is growing with the GM site development, the new train station, the new hospital; that needs to be taken into account. Mr. Boughton said that there should be something on the November ballot, even if it is non-binding.

Claire Biddulph (1 Running Brook Road) asked if this is not going to cost the taxpayers any money, where is the money coming from.

President Keyes-Maloney replied that it will not raise taxes now or in the next ensuing budget because of the nominal cost.

Ms. Biddulph stated that she would like to have a full-time mayor; however, the \$50,000 salary will have to increase in the future because \$50,000 is not really a salary for a full-time mayor.

President Keyes-Maloney replied that we looked at what other similar communities have done.

Ms. Biddulph said that eventually it will impact the taxpayers.

President Keyes-Maloney reiterated that the salaries for both positions have not been looked at for a long time which is causing an issue.

Ms. Biddulph said that she would feel better if the salary increase was phased in.

President Keyes-Maloney explained that unlike Congress, where you can make a salary increase effective for the next term, under the Faulkner Act terms are staggered which makes it messy.

Ms. Biddulph said that a staggered term would not have that much of an effect if you phase in the salary increase.

President Keyes-Maloney replied that we can take into consideration.

Faye Ball (47 Somerset Street) said that she agrees that this should be a ballot question in November. Dr. Ball said that she remembers that there was a ballot question as to whether Ewing residents wanted a full-time or a part-time mayor. The result was a part-time mayor. Dr. Ball then said that she thought that a vote was necessary to switch from a part-time to a full-time mayor.

President Keyes-Maloney replied that there is no difference in the duties whether the position is part-time or full-time. It is based on salary and the service that you receive.

Dr. Ball said that the argument for having a full-time business administrator, was that we only had a part-time mayor. Now that we are going to a full-time mayor, will the business administrator become part-time.

President Keyes-Maloney responded that the duties and the expectations of the job has increased greatly.

Dr. Ball stated that Council does not have enough justification to move to a full-time mayor, but if Council is going to do this, it should be a ballot question. Also, there should be two separate resolutions – one for Council's salary and the other for the Mayor's salary as that is also tied up with whether the mayor should be full or part time. Dr. Ball then stated that a full-time mayor and a full-time business administrator will affect taxes.

Don Apai (2181 Pennington Road) first explained that the committee form of government consisted of five people. The mayor was not elected; instead the mayor was chosen by the five members of the Committee and had no more power than the other Committee members. Every decision that had to be made was made by the five people. Mr. Apai then gave an example of this; he recalled a thirty minute argument as to which paper to put in an ad for a new financial officer. Mr. Apai said that is when he decided to come out and say that this is crazy, we need to change. When we switched over to a strong Mayor-Council form of government, the first mayor was Al Bridges; he was not a full-time mayor. Mr. Apai stated that it was always the intention of the Charter Committee for Ewing to have a full-time mayor. Committee members received a salary of \$7,500; Council, over the first ten years, received cost-of-living adjustments that brought the salary up to \$6,100 twenty years ago. If Council had started out with a salary of \$7,500 then with cost-of-living adjustments we would only be talking about \$2,000 here tonight. Mr. Apai made the argument that you have to pay Council what they are worth – that earlier in the evening Council was discussing seven million dollars in expenditures, Council is not just flipping hamburgers at a fast food chain.

Mr. Apai said that another factor that we need to take into consideration, is the amount of money that has been saved, by having the three fire companies train, share equipment, and act as one instead of what happened in the past where all three companies fought tooth and nail with each other. Mr. Apai then said that the compensation we are talking about \$12,000 is not a great deal of money. The Mayor should get \$50,000 and agree to serve full-time. A budget analyst with three

years of experience at the State makes \$50,000. The Township's experience with a part-time mayor has proven that it is not the way to go for a growing town. Mr. Apai added that Bert Steinmann is doing a fantastic job as Mayor.

Rich Kapes (417 Sutherland Road) asked how many police officers are in the Township.

The Administrator responded that when the new Academy class graduates, there will be seventy-six.

Mr. Kapes then wondered if the money would be better spent having more Police than giving it to Council and the Mayor.

President Keyes-Maloney responded that that is a conversation we will all have to have, but with the seventy-six officers, we are closer to where the Township needs to be.

Diane Glover (407 Sutherland Road) said that what she is concerned about is the next mayor. There is nothing in the proposed Ordinance that says that the mayor must serve full-time; the salary is increased but there are no checks and balances to "force" the mayor to serve full-time.

