

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

ORDINANCE NO. 23-

1st Reading _____ Date to Mayor _____

2nd Reading & Public Hearing _____ Date Returned _____

Date Adopted: _____ Date Resubmitted to Council _____

_____ Approved as to Form of Legality

Effective Date: _____ Township Attorney _____

AN ORDINANCE AMENDING THE REVISED GENERAL MUNICIPAL ORDINANCES OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, TO ADD THE DESIGNATION OF ONE HANDICAPPED PARKING SPACE ON OLDEN AVENUE (SHORT OLDEN)

First Reading

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

Second Reading

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

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

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

ORDINANCE NO. 23-

AN ORDINANCE AMENDING THE REVISED GENERAL MUNICIPAL ORDINANCES OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, TO ADD THE DESIGNATION OF ONE HANDICAPPED PARKING SPACE ON OLDEN AVENUE (SHORT OLDEN)

BE IT ORDAINED by the Township Council of the Township of Ewing that the Revised General Municipal Ordinances of the Township of Ewing be amended to add the designation of one (1) handicapped parking space on Olden Avenue (Short Olden), as follows:

Section 1: Section 225-52, entitled "Schedule V: Handicapped Parking on Streets." of the Revised General Municipal Ordinances of the Township of Ewing is hereby amended to add the following designation of one handicapped parking space:

Name of Street	Location
Olden Avenue (Short Olden)	One parking space in front of 1440 Olden Avenue

Section 2 This Ordinance shall take effect after final passage and publication according to law.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to add the designation of one (1) handicapped parking space on Olden Avenue (Short Olden).

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

RESOLUTION AUTHORIZING CY2023 BUDGET TRANSFERS

Resolution #23R- WHEREAS, there are certain CY2023 Budget Appropriations of the Township of Ewing with balances insufficient to meet requirements for operating Township Affairs; and

WHEREAS, there are CY2023 Budget Appropriations with unexpected Balances that are not needed for such purposes; and

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

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

<u>Description</u>	<u>To</u>	<u>From</u>
<u>MAYOR AND COUNCIL- S/W</u>	1.00	
<u>MUNICIPAL CLERK- O/E</u>		10,000.00
<u>MUNICIPAL CLERK- S/W</u>	2,500.00	
<u>GENERAL ADMINISTRATION- O/E</u>	65,000.00	
<u>GENERAL ADMINISTRATION -S/W</u>		20,000.00
<u>ELECTIONS- O/E</u>		15,000.00
<u>Elections- S/W</u>	895.53	
<u>INFORMATION TECHNOLOGY - S/W</u>	28,000.00	
<u>FINANCIAL ADMINISTRATION- O/E</u>	2,500.00	
<u>TAX ASSESSMENT ADMINISTRATION- O/E</u>	25,000.00	
<u>TAX ASSESSMENT ADMINISTRATION- S/W</u>	50,000.00	
<u>TAX COLLECTION- S/W</u>	44,000.00	

<u>BUILDINGS AND GROUNDS- S/W</u>		
<u>LEGAL SERVICES- O/E</u>	<u>20,000.00</u>	
<u>PLANNING BOARD - S/W</u>	<u>6,400.00</u>	
<u>ZONING BOARD OF ADJUSTMENT - S/W</u>		<u>6,500.00</u>
<u>EMPLOYEE INSURANCE- O/E</u>		<u>214,000.00</u>
<u>Group- Healthcare Waivers</u>	<u>2,500.00</u>	
<u>POLICE DEPARTMENT- O/E</u>		<u>80,000.00</u>
<u>POLICE DEPARTMENT- S/W</u>		<u>75,000.00</u>
<u>EMERGENCY MEDICAL SERVICES- O/E</u>	<u>5,000.00</u>	
<u>EMERGENCY MEDICAL SERVICES- S/W</u>		<u>18,000.00</u>
<u>FIRE DEPARTMENTS - O/E</u>		<u>65,000.00</u>
<u>FIRE DEPARTMENTS- S/W</u>		<u>225,000.00</u>
<u>FIRE INSPECTOR- S/W</u>	<u>27,000.00</u>	
<u>FIRE INSPECTOR- O/E</u>	<u>2,000.00</u>	
<u>HOUSING- S/W</u>	<u>20,500.00</u>	
<u>HOUSING- O/E</u>		<u>80,000.00</u>
<u>STREETS AND ROAD MAINTENANCE- S/W</u>	<u>43,000.00</u>	
<u>VEHICLE MAINTENANCE- O/E</u>	<u>160,000.00</u>	
<u>VEHICLE MAINTENANCE- S/W</u>	<u>52,000.00</u>	
<u>ENGINEERING SERVICES- O/E</u>	<u>125,000.00</u>	
<u>LANDFILL/SOLID WASTE DISPOSAL COSTS- O/E</u>		<u>500,000.00</u>
<u>SOLID WASTE COLLECTION- O/E</u>	<u>300,000.00</u>	
<u>PUBLIC HEALTH SERVICES- O/E</u>	<u>25,000.00</u>	

