

## AGENDA SESSION 2-10-15

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 2<sup>nd</sup> 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

- |                                     |                              |
|-------------------------------------|------------------------------|
| ▪ Mr. Baxter - Present              | Joanna Mustafa, CFO          |
| ▪ Mr. Schroth - Present             | Maeve Cannon, Twp. Attorney  |
| ▪ Ms. Steward - Absent              | Kim Macellaro, Clerk         |
| ▪ Ms. Wollert – Arrived 6:43 p.m.   | Jim McManimon, Administrator |
| ▪ President Keyes-Maloney – Present |                              |

### PRESENTATION – Oath of Office to Paid Career Firefighters–Mayor Bert Steinmann

Mayor Steinmann started by saying that before he swears these gentlemen in he wanted to say that this has been a long time coming. Most of them have been firefighters for a while. With that said, he said he is certainly very proud to be here tonight to swear the men in. Friday is another big day for Ewing Township. The recruits in the police academy are graduating at 1:00. These gentlemen all give their time and dedication to their job and he is proud and honored to swear them in tonight. They all received the Oath of Office from Mayor Bert Steinmann. The Mayor then swore in Captain Lenarski while the other men stood around him. Mayor Steinmann congratulated them and Council President Keyes-Maloney thanked them all for their service and dedication. Mayor Steinmann asked for a round of applause.

### DISCUSSION

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

President Keyes-Maloney explained that specifically we are looking at the Deputy Clerk’s position and we are bringing the proposed salary in line with the existing collective bargaining agreement range and it is consistent with the Deputy Clerk ascending to her full battery of certifications. There were no questions from Council or the public.

2. A RESOLUTION AUTHORIZING EXECUTION OF A PUBLIC DONOR AGREEMENT WITH THE CYO OF MERCER COUNTY

President Keyes-Maloney introduced Mr. Mladenetz, Executive Director from the CYO to give us background on the agreement we have with the CYO. It is a valuable service we have had for a number of years. She said that Mr. Mladenetz is going to give us an overview of how the CYO works in tandem with us in Ewing Township to support our

children. He started by saying that he gave Council a report on the pre-school and summer day camp program that they run at the Hollowbrook Community Center. He wanted to give them a brief background. The CYO has an agreement with the State Department of Human Services, whereby they offer subsidized childcare to low income families. Each county has an administrating agency and Mercer County's is Childcare Connection. The eligibility requirements, based on their financial status, are working full time, going to school full time or in a job training program. The parents then pay the CYO a monthly co-payment based on family size and family income. The State establishes a sliding fee scale and they abide by that. The CYO then leverages the Federal and State money with County and Local Government funding, hence the public donor agreement before you tonight. He further went on to say that this is a high quality, nationally accredited program. He also said he would like to point out to Council that they have a very good partnership with the Ewing Board of Education. They coordinate with them on curriculum planning. President Keyes-Maloney said that the program serves kids in a couple ways: assuring that they are ready when they enter kindergarten and beyond and it also provides a safety net to families in the summer and she personally values the program as an asset to the township. Councilman Baxter commented that he echoed Ms. Keyes-Maloney's sentiments and he said that he has attended graduations and he can see how happy the parents are. It makes you feel good. He further stated that he is always an advocate of the CYO program and he really appreciates the love and the heart that they put into it. Councilwoman Wollert said that she was on the Council when the CYO came in and took over the program. This town is very fortunate to have Mr. Mladenetz and the CYO step up with a program that is so worthwhile for the children that attend and it is a benefit for the parents. Councilman Schroth said he echoed his fellow Councilwoman and Councilmen's comments and he is a product of the CYO, although not the camp. President Keyes-Maloney thanked him for the update and he said any of the Council are welcome to stop by any time and that he couldn't do it without their support.

