

Best Practices Inventory Online Platform

2022 Survey

Ewing Township

Printable Current Answers

001	Unscored Survey	Health Benefits
<p>For medical benefits, select the formula used for active employee cost sharing . For purposes of this question, the phrase "active employees" does not include those elected officials receiving medical coverage.</p>		
002	Unscored Survey	Health Benefits
<p>For prescription drug benefits, select the formula used for active employee cost sharing. For purposes of this question, the phrase "active employees" does not include those elected officials receiving Rx coverage.</p>		
003	Unscored Survey	Health Benefits
<p>If your municipality participates in the State Health Benefits Program, please include the following on the Excel form provided on DLGS's Best Practices webpage: 1) the total amount of premiums paid for CY2022 active employee, retiree and eligible elected official SHBP coverage; and 2) the amount of cost sharing collected from your municipality's employees, retirees and eligible elected officials for SHBP coverage in CY2022. Only combine medical and Rx coverage if your municipality uses SHBP for Rx coverage. Upload the Excel form using the "Attach File" button toward the bottom of your screen. If you have uploaded the Excel form, type "File Uploaded" in the Comment Box. If you have not uploaded the Excel Form, type NA in the Comment Box.</p>		
004	Core Competencies	Personnel
<p>The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (please consult labor counsel for detailed guidance). Exempt status also precludes overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality not pay overtime to employees classified as exempt under the FLSA?</p>		
005	Core Competencies	Personnel
<p>Has your municipality reviewed and updated its employee personnel manual/handbook within the past three years or upon the conclusion of each of your municipality's collective negotiated agreements (CNAs)? If yes, please provide in the Comments section the date which the personnel manual was officially updated using the MM/DD/YYYY format. If not yes, please type "Did Not Answer Yes" into the comment box.</p>		
006	Core Competencies	Budget
<p>Does your municipality complete an initial draft of its annual budget no later than the first week of February (or first week of August if an SFY municipality), and obtain input in crafting the draft budget from elected officials and department heads as appropriate to the form of government?</p>		

[0.00] Percentage of Premium

[0.00] Percentage of Premium

[0.00] No
Comment All employees covered by CBA other than Business Administrator

[1.00] Yes
Comment 06/17/2019

[1.00] Yes

007	Core Competencies	Budget	Unless the Director sets forth a later date pursuant to N.J.S.A. 40A:4-5.1, N.J.S.A. 40A:4-5 requires that calendar year municipalities approve their introduced budgets no later than February 10 (or August 10 for state fiscal year municipalities) and N.J.S.A. 40A:4-10 requires that calendar year municipalities adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities). Did your municipality introduce and adopt its current year budget no later than the dates provided by law or as extended by the Director in Local Finance Notice 2021-24? This question may only be answered N/A if your municipality's budget is subject to adoption by the Local Finance Board under State Supervision or if the Division instructed the municipality to delay budget adoption.	[1.00] Yes
008	Core Competencies	Budget	N.J.S.A. 40A:5-12 requires the chief financial officer of each municipality to file the Annual Financial Statement (AFS) with the Division by no later than February 10 (August 10 for SFY municipalities). In 2022 the Division extended the AFS submission deadline to March 4 for calendar year municipalities, while the AFS submission deadline for SFY municipalities was extended to September 9. The statute specifies a \$5 per day penalty payable by the CMFO for failing to file the AFS within 10 days of after the time fixed for filing. Did your municipality file its AFS by the required deadline?	[1.00] Yes
009	Core Competencies	Budget	Pursuant to N.J.S.A. 40A:2-40, the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file its Annual Debt Statement with the Division of Local Government Services. Did your municipality file its electronic Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?	[1.00] Yes
010	Core Competencies	Budget	Has your municipality electronically submitted its User-Friendly Budget section for the CY2021/SFY2022 adopted budget?	[1.00] Yes
011	Core Competencies	Budget	Revenue earned from Uniform Construction Code (UCC) fees must be dedicated to UCC enforcement. The amounts of UCC revenue generated and funds appropriated to UCC enforcement appear on the User-Friendly Budget as well as the UCC Annual Report submitted to the Division of Codes and Standards. Your municipality's construction code fee schedule must comply with the parameters set by N.J.A.C. 5:23-4.17, 5:23-4.18 and Local Finance Notice 2020-27. Does your municipality comply with the law prohibiting the imposition of UCC fee amounts greater than necessary to operate the UCC office, and is your municipality refraining from using UCC fees for purposes unrelated to UCC enforcement? Only answer N/A if your municipality does not have a construction code office.	[1.00] Yes
012	Core Competencies	Capital Projects	Has your municipality adopted a capital program as defined by N.J.A.C. 5:30-4.2, meaning a moving, multi-year plan and schedule for capital projects (including prospective financing sources) and, when pertinent, first year operating costs and savings? Only answer N/A if your municipality is not required to adopt a capital budget pursuant to N.J.A.C. 5:30-4.3.	[1.00] Yes
013	Core Competencies	Transparency	Are your municipality's codified and uncodified ordinances, including all current salary ordinances, available online?	[1.00] Yes
014	Core Competencies	Procurement	Do your municipality's professional services contracts include a "not to exceed" amount?	[1.00] Yes

015	Core Competencies	Procurement	On all public works projects subject to the Prevailing Wage Act, the contractor and all subcontractors must provide the contracting unit with certified payroll records for each employee performing work on the project. Certified payroll records shall be provided for each pay period within ten (10) days of the payment of wages. In turn, the municipality must collect, file, and store all certified payroll records on the project and make them available for inspection during normal business hours. Please review Local Finance Notice 2021-20 for further information. Is your municipality maintaining certified payrolls for all prevailing wage municipal projects pursuant to law and making same available for public inspection?	[1.00] Yes
016	Core Competencies	Cybersecurity	A cybersecurity incident response plan is a set of instructions to help detect, respond to, and recover from network security incidents. Plans such as those adopted by a governing body or from a municipality's JIF address areas such as cybercrime, data loss, and service outages. Does your municipality have a cybersecurity incident response plan?	[1.00] Yes
017	Core Competencies	Cybersecurity	Are all municipal employees receiving ongoing cybersecurity training in malware detection, password construction, identifying security incidents and social engineering attacks?	[1.00] Yes
018	Core Competencies	Financial Administration	Pursuant to N.J.S.A. 40A:5-14(d), a local unit's investment policies shall be based on a cash flow analysis prepared by the CFO, with those policies being commensurate with the nature and size of the funds held by the local unit. Has your municipality conducted a cash flow analysis of its deposited and invested funds, and, based on that analysis, does your municipality's cash management plan set policies for your municipality's investments that consider preservation of capital, liquidity, current and historical investment returns, diversification, maturity requirements, costs and fees associated with the investment and, when appropriate, policies of investment instrument administrators?	[1.00] Yes
019	Core Competencies	Budget	Is your municipality ensuring that insurance reimbursements are credited back to the budget appropriation line item in the budget in accordance with N.J.S.A. 40A:5-32, instead of applied as miscellaneous revenue not anticipated? Compliance with this statutory obligation relieves pressure on current year appropriations. Only answer N/A if your municipality had no insurance reimbursements in 2020 or 2021.	[1.00] Yes
020	Core Competencies	Capital Projects	Has your municipality reviewed all completed capital project bond ordinances for remaining balances that can be cancelled by resolution, and revert to their respective balance sheet accounts?	[1.00] Yes
021	Core Competencies	Procurement	Has your municipality reviewed with legal counsel and other appropriate officials (e.g. engineer) the boilerplate language in its bid or RFP documents to ensure such language meets legal requirements under the Local Public Contracts Law and pay-to-play, along with other relevant statutes and caselaw?	[1.00] Yes
022	Core Competencies	Transparency	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	[1.00] Yes

023	Core Competencies	Transparency	
	N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us . Has your municipality filed all current contracts with PERC? Only answer N/A if your municipality does not have any employee labor unions.		
024	Core Competencies	Transparency	
	Pursuant to N.J.S.A. 34:13A-16.8(d)(2), PERC requires a summary of the cost impact associated with a municipality's completed contracts for all bargaining units. Police and fire contracts have one summary form, while non-police and fire contracts have another form. The summary forms and filing instructions are located at https://www.state.nj.us/perc/conciliation/contracts/ . Has your municipality filed the required PERC summary forms for all current completed labor agreements? Only answer N/A if your municipality does not have any employee labor unions.		
025	Core Competencies	Cybersecurity	
	Does your municipality perform off-network daily incremental backups with weekly full backups of all data?		
026	Core Competencies	Shared Services	
	N.J.A.C. 5:30-3.8(d)(20) requires each municipal user-friendly budget to include a listing of each shared service provided or received, what entity or entities are providing or receiving the service, the beginning and end date of the agreement as applicable, and the amount either received or paid for the service. Does your municipality list on its user-friendly budget each shared services agreement it is a party to, along with the other information required by the above-referenced regulation?		
027	Core Competencies	Fire Districts	
	If a Board of Fire Commissioners establishes annual compensation for its fire district commissioners, N.J.S.A. 40A:14-88 requires the municipal governing body to review and approve such compensation before the fire district can submit its annual budget to the voters, or, in the case of fire districts whose Board of Fire Commissioners elections coincides with the November General election, before the fire district's annual budget can be adopted. The fire district shall submit to the municipal governing body for approval the amount of compensation fixed by the Board regardless of whether the amount of compensation is being modified. Oughton v. Board of Fire Comrs., etc., 178 N.J. Super. 565, 570-571 (App. Div. 1981). If any members of the Board of Fire Commissioners in one or more of your municipality's fire districts are authorized by the Board to receive compensation, does your municipality 1) require its fire district(s) to submit such compensation for review on an annual basis; 2) ensure that each Board has adopted a resolution or resolutions fixing the amount of compensation requested for governing body approval; and 3) adopt a resolution approving, disapproving, or modifying the compensation amount fixed by the Board of Fire Commissioners?		
028	Core Competencies	Shared Services	
	N.J.S.A. 40A:65-4(d) requires a copy of each shared services agreement to be filed with the Division of Local Government Services. Has your municipality filed with the Division the most current copy of each shared services agreement under which the municipality provides one or more services to another local unit as defined by N.J.S.A. 40A:65-3 of the Uniform Shared Services and Consolidation Act? Only answer N/A if your municipality does not provide a shared service to another local unit.		
029	Core Competencies	Financial Administration	
	N.J.S.A. 40A:5-4 requires municipalities to complete their annual audit for the preceding fiscal year within 6 months after the close of their fiscal year. For calendar year 2021 audits, this deadline was extended to August 31, 2022 pursuant to the Director's June 16, 2022 Order (See Local Finance Notice 2022-12). Has your municipality's completed audit for the preceding fiscal year been electronically submitted to DLGS within the required timeframe? You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.		