President Keyes-Maloney replied that Council serves as that balance. President Keyes-Maloney then reiterated that not addressing this for so long is an issue that has to be addressed. We can consider putting language in the Ordinance to make it clear that it is for a full-time mayor; however, the law does not allow us to stipulate set hours for elected officials.

Ms. Glover asked if it would be possible to look at a different statute.

President Keyes-Maloney responded that it is not just the Faulkner Act, it is any form of government statute.

Ms. Glover then said that each town in New Jersey is unique, implying that you cannot always be "in line" with what other municipalities are doing. Ms. Glover said that this money has to come from someplace.

President Keyes-Maloney said that we do have a surplus and then appealed to the residents to come out more often, particularly at budget time.

Ms. Glover and President Keyes-Maloney then had a brief discussion on the budget, the surplus, caps, and the Township's bond rating. Ms. Glover said that the percentage increase is a lot. Council should get a raise, but not all at once. An incremental raise is a good option.

Les Summiel (13 Lanning Street) first said that, yes, Bert Steinmann has done a lot during his administration for economic development but the groundwork was set before he came into office. Mr. Summiel then said that it was mentioned that \$50,000 is an incentive; \$50,000 is neither an incentive for someone who wants to run for Mayor nor will it guarantee that you will get 110 percent productivity from someone and there is nothing that Council can do about it once that person is in office. Mr. Summiel said that there should be a referendum. The opinion of the public is far greater than the opinion of Council when it comes to saying whether or not salaries should be raised. It is almost an affront to the public for you to take it upon yourselves to say that you are entitled to this without some review.

President Keyes-Maloney said that it is our responsibility to have this conversation and to deliberate about it.

Mr. Summiel responded that he does not disagree with the Council President that you have this responsibility under the Faulkner Act; however, prior to that, Council had the ability to appoint a citizen's panel to do the research beforehand.

Mr. Summiel said that he does not endorse this just because Council has the authority to do this under the Faulkner Act. There are other methods to do this that will make it more positive.

Greg Chasar (1203 Parkside Ave.) said that people, in general, have a poor opinion of politicians. And, it is also known, that it is unethical to vote yourself a salary increase. Mr. Chasar added that Ewing has always had an identity problem and in this instance could be known for doing something different – to include in the Ordinance that no elected person can make their own benefit. Mr. Chasar added that he would like to see the public's view of politicians increase and only by doing responsible things can we get there.

Joe Mirabella (52 Windybush Way) said that he is concerned that we are trying to nickel and dime our elected officials. The amount of money we are talking about is reasonable; it is not that much money. It is well deserved. The Mayor is doing a good job; it is a full-time job. The Council and the Mayor deserve our support on this.

Heather Kearns-Latini (929 Lower Ferry Road) thanked Council for everything they do. Ms. Kearns-Latini said that she is 100% for this. Ms. Kearns-Latini said that she sees all the work the Council does around Town, that it is not just time spent at meetings. Our Town needs a full-time mayor in order to move forward. It is also not a lot of money in terms of the larger picture.

Lou Eschinger (2191 Pennington Road) said that he does not envy the position Council is in because no matter what Council does, someone will find fault. Mr. Eschinger said that it is three-prong issue – Council salary, Mayor salary and Mayor full or part-time. It should be broken out and researched, not handled as one issue. Mr. Eschinger then said that there is also a sales problem. The economic development going on in the Township has to be sold to the Township residents. Mr. Eschinger stated that he looks at the property tax bill and overall real estate value – neither one is doing very good right now. Council must keep in mind how what you do effects these two things which in turn effects people in this room. Mr. Eschinger then said that he knows of no one, except those who are self-employed, who are able to give themselves a raise. It is an ethical issue. Any pay increase should be for the next council or mayor.

Mr. Eschinger said that it was mentioned that the Mayor is also the Public Safety Director and then asked how is that different from the newly created position of Director of Emergency Management.

President Keyes-Maloney explained the difference.

Mr. Eschinger suggested that this Director of Emergency Management should take over the responsibility of Public Safety Director.

Mildred Russell (119 King Avenue) stated that when you ran for office you knew that it was a public service job; public service jobs have never paid a lot of money. Mrs. Russell said that something has to be put in place so this situation does not happen again - perhaps some sort of citizen committee. Mrs. Russell also said that there should be something on the ballot. Mrs. Russell then thanked Council for their service and said that the Mayor spends so much time because he cares about the community and wants to make sure everything is done right for the residents.

Louis Eschinger (8 Glenmore Avenue) stated that in the past twenty years, there was no increase in salary for Council and then asked why now, why is Council so concerned about this now.

President Keyes-Maloney gave a detailed explanation as to how this conversation came about.