Moved to #9 under Discussion

President Keyes-Maloney asked for a point of privilege because there was a group with us tonight to discuss #9, regarding support of anti-corruption legislation. She stated that as a way of back history on this, a member of the community reached out to Council seeking their support for ensuring that they insure that our pay to play rules and anti-corruption statutes are consistent with what they should be. In essence making sure that donors aren't using the power of their person appropriately in a way that most of us can't as citizens. She then welcomed Mr. Millen to give a brief presentation on his resolution. Mr. Millen said he is a Ewing resident and his family is from Ewing, his wife's family and brother-in-law are also from Ewing. He said they are a non-partisan campaign of half a million in working communities all across the country to fight political corruption and reduce the influence of money in politics. In today's election 93% of the time, the candidate with the most money wins. The problem is that the money doesn't come from most of the people, in fact, less than 1% of Americans contribute most of the money to politics. In 2012, all that money added up to 7 billion dollars spent on federal elections and that is just the tip of the iceberg. Since our government is so busy listening to that 1%, it isn't really representing us and that is the problem. They have a proposal to change that which is what is before you tonight which ends the legalization of bribery to make it illegal for politicians to take money from the interest that they regulate. He asked how you can chair a committee on a state or federal level and take campaign money from the very people you're supposed to regulate and be impartial, but yet it is legal. They would like to see state and federal government work more like our local government. He hoped that Council would support this resolution as an insurance policy so that this doesn't happen here. President Keyes-Maloney thanked Mr. Millen for bringing it to their attention. She also said that in terms of some of the specifics that Ewing has, we have an ethical standards board that we hand over to the county if there were an ethical violation found. At the same time, we, as a Council, are also required to file Financial Disclosures on an annual basis. Councilman Baxter asked Mr. Millen if the goal is to make this a referendum item. Mr. Millen said yes, that is their overall goal. Councilman Schroth thanked Mr. Millen for doing this and said that we need more people involved and engaged like he is. He further stated that regardless of money, voter turnout has been unbelievably low and he encouraged Mr. Millen to keep at this. Mr. Millen thanked Council for having him and said he will certainly keep on trying. Mr. Millen introduced the people in the audience who came to support this resolution.

Council then moved back to Discussion item #3.

3. A RESOLUTION AUTHORIZING TAX ASSESSOR TO ACT AS AGENT FOR TOWNSHIP OF EWING FOR THE PURPOSE OF FILING AND SETTLING TAX APPEALS ON BEHALF OF THE TAXING DISTRICT FOR THE TAX YEAR 2015

President Keyes-Maloney said that we have done this for a number of years. It allows the Tax Assessor to serve as the agent for purposes of tax appeals and it expedites the process significantly. The attorney said that this provides the assessor with the authority and discretion to settle appeals. There were no questions from Council or the public.

4. **A RESOLUTION OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, 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.**

Attorney Cannon said that instead of going out in open market, they join the Joint Insurance Fund (“JIF”) which provides worker’s compensation liability coverage, general liability, motor vehicle liability and property damage. Councilwoman Wollert asked Counsel what is not covered under this plan and if they do our health insurance. Administration answered no. Ms. Wollert asked about the excess liability, because we have a threshold and then we have to buy excess liability coverage. Administration answered – that is correct. Ms. Wollert asked Administration to refresh her memory of the fees. Administration stated that we don’t pay them directly, they assess us. It used to be 6% and we negotiated down to 5% and it’s paid directly out of the JIF Fund. Administration commented that there are 34 towns in the JIF – 3 from Mercer – Hamilton, Lawrence and Ewing. There were no more questions from Council or the public.

5. **A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO CHARLES W. LATINI OF L&G PLANNING LLC TO SERVE AS A PLANNING CONSULTANT FOR TOWNSHIP ECONOMIC GROWTH AND DEVELOPMENT**