[1.00] Yes

[1.00] Yes

[1.00] Yes
Comment: Township does continuous back-ups.

[1.00] Yes

[1.00] N/A

[1.00] Yes

[1.00] Yes

030	Core Competencies	Financial Administration	
	Have all audit findings from the CV2020/SFY2021 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the CV2021/SFY2022 audit? If the answer is no, please list the repeat findings, along with the date the corrective action plan was submitted to DLGS, under Comments. Only answer "N/A" if there were no audit findings for CV2020/SFY2021.		
031	Core Competencies	Utilities	
	P.L. 2021, c. 97 requires municipalities with their own water, sewer, or electric service to provide monthly notice to residential ratepayers concerning local utility service and bill payment assistance. Please review Local Finance Notice 2022-09 for more information on the law's requirements. Is your municipality complying with the requirements of P.L. 2021, c. 97? Only answer N/A if your municipality does not have its own water, sewer, or electric service.		
032	Core Competencies	Transparency	
	In accordance with Governor Murphy's Executive Order 267 dated October 8, 2021 and outlined in LFN 2022-08 dated March 2, 2022, municipalities and counties were required to provide DLGS with a copy of all American Rescue Plan (ARP) LFRF reports filed with U.S. Treasury, including Project and Expenditure Reports, Interim Reports, and Recovery Plan and Performance Reports?. Did your municipality file with the Division all reports filed with Treasury? Only answer N/A if your municipality refused ARP LFRF Funding		
033	Core Competencies	Ethics	
	The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Statements (FDSs) annually. Compliance by local elected officials is required by N.J.S.A. 40A:9-22.6. Did all governing body members timely file their annual Financial Disclosure Statements for 2022 such that they were not issued a Notice of Violation by the Local Finance Board? Only answer N/A if your municipality has an ordinance on the books establishing a municipal ethics board.		
034	Core Competencies	Ethics	
	If your municipality has a municipal ethics board, did the municipal ethics board enforce the Financial Disclosure Statement (FDS) statute by issuing violations to local government officers (LGOs) who were on the 2022 roster but did not file the FDS by April 30, 2022? Only answer N/A if your municipality does not have an ordinance on the books establishing a municipal ethics board.		
035	Best Practices	Financial Administration	
	N.J.A.C. 5:30-8.3(a) establishes a schedule of minimum dollar amounts for tax collector surety bonding. However, subsection (b) of 5:30-8.3 encourages municipalities to adopt a more stringent schedule for tax collector surety bonding that is specified in the subsection. Has your municipality adopted, at minimum, the higher level surety bonding schedule for tax collectors set forth in N.J.A.C. 5:30-8.3(b)?		
036	Best Practices	Financial Administration	
	N.J.A.C. 5:30-8.4 (a) establishes a schedule of minimum dollar amounts for municipal court surety bonding, specifically for municipal judges and municipal court administrators. However, subsection (b) of 5:30-8.4 encourages municipalities to adopt a more stringent schedule for municipal court surety bonding that is specified in the subsection. Has your municipality adopted, at minimum, the higher level surety bonding schedule for municipal court judges and court administrators set forth in N.J.A.C. 5:30-8.4(b)?		
037	Best Practices	Personnel	
	Has your municipality established by ordinance an anti-nepotism policy that, at minimum, only authorizes the hiring the family members/relatives of municipal officials and employees if the individuals involved would do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. The term "family member/relatives" should be defined to include but not necessarily be limited to spouses, children, siblings, parents, in-laws, and step-relatives.		
			[1.00] N/A
			[1.00] N/A
			[1.00] Yes
			[1.00] Yes
			[1.00] N/A
			[0.50] Yes
			[0.50] Yes
			[0.50] No

038	Best Practices	Tax Collection	
039	Best Practices	Procurement	
040	Best Practices	Procurement	
041	Best Practices	Budget	
042	Best Practices	Transparency	
043	Best Practices	Transparency	
044	Best Practices	Environment	
045	Best Practices	Environment	
046	Unscored Survey	Ethics	

Does your municipality issue periodic late notices to taxpayers who are overdue on their property tax payments?

[0.50] Yes

If your municipality contracts with an insurance broker for health insurance, and said contract exceeds the Local Public Contracts Law (LPC) bid threshold, is your municipality's health insurance broker being procured through a competitive contracting or sealed bid process conducted pursuant to the Local Public Contracts Law? Only answer N/A if your municipality does not contract with an insurance broker for health insurance or, if it does, the contract does not exceed your municipality's LPC bid threshold.

[0.50] N/A

Insurance broker fees dependent on the amount of health insurance premiums or fees paid by the municipality are vulnerable to abuse as brokers could face conflicting incentives in seeking lower-cost health insurance alternatives. If your municipality contracts with an insurance broker for health insurance, is the structure for broker payments set at a flat-fee rather than on a commission basis to mitigate the risk of a broker recommending more expensive health insurance coverage to earn higher fees? Only answer N/A if your municipality does not contract with an insurance broker for health insurance.

[0.50] N/A

Has your municipality created an accumulated absence liability trust fund pursuant to N.J.A.C. 5:30-15.5? Only answer N/A if your municipality 1) does not offer (for any employee hired after a certain date) payouts upon retirement for accumulated sick leave, and 2) no current employee has a grandfathered right to sick leave payouts upon retirement.

[0.50] Yes

Does your municipality have an official social media account or accounts and, if so, is there a written policy establishing guidelines on access, use, and permitted content? Answer N/A if your municipality does not have a social media account.

[0.50] Yes

Does your municipality feature a link on its website to the Division of Taxation's Property Tax Relief Program webpage at <https://www.state.nj.us/treasury/taxation/relief.shtml>?

[0.50] Yes

Have public electric vehicle charging stations been installed on municipal property?

[0.00] No
Comment: In process. Part of 2022 Capital Projects

When purchasing new vehicles, does your municipality have a formal policy to purchase hybrid or alternative fuel vehicles whenever such vehicles are suited to the intended use? Only answer N/A if your municipality does not own any vehicles.

[0.00] No
Comment: No formal policy, although the Township has purchased hybrid police vehicles in the last couple of years.

N.J.S.A. 40A:9-22.19 of the Local Government Ethics Law allows a municipality to establish its own municipal ethics board. Does your municipality have both an ordinance on the books establishing a municipal ethics board and a municipal code of ethics pursuant to N.J.S.A. 40A:9-22.21?