<u>PUBLIC HEALTH SERVICES- S/W</u>		<u>7,000.00</u>
<u>ANIMAL CONTROL SERVICES- S/W</u>		<u>25,000.00</u>
<u>PARK MAINTENANCE- O/E</u>	<u>9,000.00</u>	
<u>PARK MAINTENANCE- S/W</u>	<u>1,500.00</u>	
<u>ESCC- S/W</u>		<u>52,000.00</u>
<u>HCC - S/W</u>	<u>27,000.00</u>	
<u>COMMUNITY SWIMMING POOLS - O/E</u>	<u>51,000.00</u>	
<u>PUBLIC EMPLOYEES RETIREMENT SYSTEM- O/E</u>	<u>15,306.69</u>	
<u>SOCIAL SECURITY (FICA)- O/E</u>	<u>54,000.00</u>	
<u>POLICE AND FIRE RETIREMENT SYSTEMS</u>	<u>177,338.68</u>	
<u>POLICE AND FIRE RETIREMENT SYSTEMS</u>		
<u>911 LIFELINE- S/W</u>		<u>10,941.90</u>
<u>MUNICIPAL COURT- O/E</u>	<u>12,000.00</u>	
<u>MUNICIPAL COURT- S/W</u>	<u>50,000.00</u>	
	<u>1,403,441.90</u>	<u>1,403,441.90</u>

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 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



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A RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN CURRENT FUND APPROPRIATION BALANCES

Resolution #23R WHEREAS, certain balances of Current Fund Appropriations in the 2023 Municipal Budget remain unexpended:

Shared Services – Health Officer \$80,224.98

WHEREAS, it is necessary to formally cancel the unexpended balances totaling \$80,224.98 from the Appropriations indicated above so that the \$80,224.98 may be credited to Current Fund Surplus (Fund Balance) and made available for use in the 2024 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Ewing that the CFO is hereby authorized and directed to cancel the unexpended balances totaling \$80,224.98 from the Appropriations indicated; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Municipal Auditor.

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 28th day of November 2023.

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Municipal Clerk

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RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

Resolution #23R- WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Ewing in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year CY2023 in the sums of:

Click it or Ticket - \$7,000

BE IT FURTHER RESOLVED, that the like sums of:

Click it or Ticket - \$7,000

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

IT IS SO RESOLVED.

Certification:

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A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO APPLY FOR AND OBTAIN A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF APPROXIMATELY \$5,000,000 TO CARRY OUT A PROJECT TO AID IN THE CONSTRUCTION COST FOR THE REBUILD OF THE EWING SENIOR COMMUNITY CENTER AT 999 LOWER FERRY ROAD, EWING NJ 08628, THAT WAS DESTROYED BY FIRE IN SEPTEMBER, 2022.

Resolution #23R- WHEREAS, the Township of Ewing, in the County of Mercer, State of New Jersey, desires to apply for and obtain a grant from the New Jersey Department of Community Affairs in the amount of approximately \$5,000,000 to carry out a project to aid in the construction cost for the rebuild of the Ewing Senior Community Center at 999 Lower Ferry Rd, Ewing, NJ 08628 after it was completely destroyed by fire in September, 2022; and

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

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

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

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

Bert H. Steinmann

Mayor

James P. McManimon

Business Administrator

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 28th day of November 2023.

