

April 26th, 2016 – AGENDA SESSION

President Schroth called the meeting to order at 6:34 p.m. and read the Open Public Meeting Statement:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 4th 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

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

PRESENTATION – Elks Youth Week

Councilwoman Keyes-Maloney presented a Proclamation to Jim Castelize (Exalted Ruler – Trenton Elks) for Elks Youth Week. Councilwoman Keyes-Maloney mentioned that the Elks do a lot with youth throughout the year, but designate the first full week of May as Elks Youth Week. This past Sunday, the Ewing Elks sponsored a youth arts show. We are blessed to have the Elks as they do a lot for the community.

Mr. Castelize thanked Council and the Administration for everything they have done to help the Trenton Elks come back here. Mr. Castelize announced that for the second year in a row, the Elks have had both a membership gain and a financial gain and because of this the Elks are beginning to donate more back to the community. This past year, the Elks donated over \$60,000 into the Ewing community. Mr. Castelize said that he hopes to be able to increase that number. Mr. Castelize listed a number of the Elks’ programs and mentioned that this past year the Elks gave \$2,000 worth of scholarships to Ewing High students. Mr. Castelize invited everyone to come to their Youth Day on the 7th.

DISCUSSION

- 1. BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$3,922,757 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,726,619 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

The Administrator said that each department head asked for their wish list of capital items. The total requested is just under \$2.8 million.

The CFO said that this Ordinance is just shy of four million dollars. Administration did approve the road improvement program.

Councilwoman Keyes-Maloney asked what roads are expected to be a part of this year’s program.

The Administrator elaborated on the roads to be included and also mentioned that he did get pricing for some of the requested speed humps. The Administrator then stated that it is dependent on how the bids come in. The roads are prioritized; if there is a need for emergency road repair, things could change.

Councilman Baxter asked the Administrator to email the list to Council.

Councilwoman Keyes-Maloney asked if this Ordinance includes the emergency remediation for Hollowbrook.

The Administrator responded that that is the extra money and why this request is for \$3.8 million and not \$2.8 million. The Administrator added that some of the remediation will be paid for by HUD.

There were no additional questions or comments from Council.

George Steward (30 Gilmore Road) asked if this bond ordinance is dependent on Council passing the Budget this evening.

The Administrator responded – yes.

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

2. A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES AND EMERGENCY CONTRACT TO RJB ENVIRONMENTAL, INC. (“RJB”) FOR ASBESTOS CONSULTING SERVICES

President Schroth said that this stems from the discovery of asbestos at Hollowbrook and the need to immediately begin work on the clean-up.

The Administrator said that Council still has to approve this even though, due to the emergency, work has already started. The building will be closed at the end of business on May 31st.

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

3. A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES AND EMERGENCY CONTRACT TO NETTA ARCHITECTS (“NETTA”)

The Administrator said that we put this out to emergency bid and we had two bidders. Architectural work needs to be done at Hollowbrook as well. This firm was recommended.

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

4. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ENTER INTO AN AGREEMENT WITH THE EWING-LAWRENCE SEWERAGE AUTHORITY, JAMES R. MCCAGG II T/A JRM CONSTRUCTION AND THE TOWNSHIP OF HOPEWELL FOR THE PROVISION OF SEWER SERVICES FOR 5 BRANDON ROAD WEST

The Administrator explained that Hopewell Township has approved this pending ELSA allocation and Ewing approval. It is at one and one-half times the rate; the Township gets revenue on this.

Councilwoman Keyes-Maloney asked if this parcel is adjacent to Ewing.

The Administrator replied that the parcel is adjacent to an already existing connection. ELSA is already in support of this as long as we are.

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

5. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ENTER INTO AN AGREEMENT WITH THE EWING-LAWRENCE SEWERAGE AUTHORITY, JAMES R. MCCAGG II T/A JRM CONSTRUCTION AND THE TOWNSHIP OF HOPEWELL FOR THE PROVISION OF SEWER SERVICES FOR 7 BRANDON ROAD WEST

Council President Schroth said that this is the same as Item Four; just a neighboring house.

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

6. A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION SITE

President Schroth said that this is standard practice for auctioning off property that cannot otherwise be used.

