

FORMAL ACTION WILL BE TAKEN

Meeting will be held in person and via Zoom. To join meeting via zoom, please use link:

<https://zoom.us/j/96441925423?pwd=Q2ptelc0VIQ0eENnQlhDcWhIM3kxdz09>

Meeting ID: 964 4192 5423

Passcode: 387659

One tap mobile

+16465588656(New York)/same Meeting ID and Passcode

*EWING TOWNSHIP COUNCIL*

*2 Jake Garzio Drive, Ewing, New Jersey 08628*

**REGULAR MEETING**

**November 22, 2022– 7:00 P.M.**

**(Or upon conclusion of the Agenda Session if the Agenda Session goes past 7:00 p.m.)**

**A. Call to Order of the Township Council Meeting.**

**B. Invocation**

Almighty God, we ask that you bless us and help us seek your wisdom, guidance, courage and strength. Be with us in our deliberations and help us to be wise in the decisions we make for the good of all those who have placed their trust and confidence in our leadership. Give us insight to lead with integrity that our decisions may reflect what is right and good and grant us humility to always seek your will in all that we do and say. Amen.

**C. Flag Salute**

**D. 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 all on the 5<sup>th</sup> of January 2022, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex.

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**THE PUBLIC WILL HAVE AN OPPORTUNITY TO ADDRESS THE COUNCIL DURING THE “STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC” SEGMENT OF THE MEETING. A MEMBER OF THE PUBLIC MAY SIGN IN ON THE SHEET AT THE FRONT OF THE ROOM OR IF YOU ARE JOINING US VIA ZOOM, PLEASE USE THE RAISED HAND FUNCTION. YOU WILL BE GIVEN FIVE MINUTES OF TIME FOR REMARKS AND QUESTIONS; QUESTIONS SHOULD BE DIRECTED TO THE COUNCIL PRESIDENT. WHEN ADDRESSING THE COUNCIL, PLEASE GIVE YOUR NAME AND ADDRESS.**

**E. ROLL CALL**

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

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

**G. BILLS LIST**

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$1,549,543.11 and to Pay Supplemental Bills per Resolution #22R-11 in the Amount of \$9,467.18

*All items listed under Item H, 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.*

#### **H. CONSENT AGENDA**

- 1. Approval of Agenda Session Minutes for July 12, 2022, July 26, 2022; Approval of Regular Session Minutes for July 12, 2022, July 26, 2022**
- 2. A Resolution Authorizing a Refund, as Recommended by the Municipal Clerk, to Bossy Girl Bakery in the Amount of \$50.00**

#### **I. ORDINANCE(S) FOR FIRST READING AND INTRODUCTION (Only if approved for action at Agenda Session)**

- 1. AN ORDINANCE AMENDING CHAPTER 284, RENTAL PROPERTY OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ADD ARTICLE III, LEAD-BASED PAINT HAZARD INSPECTION REQUIREMENTS**
- 2. 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**

#### **J. 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, SECTION 59, SCHEDULE XII; STOP INTERSECTIONS, CONVERTING VARIOUS INTERSECTIONS OF DOWNING ROAD, GILMORE ROAD, CLAMER ROAD, LANGFORD LANE, PENN COURT, DARBY COURT AND PLAZA COURT TO STOP-CONTROLLED INTERSECTIONS BY INSTALLING NEW STOP SIGNS AND OTHERWISE UPDATING THE TOWNSHIP CODE**

#### **K. NEW BUSINESS (Only if approved for action at the Agenda Session)**

- 1. A RESOLUTION OF THE TOWNSHIP OF EWING DEMONSTRATING PROOF OF LOCAL SUPPORT FOR THE SUITABILITY OF A CANNABIS MANUFACTURING FACILITY, OPERATED BY JERSEY SMOOTH, LLC AT 311 DICKINSON STREET., BLOCK 112, LOTS 307, 308, 309, 310 & 313, EWING, NJ 08638**
- 2. A RESOLUTION OF THE TOWNSHIP OF EWING DEMONSTRATING PROOF OF LOCAL SUPPORT FOR THE SUITABILITY OF A CANNABIS MANUFACTURING FACILITY, OPERATED BY NJ CANFECTIONS NJ, INC. AT 304 STOKES AVENUE, BLOCK 21.01, LOT 12 EWING, NJ 08638**
- 3. GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT FOR CALENDAR YEAR 2021**
- 4. RESOLUTION AUTHORIZING CY2022 BUDGET TRANSFERS**
- 5. RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87**
- 6. A RESOLUTION APPROVING THE NOTICE IN LIEU OF DEED NOTICE FOR A PORTION OF THE RIGHT OF WAY INCLUDING THE SIDEWALK AND STREET AT 328 STOKES AVENUE, EWING TOWNSHIP, NEW JERSEY AND ACKNOWLEDGING THE USE RESTRICTIONS ON THE PROPERTY AND THE OBLIGATIONS IMPOSED ON THE RESPONSIBLE PARTY AND TOWNSHIP DETAILED THERIN AND AUTHORIZING EXECUTION OF THE NOTICE IN LIEU OF DEED NOTICE, THE SOIL REMEDIAL ACTION PERMIT APPLICATION, AND RELATED DOCUMENTS FOR THE PROPERTY**

