

## March 8, 2016 – AGENDA SESSION

President Schroth 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 4<sup>th</sup> day of January, 2016.

**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 THE 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

- |                               |                                |
|-------------------------------|--------------------------------|
| ▪ Mr. Baxter – Present        | Jim McManimon, Administrator   |
| ▪ Ms. Keyes-Maloney – Present | Joanna Mustafa, CFO            |
| ▪ Ms. Steward – 6:41 p.m.     | Maeve Cannon, Attorney         |
| ▪ Ms. Wollert – 6:34 p.m.     | Kim Macellaro, Municipal Clerk |
| ▪ President Schroth – Present |                                |

President Schroth responded to the Clerk that he has not heard from Councilwoman Steward or Councilwoman Wollert.

### PRESENTATION

#### 1. Proclamation Honoring – American Red Cross

Council President Schroth read the conclusion of the Proclamation and then explained that representatives from the American Red Cross were unable to be here tonight because they are attending other Council meetings. President Schroth congratulated the American Red Cross and said that we honor all the volunteers for the work that they do pursuing their mission.

### DISCUSSION

#### 1. A RESOLUTION AUTHORIZING CY2016 RESERVE BUDGET TRANSFERS

President Schroth said that this is a fairly routine matter that we engage in this time of year.

The CFO explained that in the first three months of a succeeding budget year, State statute allows us to move money around, from the prior budget year, to accounts that may need funding from accounts that have excess funding.

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

#### 2. A RESOLUTION ESTABLISHING THE SEWER RATES AND CHARGES FOR EWING TOWNSHIP FOR CALENDAR YEAR 2016

The Administrator said that the 2016 rates are the same as for 2015. However, the sewer budget is very tight and the Administrator said that he does not know if we

will be able to keep the rates flat for next year. We are off to a dry summer; we would need another credit, not a charge. It is the third year in a row that the sewer rate is flat.

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

**3. A RESOLUTION AUTHORIZING CHANGE ORDER TO CONTRACT FOR PURCHASE OF FIRE TRUCK FROM LADDER TOWER COMPANY IN THE AMOUNT OF \$2,661.58**

The Attorney explained that not very long ago the Township purchased fire trucks from National Purchasing Alliance at a very favorable price. There were some additional add-ons that the company itself requested. It will come out of their budget; not out of the capital budget. This change order is for \$2,661.58.

The Administrator added that the first truck is due to be delivered this Friday. The next will follow in a month and a half; the one for West Trenton will be the last.

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

**4. A RESOLUTION AWARDED CONTRACT FOR NEW GYMNASIUM OVERHEAD DOOR FOR THE EWING SENIOR AND COMMUNITY CENTER TO GOLDEN CROWN CONTRACTORS, INC. IN THE AMOUNT OF \$92,918.00**

The Attorney explained that this was a public bid – three bids were received. Golden Crown Contractors was the lowest at \$92,918.00. There were two other bids - Williams Enterprises at \$144,000.00 and DeSapio Construction at \$168,800.00. Golden Crown was significantly lower although higher than what was originally estimated.

President Schroth said that this door is at the back of the Senior Center and is important for us, in particular, because of handicapped access.

The Administrator added that it allows us – if we have to use the Center in an emergency – to get people in and out without having to use stairwells. And, if we have to work on the lights or the ceiling, we will be able to bring in a lift instead of having to put up scaffolding. The Administrator said that part of the project is to improve the roadway in the back and add to a handicapped ramp. Because we put in the new tennis courts, it will also allow for greater access to the building.

Councilwoman Keyes-Maloney asked if this was part of our capital budget from a few years ago.

The Administrator responded – yes, two years ago.

Councilwoman Wollert commented that for an overhead door, there seems to be a wide swing in the prices. Councilwoman Wollert asked if the cause for this swing was known.

The Administrator responded that he was present for the bid opening. De Sapia seemed more concerned as to how they can be so far off; the two who did not win asked us to look at the bid. We have done business with Golden Crown in the past and, historically, they seem to know what they are doing.

Councilwoman Wollert asked if they all bid on exactly the same door.

The Administrator responded - yes. That is why the two that did not win were taken aback.

The Attorney added that there were bid specifications.

The Administrator, the Attorney and Councilwoman Wollert then briefly discussed this price differential and the possible reasons for it.

President Schroth said that our experiences with Golden Crown in the past has been good - no surprises, no surprise change orders.

