

AGENDA SESSION 2-24-15

President Keyes-Maloney called the meeting to order at 6:32 p.m. and read the Open Public Meeting Statement:

The notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 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 | Joanna Mustafa, CFO |
| ▪ Mr. Schroth – arrived 7:20 p.m. | Maeve Cannon, Twp. Attorney |
| ▪ Ms. Steward - Present | Susan Bate, Deputy Clerk |
| ▪ Ms. Wollert – Present | Jim McManimon, Administrator |
| ▪ President Keyes-Maloney – Present | |

DISCUSSION

1. A RESOLUTION APPOINTING BROWN AND BROWN METRO FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES PURSUANT TO THE REQUIREMENTS OF THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND

Business Administrator McManimon said that one of the two reps is here but one is held up so he asked for a delay. Council President moved to item #2

2. A RESOLUTION AMENDING (RESOLUTION #15R-1/5) THE PROCEDURES FOR THE CONDUCT OF COUNCIL

President Keyes-Maloney explained that Council, in addition to serving on this board, also has a responsibility to serve as liaison on many other boards. So this resolution will allow us to articulate what is going on at these particular board meetings. There were no questions.

3. A RESOLUTION ADOPTING THE REVISED EMPLOYEE RULES AND REGULATIONS FOR THE EWING POLICE DEPARTMENT

President Keyes-Maloney stated two weeks ago, Council was given a copy of the revised procedures. She turned it over to Attorney Cannon who explained the changes. There was some discussion between Council and no questions from the public.

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

President Keyes-Maloney stated that we are trying to ensure that we are attracting the best and the brightest to serve in leadership roles, including a very critical leadership role of the Mayorship. She further stated that we have had visitors come

in, including Mr. Coryell who talked about the need to really re-look at this particular role. In an article in the Ewing Observer, it talked about how the Mayorship has changed for the better. One resident referenced that he believes the township has improved by having someone in a full time service role in Mr. Steinmann. She further went on to say that this salary ordinance looks to ensure that we have in this context a full time person here from a compensation perspective. We are blessed that Bert, thankfully, had a long career where he was able to gain some retirement income and is kind enough to provide full time service even though he is paid at a part-time salary. But, there may come a time when he may want to move on and we have to explore that. This Ordinance is a chance to begin the conversation. She turned it over to Attorney Cannon who explained the Ordinance. President Keyes-Maloney added that when we did the analysis on this we looked at surrounding communities both in our region and around the state as a basis for some of the decisions that we made, at least preliminarily. She further stated that we are blessed that the League of Municipalities keeps data on how or what other communities are doing around the State. She handed it over to any fellow Council members. Ms. Steward said she would be interested in seeing the data. President Keyes-Maloney asked for any questions from members of the public. Ron Prykanowski (16 Thurston Avenue) asked if this now means that the Mayor's position is now a full time position. President Keyes-Maloney said that when you are an elected official, you cannot make someone full time. She said just like a Judge, are given a certain salary, but you can't force the person to sit on the bench or in this case, serve the way Bert has. We cannot force that issue. The argument has always been that if someone is displeased with someone, they have the opportunity to not re-elect that person. Mr. Prykanowski asked if there is any job description for these particular positions. Attorney Cannon explained that by statute the role of the Council is outlined. She further stated that by Statute the Mayor has roles and responsibilities. Don Apai (2181 Pennington Road) talked about when he was on Council and was happy when the people of the township adopted the Mayor/Council form of government. He said there was a lot of discussion about whether the Mayor's position should be full time or not. He said it is kind of ridiculous to assume that we are going to continue to be lucky to have some members of the public be willing to run for the office of Mayor, be retired or have a flexible schedule, so that they can devote the amount of time and effort to this job that it requires. And certainly, when we consider that a starting police officer starts at \$41,000, low man on the totem pole, and we are paying the Mayor ¼ of that salary right now, that simply does not make sense. We give Council and Mayor a great deal of responsibility, and we should give them a fair compensation. He thinks it make sense, over the years we didn't have automatic cost of living adjustments over the years, and it is time to take a look and make the salary adjustments.

There were no more questions from Council or the public.

5. **A 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 part of what we are doing is re-appropriating this money for differential purposes, because we have decided that the rover trailer is not something that we need.

