

Minutes of January 13, 2015 - REGULAR SESSION

President Keyes-Maloney called the meeting to order at 7:34 p.m. and Municipal Clerk Macellaro led the invocation and flag salute.

President Keyes-Maloney 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 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 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 |
| ▪ Mr. Schroth - Present | Joanna Mustafa, CFO |
| ▪ Ms. Steward - Present | Maeve Cannon, Attorney |
| ▪ Ms. Wollert - Present | Kim Macellaro, Clerk |
| ▪ President Keyes-Maloney - Present | |

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Rebecca Lynn (1008 River Road) said she had an informational presentation to give that she believes wholeheartedly needs to be explained. She started by saying that in January, 2014, prior to the Council approving the GM Site Developer, the Mayor met with the Superintendent of the Schools for an informal meeting. She gave Council a packet with a letter from the School Board asking for a meeting between them, the Mayor and Council. She questioned why the Administration and Council have not met with the School Board prior to the approval of the GM Site developer and also is there anything that can be done at this point and time. She talked about the 48 townhomes at Birmingham Gardens and said there are 34 students that live there and she believes when discussed with Council, she was told there would be approximately 6-7 students. She went on to explain some of the proposed and approved sites to be constructed and with that said that there could be a potential 1,000 more students in our school system. President Keyes-Maloney began by saying that she will tell what she knows to be accurate and will certainly refer to administration. She further stated that in terms of the capacity of the school district she believes that it is about 85%, certainly not backed up with evidence, but she said that is her understanding. The school district is in the process of undergoing their own study to verify the numbers that in fact our own analysis has unveiled when it comes to the GM Site. She further said we use the Rutgers Study to determine what it is we believe the concentrations are going to be. And yes, Birmingham Gardens does have a slightly more consistent concentration than some other properties that we have had. Certainly, she continued, based on the Rutgers standards, the number that you have articulated would be significantly higher than the analysis that we have seen. President Keyes-Maloney said that she cannot speak to what Mr.

Nettleton outlined in his letter. Administrator McManimon said that as recently as today he spoke with Dennis Nettleton on various issues including a study they do every October with regard to projection of growth or a decline in population in their schools. In their report, he is not sure whether they will include the projection for the GM site development. He said that he and the Mayor meet with Nitti and Nettleton quarterly and they will continue to have those meetings. Rebecca Lynn asked if they met with the school board when they asked. She said when Administration met with the select few people, the entire nine member body wanted to talk to the Administration, but that never happened. Mr. McManimon said that they met with the school board President, Vice President, Superintendent and Business Administrator and they report back to the board. He said there is no secret about it. Rebecca Lynn said that when they reported back to the board, the board requested for everyone to meet. President Keyes-Maloney said that there was a public discussion and discourse that occurred when the plan, and subsequently when the developer process happened via the Redevelopment Agency, not this particular body because it is a redevelopment zone.

George Steward (30 Gilmore Road) said that just as a follow up, Council last year approved a redevelopment plan, and at that time it was a transit oriented development plan and council approved that as it came out of Redevelopment, Planning Board and Zoning Board. Council gave that final approval for the plan to move forward. Has the plan, now that it is with a developer, changed enough that it now requires Council to re-visit it and does it require a new approval from you. Councilman Baxter asked what he meant about it changing. President Keyes-Maloney said no. The plan has guidelines and guideposts and things we would like to see, but there is some flexibility with the plan, so in short the answer is no.

BILLS LIST

The Clerk presented the Bills List for approval

1. The Clerk read (Resolution #15R-27) A RESOLUTION AUTHORIZING CHECK AUTHORIZATION PRIOR TO BILLS LIST APPROVAL

The Clerk said that this will be the one and only time on the bills list and moving forward Council will see the Supplemental Bills List. President Keyes-Maloney asked for a motion. Councilwoman Wollert made a motion on the bills list, seconded by Councilwoman Steward.

