

October 10, 2023 – AGENDA SESSION

President Wollert called the meeting to order at 6:30 p.m. and read the Open Public Meeting Statement:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian all on the 3rd of January 2023, filed with the Clerk of the Township of Ewing, and posted in the Ewing Township Municipal Complex.

The Public will have an opportunity to address the Council during the “Statements and Comments from Members of the Public” segment of the meeting. A member of the Public may sign in on the sheet at the front of the room. You will be given five minutes of time for remarks and questions; questions should be directed to the Council President. When addressing the Council, please give your name and address.

ROLL CALL

- | | |
|-------------------------------|-----------------------------------|
| ▪ Mr. Baxter – Excused | Joanna Mustafa, CFO |
| ▪ Ms. Keyes-Maloney – Present | Catie MacDuff, Attorney |
| ▪ Mr. Schroth – Present | Kim J. Macellaro, Municipal Clerk |
| ▪ Ms. Steward – Present | |
| ▪ President Wollert – Present | |

The Clerk stated for the record that Councilman Baxter has an excused absence this evening.

DISCUSSION

1. A RESOLUTION APPROVING THE APPOINTMENT OF ELINA VEYBERMAN AS TAX ASSESSOR, FILLING THE UNEXPIRED TERM OF RETIRED TAX ASSESSOR JEFFREY BURD, EXPIRING ON JUNE 30, 2024, AND APPROVING THE APPOINTMENT OF ELINA VEYBERMAN AS TAX ASSESSOR TO A FOUR-YEAR TERM COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2028

President Wollert said that the new Tax Assessor will be filling the unexpired term before assuming her own term.

Ms. Steward asked if this is an internal promotion.

The Council President replied – yes.

There were no additional questions or comments from Council.

This Item was Approved for Action.

2. A RESOLUTION APPROVING THE APPOINTMENT OF NEIL MCGETTIGAN AS DEPUTY TAX ASSESSOR FOR A TERM EFFECTIVE OCTOBER 1, 2023 TO JUNE 30, 2024 FOLLOWED BY A FOUR-YEAR TERM COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2028

The Council President said that this is also an internal appointment. Mr. McGettigan has been working in the Assessor’s Officer for some time.

Councilman Schroth thanked Jeff Burd for his many years of service to the Township. Councilwoman Keyes-Maloney echoed Councilman Schroth’s comment and commented that she is happy to see internal promotions.

There were no additional questions or comments from Council.

This Item was Approved for Action.

3. A RESOLUTION AUTHORIZING THE CORRECTION OF TOTAL ASSESSED VALUE FOR CERTAIN PROPERTIES WITHIN EWING TOWNSHIP, AS RECOMMENDED BY THE TAX COLLECTOR AND TAX ASSESSOR

The Council President stated that the basis for this is a review which occurs periodically.

There were no questions or comments from Council.

This Item was Approved for Action.

4. A RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 CHEVROLET BOLT EV FOR THE PURPOSE AND USE BY THE CONSTRUCTION DEPARTMENT, THRU CIOCCA CHEVROLET OF PRINCETON NJ

Council President Wollert said that this is being purchased from the Construction Trust Fund for use by the Construction Department.

Councilwoman Keyes-Maloney added that this is the Township's first full EV, and it comes on the heels of the Town receiving a grant from the State for charging stations which will be located on Township property and available to members of the Public. President Wollert added – for a fee.

Councilwoman Steward asked if this is on State Contract.

The Attorney replied – yes.

There were no additional questions or comments from Council.

This Item was Approved for Action.

5. A RESOLUTION AUTHORIZING GLENDALE CIVIC ASSOCIATION TO HOLD A HALLOWEEN PARADE/ROAD CLOSING ON OCTOBER 31ST, 2023 FROM 4:30 PM TO 6:00 PM AND CLOSING LATONA AVENUE, GREENWAY AVENUE AND WESTMORELAND AVENUE NORTH OF PINGREE AVENUE

President Wollert said that this is an annual event that has gone on for many years.

Councilwoman Steward commented that it is exceedingly cute.

There were no additional questions or comments from Council.

This Item was Approved for Action.

BILLS LIST

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$725,041.36 and to Pay Supplemental Bills per Resolution #23R-12 in the Amount of \$62,727.48

There were no questions or comments from Council.

The Bills List was Approved for Action.

CONSENT AGENDA

Council President Wollert presented the Consent Agenda for review.

1. Approval of Agenda Session Minutes for September 12, 2023; Approval of Regular Session Minutes for September 12, 2023.
2. A Resolution Authorizing a Refund, as Recommended by the Township Health Officer, for Fees in the amount of \$75.00 to E & M Catering L.L.C. / Veganish, 3 Tower Ct., Farmingdale, NJ 07727 for payment of a temporary mobile truck fee for an event at River Horse Brewing Co. which was cancelled.
3. A Resolution Authorizing a Cancellation, as Recommended by the Tax Collector, a CANCELLATION of LEVY for Tax Year 2023 for property owner McConnell, Charles J. UX, for Block: 229.07, Lot: 6 also known as 47 Bayberry Road. Parcel suffered a fire in 2022. Assessment reduced from \$255,000 to \$98,600 for 2023 and 2024.

4. A Resolution Authorizing a Cancellation, as Recommended by the Tax Collector, a CANCELLATION of LEVY for Tax Year 2023 for property owner FINE-BE LLC, for Block: 140, Lot: 164 also known as 154 Woodland Ave. Original BLQ 140/164 was split into 140/164.01 & 140/164.02. Both new BLQ's were billed correctly for the tax year 2023. Original 140/164 was not removed off the TAX 2023 Field Book which resulted in a 2023 tax billing. BLQ 140/164 needs to be removed from the Field Book and levy canceled as the BLQ's were billed correctly for 2023.

There were no questions or comments from Council.

The Consent Agenda was Approved for Action.

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

(None for this Meeting)

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

1. ORDINANCE OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, NEW JERSEY APPROVING APPLICATIONS FOR LONG TERM TAX EXEMPTION AND AUTHORIZING EXECUTION OF FINANCIAL AGREEMENTS
2. AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 59, PAY-TO-PLAY REGULATIONS, ARTICLES I-III, SECTIONS 1 THROUGH 20 TO ELIMINATE THE LOCAL PAY-TO-PLAY ORDINANCES AND BRING THEM INTO COMPLIANCE WITH N.J.S.A. 19:44A-1 et seq.
3. AN ORDINANCE AMENDING CHAPTER 257, PEACE AND GOOD ORDER, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO PROHIBIT THE BREACHING OF THE PEACE
4. AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EWING UNDER N.J.S.A. 40A:12-5 TO ACQUIRE FASOLINO BASEBALL FIELD BY WAY OF GIFT FROM THE EWING LITTLE LIEAGUE BOARD

President Wollert announced that Item Three is being tabled for further consideration by the Township attorneys. There will be three ordinances to be considered for Second Reading. The Council President read those titles.

The three Ordinances were Approved for Action.

COUNCIL COMMENTS

Councilwoman Keyes-Maloney announced that the Arts Commission has an event scheduled for October 25th at the 1867 Sanctuary. It is a Chat & Chew pop-up which will discuss the arts. It is a nominal donation - \$10-\$12 – at the door and will run from 6:00 pm to 7:00 pm.

Councilwoman Steward said that Shred Day will be held October 14th from 9am to 1pm at the Municipal Building. Proof of residency is required.

Councilwoman Keyes-Maloney thanked the Township employees and the Municipal Clerk for their work at Community Fest. It was a good day.

NEW BUSINESS

(None for this Meeting)

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Pat Fletcher (134 W. Upper Ferry Road) said that she will defer to others in her group.