[0.00] No

047	Unscored Survey	Ethics	[0.00] N/A
<p>If your municipality has an ordinance establishing a municipal ethics board pursuant to N.J.S.A. 40A:9-22.19, is the board constituted with the minimum number of members necessary to establish a quorum for conducting business? A municipal ethics board shall consist of six members, at least two of whom shall be public members. No more than three members shall be of the same political party. Answer NA if your municipality does not have an ordinance establishing a local ethics board.</p>			
048	Unscored Survey	Tax Collection	[0.00] No
<p>N.J.S.A. 54:4-122.9 authorizes municipalities to adopt a resolution contracting with a local bank to serve as an "official tax receiving agency" for receiving, under the tax collector's supervision, current tax payments, current water and sewer charges, and other public monies. A bank authorized to serve in this capacity can take property tax payments, utility payments, and other charges that are otherwise paid directly to the municipality, so long as those payments are not for delinquencies. Delinquencies must be satisfied directly with the municipality; however, a bank may accept payments made within an authorized grace period. Local Finance Notice 2021-09 contains further information on applicable requirements. Has your municipality designated a local bank as an official tax receiving agency pursuant to N.J.S.A. 54:4-122.9?</p>			
049	Unscored Survey	Tax Collection	[0.00] No
<p>As explained in Local Finance Notice 2022-04, P.L. 2021, c. 99 expressly authorizes municipalities to establish property tax rewards programs encouraging patronage of local retail establishments. All actions properly taken by a municipal governing body prior to May 12, 2021 to authorize the creation and operation of a property tax rewards programs were also retroactively validated by P.L. 2021, c. 99. Has your municipality established a property tax rewards program?</p>			
050	Unscored Survey	Housing	[0.00] No
<p>The Urban Homesteading Act (N.J.S.A. 40A:12-31 through 38) allows a municipality to adopt an ordinance establishing a process whereby title to municipal property obtained through in rem foreclosure is transferred to individuals committed to rehabilitate the premises and reside there for a specified period. All ordinances establishing an urban homesteading program must be filed with the Division of Local Government Services. Does your municipality currently have an ordinance on the books establishing an urban homesteading program pursuant to the Act?</p>			
051a	Unscored Survey	Shared Services	[0.00] None of the Above Comment: N/A
<p>If your municipality currently provides a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendent to another municipality pursuant to a shared services agreement, please select one or more of the options provided and list under Comments each municipality along with the position being provided to that municipality. If your municipality currently provides none of these positions pursuant to a shared services agreement, select None of the Above and insert N/A into Comments.</p>			
051b	Unscored Survey	Shared Services	[0.00] N/A Comment: N/A
<p>If the answer to Question 51a is yes, did one or more of the identified shared service agreements result in the dismissal of a tenured official? If yes, please insert under Comments 1) the position or positions where an agreement resulted in the dismissal of a tenured official, and 2) an estimate of the cost savings anticipated to be achieved by the participating municipalities at the outset of the agreement. If the answer is No or N/A, please insert "No" or "N/A" under Comments. See LFN 2018-3R for more information on this provision of the Common Sense Shared Service Act.</p>			
052	Unscored Survey	Environment	Comment: 113,000.00 G-02
<p>How much did your municipality spend on operational costs associated with managing and treating stormwater runoff in the prior fiscal year, and how much did your municipality appropriate toward same for the current fiscal year? Examples of such costs include street cleaning, conveyance system clean-out, routine maintenance of storm drains and outfall pipes, and stormwater runoff-related educational programs. Also list under Comments the FCOA codes your municipality is using to classify these stormwater-related prior year expenditures and current year appropriations.</p>			

053	Unscored Survey	Financial Administration	
Does your municipality currently retain a chief financial officer through a professional services contract?			
054a	Unscored Survey	American Rescue Plan Act	[0.00] No
What portion of the first tranche of ARP LFRF dollars has your municipality obligated to date?			
054b	Unscored Survey	American Rescue Plan Act	[0.00] 100%
What portion of the second tranche of ARP LFRF dollars will your municipality obligate toward eligible uses by December 31, 2022?			
054c	Unscored Survey	American Rescue Plan Act	[0.00] Less than 50%
What portion of the second tranche of ARP LFRF dollars will your municipality obligate toward eligible uses by December 31, 2023?			
055a	Unscored Survey	Opportunity Zones	[0.00] No
Is your municipality aware of any real estate development projects or businesses that will be using the Opportunity Zone tax incentive or receiving an Opportunity Fund investment?			
055b	Unscored Survey	Opportunity Zones	Comment: N/A
If your municipality knows of any projects that are using or will be using the Opportunity Zone tax incentive, please include the name of each project, the full address, a short description that includes the primary developer (if applicable), estimated value of the development (i.e. total permitted value), and the project's status (if known) on the Excel form provided on DLGS's Best Practices webpage. Upload the Excel form using the "Attach File" button toward the bottom of your screen. If you have uploaded the Excel form, type "File Uploaded" in the Comment Box. If you have not uploaded the Excel Form, type NA in the Comment Box.			
056a	Unscored Survey	Lead Remediation	[0.00] Health Dept. or Division
P.L. 2021, c. 182 requires a municipality to perform, or, in certain circumstances, hire a certified lead evaluation contractor to perform, inspections of certain single-family, two-family, and multiple rental dwellings for lead-based paint hazards. Further information concerning the requirements of this recently enacted law are available at https://www.nj.gov/dca/divisions/codes/resources/leadpaint.html . Does your municipality have a permanent local agency that has been charged with conducting inspections for lead-based paint in rental dwellings and enforcing the provisions of P.L. 2021, c. 182? If your answer is "Other" fill-in the name of the municipal agency under Comments. If your answer is "Shared Service", please fill-in the name of the agency and the local unit providing the service under Comments.			
056b	Unscored Survey	Lead Remediation	[0.00] N/A
If your municipality does not have a permanent local agency or a shared services agreement to conduct inspections for lead-based paint in rental dwellings and enforce the provisions of P.L. 2021, c. 182, has your municipality retained a lead evaluation contractor certified to provide paid lead inspection services by the New Jersey Department of Community Affairs?			
056c	Unscored Survey	Lead Remediation	[0.00] Yes
Pursuant to P.L. 2021, c. 182, has your municipality identified rental dwellings that have experienced tenant turnover since July 22, 2022?			
056d	Unscored Survey	Lead Remediation	[0.00] Yes
If your municipality has identified rental dwellings that have experienced tenant turnover since July 22, 2022, have all of those units been inspected prior to re-occupancy?			
			[0.00] Yes

056e	Unscored Survey	Lead Remediation	
How many visual lead-based paint inspections did your municipality conduct thus far in 2022?			Comment: 3
056f	Unscored Survey	Lead Remediation	
How many dust wipe-sampling lead-based paint inspections did your municipality conduct thus far in 2022?			Comment: 3
056g	Unscored Survey	Lead Remediation	
How many post-remediation lead-based paint inspections has your municipality conducted thus far in 2022? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.			Comment: 0
056h	Unscored Survey	Lead Remediation	
How many lead safe certifications have been issued by your municipality thus far in 2022? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.			Comment: 0
056i	Unscored Survey	Lead Remediation	
What is the number of lead safe certifications issued by the municipality in the past fiscal year, as used by the municipality? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.			Comment: 0
056j	Unscored Survey	Lead Remediation	
Would your municipality be interested in applying for a State grant program to assist with the rental dwelling inspection costs associated with implementing P.L. 2021, c. 182? Answer N/A if your municipality has no local lead inspection activities or does not have any dwellings eligible for inspection.			[0.00] Yes

THE TOWNSHIP OF EWING
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Web Address: www.ewingnj.org

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

Resolution #22R- WHEREAS, the New Jersey Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-2, *et seq.*, and accompanying regulations, N.J.A.C. 17:30A-1, *et seq.*, authorize medical use and possession of cannabis, and related operations, and the New Jersey Cannabis Regulatory, Enforcement, Assistance, and Marketplace Modernization Act (the “Adult Use Act”), N.J.S.A. 24:61-31, *et seq.*, and accompanying regulations, N.J.A.C. 17:30-1, *et seq.*, authorize the adult use and possession of cannabis, and related operations (collectively the “Cannabis Laws”); and WHEREAS, the Township of Ewing (the “Township”) previously endorsed the expansion of medical and adult use cannabis in the State of New Jersey, and supports safe and appropriate siting of cannabis related and supporting businesses within the Township, including medical and adult use cannabis businesses; and

WHEREAS, the Cannabis Regulatory Commission (“CRC”) began accepting the following applications for adult use cannabis on Wednesday, December 15, 2021: Class 1 Cultivator Licenses, Class 2 Manufacturer Licenses, and Testing Laboratories; and

WHEREAS, Jersey Smooth, LLC (the “Applicant”) seeks to hold a Class 2 Cannabis Manufacturer license, for the manufacturing of cannabis, cannabis products, and related supplies within the Township; and

WHEREAS, the Applicant seeks to operate a cannabis manufacturing facility at 311 Dickinson Street, Block 112, Lots 308, 309, 310 & 313, Ewing, NJ 08638 (the “Property”); and

WHEREAS, an applicant for an annual cannabis business license must submit, among other requirements, proof of local support in accordance with N.J.A.C. 17:30-7.10(b)(9); and

WHEREAS, pursuant to N.J.A.C. 17:30-5.1(g), a municipality may demonstrate proof of local support for the suitability of a cannabis business’s proposed location by indicating that the intended location is appropriately located or otherwise suitable for activities related to the operations of the proposed cannabis business with the adoption of a resolution by the governing body; and

WHEREAS, the Township Cannabis Advisory Committee (“CAC”) has reviewed the Cannabis Local License Application submitted by the Applicant, for the manufacturing of cannabis, cannabis products, and related supplies at the Property within the Township; and

WHEREAS, the CAC recommends approval of the application submitted by Jersey Smooth, LLC, subject to the reasonable time, place, and manner restrictions imposed by the lawfully enacted Ordinances of the Township, including but not limited to Ordinance No. 21-16 (the “Cannabis Ordinance”).