ROLL CALL

Ms. Steward	YES
Ms. Wollert	YES
Mr. Baxter	YES
Mr. Schroth	YES
President Keyes-Maloney	YES

2. The Clerk read (Resolution #15R-28) A Resolution Authorizing the Chief Financial Officer to Pay Supplemental Bills per Resolution #15R- in the Amount of \$6,003,509.47

There were no questions on the bills list from members of the public or council. President Keyes-Maloney asked for a motion. Councilman Schroth made a motion on the bills list, seconded by Councilman Baxter.

ROLL CALL

Mr. Baxter	YES
Mr. Schroth	YES
Ms. Steward	YES
Ms. Wollert	YES
President Keyes-Maloney	YES

All items listed under Consent Agenda, are considered routine by the Township Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately. There will be one motion for all items listed.

CONSENT AGENDA

The Clerk read the Consent Agenda: **(Resolution #15R-29/)**

1. Approval of Minutes of the Meetings of February 10, 2014 (Agenda), and February 11, 2014 (Regular)
2. A Resolution Authorizing a Maintenance Guarantee Release for Abiding Presence Church Site Plan, Block 560 Lot 1 2220 Pennington Road Ewing Township for Project Number RV&A#1102 I 010 Subject to their Compliance with Specifications Outlined by Ewing Township Engineers Remington, Vernick & Arango
3. A Resolution Authorizing a Performance Bond Release for Way of the Cross Holy Temple Site Plan, (Block 13/Lot 33) – Ewing Engineers Remington, Vernick & Arango RV&A #1102-I-028
4. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, for C/O in the Amount of \$200.00 to Lorraine Kennedy, 563 Cleardale Ave., Ewing, NJ 08638 for a C/O at 2124 Spruce Street, Ewing, NJ 08638. The Applicant Paid for a Commercial C/O when it was already Paid for and Completed.
5. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official for Fees in the Amount of \$100.00 to Louis Jolibois, 200 Dearborn Ave., Ewing, NJ 08638 for a Fire Prevention Registration at 200 Dearborn Ave., Ewing, NJ 08638. The Homeowner Decided Not to Rent the Property Back.
6. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official for Fees in the Amount of \$110.00 to Gloria Champion, 70 Lanning St., Ewing, NJ 08638 for a Permit Fee at 70 Lanning St., Ewing, NJ 08638. She was Unaware that she was Entitled to a Senior Discount. The Refund Amount is 50% off Minus the DCA Fee.
7. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, for Fees in the Amount of \$258.00 to Fred & Karen Farreny, 1265 Lower Ferry Rd., Ewing, NJ 08628 for a Permit at 1265 Lower Ferry Rd., Ewing, NJ 08628. They Paid for a Permit when there was already a Permit Submitted into the Construction Office for the Same Job.

There were no questions from the public or council.

President Keyes-Maloney asked for a motion. Councilwoman Steward made a motion on the consent agenda, seconded by Councilman Schroth.

ROLL CALL

Mr. Schroth	YES
Ms. Steward	YES
Mr. Baxter	YES
Ms. Wollert	YES
President Keyes-Maloney	YES

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. The Clerk read (Ordinance #15-01) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 91 ALCOHOLIC BEVERAGES

She asked for a motion to introduce the Ordinance. Councilwoman Wollert moved the Ordinance, seconded by Councilwoman Steward

The public had no questions on the Ordinance.

ROLL CALL	Ms. Steward	YES
	Ms. Wollert	YES
	Mr. Baxter	NO
	Mr. Schroth	YES
	President Keyes-Maloney	YES

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

(None for this meeting)

NEW BUSINESS

1. The Clerk read (Resolution #15R-30) A RESOLUTION OF TEMPORARY APPROPRIATION

There were no questions from Council or the public. President Keyes-Maloney said that as previously discussed by our CFO, this is a temporary authorization to bring us through the first three months of the year to allow us to pay the bills under a temporary budget.

Councilman Baxter then moved the Resolution, seconded by Councilwoman Wollert.

