

## January 23, 2012 AGENDA SESSION

President Summiel called the meeting to order at 6:30 pm 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 3rd day of January, 2012.

**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. ANY MEMBER OF THE PUBLIC CAN LEAVE THEIR QUESTION AND CONTACT INFORMATION WITH THE CLERK REGARDING MATTERS THAT NEED RESPONSE BY ADMINISTRATION.**

### ROLL CALL

- |                               |                              |
|-------------------------------|------------------------------|
| ▪ Mr. Baxter – Present        | Jim McManimon, Administrator |
| ▪ Ms. Hyser - Present         | Maeve Cannon, Attorney       |
| ▪ Mr. Murphy – Present        | Joanna Mustafa, CFO          |
| ▪ Mr. Summiel – Present       | Keysha Preston, Deputy Clerk |
| ▪ President Wollert – Present |                              |

### DISCUSSION

1. PUBLIC DONOR AGREEMENT AND LEASE AGREEMENT FOR THE CYO AT HOLLOWBROOK – Ted Forst, Director of Community Affairs and Thomas Mladenetz, Executive Director of the Catholic Youth Organization of Mercer County

Mr. Mladenetz spoke about the CYO subsidized Childcare program, to which 70% of the participants are Ewing residents. President Wollert commented and stated that the ratio from the students outside the Township has been pretty constant. Councilman Baxter asked about the 2<sup>nd</sup> floor for summer programs, Mr. Mladenetz responded. Councilman Summiel asked does the program require an RFP or public bidding, Attorney Cannon responded and said no because it’s a Non-Profit Organization and explained.

2. AN ORDINANCE REAPPROPRIATING \$50,000, INCLUDING \$47,500 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE, IN ORDER TO PROVIDE FOR UPGRADES TO THE EWING SENIOR AND COMMUNITY CENTER BUILDING AT 999 LOWER FERRY RD, IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY- Administration

CFO Mustafa explained that this ordinance is to finish the portion of the roof that wasn’t finished under the HUD grant. Councilman Summiel and Vice President Hyser asked questions and CFO Mustafa responded.

3. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, INCREASING THE FEES IN CHAPTER 172, FEES, FOR PEDDLING, SOLICITING AND RELATED ACTIVITIES- Administration

Administrator McManimon responded. President Wollert said she would like to see the meaning of transient merchant, peddling and soliciting with related activities and to come back to the next meeting. Attorney Cannon responded.

4. RESOLUTION OF THE TOWNSHIP OF EWING, MERCER COUNTY, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP TO RENEW MEMBERSHIP IN

**THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND AND TO EXECUTE AN INDEMNITY AND TRUST AGREEMENT WITH SAID FUND – Dominic Cinelli from Brown & Brown**

Dominic Cinelli explained to Council about the company and also explained that the Township needed to seek other proposals from other companies by October 1, 2011 and that only one other company came close which was Mid NJ Joint Insurance Fund.

**CONSENT AGENDA**

The Council President presented the Consent Agenda for review.

1. Authorization for the Chief Financial Officer to pay Township bills in the amount of \$5,231,685.06.
2. A Resolution authorizing a Performance Guarantee Release for Cenlar Federal Savings Bank (Block 225.02/Lot 52) – Ewing Engineers Remington & Vernick and Affiliates #1102 I 014
3. A Resolution authorizing a Refund, as recommended by the Township Construction Official, for a certificate of occupancy overpayment for 6 Scudder Road
4. A Resolution to amend the meeting dates of The Township Council for 2012
5. A Resolution to amend the 2012 Holiday Schedule for Lincoln’s Birthday which is on Sunday February 12, 2012 and will be observed on Monday February 13, 2012

Council questioned some items on the bills list and CFO Mustafa and Administrator McManimon explained.

The Consent Agenda was approved for action.

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

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**NEW BUSINESS**

President Wollert presented the New Business Agenda for review by Council.

1. A RESOLUTION AUTHORIZING TY2011 RESERVE BUDGET TRANSFERS  
CFO Mustafa explained that the 1<sup>st</sup> 3 months of the year you’re allowed to look back to the prior year and transfer money.
2. RESOLUTION APPROVING THE MAYORS APPOINTMENT OF ROGER T. HALEY AS MUNICIPAL COURT JUDGE FOR THE TOWNSHIP OF EWING
3. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ENTER INTO A WORK SITE AGREEMENT WITH THE ADMINISTRATIVE OFFICE OF THE COURTS, PROBATION DIVISION FOR THE COMMUNITY SERVICE PROGRAM

Attorney Cannon explained and Councilman Summiel asked if there is any liability, Administrator McManimon explained that they would be working along with the

Public Works Department. Councilman Baxter asked if they will always be working with someone and Administrator McManimon answered yes.

4. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ENTER INTO AN INSTALLMENT PAYMENT PLAN FOR OUTSTANDING TAXES ON BLOCK 19, LOTS 7 AND 4 AND TO REMOVE THIS PROPERTY FROM THE JANUARY 2012 TAX CERTIFICATE SALE

Attorney Cannon explained. Councilman Summiel said that the issue is if the Tax Collector does it for one he has to do it for others.

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

Ron Prykanowski (16 Thurston Dr.) stated that he thinks the Community Service program is a good idea and asked is there a Safety Director because there are a lot of employee's on lite duty. He also asked about the \$25,000.00 dumpster bill for Mercer Group on the Bills List. Trish Dicello (10 Chelmsford Dr.) asked a question on the bills list in regard to stop loss on insurance plan, President Wollert explained.

#### **CLOSED SESSION**

At 8:21pm Mr. Murphy moved A Resolution to Go Into Closed Session, seconded by Ms. Hyser.

**Resolution #12R-45** WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act" states that, except as provided by in Section 7.a, all meetings of a public body, such as the Municipal Council of the Township of Ewing, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township of Ewing may exclude the public only from the portion of a meeting at which Municipal Council of the Township of Ewing discusses certain subjects which are listed in the aforementioned Section; and

WHEREAS, the Municipal Council of the Township of Ewing desires to discuss certain subject(s) which are listed in the aforementioned section and desires to exclude the public from the portion of the meeting at which the Municipal Council of the Township of Ewing will discuss said subject(s); and

WHEREAS, Section 8 of Chapter 231, Public Law 1975 states that no public body shall exclude the public from any meeting to discuss any matter described in Section 7.b until the public body shall, at a meeting to which the public shall be admitted, first adopt a resolution making certain statements with respect to the subject(s) to be discussed; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Ewing, in the County of Mercer, State of New Jersey, as follows:

1. That the Municipal Council of the Township of Ewing hereby declares that the general nature of the subject(s) to be discussed by the Ewing Township Council in closed session is as follows:

\_\_\_\_\_Personnel Matter\_\_& Litigation\_\_\_\_\_

2. That the Municipal Council of the Township of Ewing for the aforementioned reasons hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Municipal Council of the Township of Ewing to take the appropriate action to effectuate the terms of this resolution.

IT IS SO RESOLVED.

**The Meeting was reopened at 8:39 pm. There being no further business, President Wollert asked for a motion to adjourn. Mr. Murphy so moved seconded by Mr. Baxter. The meeting was adjourned at 8:39 pm.**

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**Kathleen Wollert, Council President**

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**Keysha Preston, Deputy Clerk**