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that:

1. Jersey Smooth, LLC (the “Applicant”) seeks to operate a cannabis manufacturing facility at 311 Dickinson Street, Block 112, Lots 308, 309, 310 & 313, Ewing, NJ 08638 (the “Property”), which is an area designated by the Cannabis Ordinance for such uses.
2. The Township recognizes not only the suitability of such operations at the Property, but also the benefits a company such as Jersey Smooth, LLC would bring to our community as a whole, including, but not limited to, job creation, job training to help reverse the stains on the community by the war on drugs, use of local vendors for build-out and ongoing operational needs, as well as anticipated dedicated tax revenues from each sale at any cannabis dispensary located within Township.
3. The Cannabis Ordinance indicates that the operation of a manufacturing facility at the Property is consistent with the zoning rules identified therein. Specifically, Class 2 Cannabis Manufacturer licenses are a permitted conditional use in the Olden Avenue Redevelopment Area, Parkway Avenue Redevelopment Plan, Industrial Park-1 (IP-1), and Industrial Park-3 (IP-3).
4. The issuance of a Class 2 Cannabis Manufacturer license by the CRC would not exceed the limit of licenses established by the Township, as there is no limit on standalone manufacturing facilities if the secured facility does not contain a Cannabis Retailer or have public access and is otherwise properly situated in accordance with the Cannabis Ordinance and this application predates the cannabis moratorium enacted by the Council on October 25, 2022.
5. Based on the preceding, the Township is satisfied not only that the Property the Applicant seeks to utilize is compliant with the Township’s zoning rules and requirements outlined by the Cannabis Ordinance, but also that the Applicant will be a valuable addition to the group of cannabis license holders awarded by the CRC, and that its business operations will have a positive impact on the Township and community at large.
6. In light of that, and in the event that the CRC issues the Applicant a Class 2 Cannabis Manufacturer license in accordance with the Cannabis Laws, this Resolution should be viewed by the State as unequivocal support by the Township of the Applicant, Jersey Smooth, LLC, and an indication that the intended location is appropriately located or otherwise suitable for the activities related to the manufacturing of cannabis, cannabis products, and related supplies as will be conducted at the proposed facilities.
7. The Township also authorizes the Township Zoning Official to issue any required letter or affidavit identifying that the proposed facility will conform to local zoning requirements allowing for activities related to the operation of a manufacturing facility, as outlined in the

Cannabis Ordinance, subject to the understanding and agreement with the Applicants that they will comply with any reasonable additional zoning requirements imposed by the Township, which the Township understands and agrees will not occur until after the Applicants obtain preliminary approval by the CRC, and subject to any additional permitting requirements that the Township will impose in accordance with the Cannabis Ordinance.

8. This Resolution shall take effect immediately.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

THE TOWNSHIP OF EWING
Municipal Complex
2 Jake Garzio Drive
Ewing, NJ 08628



Phone: (609) 883-2900
Admin. Fax: (609) 538-0729
Clerk Fax: (609) 771-0480
Web Address: www.ewingnj.org

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

Resolution #22R- WHEREAS, the New Jersey Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-2, *et seq.*, and accompanying regulations, N.J.A.C. 17:30A-1, *et seq.*, authorize medical use and possession of cannabis, and related operations, and the New Jersey Cannabis Regulatory, Enforcement, Assistance, and Marketplace Modernization Act (the “Adult Use Act”), N.J.S.A. 24:6I-31, *et seq.*, and accompanying regulations, N.J.A.C. 17:30-1, *et seq.*, authorize the adult use and possession of cannabis, and related operations (collectively the “Cannabis Laws”); and WHEREAS, the Township of Ewing (the “Township”) previously endorsed the expansion of medical and adult use cannabis in the State of New Jersey, and supports safe and appropriate siting of cannabis related and supporting businesses within the Township, including medical and adult use cannabis businesses; and

WHEREAS, the Cannabis Regulatory Commission (“CRC”) began accepting the following applications for adult use cannabis on Wednesday, December 15, 2021: Class 1 Cultivator Licenses, Class 2 Manufacturer Licenses, and Testing Laboratories; and

WHEREAS, Canfections NJ, Inc. (the “Applicant”) seeks to hold a Class 2 Cannabis Manufacturer license, for the manufacturing of cannabis, cannabis products, and related supplies within the Township; and

WHEREAS, the Applicant seeks to operate a cannabis manufacturing facility at 304 Stokes Avenue, Block 21.01, Lot 12, Ewing, NJ 08638 (the “Property”); and

WHEREAS, an applicant for an annual cannabis business license must submit, among other requirements, proof of local support in accordance with N.J.A.C. 17:30-7.10(b)(9); and

WHEREAS, pursuant to N.J.A.C. 17:30-5.1(g), a municipality may demonstrate proof of local support for the suitability of a cannabis business’s proposed location by indicating that the intended location is appropriately located or otherwise suitable for activities related to the operations of the proposed cannabis business with the adoption of a resolution by the governing body; and

WHEREAS, the Township Cannabis Advisory Committee (“CAC”) has reviewed the Cannabis Local License Application submitted by the Applicant, for the manufacturing of cannabis, cannabis products, and related supplies at the Property within the Township; and

WHEREAS, the CAC recommends approval of the application submitted by Canfections NJ, Inc., subject to the reasonable time, place, and manner restrictions imposed by the lawfully enacted Ordinances of the Township, including but not limited to Ordinance No. 21-16 (the “Cannabis Ordinance”).

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that:

1. Canfections NJ, Inc. (the “Applicant”) seeks to operate a cannabis manufacturing facility at 304 Stokes Avenue, Block 21.01, Lot 12, Ewing, NJ 08638 (the “Property”), which is an area designated by the Cannabis Ordinance for such uses.
2. The Township recognizes not only the suitability of such operations at the Property, but also the benefits a company such as Canfections NJ, Inc. would bring to our community as a whole, including, but not limited to, job creation, job training to help reverse the stains on the community by the war on drugs, use of local vendors for build-out and ongoing operational needs, as well as anticipated dedicated tax revenues from each sale at any cannabis dispensary located within Township.
3. The Cannabis Ordinance indicates that the operation of a manufacturing facility at the Property is consistent with the zoning rules identified therein. Specifically, Class 2 Cannabis Manufacturer licenses are a permitted conditional use in the Olden Avenue Redevelopment Area, Parkway Avenue Redevelopment Plan, Industrial Park-1 (IP-1), and Industrial Park-3 (IP-3).
4. The issuance of a Class 2 Cannabis Manufacturer license by the CRC would not exceed the limit of licenses established by the Township, as there is currently no limit on standalone manufacturing facilities if the secured facility does not contain a Cannabis Retailer or have public access and is otherwise properly situated in accordance with the Cannabis Ordinance, and this application predates the cannabis moratorium enacted by the Council on October 25, 2022.
5. Based on the preceding, the Township is satisfied not only that the Property the Applicant seeks to utilize is compliant with the Township’s zoning rules and requirements outlined by the Cannabis Ordinance, but also that the Applicant will be a valuable addition to the group of cannabis license holders awarded by the CRC, and that its business operations will have a positive impact on the Township and community at large.
6. In light of that, and in the event that the CRC issues the Applicant a Class 2 Cannabis Manufacturer license in accordance with the Cannabis Laws, this Resolution should be viewed by the State as unequivocal support by the Township of the Applicant, Canfections NJ, Inc., and an indication that the intended location is appropriately located or otherwise suitable for the activities related to the manufacturing of cannabis, cannabis products, and related supplies as will be conducted at the proposed facilities.

7. The Township also authorizes the Township Zoning Official to issue any required letter or affidavit identifying that the proposed facility will conform to local zoning requirements allowing for activities related to the operation of a manufacturing facility, as outlined in the Cannabis Ordinance, subject to the understanding and agreement with the Applicants that they will comply with any reasonable additional zoning requirements imposed by the Township, which the Township understands and agrees will not occur until after the Applicants obtain preliminary approval by the CRC, and subject to any additional permitting requirements that the Township will impose in accordance with the Cannabis Ordinance.
8. This Resolution shall take effect immediately.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

**THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO. 22-

1st Reading _____

Date to Mayor _____

2nd Reading &
Public Hearing _____

Date Returned _____

Date Adopted:

Date Resubmitted to Council _____

Approved as to Form of Legality

Effective Date:

Township Attorney

**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**

First Reading

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
Baxter						
Keyes-Maloney						
Schroth						
Wollert						
Steward						

Second Reading

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
Baxter						
Keyes-Maloney						
Schroth						
Wollert						
Steward						

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

**THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO 22-

**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**

WHEREAS, on July 22, 2021, New Jersey Governor Philip Murphy signed into law P.L.2021, c.182 (S1147/A1372), amending and supplementing the Lead Hazard Control Assistance Act (the "Act"), P.L.2003, c311 (N.J.S.A. 52:27D-437.1, et seq.); and

WHEREAS, the amendments will require the owner and/or landlord of every single-family, two-family, and multiple rental dwelling located within the Township of Ewing (the "Township") to cause their property to be inspected for lead-based paint hazards, through visual assessment and dust wipe sampling in accordance with the Act; and

WHEREAS, inspections shall be performed by either the Township's lead inspector or, in lieu of having the dwelling inspected by the Township's lead inspector, the owner and/or landlord may directly hire a private lead inspector to perform the lead-based paint inspection; and

WHEREAS, Mayor Bert H. Steinmann signed Executive Order No. ____ establishing these lead-based paint hazard inspection requirements pending final adoption of an ordinance codifying the same.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Section 1 Chapter 284, RENTAL PROPERTY, Article III, LEAD-BASED PAINT HAZARD INSPECTION REQUIREMENTS is hereby added as follows:

§ 284-16 Definitions.

The following definitions shall apply to this article:

ACT

The Lead Hazard Control Assistance Act, P.L.2003, c311 (N.J.S.A. 52:27D-437.1, et seq.), as may be amended from time to time.

