

## May 13, 2014 – AGENDA SESSION

Acting President Keyes-Maloney called the meeting to order at 6:30 p.m. and read the Open Public Meetings 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 May, 2014.

**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

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

The Clerk stated for the record that both Councilwoman Wollert and President Baxter have been excused for this evening.

### DISCUSSION

- 1. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ADD CHAPTER 421, LIVE ANIMAL SLAUGHTERING AND PROCESSING FACILITIES, AND TO AMEND CHAPTER 172, FEES**

The Attorney explained that this is at the request of the Health Department and was drafted using models throughout the State as well as State and Federal regulations. The Attorney then explained that we have a live poultry processing facility over on 4<sup>th</sup> Street. Currently, it is just poultry but at some point the owners may want to add rabbit and goat. This Ordinance would regulate from a health perspective – how the facility has to be maintained, how the animals are stored, the processing itself. It will also limit this kind of facility to one per IP-3 Zone. The Attorney added that the owners did get approval from the Planning Board Attorney in advance.

The Attorney stated that the Health Officer will be at the next meeting to answer any questions from Council or the Public and then stated that the Health Officer told her that the facility is very clean and well run from her observations and that the owner has been very cooperative and amenable to her recommendations.

Councilman Schroth asked what the square footage of this facility is.

The Attorney responded that she did not know; the Health Department does have the renderings of the building.

Acting President Keyes-Maloney stated that the building plans are reviewed by the Health Department as part of the licensing process.

The Attorney replied – correct and then stated that the owner has largely already followed this Ordinance by following State regulations.

There were no additional comments or questions from Council.

**2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, ADDING ADDITIONAL BUS STOPS ALONG MUNICIPAL ROADWAYS PURSUANT TO N.J.S.A. 39:4-8(e)**

The Attorney explained that this is at the request of New Jersey Transit who needs municipal approval although it is New Jersey Transit that decides where bus stops need to be located.

Acting President Keyes-Maloney stated that the correspondence with New Jersey Transit requesting these locations is in Council's packet.

The Administrator added that the bus stops are all in one location because there is a lot of traffic on that part of Route 31.

There were no additional questions or comments from Council.

**3. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225 TRAFFIC REGULATIONS, TO PROHIBIT COMMERCIAL TRUCK PARKING IN ALL RESIDENTIAL ZONES OF EWING TOWNSHIP**

The Attorney stated that this applies to commercial trucks and buses. It came about because of the number of complaints received by the Police Department of people working on their commercial trucks on residential streets.

The Administrator briefly discussed some of these complaints that came into the Police Department and added that if you cannot park and work on your commercial vehicle in your driveway, you should not be able to do so on a residential street.

Acting President Keyes-Maloney stated that it is the number of axles and axle size that determines which commercial trucks and buses are captured by this Ordinance.

The Attorney replied that it is both the number of axles and axle size and the intention was not to capture the small truck that people drive home and stated that local deliveries are not being prohibited. The issue is bringing home commercial vehicles and working on them.

There were no additional comments or questions from Council.

**4. A RESOLUTION TO CANCEL CERTAIN GRANT BALANCES**

The CFO explained that the Township is required to cancel receivable and reserve balances for grants that have been expended to their limits during that year. The CFO said that she did an audit of the Justice Assistance Grant back to 2008 and discovered that she needed to cancel \$7,000 that was not due to be received.

There were no questions or comments from Council.

**5. A RESOLUTION TO AMEND THE INTRODUCED CY2014 BUDGET**

The CFO explained that after the State review of our Budget there was one major thing that we had to do. Because of the difference in our collection rate of taxes which affects the reserve for uncollected taxes on the appropriation side, we had to increase that and, as such on the revenue side, we had to increase our use of surplus by the same amount. The CFO said that the other adjustments dealt with going in and out of the Cap and then listed those adjustments.

The Administrator added that in two weeks will we have a public hearing just on the amendments.