SEAL

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

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A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE RENEWAL AGREEMENT FOR A PORTION OF THE HOLLOWBROOK COMMUNITY CENTER TO THE COUNTY OF MERCER FOR THE MERCER COUNTY SENIOR CITIZENS NUTRITION PROGRAM

Resolution #23R- WHEREAS, pursuant to N.J.S.A. 40A:12-14(b), the Township is permitted to enter into Lease Agreements with other public bodies; and

WHEREAS, the Township and the County of Mercer have entered into a Lease Agreement for a portion of the Hollowbrook Community Center for a term commencing on January 1, 2024 and ending December 31, 2025; and

WHEREAS, the Township will lease to the County of Mercer the following described premises for no other purpose than the Mercer County Senior Citizens Nutrition Program between the hours of 8:00 a.m. and 1:00 p.m., Monday through Friday: **food preparation area and dining hall area**; and

WHEREAS, the County of Mercer agrees to pay the Township, as rent for the period sum Ten Thousand, Five Hundred Dollars and No Cents (\$10,500.00) for each year of the lease. Annual quarterly payments will be made on the following dates: First and Second Quarterly Payments due on May 2; Third Quarterly Payment due on July 2; and Fourth Quarterly Payment due on October 2 contingent upon inclusion in and approval of the Mercer County Budget; and

WHEREAS, said Lease Agreement has been reviewed and approved by the Township Attorney and Business Administrator; and

NOW THEREFORE, BE IT RESOLVED, by the Ewing Township Council that the Mayor and Clerk are hereby authorized to execute the Lease Agreement for a portion of the Hollowbrook Community Center to the County of Mercer for the Mercer County Senior Citizens Nutrition Program in the form annexed hereto.

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 28th day of November 2023.

SEAL

Kim J. Macellaro, CMC
Municipal Clerk

LEASE AGREEMENT

This "Lease" agreement, made this _____ day of _____, 20____, between the Township of Ewing, which operates the Hollowbrook Community Center located at Hollowbrook Drive and Crescent Avenue, Ewing, in the County of Mercer and State of New Jersey, herein after designated as the "Landlord" and the County of Mercer, a body politic of the State of New Jersey, having its principal offices located at 640 South Broad Street, Trenton, New Jersey, herein designated as the "Tenant", and;

Witness that, the Landlord does hereby lease to the Tenant and the Tenant does hereby rent from the Landlord, the following described premises: the multi-purpose room and the kitchen facilities of the Hollowbrook Community Center located at Hollowbrook Drive and Crescent Avenue, Ewing, New Jersey, ("the Property") between the hours of 8:00 a.m. and 1:00 p.m., Monday through Friday, each week as long as this Lease is in effect. The term shall commence on January 1, 2024 and end on December 31, 2025. The Property is to be used and occupied for no other purpose than the Mercer County Nutrition Program for Older Adults, during the above-named hours.

UPON THE FOLLOWING CONDITIONS AND COVENANTS:

- (1). The preamble of this agreement is incorporated into and made part of this Agreement.

- (2). The Tenant covenants and agrees to pay the Landlord, as rent for and during the term hereof, the sum of Ten Thousand Five Hundred Dollars and No Cents (\$10,500.00) for each year of this Lease. Rent for each year of this Lease will be payable in quarterly installments.

Payments will be made on the following dates: First and Second Quarterly Payments due on May 2, Third Quarterly Payment due on July 2; and Fourth Quarterly Payment due on October 2, expressly contingent upon inclusion in and approval of the corresponding Mercer County Budgets.

(3). Either party may terminate this Lease at any time by giving the other party a ninety (90) day notice in writing of its intentions to terminate. All such notices shall be sent to the addresses of the respective parties hereto as set forth above, or as they may, from time to time be changed by one of the respective parties to the Lease.

(4). In the event the Tenant and/or Landlord terminate this Lease prior to the end date, it is understood that the rent shall be adjusted on a per diem basis.

(5). The Tenant shall not sub-lease nor assign the Property nor any portion thereof, without first securing written approval from the Landlord, which approval shall not unreasonably be withheld.

(6). The Tenant agrees to save and hold harmless the Landlord, its officers, agents, representatives, successors and assigns from any and all suits or actions of every nature and kind which may be made or brought for/or on account of any injury, death or damage arising or growing out of the acts or omissions of the Tenant, its officers, agents, servants or employees at the Property; provided such acts are not attributed in any way to the negligence of the Landlord, its officers, agents, servants or employees.