7. A RESOLUTION AWARDED SEACOAST CONSTRUCTION, INC. A CONTRACT IN THE AMOUNT OF \$196,217.16 FOR THE ARMSTRONG MEMORIAL PARK ADA IMPROVEMENTS
8. A RESOLUTION AWARDED RICHARD T. BARRETT PAVING CO. A CONTRACT IN THE AMOUNT OF \$331,817.68 FOR FISCAL YEAR 2022 NJDOT TRUST FUND RESURFACING OF SILVIA STREET
9. A RESOLUTION AWARDED MESSERCOLA EXCAVATING CO INC. A CONTRACT IN THE AMOUNT OF \$159,765.00 FOR STORM SEWER IMPROVEMENTS AT VARIOUS LOCATIONS
10. A RESOLUTION REJECTING ALL BIDS RECEIVED IN RESPONSE TO THE TOWNSHIP'S REQUEST FOR PROPOSAL FOR THE EWING SENIOR & COMMUNITY CENTER FIRE SYSTEM UPGRADES
11. A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT TO THE DEPARTMENT OF COMMUNITY AFFAIRS FOR THE PINGREE AVENUE IMPROVEMENTS PROJECT
12. A RESOLUTION AUTHORIZING AN EXTENSION OF THE CONTRACT WITH WILLIAMS SCOTSMAN, INC. FOR TEMPORARY FURNISHED OFFICE SPACE
13. A RESOLUTION DEACTIVATING THREE (3) FIRE DEPARTMENT IDENTIFICATION NUMBERS (FDID) AND REQUIRING ALL TOWNSHIP FIRE COMPANIES TO USE THE SAME FDID NUMBER
14. A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION SITE
15. A RESOLUTION AUTHORIZING THE DONATION, RECYCLING OR DISPOSAL OF PROPERTY OF NOMINAL VALUE
16. A RESOLUTION AUTHORIZING A MAINTENANCE BOND RELEASE – COUNTY RIGHT-OF-WAY IMPROVEMENTS FOR EWING PARKWAY, LLC SITE PLAN, 1300 SYLVIA STREET / 1239-1243 PARKWAY AVENUE (BLOCK 344/LOTS 1.01 & 31) – EWING ENGINEERS REMINGTON & VERNICK FILE NO. #1102-I-072
17. A RESOLUTION AUTHORIZING A PERFORMANCE CASH BOND RELEASE, FOR MINOR SUBDIVISION FOR PROPERTY CORNER MARKERS, FOR EWING PARKWAY, LLC SITE PLAN, 1300 SYLVIA STREET / 1239-1243 PARKWAY AVENUE (BLOCK 344/LOTS 1.01 & 31) – EWING ENGINEERS REMINGTON & VERNICK FILE NO. #1102-I-072
18. A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE, FOR RETAIL/INFRASTRUCTURE IMPROVEMENTS, FOR EWING PARKWAY, LLC SITE PLAN, 1300 SYLVIA STREET / 1239-1243 PARKWAY AVENUE (BLOCK 344/LOTS 1.01 & 31) – EWING ENGINEERS REMINGTON & VERNICK FILE NO. #1102-I-072
19. A RESOLUTION CONSENTING TO THE APPOINTMENT OF A MEMBER TO THE ADVISORY BOARD OF RECREATION
20. A RESOLUTION APPROVING A SETTLEMENT AGREEMENT BETWEEN PLAINTIFFS ANTONIA LEWIS, CRAIG LEWIS, AND LHI HOLDINGS, LLC AND DEFENDANT TOWNSHIP OF EWING REGARDING THE MATTER ENTITLED LEWIS V. LATINI, ET. AL., Civil ACTION NO. 3:19-cv-06493 AND APPROVING THE AGREEMENT FOR THE PURCHASE OF 49 CARLTON AVENUE, EWING, NEW JERSEY
21. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ADOPT REVISIONS OF THE NEW CONTRACT BETWEEN THE TOWNSHIP OF EWING ('TOWNSHIP') AND THE EWING TOWNSHIP FMBA LOCAL 93 ('FMBA')
22. A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ADOPT THE INITIAL COLLECTIVE BARGAINING AGREEMENT FOR THE NEW CONTRACT BETWEEN THE TOWNSHIP OF EWING ('TOWNSHIP') AND THE SUPERIOR FIRE OFFICERS FMBA LOCAL 93 ('FMBA')

L. CLOSED SESSION

M. ADJOURNMENT