COMMON INTEREST COMMUNITY

A real estate development or neighborhood in which the property is burdened by servitudes requiring property owners to contribute to maintenance of commonly held property or to pay dues or assessments to an owners' association that provides services or facilities to the community.

DUST WIPE SAMPLING

A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

LEAD INSPECTOR

A person certified by the Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:17-1.1, et seq. This includes the ability to perform dust wipe sampling.

LEAD-BASED PAINT HAZARD

Any condition that causes exposure to lead from lead-contaminated dust or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

LEAD-FREE CERTIFICATION

A certification which confirms that a lead-based paint inspection was performed and that no lead-based paint exists in the dwelling unit or that all lead-based paint hazards have been fully abated.

LEAD-SAFE CERTIFICATION

A certification which confirms that a lead-based paint inspection was performed and no lead-based paint hazards were found. This certification is valid for two (2) years from the date of issuance.

TENANT TURNOVER

The time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

VISUAL ASSESSMENT

A visual examination for deteriorated paint or visible surface dust, debris, or residue.

VISUAL ASSESSOR

A person that is certified to perform a visual assessment.

§ 284-17 Lead-based paint inspection.

A. The owner and/or landlord of every single-family, two-family, and multiple rental dwelling located within the Township of Ewing shall cause their property to be inspected for lead-based paint hazards, through visual assessment and dust wipe sampling in accordance with the Act. The owner and/or landlord, in lieu of having the dwelling inspected by the Township's lead inspector, may directly hire a private lead inspector to perform the lead-based paint inspection. All inspections will otherwise be performed by the Township's lead inspector.

B. An initial inspection for lead-based paint hazards shall occur before July 22, 2024, or at tenant turnover, whichever is earlier. Thereafter, all such dwelling units shall be inspected at tenant turnover, or every three (3) years, whichever is earlier.

C. In accordance with the Act, a dwelling unit in a single-family, two-family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:

(1) has been certified to be free of lead-based paint;

(2) was constructed during or after 1978;

(3) is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least ten (10) years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the Hotel and Multiple Dwelling Law, P.L.1967, c. 76 (N.J.S.A. 55:13A-1, *et seq.*);

(4) is a single-family or two-family seasonal rental dwelling which is rented for less than six (6) months duration each year by tenants that do not have consecutive lease renewals; or

(5) has a valid lead-safe certification issued in accordance with this article.

D. If lead-based paint hazards are identified upon inspection, the owner and/or landlord of the dwelling unit, at his or her own cost, shall remediate the hazards through abatement or lead-based paint hazard control mechanisms, approved in accordance with the Act. Upon the remediation of the lead-based paint hazard, the Township's lead inspector or the owner and/or landlord's private lead inspector, shall conduct an additional inspection of the dwelling unit to certify that the hazard no longer exists.

E. If no lead-based paint hazards are identified, then the Township's lead inspector or the owner and/or landlord's private lead inspector shall certify the dwelling as lead safe on a form prescribed by the Department of Community Affairs, which shall be valid for two (2) years.

F. In accordance with the Act, the owner and/or landlord of every single-family, two-family, and multiple rental dwelling located within the Township shall:

(1) Provide evidence of a valid lead-safe certification and the most recent tenant turnover to the Township at the time of the cyclical inspection.

(2) Provide evidence of a valid lead-safe certification to new tenants of the property at the time of tenant turnover and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease.

(3) Maintain a record of the lead-safe certification which shall include the name(s) of the dwelling unit's tenant(s) if the inspection was conducted during a period of tenancy.

G. The fees for a lead-based paint inspection performed by the Township's lead inspector shall be as follows:

(1) The fee for a visual assessment and dust wipe sampling inspection shall be \$650.00 per individual dwelling unit. To the extent further inspection is required, the fee shall be \$1,200.00 per individual dwelling unit.

(2) The fee for the filing of a lead-safe certification or lead-free certification shall be \$25.00.

(3) In a common interest community, any inspection fee charged shall be the responsibility of the individual unit owner and not the homeowner's association, unless the association is the owner of the unit.

(4) In accordance with N.J.S.A. 52:27D-437.16(h), an additional fee of \$20 per dwelling unit inspected by the Township's lead inspector or the owner and/or landlord's private lead inspector shall be assessed for the purposes of the Act, unless the owner and/or landlord demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20. The fees collected pursuant to this subsection shall be deposited into the Lead Hazard Control Assistance Fund.

§ 284-18 Violations and penalties.

In accordance with the Act, the penalties for a violation of this article shall be as follows:

A. If an owner and/or landlord has failed to conduct the required inspection or initiate any remediation efforts, the owner and/or landlord shall be given thirty (30) days to cure the violation.

B. If the owner and/or landlord has not cured the violation after thirty (30) days, the owner and/or landlord shall be subject to a penalty not to exceed \$1,000 per week until the required inspection has been conducted or remediation efforts have been initiated.

Section 2 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 3 Repealer. All prior ordinances or parts of the same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

TOWNSHIP OF EWING
ORDINANCE NO. 22-

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

WHEREAS, the Township Council determines that the following personal property owned by the Township, consisting of fire equipment is no longer needed for municipal purposes by Fire Station 30:

- [1] 1 Honeywell Turnout Jacket
- [2] 4 Morning Pride Turnout Pants
- [3] 5 Morning Pride Turnout Jackets
- [4] 3 InnoTex Turnout Jackets
- [5] 3 InnoTex Turnout Pants

WHEREAS, pursuant to N.J.S.A. 40A:12-21.1, the Township Council authorizes the private sale of such personal property for nominal consideration to any organization listed in N.J.S.A. 40A:12-21; and,

WHEREAS, The 911 FUND, Inc. is an approved 501(c)(3) not-for-profit charity (federal tax ID #20-2057218) created in the aftermath of September 11th, 2001 and conceived by former members of the Fire Department of the City of New York ("FDNY") to build preparedness, reduce risk, enhance civilian safety, and minimize property loss from fire and other types of disasters; and,

WHEREAS, pursuant to N.J.S.A. 40A:12-21(k), The 911 FUND, Inc. meets the definition of an organization to which municipalities may make private sales of personal property for nominal consideration.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Ewing, as follows:

Section 1.

The following personal property owned by the Township of Ewing, consisting of fire equipment, which is no longer needed for municipal purposes by Fire Station 30:

- [1] 1 Honeywell Turnout Jacket
- [2] 4 Morning Pride Turnout Pants
- [3] 5 Morning Pride Turnout Jackets
- [4] 3 InnoTex Turnout Jackets
- [5] 3 InnoTex Turnout Pants

shall be sold pursuant to N.J.S.A. 40A:12-21.1 and N.J.S.A. 40A:12-21(k) to The 911 FUND, Inc., which is an approved 501(c)(3) not-for-profit charity (federal tax ID #20-2057218) for a nominal consideration of \$1.00.

Section 2.

This Ordinance shall take effect as provided by law.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to authorize the private sale of fire equipment no longer needed for municipal purposes by Fire Station 30.

Quantity	Item(s)	Description	ID#	Status	Disposition
1	Honeywell Turnout Jacket	Black	0611009491	Expired	Donation
1	Morning Pride Turnout Pants	Black	611009509	Expired	Donation
1	Morning Pride Turnout Jacket	Black	611009497	Expired	Donation
1	InnoTex Turnout Jacket	Black	C101108002	Expired	Donation
1	InnoTex Turnout Jacket	Black	C101108001	Expired	Donation
1	InnoTex Turnout Pants	Black	P101108002	Expired	Donation
1	InnoTex Turnout Jacket	Black	C101422001	Expired	Donation
1	InnoTex Turnout Pants	Black	P101422001	Expired	Donation
1	InnoTex Turnout Pants	Black	P101108001	Expired	Donation
1	Morning Pride Turnout Pants	Black	1209009902	Expired	Donation
1	Morning Pride Turnout Pants	Black	1204009350	Expired	Donation
1	Morning Pride Turnout Jacket	Black	1208003506	Expired	Donation
1	Morning Pride Turnout Jacket	Black	611009491	Expired	Donation
1	Morning Pride Turnout Pants	Black	1201004120	Expired	Donation
1	Morning Pride Turnout Jacket	Black	1209003300	Expired	Donation
1	Morning Pride Turnout Jacket	Black	1209003299	Expired	Donation

THE TOWNSHIP OF EWING

Municipal Complex
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**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
FOR CALENDAR YEAR 2021**

Resolution #22R-

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the Calendar Year 2021 has been filed by a Registered Municipal Accountant with the "Municipal Clerk" pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Ewing, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON NOVEMBER 22, 2022.