Mr. Eschinger then asked why the salary ordinance cannot be put on the ballot.

President Keyes-Maloney replied that it is Council's responsibility; the initiative and referendum is a diminishment of this responsibility. If the people do not like what we do, they can vote us out of office.

Mr. Eschinger replied that our salary increases are not decided by us. Our bosses decide. Council works for us and we should be able to vote on your salary. Mr. Eschinger added that he agrees with the mayor's salary of \$50,000 because he has looked at the national average and it is on par for a full-time mayor. Any increases should be voted on by the people or set up so that if the mayor's salary falls too far below the national average it can be bumped up. Mr. Eschinger then said that government should be a public service – it is a blessing for Council members to get a salary at all. Mr. Eschinger added that he does not see how the increase in Council's salary will help the Township.

President Keyes-Maloney replied that she would like this to be someone else's decision but it is Council's responsibility.

Mr. Eschinger and President Keyes-Maloney then discussed whether or not initiative and referendum are a better public forum then the type of public forum that is being had at this Council meeting this evening.

Mr. Eschinger added that it seems Council has already made up its mind about this issue even before the people had a chance to speak tonight.

Greg Chasar (1203 Parkside Ave.) stated that there are about 200 abandoned and foreclosed homes in Ewing. These are tough economic times and we have to be careful about what we do here.

George Steward (30 Gilmore Road) said that he believes that these issues need to be separated out and said that he wanted to hear a pure compensation salary issue – without the discussion about a full-time mayor. Mr. Steward then stated that he took the starting salaries with a three percent raise compounded over twenty years and got a \$12,000 salary for Council and \$33,000 for the Mayor. Mr. Steward said that he has not heard enough this evening to understand where the \$50,000 figure came from. Mr. Steward asked Council to separate the issues. The people determine who the next mayor is, not the salary. Mr. Steward said that he does not understand how Council can say that there will not be a tax increase as the budget has not even been introduced yet. There will be a component of any tax increase that is for the salary increase. Mr. Steward stated that the in-cap budget controls salaries and then mentioned the shortfall in last year’s in-cap budget had to come from the surplus – another year and the Township will run out of surplus. Mr. Steward then quoted from the Charter Commission Report saying that Council is a separate arm, a check and balance and not a strategic partner of the Administration.

Vice President Schroth commented that he wanted to clarify his earlier comment. These proposed salary increases are not going to impact taxes because these increases are infinitesimal with regards to the entire budget.

Curtis Johnson (19 Ohio Avenue) asked if a full-time mayor will receive benefits besides the \$50,000 salary.

President Keyes-Maloney responded that the Township Attorney has confirmed that the mayor would not qualify for health or retirement benefits.

Lynn Scott (601 Latona Avenue) stated that she stopped coming to these meetings because Council is not listening and she gets the impression that tonight Council is not listening to what the people here are saying. Ms. Scott asked why was this not brought up prior to the November election.

President Keyes-Maloney explained the genesis for this conversation about salary and whether there should be a full-time mayor.

Ms. Scott remarked that maybe the conversation needs to go on a little longer and should be handled in a different way. The Mayor knew what he was getting into when he stood for election in November. Ms. Scott said that she wants to see people in these positions, not because of the salary, but because their heart is in the Township.

President Keyes-Maloney replied that it is not just the salary, (President Keyes-Maloney stated that she is considering not taking the increased salary) it is about the position. There is more involved than just showing up for Council meetings, it is having a presence in the Town. There are costs associated with holding this position. President Keyes-Maloney reiterated the need to have salaries in line with comparable neighboring communities.

Ms. Scott added that she thought that you are just going to vote for this tonight and said that she hopes you will vote the salary increase for your successors; the appearance of bringing this up four months after an election appears dishonest to me.

Greg Chasar (1203 Parkside Ave.) mentioned that the Mayor of Hamilton makes \$100,000 as a full-time mayor while the mayor of Ewing will make \$50,000 along with perks such as the use of a suburban. Mr. Chasar said that the money will come from the reevaluation.

President Keyes-Maloney responded that we are in the process of a revaluation; we were mandated by the County to do so since one has not been done for a long time. President Keyes-Maloney said that anecdotally, when we set the new tax rate, one-third will have their taxes go up, one-third will go down and one-third will remain the same.

Shelly Stern (1468 Pennington Road) said that there should be another meeting on the same topic. Ms. Stern said that she would have liked to see the Mayor here tonight.

George Steward (30 Gilmore Road) said that we may want to take the Mayor up on his statement in this morning's newspaper that this is a full-time job, and that anyone who comes after him will be obligated to do this full-time. Mr. Steward then said that the Mayor's salary and the question as to whether there should be a full or part-time mayor should be separated out and all of this should be put in place and ready for the next mayor.