The Administrator said that this is a new online auction program. The Township makes out better in terms of the fee as the company gets less than "GovDeals." This is the first time that we are using them.

Vice President Steward pointed out that the Resolution says "GovDeals."

Councilwoman Keyes-Maloney clarified that GovDeals has several different components - different ways of disposing property – one is a live auction.

The Administrator said that this is a live auction. The live auction rate is cheaper.

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 this is for old Dell computers.

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

8. A RESOLUTION ESTABLISHING MAY 1 AS DAY OF UNITY IN EWING TOWNSHIP AND RECOGNIZING MAY 5 AS THE NATIONAL DAY OF PRAYER

Councilwoman Keyes-Maloney said that this has become an annual event. It is with the National Day of Prayer, but more importantly, it allows the Houses of Worship to come together and focus on issues of violence throughout Mercer County. They begin their walk on the edge of Ewing and go into the City of Trenton on May 1st. This commemorates the Unity Walk on May 1st along with recognizing the National Day of Prayer on May 5th.

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

9. A RESOLUTION APPROVING JAMES P. MASICK AS AN ACTIVE FIREFIGHTING MEMBER OF THE WEST TRENTON VOLUNTEER FIRE COMPANY

President Schroth explained that this is a standard resolution when we have new members join our respective fire companies.

Councilwoman Keyes-Maloney commented that she is really happy to see this and the other three becoming full members. Councilwoman Keyes-Maloney thanked the Administration for their focus and for getting the word out that more volunteers are needed in our fire service; hopefully, this is the beginning of more to come.

The Council President said that this has been a collaborative effort with the Administration and the fire departments that approached us a year or so ago. An incentive program was established to attract new members and it is working.

The Administrator added that it is working well in two companies; it is inching along in the third company that recently got three new proposed members. Along with the incentive program, volunteers are covered under workman's compensation if an injury affects their day job.

President Schroth stated that it is a major time commitment.

The Administrator added that companies today are not allowing their employees leave during the day. The hours have to be made up at the one company that does allow it.

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

10. A RESOLUTION APPROVING KYLE W. MOODY AS AN ACTIVE FIREFIGHTING MEMBER OF THE PROSPECT HEIGHTS VOLUNTEER FIRE COMPANY NO. 1

President Schroth said that Mr. Moody is with one of our other fire companies and also thanked the Administration for their efforts in getting volunteers.

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

11. A RESOLUTION APPROVING RAYMOND J. SCHEICK AS AN ACTIVE FIRE POLICE OFFICER OF THE PROSPECT HEIGHTS VOLUNTEER FIRE COMPANY NO. 1

President Schroth said that Mr. Scheick is joining Prospect Heights as a Fire Police Officer.

The Administrator added that Fire Police do not ride on the trucks but offer traffic support and back-up.

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

12. A RESOLUTION APPROVING AMIR LAUBER AS AN ACTIVE FIREFIGHTING MEMBER OF THE PROSPECT HEIGHTS VOLUNTEER FIRE COMPANY NO. 1

President Schroth said that this is a similar resolution memorializing Mr. Lauber joining Prospect Heights.

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

All items were approved for action.

BILLS LIST

Council President Schroth presented the Bills List for review.

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$6,991,666.62 and to Pay Supplemental Bills per Resolution #16R-13 in the Amount of \$11,771.17

Councilwoman Keyes-Maloney asked if #680919335 to Hamilton area YMCA for line dancing instructors was for the Seniors.

The CFO responded – correct.

Councilwoman Wollert asked what pension fund is Check #9999 for as it is only marked as “April actives”.

The CFO replied that it is for active and retiree health benefits.

There were no additional questions or comments from Council. There were no questions or comments from 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 March 22, 2016; Approval of Regular Session Minutes for March 22, 2016
2. A Resolution Authorizing the Conduct of an On-Premise 50/50 Cash Raffle Sponsored by PTO Antheil Elementary School Inc.
3. A Resolution Authorizing the Conduct of an On-Premise Merchandise Raffle Sponsored by PTO Antheil Elementary School Inc.