Anita Davidson (213 Hazel Avenue) said that she is here to address Ordinance #23-18 adopted August 8, 2023 and became effective September 3rd, 2023. Although she currently does not have chickens on her property, she said that it has long been a plan to do so. She is speaking for her future self and for those residents who might hesitate to come forward. Several of her friends are distraught over the enacting of this Ordinance. Ms. Davidson then discussed the importance and benefits of chickens worldwide as well as locally, especially during the COVID pandemic when people turned to gardening and raising chickens to help with food insecurity. Ms. Davidson said that she and others are requesting a six-month stay on this Ordinance so they have time to present to the Council an Ordinance that will satisfy all stakeholders. Included will be an educated Advisory Board that would assist residents with their flocks, address any issues, and resolve any complaints.
(applause)

Rev. Miles Hopgood (95 Jacobs Creek Road) said that he is speaking tonight on behalf of himself and his congregation (Abiding Presence Lutheran Church on Pennington Road). Rev. Hopgood mentioned that the Church was the first non-business honored by the Township for its green commitment having won the Green Business Award. Chicken keeping is part of his congregation's commitment to the Church's green initiative as well as another Church ministry – to care for those in need – by helping to run a food pantry in Trenton which they had done for years. Providing eggs to the food pantry was one of the ways Congregation members lived out this ministry. It was especially important during the pandemic when egg prices shot up to \$12.00 per dozen. The Reverend mentioned that he keeps about a dozen hens. His son helps him raise the chickens which is a great life lesson for him and for others in the congregation. Keeping chickens is a way for them to live out their faith to care for the last and least of us. This Ordinance makes them question how they can continue this vital ministry and the Christian commitment to help fellow human beings. Rev. Hopgood said that he hopes the Council will enact a stay so a better Ordinance can be put forward; one that will meet the needs of both those that do not like domestic chickens and those that found a meaning behind that.
(applause)

Pat Fletcher (134 West Upper Ferry) thanked Council for their service and said that she appreciates Council holding this forum and listening to them. Ms. Fletcher stated for the record that she has owned small backyard flocks for twenty-five years. She negotiated that with the Animal Control Department. Ms. Fletcher said that her chickens mean a lot to her for many different reasons. When she found out about the Ordinance change, she put out a public poll on “Ewing Our Town, Our Neighbors, Our Voice” which is a group of roughly 5,000 Ewing residents. The poll is ongoing, but of the 200-250 that have responded, the overwhelming majority are in support of backyard flocks. Many people have contacted her that they have backyard flocks but are afraid of being targeted by Animal Control and have their babies ripped from them. Hopefully, a solution can be found. Ms. Fletcher asked the Council President why her mission statement is not on the website and said that she would like to know what it is. Council President responded that she has been on the Council for a long time; her continued service speaks to what her vision is for the Town. She wants it to be the best that it can be, better than what it was years ago. She has lived in Ewing since she was eleven. Her uncle had a farm on Pennington Road. Many years ago, he was not allowed to raise chickens any longer even though he had a large property. This law is not anything new. Farm animals were not permitted on any property that was less than five acres. What is new is the clarification as to what constitutes a farm animal. Chickens are farm animals. President Wollert reiterated that this Ordinance is nothing new. There could be health reasons, in some cases, because not everybody is as committed to keeping everything as it should be kept. The Council President said that she understands that during the pandemic, many people turned to baking bread, growing vegetables, or raising poultry for eggs. Not everybody is a good steward of their flock. It is not unappreciated by Council. Because people were being cited, it came to the fore and clarity in the law was needed. President Wollert stated that she wants to be clear; this law already existed. It did not specifically mention chickens, but it said farm animals. Chickens are farm animals. This was not something thought up to be punitive. However, it does prohibit the keeping of chickens on properties less than five acres.

Perhaps a solution is to get property of more than five acres and form a co-op of sorts.

The Town used to have many farms; but the Town has changed.

Council President said that she, personally, appreciates their thinking about conservation, sustainability, and providing for others. However, the Ordinance is in place for several reasons – chickens can bring disease and problems with odor as not everybody is trained or willing to do the necessary work of keeping chickens. Council needs to look after the entire Town. Her vision comes from growing up here and seeing the changes. Even though the Town has radically changed, it is still a wonderful place to live, but things do change.

Ms. Fletcher commented that many people have come to her in the past week and told her that if they cannot raise chickens, they will leave Town. People bought property here thinking that they would be able to raise backyard flocks because they read through the Ordinance, and they found it vague. It is a tax issue. A lot of people are deeply upset.

Ms. Fletcher stated that in her neighborhood, the Airport is the largest source of noise. Since the Airport is constantly breaking the Township Noise Ordinance, what is the Council doing to help them become a good neighbor?

President Wollert asked, in what specific way?

Ms. Fletcher replied that the Airport does not buffer the noise as best as they could, and they allow low-flying aircraft over homes.

The Council President responded that airports by their very nature are noisy. The Airport has been there for many years. It had its use during WWII. In the 1950's it was mostly used by private aircraft and became noisy when the different airlines came in. It is the Councilwoman's view that the noise has been reduced because the planes' engines are better, and helicopters no longer hover endlessly. It is an economic engine. The public good, in general, needs to be considered. Ms. Wollert mentioned that she hears noise from I95. There will always be noise. Certain levels are acceptable for the public good.

Ms. Fletcher invited Council to her home to experience the noise from her perspective and the fact that they are breaching her legal space which is 1200 feet above her home. The helicopters have not stopped, and the Flight School is a problem. Ms. Fletcher stated that her question was not answered.

The Attorney added that the Airport is federally regulated. Complaints about flight path violations should be directed to the FAA. There is very little a municipal government can do regarding that.

Ms. Fletcher stated that her point is that the Airport is breaking municipal ordinances, and she wants to know what Council is doing about it since their ordinances are being broken.

(applause)

The Attorney addressed a comment that she had heard and provided some background information. A comment was made about residents being afraid of the Animal Control Officer. For the record, the Township's Animal Control Officer is lovely, is very kind, and loves animals.

The Attorney stated that she recognizes that people are upset about this, but chickens have never been allowed or have not been allowed for years. The Township has been issuing citations for years. The Health Department has been getting an increasing number of calls about foxes and coyotes getting into chicken coops. There were also concerns about avian flu and odors. The Administration felt that it was now rising above the level of a zoning concern which was why the nuisance ordinance was amended to make it clear and to align with New Jersey law that no domestic livestock is allowed on property less than five acres.

Paul Ulrich (Van Duyn) stated that he has lived on Van Duyn since 1966. His family had goats and chickens, and no one ever said anything about it. They never had a problem. Was this changed to meet the Council's agenda? Someone has a rooster, and now, suddenly, it is a big to-do. What does the Council want residents to do with the chickens - hold a chicken fry - drop them off at EASEL - let them loose? What is being done about the coyote problem? There is an issue in Town, and it is not with chickens; it is with Council.

Kelly Zeichner (62 Upper Ferry Road) said that she wants to address a few things. Ms. Zeichner stated that six or seven years ago, they began investigating whether they could keep poultry. They were not shown any ordinances and were told that they were allowed if they were not cited for noise or vermin. There were no poultry laws. Ms. Zeichner added that poultry, by definition, in farm law, is different from livestock. They would have never invested thousands of dollars...

Ms. Zeichner next addressed a couple of myths about keeping chickens citing a (unclear) Law Review. Myth Number One: Urban Chickens Carry Disease – Small flocks have no risk of avian flu transmission to humans. The CDC states on their website that, at present, there is no need to remove a family flock of chickens because of concerns about avian flu.

The 2006 Grain Report states that when it comes to bird flu, diverse, small-scale poultry is the solution. Salmonella is a food handling sanitary problem in industrial chickens. Myth Number Two: Chickens Are Noisy – Roosters are noisy, but there are benefits to keeping roosters. Range hens, at their loudest, have the same decibel level as human conversations – sixty-five decibels. Myth Number Three: Odor – A forty-pound dog generates more poop than ten chickens. The key to keeping it from being smelly is keeping it from accumulating by composting. The group will include some of these chicken-keeping ideas in their proposed Ordinance. Composted chicken manure is a high-nitrogen fertilizer, a part of the sustainable loop. Her family does this for health reasons. Health reasons are why they got into raising chickens.