ROLL CALL	Ms. Wollert	YES
	Mr. Baxter	YES
	Mr. Schroth	YES
	Ms. Steward	YES
	President Keyes-Maloney	YES

2. The Clerk read (Resolution #15R-31) A RESOLUTION AUTHORIZING AND APPROVING 2015 SHARED SERVICES CONTRACT FOR HEALTH SERVICES BETWEEN THE TOWNSHIP OF EWING AND THE TOWNSHIP OF HAMILTON

President Keyes-Maloney said that this is a longstanding agreement we have had with Hamilton for a number of health service items including Bloodborne Pathogens and Hepatitis among other services. In essence, as a resolution, it extends the existing shared services agreement for another year. There were no questions from Council or the public.

Councilman Schroth then moved the Resolution, seconded by Councilwoman Steward.

ROLL CALL	Mr. Steward	YES
	Mr. Schroth	YES
	Mr. Baxter	YES
	Ms. Wollert	YES
	President Keyes-Maloney	YES

3. The Clerk read (**Resolution #15R-32**) A RESOLUTION AWARDING THE CONTRACT FOR INTERIOR RENOVATIONS AND ADA RAMP AT THE EWING SENIOR AND COMMUNITY CENTER IN THE AMOUNT OF \$206,000

President Keyes-Maloney said that this resolution actually allows us to make some changes to the interior of the ESCC and also includes an ADA Ramp going in to the gym from the back entrance to the facility. It is a very good improvement to the Senior Center. There were no questions from Council.

Rebecca Lynn (1008 River Road) asked for a description of the work being done. Administrator McManimon said that the inside has a chair ramp and the other side does not, so it is the back door gym entrance. They are using HUD money.

Councilwoman Wollert then moved the Resolution seconded by Councilman Baxter.

ROLL CALL	Mr. Baxter	YES
	Ms. Wollert	YES
	Mr. Schroth	YES
	Ms. Steward	YES
	President Keyes-Maloney	YES

4. The Clerk read (**Resolution #15R-33**) A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO FORMAN SIGN COMPANY FOR THE SITE SIGN REPLACEMENT AT THE EWING SENIOR AND COMMUNITY CENTER

President Keyes-Maloney stated that this allows us to ensure that the site sign is lit even when the lights on the actual macadam are not lit. It is an energy savings item and since the site actually provides on ongoing activities around the town, it allows for additional communication to the community.

There were no questions from Council or the public.

Councilman Baxter then moved the Resolution seconded by Councilman Schroth.

ROLL CALL	Mr. Baxter	YES
	Mr. Schroth	YES
	Ms. Steward	YES
	Ms. Wollert	YES
	President Keyes-Maloney	YES

5. The Clerk read (**Resolution #15R-34**) A RESOLUTION APPROVING CHANGE ORDER #2 TO PJM MECHANICAL CONTRACTORS FOR THE EWING MUNICIPAL BUILDING BOILER REPLACEMENT

President Keyes-Maloney stated that this decreases the contract by \$21,452.67 which is a saving to the community.

There were no questions from Council or the public.

Councilman Schroth then moved the Resolution seconded by Councilwoman Steward.

ROLL CALL	Ms. Steward	YES
	Mr. Schroth	YES
	Mr. Baxter	YES
	Ms. Wollert	YES
	President Keyes-Maloney	YES

6. The Clerk read (**Resolution #15R-35**) A RESOLUTION AUTHORIZING THE SUBMISSION OF THE EWING (EDAA) MUNICIPAL ALLIANCE GRANT FOR JULY 1, 2015 TO JUNE 30, 2016

President Keyes-Maloney reiterated what was discussed during the agenda session. It is a longstanding grant that allows us to use DEDR money to fund projects such as Bullying prevention to the D.A.R.E. program.

There were no other questions from Council or the public.

Councilwoman Wollert then moved the Resolution seconded by Councilman Baxter.

ROLL CALL	Mr. Baxter	YES
	Ms. Wollert	YES
	Mr. Schroth	YES
	Ms. Steward	YES
	President Keyes-Maloney	YES

7. The Clerk read (Resolution #15R-36) A RESOLUTION GRANTING WILLIAM BENNETT, JR. PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA912) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT FEBRUARY 1, 2015

President Keyes-Maloney explained that this is a longstanding practice for police officers who are retiring in good standing after 25 years of service. Mr. Bennett will be retiring February 1, 2015.