4. **A Resolution Authorizing the Brothers' of Tomorrow to Hold a Block Party/Road Closing on September 3, 2016**
5. **A Resolution Authorizing the Springmeadow Homeowners Association to Hold a Block Party/Road Closing on June 4, 2016**
6. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$64.10 for April 1, 2016 sewer bill to Phyllis Farquharson, 99 Chelsea Ave., Ewing NJ, 08638 for property owner Phyllis Farquharson for Block: 61 Lot: 24 also known as 99 Chelsea Ave. Sewer bill for 2016 is paid in full.**
7. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$8,937.13 for property taxes being paid on incorrect property from February 1, 2015 to February, 2016 to Keystone Asset Management Inc., 3015 Advance Lane, Colmar, PA 18915 for property owner Upper Ferry Rd, LLC for Block: 229.8 Lot: 10 also known as 9 Upper Ferry Rd.**

Vice President gave kudos to the Clerk's Office for being up-to-date on the minutes.

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

The Consent Agenda was approved for action.

CY2016 TOWNSHIP BUDGET

1. **A RESOLUTION TO READ BUDGET BY TITLE AT PUBLIC HEARING**
2. **PUBLIC HEARING ON THE CY2016 BUDGET**
3. **A RESOLUTION ADOPTING THE TOWNSHIP OF EWING CY2016 BUDGET**
4. **A RESOLUTION FOR SELF-EXAMINATION OF CY2016 BUDGET**

President Schroth stated that the Public Hearing for the Budget is scheduled for the Regular Session; we will address the Budget in detail then. The Regular Session will be held immediately following this Agenda Session.

President Schroth said that Jeff Burd is here tonight as he was unable to attend the Special Session last week for departmental presentations.

Jeff Burd (Assessor) said that for the 2016 requested Budget there was not a whole lot of change; just minor shuffling around. Mr. Burd then elaborated on his proposed budget. Mr. Burd mentioned that there is an increase for "New Equipment" as he is looking to get two new field tablets that he and the Deputy Assessor can use. A lot of other Townships use it; it allows for real-time data entry to be downloaded into the system. The cost is about \$1,500 a piece. Mr. Burd said that the difficult part with the appraisals is the Township moving back to a calendar year budget. Mr. Burd said that he realizes that this was helpful to some departments. However, with a fiscal year; by the time the budgets were being prepared in May and June, he already knew the exact number of appeals that he had which made it easier. Mr. Burd said that although the number of appeals have gone down, he is budgeting about \$3,000 more.

In regards to the two new tablets, Councilman Baxter asked the Assessor if he already had something like this.

Mr. Burd replied that we talked about getting it in the past but nothing came of it. Councilman Baxter then asked if Google Maps will be accessible on these.

Mr. Burd replied – yes, but the County has something that would be more accurate than Google Maps and will match up well software-wise.

Vice President Steward asked what does "Other Expenses" cover.

Mr. Burd responded that it covers office supplies, mileage reimbursement and continuing education.

Vice President Steward asked if there is an update on the revaluation.

Mr. Burd said that right now we still have two pages of corrections on the tax maps. There is a conflict with things on the tax maps and not in the books and vice versa.

Councilman Baxter asked how the new shelves are working out.

Mr. Burd replied that the shelves are “fantastic” and thanked the Administration for their patience and cooperation. We were able to get rid of twenty-six or twenty-eight file cabinets. It is not only ease of use, but we do not have to constantly bend down to retrieve files, we are not getting paper cuts and the files are not being torn when filed. Mr. Burd said that there is enough room in these files to last until he retires in about twelve years. Two other departments have expressed interest in getting them.

Councilwoman Keyes-Maloney added that it was necessary – there was no more space in the Assessor’s Office and the old cabinets were recycled.

There were no additional questions or comments from Council.

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

The Administrator stated that if the Budget is approved later tonight, there will be a capital bond ordinance for first reading.

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 225-61 SCHEDULE XIV: TRUCKS OVER FOUR TONS TO EXCLUDE TRUCKS OVER FOUR TONS FROM BEAR TAVERN ROAD BETWEEN ROUTE 95 TO JACOBS CREEK ROAD**

President Schroth said that this will bring this section of the roadway into accord with the other sections.