Ms. Zeichner stated that they found the ACO to be charming and did find that she absolutely did care about people and chickens, but having said that, Ms. Zeichner said that she was bullied by comments the ACO made to them. The Township is aware; this conversation will continue. They are not criminals; they have provided over 2,000 hours of volunteer service in this Town and have been taxpayers for twenty-four years. They had never felt like they had to leave. They feel insulted and no longer feel safe in this Town because they have the right to grow healthy, organic food to protect the family which has “unclear” Cancer Syndrome. Ms. Zeichner added that no one will take care of her chickens like she does.

Ms. Zeichner said that she is bitter and angry about what is going on but will be honest with the Council because the Council has been honest with her. This issue will not go away. You are losing two good citizens. In 2016, she won a 2016 Pennsylvania Horticulture Society award for vegetable garden sustainable practices. Ms. Zeichner added that other issues need to be addressed with this Ordinance because the Health Department does not have a clue what sustainable really looks like.

During the past week, since this has happened, Ms. Zeichner said that she has heard stories about harassment and bullying – for the Animal Control Officer to stand in front of her and tell her that she has ten days to rehome her pets...put whatever is your beloved pet into that situation...chickens do not decimate the bird population like outdoor cats. Chickens are not bringing out predators and rodents, which were already in urban areas. There were more after COVID because less people were out so less were being killed. Wild bird feeders, pet food, gardens, fishponds, bird baths, trash, sweet corn – anything lower than a predator on the food chain - is attracting predators – to target chickens is wrong.

The group will propose ways to manage flocks to keep both the flocks and neighbors safe.

Ms. Zeichner said that if anything was learned from COVID, food security and health are very important.

(applause)

Ms. Zeichner added that she is not afraid of the ACO.

President Wollert said that that is an employee issue which the Council cannot address.

Jeff Zeichner (62 Upper Ferry Road) said that they have lived here for nineteen years and had predators before they had chickens. Those creatures will go for anything lower than them on the food chain. The Town is being built up; Silvia Street used to be a forest; other wild areas have been developed. They have not seen an increase in predators since they got chickens. Has there been a study done to show a relationship between the number of chickens and the number of predators? The answer is no.

Small flocks do not carry diseases; in fact, they are the solution to avian flu.

The County is constantly spraying against mosquitoes. As far as pests are concerned – ticks, fleas, mosquitoes – the best eater of all of them – are chickens. He has had dogs since he has lived here and in the last five years, since they got chickens, he has seen no fleas and has pulled off only one tick. Why? – the chickens eat them. Chickens are a massive benefit to this Town, not a problem. He and his family compost and do not use any pesticides or chemicals on their property. They throw scraps on their compost pile; the chickens eat what they want and turn over the rest and are the best fertilizers on the planet.

Ideas about chickens being a detriment are wrong. The Council is making decisions not on facts but on random complaints from people who have vendettas and axes to grind and based on myths.

(applause)

Ms. Wollert thanked everyone for coming, for their presentations and for their heartfelt comments.

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business, President Wollert called for a motion to adjourn. Mr. Schroth so moved seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote. The meeting was adjourned at 7:31 p.m.

Kathleen Wollert, President

Kim J. Macellaro, Municipal Clerk

October 10, 2023- REGULAR SESSION

President Wollert called the meeting to order at 7:44 p.m.

The Clerk gave the Invocation: Almighty God, we ask your blessings on the people who have been called to lead our community. Grant them and us the wisdom and courage to know and do what is right and good. Amen.

Flag Salute

Council President Wollert read the Open Public Meetings Statement:

The notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian all on the 3rd of January 2023, filed with the Clerk of the Township of Ewing, and posted in the Ewing Township Municipal Complex.

The Public will have an opportunity to address the Council during the "Statements and Comments from Members of the Public" segment of the meeting. A member of the Public may sign in on the sheet at the front of the room. You will be given five minutes of time for remarks and questions; questions should be directed to the Council President. When addressing the Council, please give your name and address.

ROLL CALL

- | | |
|-------------------------------|-----------------------------------|
| ▪ Mr. Baxter – Excused | Joanna Mustafa, CFO |
| ▪ Ms. Keyes-Maloney – Present | Catie MacDuff, Attorney |
| ▪ Mr. Schroth – Present | Kim J. Macellaro, Municipal Clerk |
| ▪ Ms. Steward – Present | |
| ▪ President Wollert – Present | |

The Clerk stated for the record that Councilman Baxter has an excused absence this evening.

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

There were no statements and comments from members of the Public.

BILLS LIST

1. The Clerk read (Resolution #23R-178) A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$725,041.36 and to Pay Supplemental Bills per Resolution #23R-12 in the Amount of \$62,727.48

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

ROLL CALL

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

The above-referenced Bills List Resolution and the Bills List are available in the Clerk's Office in the 2023 Resolution Book Number Two.

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

CONSENT AGENDA

The Clerk read the Consent Agenda: **(Resolution #23R-179)**

1. Approval of Agenda Session Minutes for September 12, 2023; Approval of Regular Session Minutes for September 12, 2023.
2. A Resolution Authorizing a Refund, as Recommended by the Township Health Officer, for Fees in the amount of \$75.00 to E & M Catering L.L.C. / Veganish, 3 Tower Ct., Farmingdale, NJ 07727 for payment of a temporary mobile truck fee for an event at River Horse Brewing Co. which was cancelled.
3. A Resolution Authorizing a Cancellation, as Recommended by the Tax Collector, a CANCELLATION of LEVY for Tax Year 2023 for property owner McConnell, Charles J. UX, for Block: 229.07, Lot: 6 also known as 47 Bayberry Road. Parcel suffered a fire in 2022. Assessment reduced from \$255,000 to \$98,600 for 2023 and 2024.
4. A Resolution Authorizing a Cancellation, as Recommended by the Tax Collector, a CANCELLATION of LEVY for Tax Year 2023 for property owner FINE-BE LLC, for Block: 140, Lot: 164 also known as 154 Woodland Ave. Original BLQ 140/164 was split into 140/164.01 & 140/164.02. Both new BLQ's were billed correctly for the tax year 2023. Original 140/164 was not removed off the TAX 2023 Field Book which resulted in a 2023 tax billing. BLQ 140/164 needs to be removed from the Field Book and levy canceled as the BLQ's were billed correctly for 2023.

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

ROLL CALL

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

The above-referenced Minutes are available in the Clerk's Office in the 2023 Agenda Session and Regular Session Minute Books. The above-referenced Consent Agenda Resolutions are available in the Clerk's Office in the 2023 Resolution Book Number Two.

