

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](http://www.ewingnj.org)

**A RESOLUTION OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, STATE OF NEW JERSEY, APPROVING A CORRECTIVE ACTION PLAN FOR CY 2021 AUDIT**

**Resolution #22R-** WHEREAS, the Township of Ewing, County of Mercer, State of New Jersey received it's CY2021 Audit dated September 30, 2022; and

WHEREAS the Township will implement the CY2021 Corrective Action Plan for the findings therein as follows:

**Finding 2021-001** – Instances of non-compliance in the following areas:

- 
1. Over expenditure of a certain budget appropriation in the amount off \$4,868.24 was noted on December 31, 2021
- 

Action – Continued monitoring of all funds and outstanding obligations prior to the December 31<sup>st</sup> final transfers by the CFO.

**IT IS SO RESOLVED.**

**Certification:**

I, **Kim J. Macellaro**, 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 13<sup>th</sup> day of December 2022.

SEAL

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**Kim J. Macellaro, CMC**  
Municipal Clerk

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### 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:

To	From
Health Waivers - \$4,000	General Administration O/E - \$23,000
Buildings/Grds O/E - \$5,000	Tax Assessment O/E - \$12,000
EMS - O/E - \$2,000	Legal Services O/E - \$15,000
Fire Inspector S/W - \$30,000	Group Medical Ins - \$4,000
Fire Dept S/W - \$45,000	Police S/W - \$35,246.50
Note Interest - O/E \$3,246.50	
<b>TOTAL - \$89,246.50</b>	<b>TOTAL - \$89,246.50</b>

**IT IS SO RESOLVED.**

**Certification:**

I, Kim J. Macellaro, 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 13<sup>th</sup> day of December 2022.

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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:

Clean Communities - \$76,728.02

**BE IT FURTHER RESOLVED**, that the like sums of:

Clean Communities - \$76,728.02

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

**IT IS SO RESOLVED.**

**Certification:**

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**A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO ENTER INTO AN INSTALLMENT PAYMENT AGREEMENT AND TO PULL THE PARCEL OUT OF TAX SALE FOR 2022**

**Resolution #22R- WHEREAS, N.J.S.A. 54:5-65 permits the Township to omit from tax sale a property on which any or all such unpaid taxes, and other municipal liens, or parts thereof, on real property, upon which regular, equal monthly installment payments are being made pursuant to such agreement, as may be authorized by resolution, between the Tax Collector and the Owner; and,**

**WHEREAS, there are delinquent taxes in the principal amount of \$2876.04 on property owned by Sims, Adjuster & Rudy, Terry ("Owner") located at 20 Kinney Drive Lot 70, Block 290.01; and,**

**WHEREAS, the Owner and the Tax Collector have agreed upon a repayment plan for delinquent taxes plus all statutory interest in the total amount of \$3951.68 consisting of 24 equal monthly installments in the amount of \$164.65 beginning January 1, 2023; and,**

**WHEREAS, said agreement is conditioned on the prompt payment of the installments of taxes for the current and all subsequent taxes, assessments and other municipal liens imposed or becoming a lien thereafter, including all installments thereafter payable on assessments theretofore levied, and also the prompt payment of all installments of arrears as hereinbefore authorized; and provided further, that in case any such installment of arrears or any new taxes, assessments or other liens are not promptly paid (within thirty days after the date when the same is due and payable) then such agreement shall be void, and in any such case the Tax Collector shall proceed to enforce such lien by selling in the manner provided by law; and,**

**THEREFORE, BE IT RESOLVED, by the Township Council of Ewing Township that the Tax Collector be and is hereby authorized to remove the property located at 20 Kinney Drive from the tax sale and to enter into an Agreement with the Owner consistent with the terms of this Resolution.**

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, 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 13<sup>th</sup> day of December 2022.**

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**RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO APPLY FOR AND OBTAIN A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF APPROXIMATELY \$500,000 TO CARRY OUT A PROJECT TO AID IN THE CONSTRUCTION COST FOR NEW OFFICE SPACE AT 1666 PENNINGTON ROAD, EWING, NJ 08638 PROVIDING FOR CONSTRUCTION CODE ENFORCEMENT, FIRE OFFICIAL, AND HOUSING CODE ENFORCEMENT OFFICES**

**Resolution #22R-** WHEREAS, the Township of Ewing, in the County of Mercer, State of New Jersey, desires to apply for and obtain a grant from the New Jersey Department of Community Affairs in the amount of approximately \$500,000 to carry out a project to aid in the construction cost for new office space at 1666 Pennington Road, Ewing, NJ 08638 providing for Construction Code Enforcement, Fire Official, and Housing Code Enforcement Offices; and