President Keyes-Maloney said that amongst other activities, Mr. Latini’s firm will be responsible for doing a strategic economic development plan as well as some ancillary duties associated with the Green Team visioning process. Mayor Steinmann commented that this is something he has wanted to do for a long time. He continued to say that we fall woefully short on conveying the message to our residents, local businesses and real estate agents to let them know what the demographics are of the town, what services are provided and things of that nature. Mayor Steinmann said he is also looking to appoint three more individuals on the economic side and along with Chuck Latini, who will spearhead this, and can brainstorm as to what else we can do to move the town forward. Mayor Steinmann stated that Mr. Latini is pretty brilliant with what he does on the Planning side. He further commented that he has also been asked to serve on the Master Plan for the airport. Councilman Schroth commented that a big part of the advantage in having him involved in this, in addition to him being a lifelong Ewing resident, he has familiarity already with what is under way with GM, redevelopment in ETRA and things that we have tried to get going for some time. Mayor Steinmann said that Mr. Latini has a lot of vested interest in the town. President Keyes-Maloney thanked the Mayor for this and alluded to what the mayor said about a newsletter or brochure that would go out to residents, real estate offices, county library and maybe town hall as a way of letting them know about the service the township provides. Councilman Baxter asked that with all these committees no one has ever come up with an economic growth and development plan. The Mayor responded that there is always something when you talk to these developers that maybe you missed. He would start the dialogue and somehow it would get lost or forgotten and this will cut through some of the red tape, lessen the burden on the township and bring it all together. Councilman Baxter also asked about the grant researcher and is that in concert with our grant writer. Mayor Steinmann said yes. Councilman Baxter asked how the reporting was going to be done and would Mr. Latini be meeting with them or him or what would the protocol be. Mayor Steinmann said he wants the communication to stay open and he welcomed any of them to talk to him at any time and he also said that President of Council and the Council Vice President meet on a bi-weekly basis and they are more than welcome to bring anything up at that time. Township Attorney Cannon noted two edits that she would be making to the resolution which were de Minimis. There were no other questions from Council or the public.

6. **A RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO AN AGREEMENT FOR CONTINUED PARTICIPATION IN THE HOME INVESTMENT PARTNERSHIPS PROGRAM CONSORTIUM WITH THE COUNTY OF MERCER**

Administrator McManimon explained that we are in this on an annual basis in all the towns with the exception of one for those folks to be able to afford to live in a home in Ewing. It helps them qualify for mortgages based on the low mod makeup of Mercer and Monmouth but you have to belong to Consortium in order for them to qualify to get the mortgage. Attorney Cannon pointed out to Council that this is part of the Township's affordable housing plan. President Keyes-Maloney asked for questions from the public and Council. There were none.

**7. A RESOLUTION AUTHORIZING A TRAFFIC SIGNAL AGREEMENT FOR THE INTERSECTION OF ROUTE 31 AND MAIN BOULEVARD – MAIN BOULEVARD EAST EWING TOWNSHIP, NEW JERSEY FOR THE CAMPUS TOWN DEVELOPMENT PROJECT AT THE COLLEGE OF NEW JERSEY**

President Keyes-Maloney stated that this is across from the new Campus Town project to allow entry and exit from the Campus Town project and to ensure that there is a safety protocol at this location. Attorney Cannon stated that this is for a light and pedestrian crossing and is a DOT requirement that the town, the developer, the college and DOT all entered into that allocates responsibility for who does what as far as maintenance.

**8. A RESOLUTION SUPPORTING, RECOGNIZING AND HONORING THE SERVICE OF LAW ENFORCEMENT OFFICERS**

President Keyes-Maloney said that the Clerk brought this resolution to her attention. We have had the honor to attend their installation ceremonies recently and our other first responders include our law enforcement officers. It seemed important to add them as to who we honor as we enter into this icy winter season. There were no questions from Council.

**9. A RESOLUTION SUPPORTING ANTI-CORRUPTION LEGISLATION**

#9 was already discussed at the beginning portion of these minutes

**10. A RESOLUTION GRANTING MICHAEL ANDERSON PERMISSION TO RECEIVE HIS FIREFIGHTER HELMET (CAIRNS N5A NEW YORKER; MODEL B-LTH; SHOP NUMBER 102802846) UPON HIS RETIREMENT FROM EWING FIRE DIVISION ON SEPTEMBER 1, 2014**

