

## July 8, 2014 – REGULAR SESSION

President Baxter called the meeting to order at 7:10 p.m. and read the Open Public Meetings Statement:

Almighty God who holds the fate of Man and Nation, we most humbly beseech thee to bless these deliberations, and these thy servants, that they may act with wisdom and understanding for the good of our community and thy greater glory. Amen.

Flag Salute

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 1st day of July, 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       | Maeve Cannon, Attorney         |
| ▪ Ms. Steward – Present       | Kim Macellaro, Municipal Clerk |
| ▪ Ms. Wollert – Present       |                                |
| ▪ President Baxter – Present  |                                |

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

George Steward (30 Gilmore Road) asked that the website be updated with the new Council meeting schedule.

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

### CONSENT AGENDA

The Clerk read the Consent Agenda: (Resolution #14R-137/)

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$5,387,231.64 and to Pay Supplemental Bills per Resolution #14R-44 in the Amount of \$42,095.73
2. A Resolution Authorizing Celestial Church of Christ to Hold a Block Party/Road Closing on August 24<sup>th</sup>, 2014
3. A Resolution Authorizing Conway Ave. and Grafton Ave. Civic Group to Hold a Block Party/Road Closing on August 2<sup>nd</sup>, 2014

4. A Resolution Authorizing the Conduct of a Bingo Sponsored by EASEL (Ewing Animal Shelter Extension League Inc.) on September 26<sup>th</sup>, 2014
5. A Resolution Authorizing the Conduct of an On-Premise 50-50 Cash Raffle Sponsored by EASEL (Ewing Animal Shelter Extension League Inc.) on September 26<sup>th</sup>, 2014
6. A Resolution Authorizing the Conduct of an On-Premise 50-50 Cash Raffle Sponsored by New Jersey State Federation of Women's Clubs on September 29<sup>th</sup>, 2014
7. A Resolution Authorizing the Conduct of an On-Premise Merchandise Raffle Sponsored by New Jersey State Federation of Women's Clubs on September 29<sup>th</sup>, 2014
8. A Resolution Authorizing the Conduct of an Off-Premise 50-50 Cash Raffle Sponsored by Serv Foundation, Inc. on November 17<sup>th</sup>, 2014
9. A Resolution Authorizing a Refund, as Recommended by the Township Health Officer, for Fees in the Amount of \$60.00 to DOWLINGSMOKEBARQ LLC, 831 Parkway Avenue, Suite B14, Ewing, NJ, 08618 for Payment of a Mobile Truck Fee. The Establishment has a Delivery Truck, not a Mobile Truck.
10. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the Amount of \$107.88 for October 1, 2013 and April 1, 2014 Sewer Bill, to Krainski, Bertha, 51 High Street, East Rutherford, NJ 07073, for Property Owner Krainski, Bertha, Block: 86 Lot: 539 also known as 2815 Madison Ave., for Overpayment of Oct. 1, 2013 Sewer Bill and April 1, 2014 Sewer Bill
11. A Resolution approving Abdelbasset Jibbou as a Senior Firefighter member of the Prospect Heights Volunteer Fire Company No. 1

Ms. Wollert then moved the Resolution, seconded by Ms. Keyes-Maloney. There were no questions or comments from Council or the Public. President Baxter asked for a roll call.

**ROLL CALL**

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

**ORDINANCE(S) FOR FIRST READING AND INTRODUCTION**

1. The Clerk read (Ordinance #14-16) 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 LEFT TURNS FROM POLAND STREET ONTO PARKSIDE AVENUE AND TO PROHIBIT LEFT TURNS FROM STEINWAY AVENUE ONTO ROUTE 31

President Baxter stated that this is standard and self-explanatory. It was requested by the Police Department.

There were no questions or comments from Council or the Public. Ms. Steward then moved the Ordinance, seconded by Mr. Schroth. President Baxter called for a roll call.

**ROLL CALL**

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

2. The Clerk read (Ordinance #14-17) AN ORDINANCE AMENDING THE EWING TOWNSHIP SALARY ORDINANCE ESTABLISHING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF EWING

The Attorney explained that this is our annual salary ordinance to codify the salaries of those employees not currently covered by a collective bargaining agreement. Those employees who are covered by a collective bargaining agreement are incorporated by reference and their salaries are itemized by title and range in those collective bargaining agreements.

There were no questions or comments from Council or the Public. Ms. Keyes-Maloney then moved the Ordinance, seconded by Ms. Steward. President Baxter asked for a roll call.

**ROLL CALL**

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

3. The Clerk read (Ordinance #14-18) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO AUTHORIZE THE PRIVATE SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE, SPECIFICALLY FIRE EQUIPMENT, TO THE 911 FUND, INC., A 501(c)(3)NON-PROFIT ORGANIZATION

President Baxter explained that this is equipment that our fire companies can no longer use. This equipment can be donated; we have done this in the past.

There were no questions or comments from Council or the Public. Ms. Wollert then moved the Ordinance, seconded by Ms. Keyes-Maloney. President Baxter asked for a roll call.

**ROLL CALL**

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

4. The Clerk read (Ordinance #14-19) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225 VEHICLES AND TRAFFIC, ARTICLE VIII SCHEDULES, § 225-51 SCHEDULE IV TIME LIMIT PARKING TO LIMIT THE DURATION OF PARKING ON ARDEN AVENUE TO TWO HOURS

President Baxter explained that the Officer-in-Charge passed us a petition that was already signed by the neighborhood association that requested this.

Councilman Schroth asked how the recommended time limits were proposed - two hours as opposed to three hours.

President Baxter replied that it is their request.

The Administrator answered that two hours is, with very few exceptions, the standard in the Township.