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

(None for this Meeting)

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

1. The Clerk read **(Ordinance #23-23) ORDINANCE OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, NEW JERSEY APPROVING APPLICATIONS FOR LONG TERM TAX EXEMPTION AND AUTHORIZING EXECUTION OF FINANCIAL AGREEMENTS**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, under the Redevelopment Law, the Township Council (the "Township Council") of the Township of Ewing (the "Township") adopted Resolution No. 11R-154 on July 26, 2011, designating the properties located at Block 343, Lot 1.01, Block 374, Lot 4.02 and Block 365, Lot 9 on the Township's tax map (collectively, the "Original Parkway Avenue Redevelopment Area") as an area in need of redevelopment; and

WHEREAS, on January 29, 2013, the Township Council adopted Ordinance No. 13-02 approving and adopting a redevelopment plan for the Original Parkway Avenue Redevelopment Area (the “**Original Redevelopment Plan**”); and

WHEREAS, the Township Council subsequently adopted a resolution designating the properties located at Block 374, Lot 3 and 365, Lot 21 as an area in need of redevelopment and adding them to the Original Parkway Avenue Redevelopment Area (as amended, the “**Parkway Avenue Redevelopment Area**”); and

WHEREAS, on March 8, 2022, the Township Council adopted Ordinance No. 22-06 approving and adopting an amended redevelopment plan for the Parkway Avenue Redevelopment Area (the “**Redevelopment Plan**”); and

WHEREAS, in accordance with Section 65 of the Township Code, the Ewing Township Redevelopment Agency (the “**Agency**”) is the redevelopment entity responsible for implementing the Redevelopment Plan; and

WHEREAS, on October 5, 2022, the Agency adopted a resolution designating KRE Acquisitions Corp. (“**KRE**”) as the redeveloper for the property identified on the Township’s tax maps as a portion of Block 374, Lot 4.02 and known generally as 1500 Parkway Avenue (the “**Former Navy Site**”) and authorizing the execution of a redevelopment agreement in connection with the redevelopment thereof; and

WHEREAS, the Township and KRE executed a redevelopment agreement, dated October 31, 2022 (the “**Redevelopment Agreement**”), pursuant to which KRE agreed to redevelop the Former Navy Site together with that portion of Block 374, Lot 4.02 identified as the Adjacent Parcel in the Redevelopment Agreement (the “**Adjacent Parcel**”) by constructing thereon a project consisting of an approximately 285,440 square foot warehouse, three (3) flex buildings of approximately 20,000 square feet each, and supportive parking and other improvements (the “**Redevelopment Project**”); and

WHEREAS, 1500 Parkway Avenue I Urban Renewal, LLC (“**Entity I**”), an affiliate of KRE and 1500 Parkway Avenue Owner, LLC, will complete the portion of the Redevelopment Project consisting of the approximately 285,440 square foot warehouse, and supportive parking and other improvements relating thereto (the “**Entity I Project**”) on the portion of the Former Navy Site and Adjacent Parcel consisting of 19.658 acres (the “**Entity I Project Site**”); and

WHEREAS, 1500 Parkway Avenue II Urban Renewal, LLC (“**Entity II**”, and together with Entity I, the “**PA Entities**”), an affiliate of KRE and 1500 Parkway Avenue Owner, LLC, will complete the portion of the Redevelopment Project consisting of three (3) flex buildings of approximately 20,000 square feet each, and supportive parking and other improvements (the “**Entity II Project**”) on that portion of the Former Navy Site identified on the Township’s tax maps as Block 374, Lot 4.04 (as subdivided from Block 374, Lot 4.02), along with the Adjacent Parcel (collectively, the “**Entity II Project Site**”, and together with the Entity I Project Site, the “**Project Site**”); and

WHEREAS, 1500 Parkway Avenue Owner, LLC, an affiliate of the PA Entities, owns the Project Site; and

WHEREAS, Entity I will own the Entity I Project and Entity II will own the Entity II Project and, upon completion of construction, Entity I and Entity II will lease their respective projects to an operating affiliate who will operate and manage the Redevelopment Project and lease space therein to the tenants; and

WHEREAS, the PA Entities are each an “Urban Renewal Entity” qualifying under the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:12A-1 *et seq.* (the “**Long Term Tax Exemption Law**”) and, thus, may exercise the powers conferred on such entities thereunder; and

WHEREAS, pursuant to, and in accordance with, the provisions of the Redevelopment Law and the Long Term Tax Exemption Law, the Township is authorized to provide for a tax exemption within a redevelopment area and for payments in lieu of taxes; and

WHEREAS, in order to enhance the economic viability of, and opportunity for, a successful project, the Township will enter into Financial Agreements with Entity I and Entity II governing the payments made to the Township in lieu of taxes on the Redevelopment Project

pursuant to the Long Term Tax Exemption Law and the Redevelopment Law (the “**Financial Agreements**”); and

WHEREAS, in accordance with the Long Term Tax Exemption Law, Entity I and Entity II each filed with the Township an application, which are on file with the Township Clerk and which are incorporated herein by reference (the “**Applications**”), for approval of a long term tax exemption in connection with the Entity I Project and the Entity II Project; and

WHEREAS, upon review of the Applications, the Township has made the following findings:

A. Relative Benefits of the Redevelopment Project:

The Redevelopment Project will provide the region with a new state-of-the-art warehouse distribution center and three (3) flex buildings of approximately 20,000 sf each with supportive parking and site improvements. The Project Site is currently underutilized, contaminated and presents a danger to the community, and will benefit from a facility upgrade that generates revenues and creates jobs, and eliminates a dangerous eyesore. The Entity I Project is expected to produce approximately 100 construction jobs and approximately 140 permanent jobs. The Entity II Project is expected to produce approximately 50 construction jobs and approximately 30 permanent jobs.

B. Assessment of the importance of the tax exemption in obtaining development of the Redevelopment Project and influencing the locational decisions of probable occupants:

The PA Entities are making a significant equity contribution toward the cost of the Redevelopment Project. In order to improve the economic viability of the development of the Redevelopment Project, the Township has agreed to provide the tax exemption for the Redevelopment Project pursuant to the Financial Agreements. The stability and predictability of the tax exemption will make the uniquely-positioned Redevelopment Project more competitive and assist the PA Entities to undertake the Redevelopment Project in the Township.

WHEREAS, the Mayor submitted the Applications and Financial Agreements to the Township Council with his recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

WHEREAS, the Township Council has determined that the Redevelopment Project represents an undertaking permitted by the Long Term Tax Exemption Law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EWING, NEW JERSEY AS FOLLOWS:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Application submitted by Entity I is hereby approved in accordance with Section 8 of the Exemption Law.

Section 3. The Application submitted by the Entity II is hereby approved in accordance with Section 8 of the Exemption Law.

Section 4. The Mayor is hereby authorized and directed to execute the Financial Agreements with the PA Entities in substantially the same form as those attached as **Exhibit 19** to the Applications, together with such additions, deletions and other modifications deemed necessary upon consultation with counsel to the Township, and prepare, amend or execute any other agreements necessary to effectuate this ordinance, subject to modification or revisions, as deemed necessary and appropriate.

Section 5. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreements by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such documents.

Section 6. The Township Clerk shall file certified copies of this ordinance and the Financial Agreements with the Tax Assessor of the Township in accordance with Section 12 of the Exemption Law.

Section 7. In accordance with Section 12 of the Exemption Law, within ten (10) calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreements by Entity I and Entity II, the Township Clerk also shall transmit a certified copy of this Ordinance and the Financial Agreements to the chief financial officer of Mercer County and to the Mercer County Counsel for informational purposes.

Section 8. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 9. This ordinance shall take effect in accordance with all applicable laws.

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

ROLL CALL

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

2. The Clerk read **(Ordinance #23-24) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 59, PAY-TO-PLAY REGULATIONS, ARTICLES I-III, SECTIONS 1 THROUGH 20 TO ELIMINATE THE LOCAL PAY-TO-PLAY ORDINANCES AND BRING THEM INTO COMPLIANCE WITH N.J.S.A. 19:44A-1 et seq.**

WHEREAS, on April 3, 2023, Governor Murphy signed *N.J.S.A. 19:44A-1 et seq.*, the Elections Transparency Act (“ETA”) (Bill No. A4372/S2866), into law; and

WHEREAS, the Township and State have an interest in protecting the bidding and procurement process by limiting political contributions and requiring certain disclosures regarding same; and

WHEREAS, the ETA requires that all levels of government throughout the State abolish local pay-to-play ordinances and abide by the ETA for the sake of clarity and uniformity; and

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 59, PAY-TO-PLAY REGULATIONS, Articles I- III, PROHIBITION ON AWARDED PUBLIC CONTRACTS TO CERTAIN CONTRIBUTORS, Sections 1 through 20; are hereby amended as follows:

Article I Redevelopment Agreements under Local Redevelopment and Housing Law

§ 59-1 **Compliance with State pay-to-play laws. Prohibition of entering into or amending redevelopment agreements with certain contributors.**

Any other provision of law to the contrary notwithstanding the Township or any of its purchasing agents or agencies or those of its independent authorities shall abide by and comply with all requirements set forth in *N.J.S.A. 19:44A-1 et seq.*

A. Campaign contributions.

(1) Any other provision of law to the contrary notwithstanding, the Township of Ewing or any of its purchasing agents or agencies or those of its independent

authorities, as the case may be, shall not enter into an agreement, amend an agreement, or otherwise contract with any redeveloper for the planning, replanning, construction or undertaking of any redevelopment project, including the acquisition or leasing of any public property in conjunction with the redevelopment of any area within the Township of Ewing pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), if that redeveloper has made any contribution of money, pledge of a contribution, including in-kind contributions or loans, during the applicable time period as specified below, to a campaign committee of any Township of Ewing candidate or holder of public office within the Township of Ewing having responsibility for arranging, entering into or approving the redevelopment agreement, or for appointing those who enter into the agreement on behalf of the Township of Ewing, or to any candidates' committee, joint candidates' committee, municipal political campaign committee (PAC) or to any Mercer County party committee or to any political action committee which engages in the support of the Township of Ewing municipal campaigns.