There were no other questions from Council or the public.

Councilman Baxter then moved the Resolution seconded by Councilwoman Steward.

ROLL CALL	Ms. Steward	YES
	Mr. Baxter	YES
	Mr. Schroth	YES
	Ms. Wollert	YES
	President Keyes-Maloney	YES

8. The Clerk read (Resolution #15R-37) A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF ROGER T. HALEY AS MUNICIPAL COURT JUDGE FOR THE TOWNSHIP OF EWING

President Keyes-Maloney stated that this is a reappointment to a term of three years. He has been our Municipal Judge for a very long time and she is happy to see his reappointment move forward

There were no other questions from Council or the public.

Councilwoman Wollert then moved the Resolution seconded by Councilman Schroth.

ROLL CALL	Mr. Schroth	YES
	Ms. Wollert	YES
	Mr. Baxter	YES
	Ms. Steward	YES
	President Keyes-Maloney	YES

9. The Clerk read (Resolution #15R-38) A RESOLUTION AUTHORIZING THE EXECUTION OF A ONE-YEAR AGREEMENT WITH THE COLLEGE OF NEW JERSEY FOR THE PROVISION OF AN EMPLOYEE ASSISTANCE PROGRAM IN THE AMOUNT OF \$5,520.00

President Keyes-Maloney commented that as members of the public have indicated, this is a very valuable program for our employees. It allows an employee who is suffering some psychological issues to get up to six visits. This contract is for a one year test of TCNJ's services.

Rebecca Lynn (1008 River Road) asked if this program is for the municipal employees to use the services at TCNJ. President Keyes-Maloney said the program is housed out of the psychology department at TCNJ.

There were no other questions from Council or the public.

Councilman Schroth then moved the Resolution seconded by Councilwoman Steward.

ROLL CALL

Ms. Steward	YES
Mr. Schroth	YES
Mr. Baxter	YES
Ms. Wollert	YES
President Keyes-Maloney	YES

10. The Clerk read (Resolution #15R-39) A RESOLUTION OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, STATE OF NEW JERSEY, PROCLAIMING AND SUPPORTING JANUARY OF EACH YEAR AS HUMAN TRAFFICKING AWARENESS MONTH

President Keyes-Maloney asked for questions from Council. There were none. She asked for questions from the public. Rebecca Lynn (1008 River Road) asked what this resolution actually means and how the township would bring awareness to human trafficking. President Keyes-Maloney said that Womanspace is spearheading this initiative, which is to get local governments to acknowledge the importance of bringing education to the community, so kind of a sea swell of all municipal government saying that in essence this is not something we will stand for. She further stated that during the Agenda Session we had our Counsel provide some insight into the fact that New Jersey has some of the toughest laws in the country when it comes to human trafficking. This will become part of their campaign over the month of January that will culminate inactivity at the legislature in the coming days, so having support of local governing bodies in terms of being against human trafficking is something that they looked for and we will support. Ms. Lynn asked if the township will actually have something to support this purpose, aside from just a resolution. President Keyes-Maloney said it is just a resolution, but we could certainly entertain something in the future. Maeve brought up the Community of Lights Program that we just participated in which brings awareness to Domestic Violence, Sexual Assault and Human Trafficking, which is done on an annual basis. Ms. Lynn asked if this would be put on the website for someone to be able to reach out to, maybe in all the restrooms at the rest areas on 95.

There were no other questions from Council or the public.

Councilman Baxter then moved the Resolution seconded by Councilman Schroth.

ROLL CALL

Mr. Schroth	YES
Mr. Baxter	YES
Ms. Steward	YES
Ms. Wollert	YES
President Keyes-Maloney	YES

ADJOURNMENT

There being no further business President Keyes-Maloney called for a motion to adjourn. Councilman Baxter so moved seconded by Councilwoman Steward. The meeting was adjourned at 8:16 p.m.

Jennifer Keyes-Maloney, President

Kim Macellaro, Municipal Clerk