The Attorney added that it is our standard. The concern is that those from the college will park and leave their cars there all day; and in cases, all semester.

Councilman Schroth said that he is curious about people who have a legitimate reason to be at a resident's home for over two hours.

The Administrator replied that they can move their cars. Also, all the residents on that street have at least a two car driveway.

President Baxter added that we have had this discussion with the residents.

The Administrator said that the Township receives complaints when they see someone park and then walk towards the campus. However, the residents do not complain when it is one of their own.

There were no additional questions or comments from Council. There were no questions or comments from the Public. Ms. Wollert then moved the Ordinance, seconded by Mr. Schroth. President Baxter called for a roll call.

**ROLL CALL**

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

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

1. The Clerk read (Ordinance #14-15) 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)

BE IT ORDAINED by the Township Council of the Township of Ewing that **Chapter 225, VEHICLES AND TRAFFIC, § 225-64. Schedule XVII: Bus Stops** of the Code of the Township of Ewing is hereby amended as follows:

Section 1: **Chapter 225, VEHICLES AND TRAFFIC, § 225-64. Schedule XVII: Bus Stops** of the Code of the Township of Ewing is hereby amended that, pursuant to N.J.S.A. 39:4-8(e), the following described locations are designated as bus stops:

**§ 225-64. Schedule XVII: Bus Stops**

**Along Municipal Roadways**

1. Along U.S. Route 206 (Princeton Avenue) (County Road 583), southbound, on the westerly side thereof at:
  - A. Spruce Street – (Far Side)  
Beginning at the southerly curb line of Spruce Street and extending 100 feet southerly therefrom (in front of Kentucky Fried Chicken).

BE IT FURTHER RESOLVED that the Mayor and Council of the Township of Ewing will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

Section 2. The Municipal Clerk is hereby instructed to forward a certified adopted copy of this Ordinance to NJ TRANSIT, One Penn Plaza East, Newark, New Jersey 07105-2246; Attn: Joe De Mauro and also to the Mercer County Board of Chosen Freeholders for a concurring Ordinance since Upper Ferry is a County Roadway.

Section 3. This Ordinance shall take effect upon approval of the Commissioner of Transportation as provided by law.

**STATEMENT**

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to add additional bus stops along municipal roadways pursuant to N.J.S.A. 39:4-8(e).

**The Administrator explained that this was requested by NJ Transit and our Police Department after accidents that occurred with bus passengers crossing Princeton Avenue at Spruce after being let off by the bus. After a study, it was deemed safer to move the bus stop in front of the KFC.**

There were no questions from Council. Ms. Steward made a motion to open the public hearing, seconded by Mr. Schroth. It was agreed by unanimous voice vote. There were no questions or comments from the Public. Ms. Wollert made a motion to close the public hearing, seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote. Ms. Steward then moved the Ordinance, seconded by Mr. Schroth. President Baxter asked for a roll call.

**ROLL CALL**

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

**NEW BUSINESS**

1. The Clerk read (Resolution #14R-138) **A RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR NEW 2014 AMBULANCE IN THE AMOUNT OF \$1,800.00**

President Baxter said that the CFO pointed out that our EMT Director requested changes to the lettering on the outside of the ambulance.

The Administrator added that all new emergency equipment has to have certain lettering and emergency signs on it so it will be more visible to the public.

There were no questions or comments from Council or the Public. Ms. Keyes-Maloney then moved the Resolution, seconded by Ms. Steward. President Baxter asked for a roll call.

**ROLL CALL**

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

2. The Clerk read (Resolution #14R-139) **A RESOLUTION AUTHORIZING THE 2014-2015 RENEWAL OF LIQUOR LICENSE FOR CAFÉ MOLINO, LLC D/B/A CAFÉ MOLINO (#1102-33-020-005)**

President Baxter stated that this establishment has been operating under an ad interim license because their tax clearance had not been received. The tax clearance certificate has been received, so we can now approve their liquor license for renewal.

There were no questions or comments from Council or the Public. Ms. Wollert then moved the Resolution, seconded by Ms. Keyes-Maloney. President Baxter called for a roll call.

**ROLL CALL**

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

3. The Clerk read (Resolution #14R-140) A RESOLUTION AUTHORIZING THE 2014-2015 RENEWAL OF LIQUOR LICENSE FOR VFW POST 7298 (#1102-31-033-002)

President Baxter stated that this is similar to Item 2, their tax certificate has been received so their liquor license can now be renewed.

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Resolution, seconded by Ms. Steward. President Baxter asked for a roll call.

**ROLL CALL**

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

4. The Clerk read (Resolution #14R-141) A RESOLUTION CELEBRATING THE 50<sup>TH</sup> ANNIVERSARY OF THE CIVIL RIGHTS ACT OF 1964

President Baxter stated that this celebrates the 50<sup>th</sup> anniversary of the Civil Rights Act. President Baxter then thanked the Administration for some of the things we have been able to do as a Township such as fulfilling our affordable housing obligations, diversity in hiring, equally paying attention to sections of the town that have been neglected, advocating the use and rehabilitation of Hollowbrook.

There were no questions or comments from Council or the Public. Ms. Keyes-Maloney then moved the Resolution, seconded by Ms. Steward. President Baxter asked for a roll call.

**ROLL CALL**

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

**CLOSED SESSION**

(None for this Session)

**ADJOURNMENT**

There being no further business President Baxter called for a motion to adjourn. Ms. Wollert so moved seconded by Mr. Schroth. The meeting was adjourned at 7:26 p.m.

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Jennifer Keyes-Maloney, President

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Kim Macellaro, Municipal Clerk