- (2) For purposes of this section, the "applicable time period" shall be defined as the time period between the date that the property which is the subject of the redevelopment project has been included in a memorializing resolution adopted by the governing body directing the Planning Board to conduct a preliminary investigation to determine if the site is in need of redevelopment pursuant to and in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and the date of entering into the redevelopment agreement, or the 12 months prior to entering into the agreement, whichever is shorter.

B. All redevelopment agreements or amendments thereto entered into by the Township of Ewing shall contain a provision prohibiting redevelopers as defined in Subsection C to solicit or make any contribution of money, pledge of a contribution including in-kind contributions or loans to any Township of Ewing candidate or holder of public office within the Township of Ewing having responsibility for arranging, entering into or approving the redevelopment agreement, or for appointing those who enter into the agreement on behalf of the Township of Ewing, or to any Township of Ewing political campaign committee or to any Township of Ewing or Mercer County party committee, candidates' committee, joint candidates' committee or to any political action committee (PAC) which engages in the support of municipal elections and/or municipal parties or which engages in the support of the Township of Ewing municipal campaigns, between the time of first communication between that redeveloper and the municipality regarding a redevelopment project and the latter of the termination of negotiations or the completion of all matters specified in the redevelopment agreement.

C. Terms defined.

- (1) As defined in N.J.S.A. 40A:12A-3, a "redeveloper" means any person, firm, corporation or public body that shall enter into or propose to enter into a contract with a municipality or other redevelopment entity for the redevelopment or rehabilitation of an area in need of redevelopment or an area in need of rehabilitation, or any part thereof, under the provisions of this act, or for any construction or other work forming part of a redevelopment or rehabilitation project.
- (2) For the purposes of this article, a "redeveloper" means an individual, including the individual's spouse, if any, and any child living at home; a person, firm, corporation, professional corporation, partnership, organization or association, including all principals who own 10% or more of the equity in the corporation; professional corporation, partnership, organization, or association, partners and

officers in the aggregate employed by the provider as well as any subsidiaries directly controlled by the redeveloper.

~~D. For purposes of this section, the office that is considered to have responsibility for arranging and entering into the redevelopment agreement under the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) shall be:~~

~~(1) The Township Council, if the redevelopment agreement requires approval or appropriation from the Council, or a public officer who is responsible for arranging and entering into the redevelopment agreement, if that public officer is appointed by Council;~~

~~(2) The Mayor of the Township of Ewing, if the redevelopment agreement requires the approval of the Mayor, or a public officer who is responsible for arranging and entering into the redevelopment agreement, if that public officer is appointed by the Mayor; or~~

~~(3) The Ewing Township Redevelopment Agency, if the redevelopment agreement requires the approval of the Agency.~~

~~§ 59-2 Contributions made prior to effective date.~~

~~No contribution of money or any other thing of value, including in-kind contributions, made by a redeveloper to any Township of Ewing candidate for Mayor or Council or to any political action committee shall be deemed a violation of this section, nor shall an agreement for redevelopment projects of any kind whatsoever be disqualified thereby if that contribution or agreement was made by the redeveloper prior to the effective date of this article.~~

~~§ 59-3 Notice given by Township; sworn statement of redeveloper.~~

~~A. — It shall be the Township of Ewing's continuing responsibility to give notice of this article when the Township gives notice of redevelopment pursuant to N.J.S.A. 40A:12A-6 and when the Township adopts a resolution directing the Planning Board to prepare a redevelopment plan and at the time that the municipality adopts the ordinance to implement the redevelopment plan.~~

~~B. — Prior to arranging and entering into the redevelopment agreement with any redeveloper, the Township of Ewing or any of its purchasing agents or agencies or independent authorities, as the case may be, shall receive a sworn statement from the redeveloper that the redeveloper has not made any contribution in violation of § 59-1A above. Furthermore, the redeveloper shall have a continuing duty to report any violations of this article that may occur while arranging and entering into the redevelopment agreement and until all specified terms of the agreement have been completed. The certification required under this subsection shall be made prior to entry into the agreement with the municipality and shall be in addition to any other certifications that may be required by any other provision of law.~~

~~§ 59-4 Return of excess contributions.~~

~~A redeveloper or municipal candidate or officeholder or municipal or county party committee or PAC referenced in this article may cure a violation of § 59-1 of this article, if, within 30 days after the general election, the redeveloper notifies the Township Council in writing and seeks and receives reimbursement of a contribution from the municipal candidate or municipal or county political party or PAC referenced in this article.~~

~~§ 59-5 Breaches of agreement enumerated; disqualification of developer.~~

~~A. — It shall be a breach of the terms of the Township of Ewing redevelopment agreement for a redeveloper to:~~

~~(1) Make or solicit a contribution in violation of this article;~~

~~(2) Knowingly conceal or misrepresent a contribution given or received;~~

- ~~(3) Make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;~~
- ~~(4) Make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of a public office of the Township of Ewing;~~
- ~~(5) Engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the redeveloper itself would subject that entity to the restrictions of this article;~~
- ~~(6) Fund contributions made by third parties, including consultants, attorneys, family members and employees;~~
- ~~(7) Engage in any exchange of contributions to circumvent the intent of this article;
or~~
- ~~(8) Directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this article.~~

~~B. Furthermore, any redeveloper who violates Subsection A(1) through (8) above shall be disqualified from eligibility for future Township of Ewing redevelopment agreements for a period of four calendar years from the date of the violation.~~

~~§ 59-6 Contribution disclosure statement.~~

~~No redevelopment contract shall be entered without submission by the redeveloper of a contribution disclosure statement. For purposes of this article, "contribution disclosure statement" means a list specifying the amount, date and recipient of any and all contributions made to or on behalf of any candidate, candidates' committee, joint candidates' committee, political committee, continuing political committee or political party committee of, or pertaining to, the Township of Ewing, up to two years prior to filing a redevelopment or variance application and for two years after the completion of the redevelopment project.~~

~~§ 59-7 Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~APPLICATION CHECKLIST~~

~~The list of submission requirements adopted by ordinance and provided by the municipal agency to a developer pursuant to N.J.S.A. 40:55D-10.3.~~

~~CONTRIBUTION~~

~~Every loan, gift, subscription, advance or transfer of money or other thing of value, including any item of real property or personal property, tangible or intangible (but not including services provided without compensation by individuals volunteering a part or all of their time on behalf of a candidate, committee or organization), made to or on behalf of any candidate, candidates' committee, joint candidates' committee, political committee, continuing political committee or political party committee and any pledge, promise or other commitment or assumption of liability to make such transfer. For purposes of reports required under the provisions of the ordinance, any such commitment or assumption shall be deemed to have been a contribution upon the date when such commitment is made or liability assumed.~~

~~CONTRIBUTION DISCLOSURE STATEMENT~~

~~A list specifying the amount, date and the recipient of any and all contributions made to or on behalf of any candidate, candidates' committee, joint candidates' committee, political committee, continuing political committee or political party committee of or~~

pertaining to the Township of Ewing made up to one year prior to filing the variance application and/or during the pendency of the application process and required to be reported pursuant to N.J.S.A. 19:44A-1 et seq.