CFO Mustafa said that we are amending this Ordinance to change what we had originally decided to do with the rover trailer and purchase three new pick-up trucks for the Public Works Department with snow plow and salters. The Ordinance changes the useful life of that appropriation and the average useful life of the entire Ordinance. Basically a housekeeping to make sure everything is correct.

There were no other questions from Council or the public.

6. **A 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.**

CFO Mustafa stated that this is a Bond Ordinance to supplement the 2014-06 Ordinance. When we went out to get the Fire Trucks off of state contract, they

came in just a little higher than we had originally anticipated, so this is to supplement that.

President Keyes-Maloney stated that this will ensure that we are able to purchase some valuable equipment for our firehouses. Mayor Steinmann said that we have sat down with the fire chiefs and the fire departments on the needs of the equipment. Basically what we are doing is purchasing three new pieces of equipment and we are also eliminating five pieces of equipment. Prospect Heights is giving up two vehicles, West Trenton two vehicles and Pennington Road is giving up one. In our efforts to consolidate, we went to the different fire companies and basically said that whatever specifications you want, we are going out to bid and using one vendor. We found out that we have too much equipment for what we are doing. This is a step in the right direction and again he thinks for the first time in a very long time, all three fire companies are unified with what the Administration is giving them. Attorney Cannon stated that the NJPA (National Joint Purchasing Association) is a nationally recognized purchasing consortium that a number of public entities belong to and which by statute municipalities is allowed to purchase from. The Mayor stated that they are trying to cross train everyone to exactly what their specific functions are. The surplus we are taking back will go up for public auction and that will stay within Ewing Township. Ms. Wollert asked what equipment we are getting rid of. Administrator McManimon said that we are getting rid of two squirts, two engines and a rescue truck.

President Keyes-Maloney asked for questions from the public and Council. There were none.

President Keyes-Maloney asked the Clerk to move all items to the regular agenda for action, with the exclusion of item #1 which we will discuss in closed executive session.

BILLS LIST

The Council President reviewed the Bills List

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$10,109,353.32 and to Pay Supplemental Bills per Resolution #15R-27 in the Amount of \$5,676.09

President Keyes-Maloney asked for questions from the public and Council on the bills list. There were none.

CONSENT AGENDA

The Council President reviewed the Consent Agenda and noted that if there are questions on the consent agenda, it would be pulled from the consent agenda and moved to new business.

1. Approval of Agenda Session Minutes for March 10, 2014 and Regular Session Minutes for March 11, 2014
2. A Resolution Authorizing St. John's Baptist church to hold a Block Party/Road Closing on July 18th, 2015 for a Car Show
3. A Resolution Authorizing World Triathlon Corporation to hold a Bike Race/Triathlon/Road Closing on September 20, 2015
4. A Resolution Authorizing the Conduct of an Off-Premise 50-50 Cash Raffle Sponsored by Sunshine Foundation on April 11, 2015
5. A Resolution Authorizing the Conduct of an On-Premise 50-50 Cash Raffle Sponsored by PTA Incarnation School on March 21, 2015
6. A Resolution Authorizing the Conduct of a Bingo Sponsored by PTA Incarnation School on March 21, 2015
7. A Resolution Authorizing the Conduct of an On-Premise 50-50 Cash Raffle Sponsored by The Children's Home Society of New Jersey on May 8, 2015
8. A Resolution Authorizing the Conduct of an On-Premise Merchandise Raffle Sponsored by The Children's Home Society of New Jersey on May 8, 2015