President Keyes-Maloney said that this is our first time doing this and Mike has been a career firefighter with the Township of Ewing and we are sad to see him retire. Administrator McManimon said that Mike Anderson is our second career captain and certainly when police officers retire, we honor them with their service weapon. He further said that Mike did retire on September 1, 2014 and the law has encouraged people to retire because it will cost more to stay. Mike has not stopped giving back to the town. He still shows up as a volunteer and rides the truck now and then. He was also chair of our safety committee. He said that he and the Mayor talked about how difficult it is when you lose people who have spent their career here – a dispatcher before becoming a firefighter. Councilman Schroth thanked him for his distinguished years of service. Jeff Lenarski (2320 Spruce Street) thanked the Mayor, Business Administration and Council for their support in the fire service. He further stated that it is unwavering what you do for all of us such as equipment. On behalf of his colleagues, he thanked Council for the swearing in and they thanked Mike for his service. He said they miss him and are thankful that he continues in the service. He said that granting the helmet is a token and shows their appreciation and as firefighters they appreciate that. President Keyes-Maloney said that they are sad to see him go as a career firefighter but are blessed to still have him serve in a volunteer capacity. Councilman Baxter thanked him for his kids who seem to be picking up the mantle right behind him and thanked him for his professionalism and said he has always welcomed him aboard. There were no questions from Council.

**11. A RESOLUTION CONSENTING TO THE REAPPOINTMENT/APPOINTMENT OF MEMBERS TO THE RECREATION ADVISORY BOARD**

President Keyes-Maloney stated that this was missed as part of the Reorganization Meeting process. There were no other questions from Council.

**12. A RESOLUTION ADOPTING MEMORANDUM OF UNDERSTANDING BETWEEN EWING TOWNSHIP AND AFSCME LOCAL 2472**

Administrator McManimom said that this is the clarification of their food allowance and explained that when the AFSCME works overtime, according to the contract if

they work a regular eight hour shifts and another 4 hours, they have to take a break and we compensate them for up to \$20.00 for food. There were no questions.

President Keyes-Maloney asked the Clerk to move all items to the regular agenda for action.

### **BILLS LIST**

The Council President reviewed the Bills List

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$765,558.29 and to Pay Supplemental Bills per Resolution #15R-27 in the Amount of \$271,417.44
2. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$6,646,549.03 and to Pay Supplemental Bills per Resolution #15R-27 in the Amount of \$7,085.71

There were no questions from Council or the public.

### **CONSENT AGENDA**

The Council President reviewed the Consent Agenda.

1. Approval of Minutes of the Meetings of February 24, 2014 (Agenda), and February 25, 2014 (Regular)
2. A Resolution Authorizing the Conduct of a Bingo Sponsored by EASEL (Ewing Animal Shelter Extension League)
3. A Resolution Authorizing the Conduct of a Bingo Sponsored by Ewing High School Project Graduation
4. A Resolution Authorizing the Conduct of a Casino Night Sponsored by Storytelling Arts, Inc.
5. A Resolution Authorizing the Conduct of an Off-Premise 50/50 Cash Raffle Sponsored by Storytelling Arts, Inc.
6. A Resolution Authorizing the Conduct of an On-Premise 50/50 Cash Raffle Sponsored by EASEL (Ewing Animal Shelter Extension League)
7. A Resolution Authorizing the Conduct of an On-Premise Merchandise Raffle Sponsored by EASEL (Ewing Animal Shelter Extension League)
8. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, for Overpayment, in the Amount of \$385.65 for November 2014 Tax Quarter to Shinn, David C. & McGowan, Kathleen, 16 Crown Rd., Ewing, NJ, 08638, for Property Owner Shinn, David C. & McGowan, Kathleen, for Block: 223.01 Lot: 149 also known as 16 Crown Rd., Due to County Board Tax Appeal Granted for Added Tax Bill.
9. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, for Overpayment, in the Amount of \$2,334.10 for August 5, 2014 to December 31, 2014 to Foxworth, Ronny & Holder, Roxanne, 12 Pennroad Ave., Ewing, NJ, 08638 for Property Owner Foxworth, Ronny & Holder, Roxanne, for Block: 120 Lot: 17 also known as 12 Pennroad Ave., Due to 100% Disabled Veteran, Since 08-05-2014.

President Keyes-Maloney said that as a reminder if there is something on the consent agenda it would have to be removed and placed on the New Business portion of the meeting. 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**

(None)

**NEW BUSINESS**

President Keyes-Maloney read the following:

**MAYORAL APPOINTMENTS NOT REQUIRING ADVICE & CONSENT OF COUNCIL (NO COUNCIL ACTION REQUIRED)**

**SUSTAINABLE EWING GREEN TEAM**

1. **Appointing Caroline Steward, Filling the Unexpired Term of Mary Jane Leach, with a Term to Expire December 31, 2016**

There were no questions from Council or the public.