Acting President Keyes-Maloney asked the CFO if she foresees any additional changes as we approach the end of the State fiscal year.

The CFO replied that she does not foresee any changes.

Acting President Keyes-Maloney then asked that if there are any changes, we will have to adjust accordingly.

The CFO replied that she has not been notified of any potential changes.

There were no additional questions or comments from Council.

**6. A RESOLUTION AUTHORIZING THE PLACE-TO-PLACE TRANSFER OF GIANT WINE AND LIQUOR t/a BUY RITE LIQUOR (POCKET LICENSE #1102-32-009-004)**

The Attorney explained that the Police Department reviews and approves all liquor license transfers and said that that report is attached.

There were no questions or comments from Council.

**7. A RESOLUTION APPROVING EWING TOWNSHIP'S APPLICATION FOR A TRANSPORTATION ALTERNATIVES GRANT FOR "THE ACCESS POINT PROJECT"**

The Administrator explained that the Township is working closely with the College of New Jersey on a grant that is available to improve the entrance and sidewalks at the back entrance of the College on Green Lane. It coincides with the grant that the Township received to repave a portion of Green Lane from Route 31 to Ewingville Road. It will take about two years. The Administrator said that the Township will apply next year for a grant to finish paving Green Lane; the Township has received letters of support to apply for this grant.

Acting President Keyes-Maloney stated that this is part of the "safe routes" funding that is available.

The Administrator replied that our grant writer is doing all the work, but the College is supportive and will contribute along the way. The College of New Jersey is planning improvements to the back entrance and the Township is asking for some other things regarding safety and security reasons.

There were no additional questions or comments from Council.

**8. A RESOLUTION AUTHORIZING THE PURCHASE OF A 2014 OR NEWER AMBULANCE IN THE AMOUNT OF \$149,897.00**

Acting President Keyes-Maloney said that this will be tabled to the next meeting.

The Administrator added that the reason is because we are not passing the capital budget this evening.

The Attorney stated that you can just pull this item from the Agenda, you do not need to table it.

There were no questions or comments from Council.

**9. A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE FOR THE JEFFERSON (BLOCK 225.01/LOTS 2.01 THRU 2.05) – EWING ENGINEERS REMINGTON, VERNICK & ARANGO #1102 I 003**

Acting President Keyes-Maloney stated that this is routine; background materials from the Township Engineer are in our packets that explain why the release is happening.

There were no questions or comments from Council.

**10. A RESOLUTION APPROVING CHANGE ORDER NO. 1 FINAL TO ARAWAK PAVING COMPANY, INC. FOR THE 2012 ROAD IMPROVEMENT PROGRAM**

Acting President Keyes-Maloney stated that this is a reduction.

The Administration explained that the blacktop prices in 2012 worked in our favor, coming down about \$60,441.33 and stated that the money will be available to reallocate to other paving projects.

There were no questions or comments from Council.

**11. A RESOLUTION RECOGNIZING THE MUNICIPAL CLERK AND HER STAFF DURING MUNICIPAL CLERK'S WEEK, MAY 4-10, 2014**

Acting President Keyes-Maloney said that the Clerk is awesome and does a great job supporting Council. Councilman Schroth seconded the Acting President's remarks.

There were no further questions or comments from Council.

**12. A RESOLUTION TO RAISE AWARENESS AND SUPPORT RESEARCH OF FIBRODYSPLASIA OSSIFICANS PROGRESSIVA**

Acting President Keyes-Maloney stated that this is a congenital disorder that affects a small percentage of the population; it is a very debilitating disease. This Resolution is to support research to find a cure.

There were no questions or comments from Council.

**13. A RESOLUTION SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF MAY 19<sup>TH</sup> – JUNE 1<sup>ST</sup>, 2014**

Acting President Keyes-Maloney said that this is a State program we participate in to encourage the use of seat belts.

The Administrator added that every year we apply for the grant of about \$4,000.