The Administrator added that Hopewell already has this in place for their section of Bear Tavern Road. We have it in place for Scenic Drive, Nursery Lane and Mountainview Road. Heavy trucks will not be permitted, except for local delivery, as we do not want them speeding down toward the creek.

There were no questions from Council or the Public.

The Attorney then stated that there is a walk-on item. It is a Resolution in support of a grant application for Community Stewardship Incentive Program (CSIP) Inventory Grant. It is a grant from the state of New Jersey in the amount of \$10,000 to fund the performance of a tree inventory of Ewing’s trees on public property to assist the Township in determining where to place those six hundred replacement trees that the Township will receive in connection with the Scudder Falls Bridge Project. This came over from the Green Team; the grant application needs to get in right away. This Resolution needs to accompany that application. The Attorney then asked Council to approve this Resolution as a walk-on to the Agenda which is permitted under the Open Public Meetings Act to the extent that the Agenda must be advertised to the extent known and this was not known until today.

Councilwoman Keyes-Maloney added that timing is of the essence here in terms of submitting the application.

The Administrator added that the resolution is needed by tomorrow. The rest of the application had already been submitted along with a letter of support from the Mayor. They said that the letter would suffice until the resolution comes in from Council. Many trees are dying. We are trying to identify the healthy trees and the replanting that will go on. It will only be for our public property. The Administrator said that it helps the Green Team and Township sustainability as it returns our cover to where it was before all of these ash trees dying.

There were no additional questions or comments from Council.

Larry Gustin (634 Latona Avenue) related his experience with an ash tree on his property that he had to remove fifteen years ago and said that it might be the same infestation.

Councilwoman Keyes-Maloney replied that it is not as the Emerald Ash Borer is a new pest. It does not have a known predator; so it is very invasive. There is also no known chemical to treat it. With respect to public lands, we expect that we could see up to 800 trees die.

Mr. Gustin asked if there is an active program to try to stop this.

Councilwoman Keyes-Maloney reiterated that there is no known treatment for this. Cutting the trees down actually spreads the infestation. Ms. Keyes-Maloney said that part of it is to inform the public. It is also part of the reason why we are doing the tree inventory. We have not seen the bug in Ewing as of yet, but have seen it in Mercer County. Vice President Steward added that besides the tree inventory grant, the Green Team just found out about a \$20,000 Sustainable New Jersey grant that specifically focuses on this. The Township had applied for this grant and found out that it has come through. The Township will receive one of four such grants.

There were no additional questions or comments from the Public.

This Ordinance was approved for action.

COMMISSION & COMMITTEE REPORTS FROM MEMBERS OF COUNCIL

Vice President Steward said reported that the Green Team had a successful first shred day of the year. This coming Saturday from 10:00 a.m. to 2:00 p.m. is the annual prescription drug take back. Residents can bring prescription medicine to the Police station and it will be properly disposed of. The monthly Green Team meeting is tomorrow at 6:30 p.m. at the Senior Center.

Councilwoman Keyes-Maloney reported that the Arts Commission had a successful Arts Show at the Elks. A number of schools along with ARC and homeschoolers participated. Additional art will shortly be placed on display at the Municipal Building. The Historic Committee meets later this month.

Councilman Baxter reported that Little League Opening Day was successful. The numbers seem to be starting to rise for Little League baseball. Softball also had its Opening Day, the numbers are not quite up but there are more participants then last year. There was also a discussion with Schafer Sports Center. They want to use one of our softball fields this summer.

Councilwoman Wollert said that the Seniors continue with their wide range of activities for seniors and are always looking for new members. There are also a number of services that the Department provides – health, legal and social.

There were no additional committee and commission reports from members of Council.

Councilwoman Keyes-Maloney made a number of announcements: The Police Memorial Service is this Saturday at 9:00 a.m. The public will also be able to tour the Police Department.

The Unity Walk is scheduled for May 1st at 3:00 p.m. It will begin at the Islamic Center on Parkway Avenue.

There will be a student art show at Springhill Suites on May 5th at 4:00 p.m.