Deputy Clerk

THE TOWNSHIP OF EWING
Municipal Complex
2 Jake Garzio Drive
Ewing, NJ 08628



Phone: (609) 883-2900
Admin. Fax: (609) 538-0729
Clerk Fax: (609) 771-0480
Web Address: www.ewingnj.org

RESOLUTION AUTHORIZING CY2022 BUDGET TRANSFERS

Resolution #22R- WHEREAS, there are certain CY2022 Budget Appropriations of the Township of Ewing with balances insufficient to meet requirements for operating Township Affairs; and

WHEREAS, there are CY2022 Budget Appropriations with unexpected Balances that are not needed for such purposes; and

WHEREAS, Statutes 40A:4-58 provides for Transfers to those accounts having Insufficient balances during the last two months of the fiscal budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ewing that the following transfers are:

			<u>TO</u>	<u>FROM</u>
<u>MAYOR AND COUNCIL</u>		<u>SALARY/WAGE</u>	1.00	
<u>CLERK</u>		<u>SALARY/WAGE</u>	4,000.00	
<u>ELECTIONS</u>		<u>SALARY/WAGE</u>	700.00	
<u>IT</u>		<u>SALARY/WAGE</u>		(7,501.00)
<u>FINANCE</u>		<u>SALARY/WAGE</u>	2,500.00	
<u>TAX ASSESSOR</u>		<u>SALARY/WAGE</u>		(18,000.00)
<u>BUILD & GRDS</u>		<u>SALARY/WAGE</u>		(20,000.00)
<u>PLANNING BOARD</u>		<u>SALARY/WAGE</u>	1,000.00	
<u>POLICE</u>		<u>SALARY/WAGE</u>		(85,000.00)

<u>EMS</u>		<u>SALARY/WAGE</u>		<u>(15,000.00)</u>
<u>FIRE</u>		<u>SALARY/WAGE</u>		<u>(42,000.00)</u>
<u>FIRE PREVENTION</u>		<u>SALARY/WAGE</u>		<u>(45,000.00)</u>
<u>HOUSING</u>		<u>SALARY/WAGE</u>	<u>14,000.00</u>	
<u>STREETS & ROADS</u>		<u>SALARY/WAGE</u>		<u>(35,000.00)</u>
<u>JPUBLIC HEALTH</u>		<u>SALARY/WAGE</u>		<u>(65,000.00)</u>
<u>PARK MAINT</u>		<u>SALARY/WAGE</u>		<u>(80,000.00)</u>
<u>ESCC</u>		<u>SALARY/WAGE</u>	<u>85,000.00</u>	
<u>POOLS</u>		<u>SALARY/WAGE</u>	<u>10,000.00</u>	
<u>DISPATCH</u>		<u>SALARY/WAGE</u>		<u>(10,000.00)</u>
<u>COURT</u>		<u>SALARY/WAGE</u>	<u>42,000.00</u>	
<u>MAYOR AND COUNCIL</u>		<u>OTHER EXPENSES</u>	<u>1,100.00</u>	
<u>CLERK</u>		<u>OTHER EXPENSES</u>		<u>(3,000.00)</u>
<u>ADMINISTRATION</u>		<u>OTHER EXPENSES</u>		<u>(4,000.00)</u>
<u>ELECTIONS</u>		<u>OTHER EXPENSES</u>	<u>8,000.00</u>	
<u>FINANCE</u>		<u>OTHER EXPENSES</u>		<u>(6,000.00)</u>
<u>AUDIT</u>		<u>OTHER EXPENSES</u>	<u>3,000.00</u>	
<u>TAX ASSESSOR</u>		<u>OTHER EXPENSES</u>		<u>(5,000.00)</u>
<u>TAX COLLECTOR</u>		<u>OTHER EXPENSES</u>		<u>(10,000.00)</u>
<u>BUILD & GRDS</u>		<u>OTHER EXPENSES</u>	<u>25,000.00</u>	
<u>UTILITIES</u>		<u>OTHER EXPENSES</u>		<u>(25,000.00)</u>
<u>LEGAL</u>		<u>OTHER EXPENSES</u>		<u>(25,000.00)</u>

<u>PLANNING BOARD</u>		<u>OTHER EXPENSES</u>	<u>10,000.00</u>	
<u>MEDICAL INS</u>		<u>OTHER EXPENSES</u>	<u>75,000.00</u>	
<u>POLICE</u>		<u>OTHER EXPENSES</u>		<u>(60,000.00)</u>
<u>FIRE</u>		<u>OTHER EXPENSES</u>		<u>(30,000.00)</u>
<u>FIRE PREVENTION</u>		<u>OTHER EXPENSES</u>		<u>(7,000.00)</u>
<u>HOUSING</u>		<u>OTHER EXPENSES</u>		<u>(60,000.00)</u>
<u>STREETS & ROADS</u>		<u>OTHER EXPENSES</u>	<u>17,000.00</u>	
<u>ENGINEERING</u>		<u>OTHER EXPENSES</u>		<u>(45,000.00)</u>
<u>LANDFILL/DISPOSAL</u>		<u>OTHER EXPENSES</u>		<u>(103,455.68)</u>
<u>SOLID WASTE COLLECTION</u>		<u>OTHER EXPENSES</u>	<u>400,000.00</u>	
<u>ESCC</u>		<u>OTHER EXPENSES</u>	<u>10,000.00</u>	
<u>POOLS</u>		<u>OTHER EXPENSES</u>	<u>36,000.00</u>	
<u>COURT</u>		<u>OTHER EXPENSES</u>		<u>(5,000.00)</u>
<u>CONDO LAW</u>		<u>OTHER EXPENSES</u>		<u>(5,000.00)</u>
<u>CAPITAL IMPROVEMENTS</u>		<u>OTHER EXPENSES</u>	<u>60,890.00</u>	
<u>NOTE INTEREST</u>		<u>OTHER EXPENSES</u>	<u>10,765.68</u>	
			<u>815,956.68</u>	<u>(815,956.68)</u>

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

THE TOWNSHIP OF EWING
Municipal Complex
2 Jake Garzio Drive
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**A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87**

Resolution #22R- WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Ewing in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year CY2022 in the sums of:

National Opioids Settlement - \$17,257.16
DMHAS Youth Leadership Grant - \$6,134.00
ARP-FG – Firefighter Grant - \$32,000

BE IT FURTHER RESOLVED, that the like sums of:

National Opioids Settlement - \$17,257.16
DMHAS Youth Leadership Grant - \$6,134.00
ARP-FG – Firefighter Grant - \$32,000

Appropriated under the caption *Public and Private Programs offset by Revenues*;

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

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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.

Resolution #22R- WHEREAS, the Township of Ewing (the “Township”) is the Owner of certain real property designated as a portion of the right of way including a portion of the sidewalk and street adjacent to 328 Stokes Avenue, Ewing Township, Mercer County, New Jersey (“Property”) (as shown in **Attachment A**); and

WHEREAS, , hazardous substances discharged at the real property located at 328 Stokes Avenue, Ewing Township, Mercer County (“Site”), which the New Jersey Department of Environmental Protection (NJDEP) has designated as Contaminated Site Remediation & Redevelopment Program (CSRRP) Site Remediation Program Interest (PI) Number # 022222, have been identified at the Property; and

WHEREAS, Faigle Properties, LLC is the Person Responsible for Conducting the Remediation (“PRCR”) of the Site and the PRCR’s Licensed Site Remediation Professional (“LSRP”), Sergio H. Rojas, LSRP License #715008 has approved a remedial action for the Site that will result in soil contamination remaining on the Property in concentrations that do not allow for the unrestricted use of the Property and which requires the use of engineering and/or institutional controls defined by the Administrative Requirements for the Remediation of Contaminated Sites, N.J.A.C. 7:26C1.3, and the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-1.8; and

WHEREAS, in accordance with N.J.A.C. 7:26C-7.2(b)(2), the PRCR has prepared the attached Notice in Lieu of Deed Notice which documents the required engineering and institutional controls; and

WHEREAS, a Soil Remedial Action Permit (“RAP”) issued by the New Jersey Department of Environmental Protection is required to memorialize the operation, maintenance, and monitoring required by the PRCR/Owner for the Notice in Lieu of Deed Notice and engineering controls; and

WHEREAS, the PRCR shall remain responsible for contamination located at the Property, including all noticing, monitoring and remediation requirements associated therewith,

notwithstanding the Township's ownership or the issuance of the Notice in Lieu of Deed Notice;
and

WHEREAS, it is in the best interest of the citizens of the Township of Ewing to agree to execute the Notice in Lieu of Deed Notice and related documents.

NOW AND THEREFORE BE IT RESOLVED BY the Township of Ewing, Mercer County in the State of New Jersey, that:

1. The proper officials of the Township of Ewing are hereby authorized to execute a Notice in Lieu of Deed Notice, the Soil RAP Application, and all related documents required now and in the future for the Property and by attaching a copy of this Resolution to the document; and
2. The use restrictions on the Property detailed in the Notice in Lieu of Deed Notice and Soil RAP will be honored; and
3. Any operation, maintenance, and monitoring tasks assigned to the Owner in the Notice in Lieu of Deed Notice and/or Soil RAP will be performed by the PRCR in accordance with the Soil RAP and applicable statutes and requirements.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

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A RESOLUTION AWARDING SEACOAST CONSTRUCTION, INC. A CONTRACT IN THE AMOUNT OF \$196,217.16 FOR THE ARMSTRONG MEMORIAL PARK ADA IMPROVEMENTS

Resolution #22R- WHEREAS, the Township of Ewing (the "Township") requires ADA improvements be made to Armstrong Park; and

WHEREAS, the Township conducted a bidding process for the aforesaid services pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-4 et seq.; and

WHEREAS, on September 21, 2022, the Township received three (3) bids in response to a Request for Bids ("RFB") for ADA improvements to Armstrong Park; and

WHEREAS, the bids received were in the amount of \$196,217.16 from Seacoast Construction, Inc., 15 Addington Court, East Brunswick, NJ 08816; \$217,734.80 from Diamond Construction 35 Beaverton Blvd., Suite 12 C, Brick, NJ 08723; and \$238,000.00 from V & K Construction, 37 Bartha Ave, Edison, NJ 08817; and

WHEREAS, the bid in the amount \$196,217.16 from Seacoast Construction, Inc., was found to be a responsive and responsible bid that met all the minimum bid requirements; and

WHEREAS, Remington & Vernick Engineers, Inc. ("Engineers") tabulated the bids received on September 21, 2022, and issued a "Recommendation to Award" the contract for the Armstrong Park ADA improvements in the amount \$196,217.16 from Seacoast Construction, Inc. as the lowest responsible bidder; and

WHEREAS, the Township recommends award of the contract for the Fiscal Year 2022 NJDOT Trust Fund resurfacing of Silvia Street in the amount \$196,217.16 from Seacoast Construction, Inc. as the lowest responsible bidder; and

WHEREAS, the Chief Financial Officer has supplied a certification of availability of funds indicating that sufficient funds exist for the award of this contract.