DEVELOPER

A developer as defined by N.J.S.A. 40:55D-4, i.e., the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

PROFESSIONAL

Any person or entity whose principals are required to be licensed by New Jersey law and who supplies legal representation, expert testimony or written reports in support of an application. Professionals shall include both any individuals supplying the representation, testimonies or reports and the firms or entities in which said individuals practice.

§ 59-8 Disclosure requirements:

A. — Any applicant for a variance pursuant to N.J.S.A. 40:55D-70(d) or a variance pursuant to N.J.S.A. 40:55D-70(e) in conjunction with any application for a subdivision not considered a minor subdivision pursuant to local ordinance or a site plan not considered a minor site plan pursuant to local ordinance as well as any application for a subdivision not considered a minor subdivision pursuant to local ordinance or site plan or subdivision not considered a minor site plan pursuant to local ordinance requiring waivers or exceptions pursuant to N.J.S.A. 40:55D-51 shall include in the application contribution disclosure statements for all developers; all associates of said developers who would be subject to disclosure pursuant to N.J.S.A. 40:55D-48.1 or 40:55D-48.2; and all professionals who apply for or provide testimony, plans or reports in support of said variance and who have enforceable proprietary interest in the property or development which is the subject of the application or whose fee in whole or part is contingent upon the outcome of the application. Regardless of whether the owner of the property which is the subject of the variance application falls in any of the categories established in the preceding sentence, the applicant shall include in the application a contribution disclosure statement for said owner.

B. — During the pendency of the application process until final site plan approval is granted, any applicant required to comply with this article shall amend its contribution disclosure statements to include continuing disclosure of all contributions within the scope of disclosure requirement of the above subsection.

§ 59-9 Inclusion of contribution disclosure statements as element of application checklist.

A. — An application checklist ordinance is hereby adopted pursuant to N.J.S.A. 40:55D-10.3 to require that the contribution disclosure statements specified in § 59-8 of this article be submitted by the applicant for all applications for variance relief pursuant to N.J.S.A. 40:55D-70(d) as well as for relief pursuant to N.J.S.A. 40:55D-70(e) or N.J.S.A. 40:55D-51 in applications for site plan and subdivision approval not considered to be minor site plans or minor subdivisions pursuant to local ordinance.

B. — The Township of Ewing Planning Board and Zoning Board of Adjustment shall amend its application checklist for variances pursuant to N.J.S.A. 40:55D-70(d) as well as for relief pursuant to N.J.S.A. 40:55D-70(e) or N.J.S.A. 40:55D-51 in applications for site plan and subdivision approval not considered to be minor site plans or minor subdivisions pursuant to local ordinance to include the contribution disclosure statements specified in § 59-8 of this article.

~~C. — An application shall not be deemed complete by the administrative official or accepted for public hearing by the municipal agency until the required contribution disclosure statements are submitted.~~

~~§ 59-10 Availability of contribution disclosure statements.~~

~~All contribution disclosure statements shall be available in the office of the Municipal Clerk for public inspection.~~

~~§ 59-11 Intent of contribution disclosure statements.~~

~~It is the intent of this article that the contribution disclosure statement shall serve to inform the public and not serve as evidence relevant to the decision criteria for variance applications pursuant to N.J.S.A. 40:55D-70(d) as well as for relief pursuant to N.J.S.A. 40:55D-70(e) or N.J.S.A. 40:55D-51 in applications for site plan and subdivision approval not considered to be minor site plans or minor subdivisions pursuant to local ordinance.~~

~~§ 59-12 Contracts exceeding bid threshold.~~

~~Any other provision of law to the contrary notwithstanding and except as provided in Articles I and II above, the Township or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement or other contract which exceeds the bid threshold set forth in N.J.S.A. 40A:11-3 to procure any goods, professional, banking, insurance coverage services or any other consulting services from any professional business entity if that entity has solicited or made any contribution of money, pledge of a contribution, including in-kind contributions, or loans to any Township of Ewing municipal candidate or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Township of Ewing or Mercer County party committee, candidates' committee, joint candidates' committee or to any political action committee (PAC) that engages in the support of municipal elections and/or municipal parties in excess of the thresholds specified in § 59-14 within one calendar year immediately preceding the date of the contract or agreement, unless the goods or services are procured through the public bidding process pursuant to N.J.S.A. 40A:11-4 or the competitive contracting process pursuant to N.J.S.A. 40A:11-4.1.~~

~~§ 59-13 Restrictions on soliciting or making contributions.~~

~~No professional business entity which enters into negotiations for or agrees to any contract or agreement with the municipality or any department or agency thereof or of its independent authorities for the furnishing of goods or rendition of professional, banking or insurance coverage services or any other consulting services shall solicit or make any contribution of money, pledge of a contribution, including in-kind contributions, or loans to any Township of Ewing municipal candidate or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Township of Ewing or Mercer County party committee, candidates' committee, joint candidates' committee, or to any political action committee (PAC) that engages in the support of municipal elections and/or municipal parties between the time of first communications between that business entity and the Township regarding any contract and the later of the termination of negotiations or completion of the contract or agreement.~~

~~§ 59-14 Limit on contributions.~~

~~Any individual meeting the definition of "professional business entity" under this chapter may annually contribute a maximum of \$300 N.J.S.A. 19:44A-1 et. seq. to each for any purpose to any candidate, for Mayor or council, or \$500 to the Township of Ewing or Mercer County party committee, candidates' committee, joint candidates' committee or to a political action committee (PAC) that engages in the support of municipal elections and/or municipal parties, without violating § 59-12 of this article.~~

~~§ 59-15 Professional business entity.~~

~~For purposes of this article, a professional business entity seeking a public contract means an individual, including the individual's spouse, if any, and any child living at home; person; firm; corporation; professional corporation; partnership; organization; or association. The definition of~~

a business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners and officers in the aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

§ 59-16 Responsibility for Township contract award.

For purposes of this article, the office that is considered to have ultimate responsibility for the award of the contract shall be:

- A. The Township of Ewing Council and the Mayor of the Township of Ewing, if the contract requires approval or appropriation from the Council.
- B. The Mayor of the Township of Ewing, if the contract requires approval of the Mayor or if a public officer who is responsible for the award of a contract is appointed by the Mayor.

§ 59-17 Contributions made prior to effective date.

No contribution of money or any other thing of value, including in kind contributions, made by a professional business entity to any municipal candidate for Mayor or Council, or Township of Ewing or Mercer County party committee or PAC referenced in this article, shall be deemed a violation of this article, nor shall an agreement for property, goods, or services, of any kind whatsoever, be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this article.

§ 59-18 Contribution statement by professional business entity.

- A. Prior to awarding any contract or agreement to procure services pursuant to § 59-13, including banking or insurance coverage services, with any professional business entity, the Township of Ewing or any of its purchasing agents or agencies, as the case may be, shall receive a sworn statement from the professional business entity, made under penalty of perjury, that the bidder has not made a contribution in violation of § 59-12.
- B. The professional business entity shall have a continuing duty to report any violations of this article that may occur during the negotiation or duration of a contract. The certification required under this section shall be made prior to entry into the contract or agreement with the Township of Ewing and shall be in addition to any other certifications that may be required by any other provision of law.

§ 59-19 Return of excess contributions.

A professional business entity or Township of Ewing candidate or officeholder or Township of Ewing or Mercer County party committee or PAC referenced in this article may cure a violation of § 59-12 if, within 30 days after contribution, the professional business entity notifies the Township of Ewing Council in writing and seeks and receives reimbursement of a contribution from the Township candidate or municipal or county political party or PAC referenced in this article.