(7). Utilities and services furnished to the Property for the benefit of the Tenant shall be provided and paid for by the Landlord as follow: water, gas, electricity, heat, air conditioning, grounds maintenance, and hot water.

(8). The Landlord agrees to arrange for snow removal of the parking lot and sidewalks as necessary to allow the Tenant access to the premises.

(9). The Tenant agrees to assume responsibility for repair or replacement, if necessary, of equipment or property damage at the Property resulting from the Project's activities.

(10). The Tenant shall be permitted to install a telephone specifically for its use during operating hours and shall assume the responsibility of payment.

(11). The Landlord shall provide space within the Property's multipurpose room to house a freestanding safe, which measure 2.5 cubic feet for the duration of the Lease.

(12). The location of the site may not change without written consent and the Tenant must receive ninety (90) days written notice of intent to change the location.

(13). The Tenant agrees to maintain and clean the Property after each daily use.

(14). The Landlord shall provide weekly custodial services and utilities and is

responsible for and shall attend to the physical building maintenance and repair.

(15). This Lease sets forth the parties' entire understanding. It can only be modified in writing signed by the parties.

(16). This Lease shall be governed by, and interpreted under, the laws of the State of New Jersey.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement the day and year first above written.

ATTEST:

THE TOWNSHIP OF EWING

ATTEST:

COUNTY OF MERCER

Jerlene H. Worthy
Clerk to the Board of
County Commissioners

Brian M. Hughes
County Executive

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



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A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE “WEST TRENTON SERVICE ROAD AND ROUNDABOUT AT THE INTERSECTION OF PARKWAY AVENUE AND JACK STEPHAN WAY” PROJECT

Resolution #23R- WHEREAS, the Council of the Township of Ewing formally approves the grant application for the above-stated project; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application, identified as “LFIF-2024-West Trenton Service Road and Park-00021”, to the New Jersey Department of Transportation on behalf of the Township of Ewing; and

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

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 28th day of November 2023.

SEAL

Kim J. Macellaro, CMC
Municipal Clerk

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

ATTEST and AFFIX SEAL: _____

Clerk, Township of Ewing

Mayor, Township of Ewing

THE TOWNSHIP OF EWING

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A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALL OF THREE CHARGE POINT EV LEVEL 2 CHARGING STATIONS FOR 2 JAKE GARZIO DRIVE AND 320 HOLLOWBROOK DRIVE THROUGH BRYAN ELECTRIC, STATE CONTRACT ESCNJ 22/23-35.

Resolution #23R- WHEREAS, the Township of Ewing wishes to purchase three (3) Level 2 Charging Stations, two (2) For 2 Jake Garzio Drive and one (1) for 320 Hollowbrook Drive through Bryan Electric of Hamilton NJ in the amount of \$160,525.31; and

WHEREAS, said equipment was approved for purchase through Fund 30, Capital Trust, 305692914; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said purpose in Fund 30, Capital Trust, 305692914; and

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ewing hereby authorizes the purchase of the above-mentioned Charging Stations from Bryan Electric of Hamilton, NJ in the amount of \$160,525.31.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the QPA.

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 Macellaro, CMC
Municipal Clerk**

**Joanna Mustafa, CFO
(Certifying Funds)**

THE TOWNSHIP OF EWING

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2 Jake Garzio Drive
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A RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 JOHN DEERE 4WD LOADER FROM JESCO THROUGH SOURCEWELL CONTRACT 011723-JDC

Resolution #23R- WHEREAS, the Township of Ewing wishes to purchase a 2023 John Deere 4wd loader from Jesco Inc.; 118 St. Nicholas Ave., South Plainfield, NJ through Sourcewell contract 011723-JDC in the amount of \$344,148.00; and

WHEREAS, said equipment was approved for purchase through Fund 30, Capital Trust, 305692913; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said purpose in Fund 30, Capital Trust, 305692913; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ewing hereby authorizes the purchase of the above-mentioned 2023 John Deere 4wd loader from Jesco Inc. in the amount of \$344,148.00; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the QPA.

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, and State of New Jersey held on the 28th day of November 2023.

SEAL

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

**Joanna Mustafa, CFO
(Certifying Funds)**

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RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 CHEVROLET TAHOE 4WD 4 DOOR COMMERCIAL TRUCK FOR PURPOSE AND USE FOR FIRE INSPECTORS, UNDER STATE CONTRACT 21-FLEET-01485, THRU GENTILINI MOTORS, EGG HARBOR N.J.