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that:

1. The Township is authorized to award a contract to Seacoast Construction, Inc. in the amount of \$196,217.16 for the ADA improvements to Armstrong Park.

2. The Mayor is authorized to execute all necessary documents to effectuate this award.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

TOWNSHIP OF EWING
Chief Financial Officer Certification #2022-11-1

I, Joanna K. Mustafa, Chief Financial Officer of the Township of Ewing, County of Mercer, do hereby certify as follows:

That funding is available via various funding sources in the General Capital Fund under the following accounts:

Ord 2022-13 Various Improvements
#30569208 – ADA Improvements at Armstrong Park
TOTAL - \$196,217.16

I have determined that Township Council may authorize the above-described expenditure against the aforesaid line-item account.

Now, therefore, based on the foregoing, I do hereby certify adequate funds are currently available for the purposes and in the line item amounts specified above, and further, that I shall encumber the same for a period of sixty (60) days from the date of this certification or until an ordinance or resolution authorizing the expenditure described about is enacted, whichever event shall occur sooner.

Signed and certified by me this 17th day of November, 2022


Joanna K. Mustafa, CMFO

THE TOWNSHIP OF EWING
Municipal Complex
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A RESOLUTION AWARDING RICHARD T. BARRETT PAVING CO. A CONTRACT IN THE AMOUNT OF \$331,817.68 FOR THE FISCAL YEAR 2022 NJDOT TRUST FUND RESURFACING OF SILVIA STREET

Resolution #22R- WHEREAS, the Township of Ewing (the “Township”) requires resurfacing of Silvia Street and conducted a bidding process for the aforesaid services pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-4 et seq.; and

WHEREAS, on October 25, 2022, the Township received four (4) bids in response to a Request for Bids (“RFB”) for resurfacing Silvia Street in the amount of \$418,587.49 from Top Line Construction, 22 Fifth Street, Somerville, NJ 08876; \$339,513.13 from Earle Asphalt Company, P.O. Box Drawer 556, Farmingdale, NJ 07727; \$331,817.68 from Richard T. Barrett Paving Co.; and \$359,773.50 from Meco, Inc., P.O. Box 536, Clarksburg, NJ 08510; and

WHEREAS, the low bid in the amount \$331,817.68 from Richard T. Barrett Paving Co. was found to be a responsive and responsible bid that met all the minimum bid requirements; and

WHEREAS, Remington & Vernick Engineers, Inc. (“Engineers”) tabulated the bids received on October 25, 2022, and recommended award of the Fiscal Year 2022 NJDOT Trust Fund resurfacing of Silvia Street to Richard T. Barrett Paving Co. in the amount \$331,817.68, representing items 1 through 30 of the Base Bid; and

WHEREAS, the Township recommends award of the contract for the Fiscal Year 2022 NJDOT Trust Fund resurfacing of Silvia Street in the amount \$331,817.68, representing items 1 through 30 of the Base Bid, to Richard T. Barrett Paving Co. as the lowest responsible bidder; and

WHEREAS, the Chief Financial Officer has supplied a certification of availability of funds indicating that sufficient funds exist for the award of this contract.

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that:

1. The Township is authorized to award a contract to Richard T. Barrett Paving Co. in the amount of \$331,817.68, representing items 1 through 30 of the Base Bid, for the Fiscal Year 2022 NJDOT Trust Fund resurfacing of Silvia Street
2. The Mayor is authorized to execute all necessary documents to effectuate this award.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

TOWNSHIP OF EWING
Chief Financial Officer Certification #2021-11-2

I, Joanna K. Mustafa, Chief Financial Officer of the Township of Ewing, County of Mercer, do hereby certify as follows:

That funding is available in the State and Federal Grant Fund under the following accounts:

11580926 NJDOT – SILVIA STREET
TOTAL - \$331,817.68

I have determined that Township Council may authorize the above-described expenditure against the aforesaid line-item account.

Now, therefore, based on the foregoing, I do hereby certify adequate funds are currently available for the purposes and in the line-item amounts specified above, and further, that I shall encumber the same for a period of sixty (60) days from the date of this certification or until an ordinance or resolution authorizing the expenditure described about is enacted, whichever event shall occur sooner.

Signed and certified by me this 17th day of November 2022


Joanna K. Mustafa, CMFO

THE TOWNSHIP OF EWING

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A RESOLUTION AWARDING MESSERCOLA EXCAVATING CO INC. A CONTRACT IN THE AMOUNT OF \$159,765.00 FOR STORM SEWER IMPROVEMENTS AT VARIOUS LOCATIONS

Resolution #22R- WHEREAS, the Township of Ewing (the "Township") requires storm sewer improvements be made at various locations throughout the Township; and

WHEREAS, the Township conducted a bidding process for the aforesaid services pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-4 et seq.; and

WHEREAS, on November 17, 2022, the Township received five (5) bids in response to a Request for Bids ("RFB") for storm sewer improvements at various locations throughout the Township; and

WHEREAS, the bids received were in the amount of \$311,000.00 from CMS Construction, 531 North Ave., Plainfield, NJ 07060; \$193,000.00 from Winzinger, Inc., PO Box 537, 1704 Marne Hwy., Hainesport, NJ 08036; \$295,610.00 from KDP Developers Inc., 424 Coventry Dr., Phillipsburg, NJ 08665; \$233,203.20 from Seacoast Construction, Inc., 15 Addington Court, East Brunswick, NJ 08816; and \$159,765.00 from Messercola Excavating Co Inc., 549 East Third St., Plainsfield, NJ 07060; and

WHEREAS, the bid in the amount \$159,765.00 from Messercola Excavating Co Inc., was found to be a responsive and responsible bid that met all the minimum bid requirements; and

WHEREAS, Remington & Vernick Engineers, Inc. ("Engineers") tabulated the bids received on November 17, 2022, and issued a "Recommendation to Award" the contract for the various storm sewer improvements throughout the Township in the amount \$159,765.00 from Messercola Excavating Co Inc. as the lowest responsible bidder; and

WHEREAS, the Township recommends award of the in the amount \$159,765.00 from Messercola Excavating Co Inc as the lowest responsible bidder; and

WHEREAS, the Chief Financial Officer has supplied a certification of availability of funds indicating that sufficient funds exist for the award of this contract.

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that:

1. The Township is authorized to award a contract to Messercola Excavating Co Inc in the amount of \$159,765.00 for the storm sewer improvements that are to be made at various locations throughout the Township.
2. The Mayor is authorized to execute all necessary documents to effectuate this award.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

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A RESOLUTION REJECTING ALL BIDS RECEIVED IN RESPONSE TO THE TOWNSHIP'S REQUEST FOR PROPOSAL FOR THE EWING SENIOR & COMMUNITY CENTER FIRE SYSTEM UPGRADES

Resolution #22R- WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*, the Township of Ewing (the "Township") solicited bids for a contract to upgrade the fire systems at the Ewing Senior & Community Center; and

WHEREAS, on September 21, 2022, the Township received one (1) bid in response to said solicitation; and

WHEREAS, the Township received a bid from Electri-Tech, Inc., 1334 Mays Landing Road, Folsom, New Jersey 08037, in the amount of \$282,000.00; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2 the Township may reject all bids where, among other reasons, the Township has decided to abandon the project; and

WHEREAS, the Township has decided to abandon the project due to extensive damage suffered at the Center from a fire occurring on September 30, 2022, which will require extensive reconstruction; and

WHEREAS, the Township recommends the rejection of the bid.