§ 59-20 Breaches of contract; disqualification of business entity.

- A. It shall be a breach of the terms of Township of Ewing public contracts for a business entity to:
 - (1) Make or solicit a contribution in violation of this article;
 - (2) Knowingly conceal or misrepresent a contribution given or received;
 - (3) Make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;

- (4) ~~Make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of the public office of the Township of Ewing;~~
- (5) ~~Engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution that, if made or solicited by the business entity itself, would subject that entity to the restrictions of this article;~~
- (6) ~~Fund contributions made by third parties, including consultants, attorneys, family members and employees;~~
- (7) ~~Engage in any exchange of contributions to circumvent the intent of this article;~~
or
- (8) ~~Directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this article.~~

~~B. Furthermore, any professional business entity that violates this article, except in the case of a cure as provided in § 59-19, shall be disqualified from eligibility for future Township of Ewing contracts for a period of two calendar years from the date of violation.~~

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.

Councilwoman Keyes-Maloney made a motion to open the Public Hearing, seconded by Councilman Schroth. It was agreed by unanimous voice vote. There were no questions or comments from the Public. Councilman Schroth made a motion to close the Public Hearing, seconded by Councilwoman Keyes-Maloney. It was agreed by unanimous voice vote. Ms. Keyes-Maloney then moved the Ordinance, seconded by Mr. Schroth. There were no questions or comments from Council. The Council President called for a roll call.

ROLL CALL

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

3. The Clerk read **(Ordinance #23-25) AN ORDINANCE AMENDING CHAPTER 257, PEACE AND GOOD ORDER, OF THE REVISED GENERAL ORDINANCE OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO PROHIBIT THE BREACHING OF THE PEACE**

The Clerk asked a procedural question about Item Three. Because the Public Hearing was advertised, it was decided that the Public Hearing would be opened and then continued.

Councilwoman Keyes-Maloney made a motion to open the Public Hearing, seconded by Councilwoman Steward. It was agreed by unanimous voice vote. No members of the Public were present.

Councilwoman Keyes-Maloney made a motion to continue this Ordinance to Council's next session, seconded by Councilwoman Steward. It was agreed by unanimous voice vote.

4. The Clerk read **(Ordinance #23-26) AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EWING UNDER N.J.S.A. 40A:12-5 TO ACQUIRE FASOLINO BASEBALL FIELD BY WAY OF GIFT FROM THE EWING LITTLE LEAGUE BOARD**

WHEREAS, Fasolino Baseball Field is owned by the Ewing Little League Board and is maintained by volunteers for the use by Ewing Little League; and

WHEREAS, Ewing Little League is having difficulties maintaining the field with their limited number of volunteers and approached the Township of Ewing ("Township") regarding ownership of Fasolino Baseball Field; and

WHEREAS, the Ewing Little League Board has voted to release ownership of the Fasolino Baseball Field to the Township, for the better of the league and those families the Board supports, and gift it to the Township; and

WHEREAS, the Township is authorized by N.J.S.A. 40A:12-5 to acquire lands by gift as necessary and suitable to maintain the land and its use for the good of the municipality; and

WHEREAS, the Township is interested in acquiring title to the Fasolino Baseball Field by way of gift for purposes of maintaining the field in good condition for continued recreational uses including use by the Ewing Little League; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Township of Ewing, County of Mercer that the Township is authorized to accept ownership of the Fasolino Baseball Field from the Ewing Little League Board as follows:

Section 1

The Township is authorized to accept ownership of the Fasolino Baseball Field from the Ewing Little League Board, as a gift, per N.J.S.A. 40A:12-5.

The Administration is authorized to execute all necessary documents to effectuate this ownership transfer.

Section 2 This Ordinance shall take effect upon final adoption and publication in accordance with law.

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.

Adopted:

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

ROLL CALL

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

NEW BUSINESS

1. The Clerk read (Resolution #23R-180) A RESOLUTION APPROVING THE APPOINTMENT OF ELINA VEYBERMAN AS TAX ASSESSOR, FILLING THE UNEXPIRED TERM OF RETIRED TAX ASSESSOR JEFFREY BURD, EXPIRING ON JUNE 30, 2024, AND APPROVING THE APPOINTMENT OF ELINA VEYBERMAN AS TAX ASSESSOR TO A FOUR-YEAR TERM COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2028

Mr. Schroth moved the Resolution, seconded by Ms. Steward. There were no questions or comments from Council. No members of the Public were present. President Wollert called for a roll call.

ROLL CALL

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

2. The Clerk read (Resolution #23R-181) A RESOLUTION APPROVING THE APPOINTMENT OF NEIL MCGETTIGAN AS DEPUTY TAX ASSESSOR FOR A TERM EFFECTIVE OCTOBER 1, 2023 TO JUNE 30, 2024 FOLLOWED BY A FOUR-YEAR TERM COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2028

Ms. Keyes-Maloney moved the Resolution, seconded by Mr. Schroth. There were no questions or comments from Council. No members of the Public were present. Council President Wollert asked for a roll call.

ROLL CALL

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

3. The Clerk read (Resolution #23R-182) A RESOLUTION AUTHORIZING THE CORRECTION OF TOTAL ASSESSED VALUE FOR CERTAIN PROPERTIES WITHIN EWING TOWNSHIP, AS RECOMMENDED BY THE TAX COLLECTOR AND TAX ASSESSOR

Mr. Schroth moved the Resolution, seconded by Ms. Steward. There were no questions or comments from Council. No members of the Public were present. President Wollert asked for a roll call.

ROLL CALL

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

4. The Clerk read (Resolution #23R-183) A RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 CHEVROLET BOLT EV FOR THE PURPOSE AND USE BY THE CONSTRUCTION DEPARTMENT, THRU CIOCCA CHEVROLET OF PRINCETON NJ

Mr. Schroth moved the Resolution, seconded by Ms. Steward. There were no questions or comments from Council. No members of the Public were present. The Council President called for a roll call.

ROLL CALL

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

5. The Clerk read (Resolution #23R-184) A RESOLUTION AUTHORIZING GLENDALE CIVIC ASSOCIATION TO HOLD A HALLOWEEN PARADE/ROAD CLOSING ON OCTOBER 31ST, 2023 FROM 4:30 PM TO 6:00 PM AND CLOSING LATONA AVENUE, GREENWAY AVENUE AND WESTMORELAND AVENUE NORTH OF PINGREE AVENUE

Mr. Schroth moved the Resolution, seconded by Ms. Steward.

Ms. Keyes-Maloney asked if she had to abstain since she lives on Westmoreland.
(crosstalk)

The Attorney replied – no.

There were no additional questions or comments from Council. No members of the Public were present. Council President Wollert asked for a roll call.

ROLL CALL

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

The above-referenced New Business Resolutions are available in the Clerk's Office in the 2023 Resolution Book Number Two.

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business President Wollert called for a motion to adjourn. Ms. Keyes-Maloney so moved seconded by Ms. Steward. It was agreed by unanimous voice vote. The meeting was adjourned at 7:56 p.m.

Katheen Wollert, President

Kim J. Macellaro, 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 A REFUND, AS RECOMMENDED BY THE DIRECTOR OF EMS FOR OVERPAYMENT

Resolution #23R- WHEREAS, State Law authorizes the EMS Director to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the EMS Director's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the EMS Director, the Governing Body of the Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$510.81 for overpayment of transport service on January 7, 2023 for patient Gage, William to Horizon NJ Health, PO Box 24077, Newark, NJ 07101-0406.

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 28th day of November 2023.