Resolution #23R- WHEREAS, the Township of Ewing wishes to purchase a 2023 Chevrolet Tahoe through Gentilini Motors, State Contract, 21-Fleet-01485 in the amount of \$68,624.13; and

WHEREAS, said equipment was approved for purchase through Fund 73, Other Trust Fund #731496; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said purpose in Fund 73, Other Trust Fund #731496; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ewing hereby authorizes the purchase of the above-mentioned Vehicle from Gentilini Motors, 2703 Fire Road, Egg Harbor, NJ 08234 in the amount of \$68,624.13; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the QPA.

IT IS SO RESOLVED.

Certification:

I, Kim 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, and State of New Jersey held on the 28th day of November 2023.

SEAL

**Kim Macellaro, CMC
Municipal Clerk**

Joanna Mustafa, CFO

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

Resolution #23R- WHEREAS, the Township is in possession of property as identified in the schedule of obsolete property attached hereto that is no longer usable and has reached the end of its useful life; and

WHEREAS, the Ewing Township Tax Collector has recommended disposal of said property; and

WHEREAS, the Ewing Township Tax Collector has determined that such property is of little or no value and recommends that said property be disposed of; and

WHEREAS, said property is not needed for public purposes; and

NOW, THEREFORE, BE IT RESOLVED by Township Council of the Township of Ewing that Ewing Township Tax Collector is hereby authorized to dispose of the obsolete property as set forth on the attached schedule as he deems appropriate in his discretion.

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 28th day of November 2023.

SEAL

Kim J. Macellaro, CMC
Municipal Clerk

Pitney Bowes Folding/Envelope Stuffing Machine

Model #DI380

Serial #3306239

Township of Ewing Inventory Tag #1094

Approximate Age: 20 Years

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 GRANTING JULIA CALDWELL PERMISSION TO RECEIVE HER SERVICE FIREARM (GLOCK 45, 9MM SEMI-AUTOMATIC PISTOL SERIAL NUMBER BLAS590) HAVING RETIRED FROM THE EWING TOWNSHIP POLICE DEPARTMENT JULY 1, 2023

Resolution #23R- WHEREAS, the Township has in the past, granted certain retiring police officers their service firearms upon their retirement from the Ewing Township Police Department; and,

WHEREAS, Julia Caldwell had served with the Ewing Township Police Department and retired in good standing from the Ewing Township Police Department on July 1, 2023; and

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

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

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

BE IT RESOLVED, by the Ewing Township Council that:

Retired Police Officer Julia Caldwell is hereby granted her service firearm (Glock 45, 9mm, semi-automatic pistol Serial Number BLAS590) having retired from Ewing Township Police Department on July 1, 2023.

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regularly Scheduled Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 28th day of November 2023.

SEAL

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

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A RESOLUTION AMENDING RESOLUTION #22R-194 TO EXTEND THE MORATORIUM ON THE GRANTING OF ANY CLASS OF CANNABIS LICENSE IN EWING TOWNSHIP FOR AN ADDITIONAL PERIOD OF ONE YEAR AND PROVIDING FOR ADDITIONAL TERMS

Resolution #23R- WHEREAS, on October 25, 2022, the Township of Ewing adopted Resolution #22R-194 imposing a temporary moratorium on the approval of all classes of cannabis licenses in Ewing Township for a period of one (1) year effective upon the adoption of that Resolution, with the exception of any applications received prior to the passage of the Resolution; and

WHEREAS, previously on September 3, 2021, the Township passed Ordinance No. 21-16 amending the Municipal Code of Ewing Township to establish guidelines for the review and issuance of cannabis licenses for cannabis cultivators, manufacturers, wholesalers, distributors, retailers, and delivery services; and

WHEREAS, since the passing of Ordinance No. 21-16 the Township provided resolutions of support in aid of application to the Cannabis Regulatory Commission with the intention of their being licensed to operate within Ewing Township for eleven (11) companies. These companies comprise two (2) retail adult-use dispensaries; two (2) adult-use manufacturing facilities; five (5) cultivation/manufacturing facilities that includes three (3) medicinal awardees; and two (2) micro cultivation and manufacturing licenses and, to date, none of the above licenses are yet active or operating; and