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that the Township hereby rejects the one (1) bid received in response to the Township's bid solicitation for the upgrade the fire system at the Ewing Senior & Community Center and authorizes the Township to rebid the project as appropriate and when necessary.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

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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

Resolution #22R- NOW, THEREFORE, BE IT RESOLVED that Council of Ewing Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the Department of Community Affairs on behalf of Township of Ewing.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Ewing and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

THE TOWNSHIP OF EWING

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A RESOLUTION AUTHORIZING AN EXTENSION OF THE CONTRACT WITH WILLIAMS SCOTSMAN, INC. FOR TEMPORARY FURNISHED OFFICE SPACE

Resolution #22R- WHEREAS, the Township of Ewing (the "Township") previously advertised in 2017 for a contractor to provide temporary furnished office space for a term of 60 months to serve as the temporary location of the Township's construction office; and

WHEREAS, pursuant to Resolution #17R-137 the Township awarded said contract to the lone bidder, Williams Scotsman, Inc. on June 27, 2017; and

WHEREAS, the Township has acquired the Pennington Road banquet hall facility to serve as the new construction office, which shall eventually replace the temporary office space; and

WHEREAS, the aforementioned Pennington Road banquet hall facility project will not be completed for approximately six (6) to twelve (12) months and the Township has an ongoing need for temporary furnished office space while it retrofits the newly acquired Pennington Road banquet hall facility to serve as the new construction office; and

WHEREAS, there is an immediate need to continue the affairs of the construction office pending completion of the retrofit construction Pennington Road banquet hall facility; and

WHEREAS, Williams Scotsman, Inc. has agreed to extend the Township's occupancy of the temporary furnished office space per the same terms and conditions as the current contract; and

WHEREAS, the total annual cost of the contract is \$29,544.36 which is less than the threshold required for bidding the contract pursuant to N.J.S.A. 40A:11-3(a); and

WHEREAS, the Township having unsuccessfully solicited a second quotation for the services is awarding a month-to-month contract, on the same terms and conditions as the current contract, for a term of up to one (1) year to Williams Scotsman, Inc. pursuant to N.J.S.A. 40A:11-6.1

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that:

1. The Township is authorized to extend its contract with Williams Scotsman, Inc. for the provision of temporary furnished office space for an additional term up to one (1) year commencing the effective date of this Resolution, under the existing terms of the contract.
2. The Mayor and Clerk are authorized to execute all necessary documents to effectuate this extension.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
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A RESOLUTION DEACTIVATING THREE (3) FIRE DEPARTMENT IDENTIFICATION NUMBERS (FDID) AND REQUIRING ALL TOWNSHIP FIRE COMPANIES TO USE THE SAME FDID NUMBER

Resolution #22R- WHEREAS, the Township of Ewing career and volunteer fire companies each have a unique Fire Department Identification number (“FDID”) which is a unique identifier for fire incident reporting purposes; and

WHEREAS, the Township wishes to consolidate the FDID numbers such that all the fire companies operating in the Township shall use the same FDID number, 11030; and

WHEREAS, the Pennington Road Volunteer Fire Company, which is no longer in service, used the FDID of 11032; and

WHEREAS, the Township career services at Station 30 use FDID 11030, Prospect Heights Fire Volunteer Fire Company uses FDID 11031, and West Trenton Volunteer Fire Company uses FDID 11033; and

WHEREAS, effective January 1, 2023, the FDID numbers of 11031, 11033, and 11032 shall be deactivated; and

WHEREAS, effective January 1, 2023, every active fire company in the Township shall use FDID number 11030; and

WHEREAS, the NJ Division of Fire Safety has no objections to the deactivation of the three FDID numbers and the use of the only one FDID number, 11030, by all the Township’s fire companies; and

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that:

1. The Township is authorized to deactivate the FDID numbers of 11031, 11033, and 11032 effective January 1, 2023.
2. The Township is authorized to require that each fire company that is currently active in the Township shall remain active but shall use the FDID number 11030 effective January 1, 2023.
3. The Mayor is authorized to execute all necessary documents to effectuate the deactivation of the three FDID numbers and use of the sole FDID 11030.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

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A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION SITE

Resolution #22R- WHEREAS, the Township of Ewing has determined that the 1993 Rescue 30 Truck at the Pennington Road Firehouse is no longer needed for public use; and

WHEREAS, the laws of the State of New Jersey permit the sale of surplus property no longer needed for public use through the use on an online auction service, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30.; and

WHEREAS, the Township of Ewing is the owner of the property and desires to sell this property online;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ewing that the Business Administrator is hereby authorized to post an offer to sell Rescue 30, attached hereto, on an auction website as follows:

- Online auction site: Govdeals.com
- Length of Auction: 14 days
- Auction fees: 7.50 percent
- Method of Payment: Cash or immediately collectible funds
- Shipping: At the expense of the Successful Bidder
- Possession: At time of Sale

BE IT FURTHER RESOLVED that the Business Administrator is hereby authorized to reject any and all bids if it determines such rejection to be in the public interest and/or to take whatever action is necessary to effectuate said sale.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regularly Scheduled Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**

THE TOWNSHIP OF EWING

Municipal Complex
2 Jake Garzio Drive
Ewing, NJ 08628



Phone: (609) 883-2900
Admin. Fax: (609) 538-0729
Clerk Fax: (609) 771-0480
Web Address: www.ewingnj.org

A RESOLUTION AUTHORIZING THE DONATION, RECYCLING OR DISPOSAL OF PROPERTY OF NOMINAL VALUE

Resolution #22R- WHEREAS, the Township is in possession of property as identified in the schedule of obsolete property attached hereto that is no longer usable and has reached the end of its useful life; and

WHEREAS, the Fire Director of the Township has recommended disposal of said property which is presently being stored on-site at Fire Station 30; and

WHEREAS, the Fire Director has determined that such property is of little or no value and recommends that said property either be donated, recycled or disposed of; and

WHEREAS, said property is not needed for public purposes;

NOW, THEREFORE, BE IT RESOLVED by Township Council of the Township of Ewing that the Fire Director is hereby authorized to donate, recycle or dispose of the obsolete property as set forth on the attached schedules as he deems appropriate in his discretion.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

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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

Resolution #22R- WHEREAS, the Township Engineer has made the necessary inspections of 1300 Sylvia Street / 1239-1243 Parkway Avenue (Block 344/Lots 1.01 & 31) for a final maintenance bond release; and

WHEREAS, the Township Engineer recommends the maintenance bond be released subject to the conditions set forth in the letter of October 25, 2022; now therefore

BE IT RESOLVED, that the Governing Body of The Township of Ewing does hereby authorize the release of a performance bond upon the recommendations of Ewing Engineers, Remington & Vernick File No. #1102-I-072 in the Township of Ewing; and

BE IT FURTHER RESOLVED, that the release of said performance bond be subject to the developers compliance with the following condition(s):

- 1. Payment of all current charges for professional services.**

NOW THEREFORE BE IT RESOLVED, that upon Ewing Township Council approval, copies of adopted resolution should be forwarded to the Developer, Construction Code Official, Chief Financial Officer and the office of Remington & Vernick.

IT IS RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

SEAL

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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

Resolution #22R- WHEREAS, the Township Engineer has made the necessary inspections of 1300 Sylvia Street / 1239-1243 Parkway Avenue (Block 344/Lots 1.01 & 31) for a final performance bond release; and

WHEREAS, the Township Engineer recommends the performance bond be released subject to the conditions set forth in the letter of October 25, 2022; now therefore

BE IT RESOLVED, that the Governing Body of The Township of Ewing does hereby authorize the release of a performance bond upon the recommendations of Ewing Engineers, Remington & Vernick File No. #1102-I-072 in the Township of Ewing; and

BE IT FURTHER RESOLVED, that the release of said performance bond be subject to the developers compliance with the following condition(s):

- 1. Payment of all current charges for professional services.**
- 2. Review and approval of all documents by the Township Solicitor.**

NOW THEREFORE BE IT RESOLVED, that upon Ewing Township Council approval, copies of adopted resolution should be forwarded to the Developer, Construction Code Official, Chief Financial Officer and the office of Remington & Vernick.

IT IS RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

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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

Resolution #22R- WHEREAS, the Township Engineer has made the necessary inspections of 1300 Sylvia Street / 1239-1243 Parkway Avenue (Block 344/Lots 1.01 & 31) for a final performance bond release; and

WHEREAS, the Township Engineer recommends the performance bond be released subject to the conditions set forth in the letter of October 25, 2022; now therefore

BE IT RESOLVED, that the Governing Body of The Township of Ewing does hereby authorize the release of a performance bond upon the recommendations of Ewing Engineers, Remington & Vernick File No. #1102-I-072 in the Township of Ewing; and

BE IT FURTHER RESOLVED, that the release of said performance bond be subject to the developers compliance with the following condition(s):

- 1. Payment of all current charges for professional services.**
- 2. Review and approval of all documents by the Township Solicitor.**

NOW THEREFORE BE IT RESOLVED, that upon Ewing Township Council approval, copies of adopted resolution should be forwarded to the Developer, Construction Code Official, Chief Financial Officer and the office of Remington & Vernick.

IT IS RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22nd day of November 2022.

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A RESOLUTION CONSENTING TO THE APPOINTMENT OF A MEMBER TO THE ADVISORY BOARD OF RECREATION

Resolution #22R- WHEREAS, the Township Code provides that the members of certain Boards and Commissions are to be appointed/reappointed by the Mayor with the advice and consent of Council, and

WHEREAS, the Mayor has made certain recommendations to the Township Council; and

WHEREAS, the Township Council desires to provide its consent to the appointment of the following individual as set forth below;

1. **Appointing Andy Stutzman, filling the unexpired term of Cesar A. Davila, with a term to expire on December 31, 2024**

NOW THEREFORE, BE IT RESOLVED that the Township Council of Ewing Township hereby consents to the appointment of the above-named individual to the Advisory Board of Recreation.

IT IS SO RESOLVED.

Certification:

I, Susan Bate, Deputy Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 22 day of November 2022.

SEAL

**Susan Bate, RMC
Deputy Municipal Clerk**