Les Summiel (13 Lanning Street) commented on Mr. Steward's comment and said that the Council President should have informed Mr. Steward that this cannot be done. This is governed by State statute. You cannot define what a mayor does. A mayor has the latitude to do whatever he or she wants to do regarding full or part time. The job as listed in the statute does not distinguish between full or part-time cause it is expected that a mayor is full-time.

President Keyes-Maloney said that under the Faulkner Act or any law you cannot stipulate the hours someone works. That is why compensation is important – it drives whether someone can work as Mayor full or part-time.

There were no additional questions or comments from members of the Public.

2. **BOND ORDINANCE AMENDING SECTION 3(A) AND 6(B) OF BOND ORDINANCE NUMBERED 14-06 OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED MAY 27, 2014 PROVIDING FOR THE ACQUISITION OF CERTAIN VEHICLES AND EQUIPMENT IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT, THE USEFUL LIFE OF THE PROJECT AND THE AVERAGE USEFUL LIFE**

President Keyes-Maloney said that we are making changes to our existing bond ordinance concerning the acquisition of certain vehicles and equipment because we were not able to purchase a specific piece of equipment.

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

3. **BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$170,000 FOR THE ACQUISITION OF FIRE TRUCKS AND OTHER EQUIPMENT IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$161,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

President Keyes-Maloney explained that this is due to the fact that there was a change in the pricing and so we have to modify that which we bonded for in 2014 to address the cost increase in the price of those trucks.

There were no questions or comments from Council.

Lou Eschinger (2191 Pennington Road) questioned why Council earlier this evening approved \$2.5 million for three new fire trucks and is now approving an additional \$167,000 for these same fire trucks. Mr. Eschinger wanted to know if this increase was due to a change in the specifications or did the price just increase within the past year.

Council President Keyes-Maloney, the CFO and the Attorney explained both the history of this purchase and the cooperative procurement process.

COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

President Keyes-Maloney reported that at the previously held meeting the Planning Board approved a Sonic at the old Sun National Bank location on Olden Avenue and a Walgreens across from Two Peters. We should see substantial progress on both developments in the spring. Regarding the Walgreens project, there is a unique attribute to the property with respect to the creek located behind it; the owners are prepared to deal with this. Modifications were also made to the plan based on input from the Planning Board related to the aesthetic look of the property with respect to the residents who live at the back and adjacent to it. President Keyes-Maloney announced that at the next Council meeting there will be two presentations – one is related to the Recreation Honor Roll and the other related to the Arts Commission.

Vice President Schroth said that he has nothing to report as the February Drug Council meeting had been cancelled.

Councilwoman Wollert reported on the Senior Citizen Advisory Commission. The new chair is Don Cox. Also, there will be a luncheon on Friday, March 27th. The Commission is very pleased that their senior trips have been placed back in their budget and are very appreciative of that.

Councilman Baxter reported on the Recreation Advisory Board. The Recreation Honor Roll was held last month; the recipients will be honored by Council at the next meeting. Right now the Board is working on budget requests for some capital projects. The courts at Moody Park will be repaved now that the weather has broken. Councilman Baxter next reported on "Town and Gown". College housing and student behavior were discussed at the meeting last night. Last year, the College did not have a real good sense of where all their students were living; the College is now creating a database of off-campus housing. This will allow for a better monitoring of student behavior. Mr. Baxter then listed upcoming College events open to the Community.

Councilwoman Steward reported on the Green Team. The Green Team is focusing on their strategic visioning - sustainability in Ewing. There is a bike advocacy group that is meeting; they are working on putting together a Ewing bike tour. The Community gardens season is starting. Dave Byers gave a talk about a Garden Walk held in Buffalo, NY; the Green Team discussed if we could do something like that here. Councilwoman Steward then listed upcoming events and mentioned that the Green Team is working on how to spend the remaining funds from Sustainable New Jersey.

President Keyes-Maloney asked the Administrator if there are going to be any shred days this year.

The Administrator replied that three are scheduled but he did not have the dates in front of him.

Councilwoman Steward added that the first one will be on April 18th from 9:00 a.m. to 1:00 p.m. at the Municipal Building.

There were no other reports from Council members.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

(None for this Meeting)

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business, President Keyes-Maloney asked for a motion to adjourn. Mr. Baxter so moved seconded by Ms. Steward. The meeting was adjourned at 9:40 p.m.

Jennifer Keyes-Maloney, President

Kim J. Macellaro, Municipal Clerk