WHEREAS, the Township also endorsed the medical cannabis application of Justice Grown (now known as BLOC), which is currently operating in the Township with a vertically integrated medicinal cannabis license for the cultivation, manufacturing and dispensing of medicinal cannabis, and the Council subsequently passed a resolution endorsing BLOC's application to the Cannabis Regulatory Commission for licensure to cultivate, manufacture and sell adult use cannabis; and

WHEREAS, it continues to be in the best interests of the Township to impose a temporary stay on further cannabis licensing within the Township to allow time to observe how the previously endorsed cannabis ventures operate within the Township, and the impacts on the Township of cannabis businesses given the emerging nature of the cannabis industry within the State and the lack of experience in the Township or elsewhere in the State of this new industry; and

WHEREAS, Resolution #22R-194 provides that during this licensing freeze, the Township may continue to accept applications but will not consider issuing another endorsement or license of any class for at least a period of twelve (12) months except that it will consider any applications received prior to the passage of this Resolution; and

WHEREAS, Resolution #22R-194 also provides that it is the intention of the Township's Council to review the current cannabis ordinance and determine if any amendments are necessary or appropriate in the best interests of the Township; and

WHEREAS, Resolution #22R-194 also provides that previously endorsed applicants who require additional or amended endorsement from the Township Council in connection with their application to the Cannabis Regulatory Commission may petition the Township for such review and approval during this moratorium; and

WHEREAS, on March 14, 2023 Council adopted Resolution #23R-66 amending Resolution #22R-194 to allow new applicants to apply for endorsement from the Council for previously approved locations as long as the aggregate approved square footage of a previously approved operation and facility is not changed, and

WHEREAS, Resolution #23R-66 also amended Resolution #22R-194 to permit the application of new applicants during this period of moratorium only for a previously approved location and only to the extent that such new applicants do not differ in type of license or exceed the aggregate square footage previously approved for that location based on the previous endorsement issued for that location. For example, multiple applicants may apply to operate from a previously approved location as long as the aggregate square footage and type of those proposed applicants does not exceed the total square footage or type of the previously endorsed operations for that location; and

WHEREAS, the Council has determined that the operation of an economically viable cannabis facility at a previously approved location is still in the best interests of the Township even if new licensees, additional licensees or new categories of licensees at that location are requested or required to support the economic viability of such location; and

WHEREAS, the Council has determined that it may be in the best interests of the Township to allow a previously endorsed cannabis company to relocate to another location within the Township if such location otherwise meets all necessary requirements; and

WHEREAS, the Council has determined to continue the moratorium enacted on October 25, 2022 for an additional one-year period as of that date, but will revisit this ongoing moratorium within six (6) months to determine if it continues to be in the best interests of the Township that such moratorium remain in place; and

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Ewing that Resolutions # 22R-194 and #23R-66 are hereby amended to provide that:

1. The Ewing Township Council will not consider endorsement of any class of cannabis license for a period of one year effective as of October 25, 2023 so that the Township may review the impact of those businesses which have already received a cannabis license and determine the best forward course of action for the Township in this emerging industry, except that it will consider any applications received prior to the passage of Resolution #22R-194.

2. The Council will review this moratorium within six months of its passage and determine whether a continuing moratorium is in the best interests of the Township.
3. The Ewing Township Council will consider new applicants for endorsement during any ongoing period of moratorium only in the following cases:
 - a. A new applicant for a previously approved location in lieu of the previously endorsed applicant;
 - b. An applicant seeking to co-locate with another previously endorsed licensee within the same category of license at a location that had previously received an endorsement from Council;
 - c. An applicant in a new license category seeking to be co-located with another previously endorsed licensee within a different category of license at a location that had previously received an endorsement.
 - d. An applicant previously endorsed by Council seeking to relocate its license to a new location within the Township.
4. For all other applicants, except as provided herein, the Clerk of the Township of Ewing may continue to accept applications for cannabis licenses and the Cannabis Review Committee may continue to review such applications however all such applicants shall be advised of this Resolution and moratorium at the time of submission of such application.
5. Any applicant who has previously received an endorsement from this Council who requires additional or amended endorsement from the Township Council in connection with their application to the Cannabis Regulatory Commission during this moratorium may also petition the Township for review.

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 28th day of November 2023.