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

At 7:33 p.m. Mildred Russell (119 King Avenue) started by saying that each year the Brae Burn Civic Association is proactive with concerns and we give our concerns to the Mayor, Business Administrator and the Council. She explained that the first thing is a list of residents who reside on St. Paul and Ohio Avenue. She further said that last year the Planning Board gave permission for two homes to be built on St. Paul Avenue. St. Paul Ave did have two hour parking signs twenty years ago when they asked for them for that street. They were only on the corners but the residents want the entire street to be two hour parking since the homes were built and will create more cars. She also spoke about Ohio Avenue and that there are only 5 houses on that street. It is a very short street. She gave everyone a packet of information that she had just discussed.

At 7:37 p.m. Brent Gibson (75 Crescent Avenue-corner of Crescent and Oregon) said he has been there for 11 years. He said they put speed humps on Crescent Avenue and stopped at his house and he wanted to know why. His second issue was that between his house and the house across the street are about ten children under the age of eleven and the college kids ride through like they are on 95. He has stopped a couple of them because they almost hit a little boy crossing the street. He said something needs to be done. President Keyes-Maloney said that the Administration can certainly look at enforcement issues but in terms of speed bumps, because of first responder issues, it is not safe to have speed bumps within neighborhoods. The potential for axle breakage on the firetrucks is too likely with speed bumps. Administrator McManimon said that ramps, as we pave the streets, are put in as the State requires us by law. He further said he would look at the "pave list" and see where Mr. Gibson's street is on that list. He also said that he would refer the speeding issue to the Police Department.

At 7:43 p.m. Mike McGurk (Pennington Avenue) said that to Mr. Gibson's point, he asked about rumble strips and that they might not affect the axles on the fire trucks. President Keyes-Maloney said that they would certainly look into that.

At 7:43 p.m. Mildred Russell (119 King Avenue) said that in reference to the humps, they did research and every municipality that has them. She spoke to the Engineer of Lawrence Township. She said that she asked him about the emergency vehicles and he said that they need to slow down on the side streets. President Keyes-Maloney said that they were informed that it would be a safety issue. Administrator McManimon said that when they are trying to get to an emergency they don't want to slow down/stop, they just want to get there. Ms. Russell brought up the new lights on Route 31 at Main Street. He also said that with great respect, the mayor argued vehemently with the State and a letter was hand delivered to the DOT Commissioner objecting to the whole design of Route 31 and the State said to us with no uncertain terms, thank you but we know what we are doing. The Mayor then went to our Senator and our two Assembly members and they sent out a Deputy Commissioner DOT and he told us that it is

**a done deal. He further went on to say that our Mayor tried very hard on this one.**

**At 7:51 p.m. Mr. Gibson (75 Crescent Avenue) spoke about a woman in a wheelchair who has to go into the road to go down Oregon to the church and get back up on the sidewalk and it shouldn't be like that. He fears she will get hit.**

**At 7:52 p.m. Mike McGurk (Pennington Road) said that he has heard that painting the intersection creates a piece of art that people might slow down to look at.**

**At 7:53 p.m. Mayor Steinmann said that he wanted to make one comment about the Administration as far as speed humps are concerned. We don't arbitrarily say yes or no what we do is contact our professionals, police department and fire departments. He said he doesn't mean to throw anyone under the bus right now but they are vehemently opposed to speed humps. Even the ambulances don't want them. He appreciates what Mrs. Russell said about them having to slow down in the neighborhood. He further stated that there are five speed humps on Oregon Lane and he is getting complaints about the people who live near them because they make too much noise when people roll over them at night. He said he doesn't know what to do.**

### **CLOSED SESSION**

### **ADJOURNMENT**

**There being no further business, President Keyes-Maloney asked for a motion to adjourn. Ms. Wollert so moved seconded by Mr. Baxter. The meeting was adjourned at 7:55 pm.**

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**Jennifer Keyes-Maloney, President**

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**Kim J. Macellaro, Municipal Clerk**