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

**5. A RESOLUTION AUTHORIZING A TEMPORARY EMERGENCY CONTRACT PURSUANT TO N.J.S.A. 40A:11-6 FOR THE PROVISION OF DUMPSTER AND COLLECTION SERVICES BY HORIZON DISPOSAL ON THE SAME TERMS AND CONDITIONS AS ITS CURRENT CONTRACT**

Attorney Cannon explained that the Township has an existing contract that is expiring. The Town cannot go without this service so this is an emergency extension of that contract.

Councilwoman Keyes-Maloney asked where are we in the bid process.

The Attorney responded that the bid specifications are being drafted.

Councilwoman Keyes-Maloney then asked what is the ETA.

The Administrator replied – April.

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

**6. A RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING PURSUANT TO N.J.S.A. 40A:11-4.1 ET SEQ. FOR A CONTRACT TO PROVIDE ENERGY AUDIT SERVICES TO THE RESIDENTS OF EWING TOWNSHIP**

The Attorney explained that competitive contracting is a process in which the Township gets to use an evaluative criteria as opposed to lowest responsive bid. Each time competitive contracting is used for a new or different thing, Council must first authorize the use of it for that particular type of service. In this case, this is a concession. The Town is not going to be directly procuring energy audit services, but rather this is a qualification process – the lowest priced and most qualified vendor can go out and solicit residents who want to have an energy audit done on their home. This is an initiative of the Green Team and is part of the Town's Silver certification process. The RFP is due back on March 22<sup>nd</sup>.

President Schroth asked, for the benefit of the Public, what exactly is an energy audit.

The Attorney responded that the vendor would go out to a resident's home and review the energy efficiency of that home and then make specific recommendations and provide an estimate to the homeowner. There are a number of State programs that could help if these recommendations are followed. However, the two most energy saving improvements are not included in the State programs.

Councilman Baxter asked if it is a free audit.

The Attorney responded no, the cost of the audit would be the bid price. Although the bid price could be zero, as the company wants to do the work. The expectation is that the price will come in similar to other towns – in the sixty dollar range.

President Schroth asked what other municipalities in Mercer County have done this.

The Attorney replied – Princeton and it came in at fifty-five dollars.

The Administrator then recounted what happened with past energy audits in other towns and how this one will be different.

Councilwoman Steward mentioned that the Green Team, at their March 21<sup>st</sup> meeting, is having a program about the various incentives and programs that are available to make a home more energy efficient.

Councilwoman Wollert asked what prompted this. Councilwoman Wollert said that she could appreciate that the Green Team wants to make people aware. However, this seems a little bit like government overreach because these are private companies going out to private citizens. These notices go out and look rather official, people think that they have to do it – especially seniors. Councilwoman Wollert said that she does not have an issue with the intent, but that it is officially from the Town and the Town is accepting bids.

The Attorney replied that the letter that will go out will emphasize that this is completely voluntary, that there are incentives to make improvements to your home and that you are free to use other vendors.

Councilwoman Wollert then asked who sends out the letter – the winning vendor.

The Attorney responded – the Town.

Councilwoman Steward added that this is why we are using competitive contracting – we do not want companies that just look like they are putting the Township seal on their corporate letterhead.

Councilwoman Keyes-Maloney discussed her parents experience with an energy audit.

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

**7. A RESOLUTION AUTHORIZING THE DONATION, RECYCLING OR DISPOSAL OF PROPERTY OF NOMINAL VALUE**

The Administrator said that the chairs are at Hollowbrook. These chairs are not in great shape, but a non-profit is willing to take them.

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

**8. A RESOLUTION CONSENTING TO THE APPOINTMENT OF CESAR A. DAVILA TO THE RECREATION ADVISORY BOARD**

The Administrator said that Mr. Davila has been active with soccer. Mr. Forst first interviewed Mr. Davila at the suggestion of the Administrator and then recommended him.

President Schroth asked if Mr. Davila is a coach.

(Response is inaudible)

Councilwoman Keyes-Maloney added that she met with the Chair of the Recreation Advisory Board who also highly recommended Mr. Davila's appointment to the Board.

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

**9. A RESOLUTION CONSENTING TO THE APPOINTMENT OF JOSEPH SCHMELTZ TO THE SENIOR CITIZEN ADVISORY COMMISSION**

The Administrator said that Mr. Schmeltz has been active in the Township and has been going to SAC meetings for many years.

There were no questions or comments from Council and 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 \$469,135.43 and to Pay Supplemental Bills per Resolution #16R-13 in the Amount of \$859,706.32

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

The Bills List was approved for action.

**CONSENT AGENDA**

Council President Schroth presented the Consent Agenda for review.