There were no questions or comments from Council.

**14. A RESOLUTION GRANTING RONALD P. LUNETTA PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA891) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JULY 1, 2014**

Acting President Keyes-Maloney stated that this is customary upon the satisfactory retirement of one of our law enforcement officers; it is a tribute and honor to them upon their retirement.

There were no questions or comments from Council.

**15. A RESOLUTION GRANTING EDWARD DEANGELO PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA906) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JUNE 1, 2014**

Acting President Keyes-Maloney stated that this is similar to item number fourteen.

There were no questions or comments from Council.

**16. A RESOLUTION GRANTING EDMUND SHANOSKIE PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA904) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JULY 1, 2014**

Acting President Keyes-Maloney stated that this is similar to items number fourteen and fifteen.

There were no questions or comments from Council.

**17. A RESOLUTION GRANTING JOSEPH SMITH PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA919) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JULY 1, 2014**

Acting President Keyes-Maloney stated that this is similar to items number fourteen, fifteen and sixteen.

There were no questions or comments from Council.

All discussion items were approved for action except Item Eight – the ambulances.

### **CONSENT AGENDA**

Acting Council President Keyes-Maloney presented the Consent Agenda for review.

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$5,777,172.85 and to Pay Supplemental Bills per Resolution #14R-44 in the Amount of \$349.94
2. Approval of Minutes of the Meeting of October 7, 2013 (Agenda), October 8, 2013 (Regular)
3. A Resolution Authorizing Karissa Kozlak and Vincent Czepiya to Hold a Block Party on May 31<sup>st</sup>, 2014
4. A Resolution Authorizing Spring Meadows Home Owners Association to Hold a Block Party/Road Closing on May 31<sup>st</sup>, 2014
5. A Resolution Authorizing the Conduct of a 50-50 On-Premise Cash Raffle Sponsored by the Victorians of Villa Victoria Academy on June 16, 2014
6. A Resolution Authorizing the Conduct of an On-Premise Merchandise Raffle Sponsored by Thomas J. Carnevali Jr. Memorial Foundation, Inc. on June 9, 2014

Acting President Keyes-Maloney asked a question on the bills list.  
The Administrator replied.

There were no additional questions or comments from Council.

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

1. A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$5,994,176.10 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,695,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Acting President Keyes-Maloney stated that at our Regular meeting we will open the Public Hearing and continue it to our next meeting because we need a super majority to pass a bond ordinance which tonight we do not have due to an unexpected absence of one member of Council.

There were no questions or comments from Council.

2. AN ORDINANCE OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, AMENDING THE REVISED ORDINANCES OF THE TOWNSHIP OF EWING, AMENDING SECTION 225-52, ENTITLED "SCHEDULE V; HANDICAPPED PARKING ON STREETS," TO ADD A HANDICAPPED PARKING SIGN AT 9 NEW TRENT STREET

Acting President Keyes-Maloney stated that it is customary that the Police Department affirm that the person actually needs a handicapped parking sign. That documentation is in our packets.

There were no questions or comments from Council.

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

Ron Prykanowski (16 Thurston Avenue) stated that he is getting used to one meeting a week and would like to see the practice continue. Mr. Prykanowski also stated that he believed that the Regular Session “Comments and Statements from the Public for Items Not on the Agenda” is not necessary as it is a duplication of this public comment section at the end of the Agenda Session.

Mr. Prykanowski then thanked the CFO for her efforts in getting the Township a AA bond rating.

Acting President Keyes-Maloney also thanked the CFO and the Administration for their efforts with regards to the bond rating.

**CLOSED SESSION**

(None for this Meeting)

**ADJOURNMENT**

There being no further business, Acting President Keyes-Maloney asked for a motion to adjourn. Ms. Steward so moved seconded by Mr. Schroth. The meeting was adjourned at 6:56 p.m.

---

Jennifer Keyes-Maloney, President

---

Kim Macellaro, Municipal Clerk