9. A Resolution Authorizing the Conduct of a Bingo Sponsored by The Children's Home Society of New Jersey on May 8, 2015
10. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the Amount of \$1,609.52 for February 1, 2015 tax qtr., to Copeland, Patricia, 30 Oregon Ave., Ewing, NJ 08638, for property owner Copeland, Patricia, for Block: 148 Lot: 1 also known as 30 Oregon Ave., for overpayment of February 1, 2015 tax qtr.
11. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the Amount of \$ 2,131.60 for February 1, 2015 tax qtr., to A Absolute Escrow Settlement Company, P.O. Box 767, Millburn, NJ 07041, File No. NRT53126 for property owner Roberts, William R. & Lasandra, for Block: 229.08 Lot: 24 also known as 48 Bayberry Rd., for overpayment of February 1, 2015 tax qtr.
12. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the Amount of \$1,356.35 for February 1, 2015 tax qtr., to Medina, Laureano & Ivette, 93 Ridgewood Ave., Ewing, NJ 08618, for property owner Medina, Laureano & Ivette, for Block: 258 Lot: 93 also known as 93 Ridgewood Ave., for overpayment of February 1, 2015 tax qtr.
13. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the Amount of \$1,402.26 for February 1, 2015 tax qtr., to Green, Lisa E., 201 Crescent Ave., Ewing, NJ 08638, for property owner Green, Lisa E., for Block: 176 Lot: 468 also known as 201 Crescent Ave., for overpayment of February 1, 2015 tax qtr.
14. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the Amount of \$930.03 for February 1, 2015 tax qtr., to Rogers, Sherman G. & Jennifer L., 325 Berwyn Ave., Ewing, NJ 08618, for property owner Rogers, Sherman G. & Jennifer L., for Block: 308 Lot: 12 also known as 325 Berwyn Ave., for overpayment of February 1, 2015 tax qtr.
15. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the Amount of \$1,332.74 for February 1, 2015 tax qtr., to Property Title Group, LLC, 600 Parsippany Road, Suite 202, Parsippany, NJ 07054, File No. PT090989-L, for property owner Levine, Brian, for Block: 470 Lot: 206 also known as 994 Terrace Blvd., for overpayment of February 1, 2015 tax qtr.
16. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the Amount of \$2,092.25 for February 1, 2015 tax qtr., to Bowman, Anthony Terrence & G.H., 2244 Pennington Rd, Ewing, NJ 08638, for property owner Bowman, Anthony Terrence & G.H., for Block: 223.10 Lot: 138 also known as 2244 Pennington Rd, for overpayment of February 1, 2015 tax qtr.

There were no questions from Council or the public. The Consent Agenda was approved for action.

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

(None)

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

1. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 91 ALCOHOLIC BEVERAGES (2015)

President Keyes-Maloney explained that we had this Ordinance on many weeks ago. We had planned to move it on the 27th but due to inclement weather, we were forced to cancel that meeting and then due to a notice issue with the

newspaper, one of our local papers, it did not make it in the paper in time to ensure that there was adequate notice to the public, hence the reason it was held over to this meeting. She turned it over to the Township Attorney to refresh our recollections. Attorney Cannon said that the existing Ordinance relating to proximity to licensees to one another is that no licensees can be within 1,000 feet. She further stated that a request came to the township from Two Peter's Diner to transfer a liquor license to that location and operate as a Steakhouse. Unfortunately there is a liquor store across the street, so they asked for a waiver to be able to transfer said liquor license. This amendment will allow for the provision of a waiver at the discretion of the Council, sitting as the ABC board. President Keyes-Maloney said that we had a robust discussion on this and she thanked the attorney for the refresher on this. There were no questions from Council or the public.

2. AN ORDINANCE AMENDING THE EWING TOWNSHIP SALARY ORDINANCE ESTABLISHING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF EWING (2015)

President Keyes-Maloney stated that this would move her salary in line with the existing collective bargaining agreement. We all know our Deputy Clerk has obtained her certification as Registered Municipal Clerk and this reflects that as well. There were no questions from Council or the public.

NEW BUSINESS

(None)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

(None)

CLOSED SESSION – (Resolution #15R-54) A Resolution to move into Closed Executive Session

President Keyes-Maloney stated that they would be going into closed session to address item #1 associated with appointing Brown and Brown for Professional Risk Management Consulting Services associated with our Joint Insurance Fund. Attorney Cannon read the resolution to enter into closed session.

Ms. Wollert made a motion to enter into closed session, seconded by Mr. Baxter. It was agreed by a unanimous voice vote. At 7:09 p.m. the Council moved into Closed Session.

At 7:47 p.m. Ms. Steward moved to close closed session, seconded by Ms. Wollert. It was agreed by a unanimous voice vote.

ADJOURNMENT

There being no further business, President Keyes-Maloney asked for a motion to adjourn. Mr. Baxter so moved seconded by Ms. Wollert. The meeting was adjourned at 7:48 pm.

Jennifer Keyes-Maloney, President

Susan Bate, Deputy Clerk