SEAL

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Municipal Clerk

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A RESOLUTION AUTHORIZING A REFUND, AS RECOMMENDED BY THE TOWNSHIP CONSTRUCTION OFFICIAL

Resolution #23R- WHEREAS, State Law authorizes the Construction Official to recommend refunding of monies collected upon determination of unnecessary payment; and

WHEREAS, the Township Council is likewise authorized to confirm the Construction Official's recommendation; now therefore

BE IT RESOLVED THAT, Upon the thorough review and recommendation of the Township Construction Official, the Governing Body of the Township of Ewing does hereby resolve to authorize a refund in the amount of \$125.00 to Property Owner, 45 Lochatong Road, Ewing, NJ 08628 for property address: 79 Federal City Road. The applicant could not have the inspection completed from Ewing inspectors.

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 28th day of November 2023.

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A RESOLUTION AUTHORIZING A REFUND, AS RECOMMENDED BY THE TAX COLLECTOR

Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,441.96 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Sanderson, Carlton A., for Block: 79 Lot: 99 also known as 33 Albemarle Avenue for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$500.00 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Talledo, Rosario, for Block: 130 Lot: 411 also known as 9 Auburn Avenue for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,425.66 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Bruno, Paul & Justine, for Block: 385 Lot: 4 also known as 2 Carrigg Avenue for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$998.02 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, DOCKET 008165-2023, for property owner Pichcuskie, Thomas G., for Block: 62 Lot: 49 also known as 284 Clover Avenue for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,171.58 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Schultz, Kathleen, for Block: 458 Lot: 38 also known as 26 Downing Road for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,808.20 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner McCallum, Nicole, for Block: 271 Lot: 113 also known as 114 Florence Avenue for overpayment.

IT IS SO RESOLVED.

Certification:

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the total amount of \$248.70 (\$123.11 for August 1, 2023 3rd Quarter Taxes & \$125.59 for November 1, 2023 4th Quarter Taxes) to Fine-Be, LLC, 243 Luca Drive, Piscataway, NJ 08854, for property owner Fine-Be, LLC, for Block: 140 Lot: 118 also known as Georgia Avenue for overpayment.

IT IS SO RESOLVED.

Certification:

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$2,518.96 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Reyes III, Mariano & Erin H., for Block: 62 Lot: 17 also known as 217 Greenland Avenue for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$601.60 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Duran, Jazmine & Garcia, Maria, for Block: 68 Lot: 72 also known as 224 Homecrest Avenue for overpayment.

IT IS SO RESOLVED.

Certification:

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,803.41 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Thomas, Donna R., for Block: 380 Lot: 288 also known as 530 Howell Avenue for overpayment.

IT IS SO RESOLVED.

Certification:

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,483.36 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Gomes, Rute R., for Block: 122 Lot: 23 also known as 44 Iowana Avenue for overpayment.

IT IS SO RESOLVED.

Certification:

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$2,500.00 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Valenzuela, Melvin & Donaldson, A., for Block: 419 Lot: 122 also known as 20 Jacob Court for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$250.00 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Jones, Richard & Vivian, for Block: 146 Lot: 36.01 also known as 43 Louisiana Avenue for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$113.48 for Sewer Year 2023 to Bonnie T. Gilbert, 204 Nancy Lane, Ewing, NJ 08638-1521, for property owner Bonnie T. Gilbert, for Block: 214.05 Lot: 16 also known as 204 Nancy Lane for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$2,244.43 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Rulkiewicz, Paul F. & Ann M., for Block: 214.05 Lot: 2 also known as 206 Nancy Lane for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$250.00 for August 1, 2023 3rd Quarter Taxes to McCray, Kimberly, 4 Nettletree Drive, Ewing, NJ 08638, for property owner McCray, Kimberly, for Block: 580 Lot: 7 also known as 4 Nettletree Drive for overpayment.

IT IS SO RESOLVED.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,492.50 for Sewer Year 2023 to Bell Atlantic c/o Duff & Phelps, PO Box 2749, Addison, TX 75001, for property owner Bell Atlantic c/o Duff & Phelps, for Block: 320 Lot: 20 also known as 765 Parkway Avenue for overpayment.

IT IS SO RESOLVED.

Certification:

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,345.12 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Lawton, Gerald, for Block: 265 Lot: 5 also known as 1014 Parkway Avenue for overpayment.

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 28th day of November 2023.

SEAL

**Kim J. Macellaro, CMC
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 A REFUND, AS RECOMMENDED BY THE TAX COLLECTOR

Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$2,479.00 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Eliassaint, Yasir A. & James, for Block: 154 Lot: 40 also known as 91 Pennsylvania Avenue for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$105.69 for Sewer Year 2023 to Extra Space Properties Two, LLC, PO Box 2415, Spokane, WA 99210, for property owner Extra Space Properties Two, LLC, for Block: 118.04 Lot: 12 also known as 1479 Prospect Street for overpayment.

IT IS SO RESOLVED.

Certification:

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,522.50 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Geffrard, Pierre, for Block: 89 Lot: 419 also known as 1609 Prospect Street for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$3,411.23 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner McPherson, Blair D., for Block: 528 Lot: 10 also known as 15 Seven Oaks Lane for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$2,202.24 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Cole, Elisabeth, for Block: 105.07 Lot: 24 also known as 48 Sherbrooke Road for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,234.87 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Ike, God-Is C., for Block: 341 Lot: 6 Qualifier: C503 also known as 503 Silvia Street for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$101.32 for Sewer Year 2023 to Ewing Properties, LLC c/o Hilton MGM, 902 Carnegie Center #400, Princeton, NJ 08540, for property owner Ewing Properties, LLC c/o Hilton MGM, for Block: 341.01 Lot: 5 also known as 800-846 Silvia Street for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,428.89 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Higgins, Ian, for Block: 52 Lot: 208 also known as 1758 Sixth Street for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$184.85 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Thomas, Corey A. & Ilyssa B., for Block: 105.10 Lot: 24 also known as 25 Stoneham Road for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,407.26 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Heil, John W. & Tonimarie, for Block: 466 Lot: 94 also known as 1005 Terrace Blvd. for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,836.01 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Jenkins, Larry & Karen Tood, for Block: 246 Lot: 31 also known as 14 Theresa Street for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$1,945.99 for Sewer Year 2023 to American Properties Access Property Management, 1090 King George Post #301, Edison, NJ 08837-3704, for property owner American Properties, for Block: 225.01 Lot: 2.01 also known as 11 Timberlake Drive (Club House & Pool) for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$239.03 for Sewer Year 2023 to Townsgate Closing Services, LLC, 420 Rouser Road, Building 3, Floor 5, Moon Township, PA 15108, for property owner Sivasuthan, Somasundaram & Pavitha, for Block: 70 Lot: 11 also known as 123 Weber Avenue for overpayment.

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 28th day of November 2023.

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WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the amount of \$2,316.00 for November 1, 2023 4th Quarter Taxes to Corelogic Centralized Refunds, PO Box 9202, Coppell, TX 75019-9760, for property owner Levner, Arthur, for Block: 139 Lot: 59 also known as 193 Woodland Avenue for overpayment.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the total amount of \$5,003.40 for Sewer Year 2023 to Treasurer, State of New Jersey, 101 South Broad Street, 5th Floor, PO Box 811, Trenton, NJ 08625, for multiple property owners, blocks & lots, and addresses as attached for overpayment. All the parcels have credits on the 2023 sewer account because of Home Energy Assistance payments.

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 28th day of November 2023.

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Resolution #23R- WHEREAS, State Law authorizes the Tax Collector to recommend refunding of monies collected; and

WHEREAS, the Township Council is likewise authorized to confirm the Tax Collector's recommendation; now therefore

BE IT RESOLVED, that upon the thorough review and recommendation of the Municipal Tax Collector, the Governing Body of The Township of Ewing does hereby resolve to authorize a REFUND in the total amount of \$1,980.86 for Sewer Year 2023 to multiple entities (as attached), for multiple property owners, blocks & lots, and addresses (as attached) for overpayment. Property owners executed additional payments for sewer via the online portal (WIPP). Method of refund will be via the same platform as the incoming funds.

IT IS SO RESOLVED.

Certification:

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