SEAL

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

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A RESOLUTION OF THE TOWNSHIP OF EWING DEMONSTRATING PROOF OF LOCAL SUPPORT FOR THE SUITABILITY OF A CANNABIS CULTIVATION AND MANUFACTURING FACILITY, OPERATED BY PR NJ LLC (SAGRADA) AT 225 PHILLIPS BLVD., EWING, NJ 08628

Resolution #23R- WHEREAS, the New Jersey Jake Honig Compassionate Use Medical Cannabis Act, N.J.S.A. 24:6I-2, *et seq.*, and accompanying regulations, N.J.A.C. 17:30A-1, *et seq.*, authorize medical use and possession of cannabis, and related operations, and the New Jersey Cannabis Regulatory, Enforcement, Assistance, and Marketplace Modernization Act (the “Adult Use Act”), N.J.S.A. 24:61-31, *et seq.*, and accompanying regulations, N.J.A.C. 17:30-1, *et seq.*, authorize the adult use and possession of cannabis, and related operations (collectively the “Cannabis Laws”); and

WHEREAS, the Township of Ewing (the “Township”) previously endorsed the expansion of medical and adult use cannabis in the State of New Jersey, and supports safe and appropriate siting of cannabis related and supporting businesses within the Township, including medical and adult use cannabis businesses; and

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

WHEREAS, PR NJ, LLC - Sagrada (“Applicant”) seeks to hold a Class 1, Tier IV Cannabis Cultivator license and a Class 2 Cannabis Manufacturer license, for the cultivation and manufacturing of cannabis, cannabis products, and related supplies within the Township; and

WHEREAS, the Applicant seeks to operate a cannabis cultivation and manufacturing facility at 225 Phillips Blvd., Ewing, NJ 08628 (the “Property”); and

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

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

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

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

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

1. PR NJ, LLC - Sagrada (the “Applicant”) seeks to operate a cannabis cultivation and manufacturing facility at 225 Phillips Blvd., Ewing, NJ 08628 (the “Property”), which is an area designated by the Cannabis Ordinance for such uses.
2. The Township recognizes not only the suitability of such operations at the Property, but also the benefits a company such as PR NJ, LLC - Sagrada would bring to our community as a whole, including, but not limited to, job creation, job training to help reverse the stains on the community by the war on drugs, use of local vendors for build-out and ongoing operational needs, as well as anticipated dedicated tax revenues from the operation of such licensee within Township.
3. The Cannabis Ordinance plainly identifies that the operation of a manufacturing facility at the Property is consistent with the zoning rules identified therein. Specifically, Class 1 Cannabis Cultivator and Class 2 Cannabis Manufacturer licenses are a permitted conditional use in the Olden Avenue Redevelopment Area, Parkway Avenue Redevelopment Plan, Industrial Park-1 (IP-1), and Industrial Park-3 (IP-3) zoning districts.
4. The issuance of a Class 1 Cannabis Cultivator and/or Class 2 Cannabis Manufacturer license by the CRC would not exceed the limit of licenses established by the Township, as there is no limit on standalone cultivation and manufacturing facilities if the secured facility does not contain a Cannabis Retailer or have public access, and is otherwise properly situated in accordance with the Cannabis Ordinance.
5. Based on the preceding, the Township is satisfied not only that the Property the Applicant seeks to utilize is compliant with the Township’s zoning rules and requirements outlined by the Cannabis Ordinance, but also that the Applicant will be a valuable addition to the group of cannabis license holders awarded by the CRC, and that its business operations will have a positive impact on the Township and community at large.
6. In light of that, and in the event that the CRC issues the Applicant a Class 1 Cannabis Cultivator and/or Class 2 Cannabis Manufacturer license in accordance with the Cannabis Laws, this Resolution should be viewed by the State as unequivocal support by the Township of the Applicant, PR NJ, LLC - Sagrada, and an indication that the intended locations are appropriately located or otherwise suitable for the activities related to the cultivation and manufacturing of cannabis,

cannabis products, and related supplies as will be conducted at the proposed facilities.

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

IT IS SO RESOLVED.

Certification:

I, Kim J. Macellaro, Municipal Clerk of the Township of Ewing, hereby certify that the above is a true copy of a Resolution adopted by the Governing Body of the Township of Ewing at a Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 28th day of November 2023.

SEAL

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