WHEREAS, the Township Council does hereby authorize the application for such a grant; and

WHEREAS, the Township Council recognizes and accepts that the Department may offer a lessor or greater amount and therefore upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and

WHEREAS, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Ewing, New Jersey, and the New Jersey Department of Community Affairs; and

**BE IT FURTHER RESOLVED**, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(title)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(title)

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, 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 13<sup>th</sup> day of December 2022.**

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**RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO APPLY FOR AND OBTAIN A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF APPROXIMATELY \$900,000 TO CARRY OUT A PROJECT TO CONSTRUCT ROADWAY AND ANCILLARY IMPROVEMENTS ALONG PINGREE AVENUE FROM NORTH OLDEN AVENUE TO PARKSIDE AVENUE**

**Resolution #22R-** WHEREAS, the Township of Ewing, in the County of Mercer, State of New Jersey, desires to apply for and obtain a grant from the New Jersey Department of Community Affairs in the amount of approximately \$900,000 to carry out a project to construct roadway and ancillary improvements along Pingree Avenue from North Olden Avenue to Parkside Avenue; and

WHEREAS, the Township Council does hereby authorize the application for such a grant; and

WHEREAS, the Township Council recognizes and accepts that the Department may offer a lessor or greater amount and therefore upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and

WHEREAS, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Ewing, New Jersey, and the New Jersey Department of Community Affairs; and

**BE IT FURTHER RESOLVED**, that the persons whose names, titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(title)

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(type or print name)

\_\_\_\_\_  
(title)

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, 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 13<sup>th</sup> day of December 2022.**

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**A RESOLUTION GRANTING LARRY CABELL PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 45, 9MM SEMI-AUTOMATIC PISTOL SERIAL NUMBER BLAS561) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JANUARY 1, 2023**

**Resolution #22R- WHEREAS, the Township has in the past, granted certain retiring police officers their service firearms upon their retirement from the Ewing Township Police Department; and,**

**WHEREAS, Larry Cabell has served with the Ewing Township Police Department for 25 years and will retire in good standing from the Ewing Township Police Department on January 1, 2023; and**

**WHEREAS, Ewing Township requires any officer requesting award of his/her service firearm as part of his/her retirement to qualify for a firearm permit to own and possess such firearm after retirement; and,**

**WHEREAS, Larry Cabell has qualified for a firearm permit pursuant to state statute upon a review by Chief of Police, Albert F. Rhodes, as confirmed by the firearm request letter submitted to Council by Chief of Police, Albert F. Rhodes, which letter is attached hereto and incorporated herein by reference; and,**

**WHEREAS, state statute also permits retired police officers to carry a firearm pursuant to N.J.S.A. 2C:39-6(1), where a full-time member of a municipal police department retires in good standing and semi-annually qualifies in the use of the handgun, he is permitted to carry in accordance with the requirements and procedures established by the Attorney General pursuant to N.J.S.A. 2C:39-6(j), and if he pays the actual costs associated with those semi-annual qualifications, and is less than 70 years of age, and was regularly employed as a full-time member of a municipal police department in this State; he is also permitted to carry a handgun in the same manner as law enforcement officers under paragraph (7) of subsection a. of N.J.S.A. 2C:39-6; and**

**BE IT RESOLVED, by the Ewing Township Council that:**

**Retiring Police Officer Larry Cabell is hereby granted his service firearm (Glock 45, 9mm, semi-automatic pistol Serial Number BLAS561) upon his retirement from Ewing Township Police Department on January 1, 2023.**

**IT IS SO RESOLVED.**

**Certification:**

**I, Kim J. Macellaro, 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 13<sup>th</sup> day of December 2022.**

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**A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE FOR ASSUNPINK BUILDERS, LLC, 45 & 49 DOVER AVENUE (BLOCK 26 / LOTS 109, 110, 111, 112 & 113) - EWING ENGINEERS REMINGTON & VERNICK FILE NO. #1102-I-114**

**Resolution #22R- WHEREAS, the Township Engineer has made the necessary inspections of Assunpink Builders, LLC (45 & 49 Dover Avenue) for a final performance bond release; and**

**WHEREAS, the Township Engineer recommends the performance bond (a Performance Guarantee in the amount of \$12,393.90 & a Safety & Stabilization Guarantee in the amount of \$5,000.00 for a total of \$17,393.90) be released subject to the conditions set forth in the letter of December 8, 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-114 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. Posting of a two-year maintenance guarantee in the amount of \$1,242.63 for the project.**
- 3. Posting of \$1,000.00 in escrow, for a future Two (2) Year Maintenance Bond release inspection.**
- 4. 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:**

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