The Police Officer of the Year dinner is not this Friday but next Friday at 6:30 p.m.

That same evening, Fisher Middle School is having a pasta dinner and gift raffle which is how they support some of their spring field trips.

The Ewing Ed Foundation is sponsoring their awards night on May 12th and the Ewing

Historical Society is having their annual Sarah Temple Tea on May 17th.

President Schroth added that at the Police Memorial Service bricks are laid for fallen heroes.

There were no additional announcements.

The Administrator said that there was a spirited two hour Town & Gown meeting last night. Eleven residents and three police officers were there. For the upcoming graduation, there will be no live band and no fireworks at the “Fun Party”. It is an effort by the College to listen to the residents who live near the College. One fraternity has been removed by the College and will not receive any permits if they apply. We are still waiting for a response on the federal level. There was a discussion about the stealing of signs and mailboxes. The student newspaper ran an article reminding students that stealing mailboxes is a federal offense. The Administrator stated that we have to try something new with regards to this stealing.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Peter Boughton (119 Florence Avenue) said that the 1867 Sanctuary has had many wonderful musical acts. But at some recent events only a few people were in the audience; consequently, the Sanctuary took a financial hit. Mr. Boughton said that he would like all of us to do whatever we can possibly do to build up this cultural presence in Ewing.

Councilwoman Keyes-Maloney said that folks from the 1867 Sanctuary attended the last Arts Commission meeting to discuss the possibility of an "Open Mike Night" in the fall. Also, the Commission is partnering with them to conduct an Art Survey - to get a sense of the artists and craftsmen that we have in the Township.

Mr. Boughton then made some suggestions.

Mr. Boughton said that he would like to see Ewing be more progressive in striping municipal roads for bike paths. Right now Green Lane is the only road striped for biking and it is only half done. Mr. Boughton said that he would like Ewing to model what the County is doing.

President Schroth said that we are all aware of this expressed desire and it is something that is taken into consideration when roads are repaved.

Mr. Boughton then mentioned Federal City Road at Bull Run Road. It is a dangerous situation. Perhaps making it a County Road will help.

Ron Prykanowski (16 Thurston Avenue) said that there is a chemical that kills infestation but the problem is that it is toxic. Mr. Prykanowski then mentioned the "Healthy Forest Initiative" and said that having a tree ordinance in place will make it easier for developers as they will know prior to development what they have to do. Mr. Prykanowski said that some areas along Olden Avenue are unsightly and hopes Council will consider a tree ordinance.

Council President Schroth said we will take it under consideration.

Councilwoman Keyes-Maloney mentioned that what the Redevelopment Agency has been focused on in the Olden Avenue zone is façade improvement. There is a grant that business owners can access. One item under façade improvement is greening up their properties. There is a list of trees acceptable within the zone. We are focused on it.

Mr. Prykanowski then said he hopes that it does not go overboard. Mr. Prykanowski said that his son lives in the planned community of Reston, Va. In order to take down a tree you have to get a neighbor's permission within 400 feet. A permit is then issued to allow you to cut down trees that are less than four inches in diameter so if you have two five inch trees within inches of each other, you can not cut them down. That still does not make it a healthy area.

Larry Gustin (634 Latona Avenue) mentioned an experience that he just had heading north on Route 31 just passed Rockleigh Drive. There is a new development on Rockleigh Drive. It was difficult getting through that intersection; we are getting close to a traffic jam. It is an accident waiting to happen. Mr. Gustin said that it is necessary to understand the traffic flow that we are going to get with additional development.

Council President said that when these matters come before the Planning and Zoning Boards, there are mandated traffic studies.

Mr. Gustin said that he understands that; he expected everything to be fine. Here is an example where it is not working.

The Administrator added that there is a half hour timeframe when it begins to backup on Charles Ewing Boulevard. It does smooth out pretty quickly. The State is aware of it and is doing a study. We asked them to undertake the study because there is another planned development on Charles Ewing Boulevard.

There were no additional 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. Wollert so moved seconded by Mr. Baxter. The meeting was adjourned at 7:45 p.m.

David P. Schroth, President

Kim J. Macellaro, Municipal Clerk