1. Approval of Agenda Session Minutes for July 14, 2015, September 8, 2015; Approval of Regular Session Minutes for July 14, 2015, September 8, 2015
2. A Resolution Authorizing St. John's Baptist Church to Hold a Block Party/Road Closing on July 16<sup>th</sup>, 2016 for a Car Show
3. A Resolution Authorizing the Conduct of a Bingo Sponsored by Incarnation St James Parish
4. A Resolution Authorizing the Conduct of an On-Premise 50/50 Cash Raffle Sponsored by Incarnation St James Parish
5. A Resolution Authorizing the Conduct of a Bingo Sponsored by EASEL (Ewing Animal Shelter Ext. League)
6. A Resolution Authorizing the Conduct of a 50/50 On-Premise Cash Raffle Sponsored by EASEL (Ewing Animal Shelter Ext. League)

7. A Resolution Authorizing the Conduct of an On-Premise Merchandise Raffle Sponsored by EASEL (Ewing Animal Shelter Ext. League)
8. A Resolution Authorizing the Conduct of an Off-Premise Merchandise Raffle Sponsored by Credit Union of New Jersey Foundation, Inc.
9. A Resolution Authorizing the Conduct of an On-Premise 50/50 Cash Raffle Sponsored by Meals on Wheels of Trenton/Ewing Inc.
10. A Resolution Authorizing the Conduct of an Off-Premise Merchandise Raffle Sponsored by Delta Sigma Theta Sorority Inc. Trenton Alumnae Chapter
11. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment, in the amount of \$1,365.15 for Overpayment of February 1, 2016, tax qtr., to Pfeiffer, Donald & Terranova, Donna, 40 Shelburne Dr., Ewing, NJ 08638 for property owner Pfeiffer, Donald & Terranova, Donna, for Block: 105.01 Lot: 35 also known as 40 Shelburne Dr.
12. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment, in the amount of \$1,983.40 for Overpayment of February 1, 2016, tax qtr., to Brosseau, Aaron & Badiak, Dara, 1379 Lower Ferry Road, Ewing, NJ 08618 for property owner Brosseau, Aaron & Badiak, Dara, for Block: 368 Lot: 9 also known as 1379 Lower Ferry Road.
13. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector for Overpayment, a REFUND in the amount of \$3,392.08 for August 19, 2015 to March 31, 2016 and a CANCELLATION in the amount of \$4,771.09 for August 19, 2015 through June 30, 2016 to Eversen, Adam B., 29 Green Lane, Ewing, NJ 08638 for property owner Eversen, Adam B., for Block: 163 Lot: 25, also known as 29 Green Lane due to 100% disabled veteran as of August 19, 2015.
14. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment, in the amount of \$665.52 for Overpayment of February 1, 2016, tax qtr., to McAllister, Larry W. & Bernice, 48 Stout Ave, Ewing, NJ 08638 for property owner McAllister, Larry W. & Bernice, for Block: 17 Lot: 13 also known as 48 Stout Ave.
15. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment, in the amount of \$2,725.20 for Overpayment of February 1, 2016, tax qtr., to Sterling Title Agency, 2662 Nottingham Way, Hamilton, NJ 08619, File# MC-23726 for property owner Upshur, Terence & Cheri, for Block: 423.03 Lot: 281 also known as 53 Willis Drive.

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

The Consent Agenda was approved for action.

#### **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 Keyes-Maloney said that the Arts Commission met last evening. They talked about the upcoming Arts Show scheduled for April 24<sup>th</sup>; they are hoping that we can all attend that event. The Commission also spoke with a group that they are hoping to partner with - to provide some art classes as well as provide some additional items for an arts festival the Commission wants to hold in the fall.

Councilman Baxter said that he did not have anything to report as the Recreation Advisory Board meeting was cancelled and the next meeting is scheduled for March 21<sup>st</sup>.

Councilwoman Wollert did not have anything to report at this time.

Councilwoman Steward said that on March 17<sup>th</sup>, at the Ewing Senior and Community Center, the Green Team is sponsoring a “Won’t You Be My Neighbor” for those interested in being part of or starting their own community associations. This is one of our pilot demonstration projects for our Green Team certification.

President Schroth said that Planning Board was cancelled for March so he has nothing to report.

**NEW BUSINESS**

**(None for this Meeting)**

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

There were no questions or comments from the Public.

**CLOSED SESSION**

**(None for this Meeting)**

**ADJOURNMENT**

There being no further business, President Schroth asked for a motion to adjourn. Ms. Keyes-Maloney so moved seconded by Mr. Baxter. The meeting was adjourned at 6:59 p.m.

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David P. Schroth, President

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Kim J. Macellaro, Municipal Clerk