

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

ORDINANCE NO. 24-

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 ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO AUTHORIZE THE PRIVATE SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE, SPECIFICALLY FIRE EQUIPMENT, TO THE DEFIANCE ENGINE COMPANY #3 IN HOPATCONG, NJ, A 501(c)(3) NON-PROFIT ORGANIZATION

First Reading

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

Second Reading

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

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

_____ President of the Council

_____ Municipal Clerk

TOWNSHIP OF EWING
ORDINANCE NO. ~~24~~

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO AUTHORIZE THE PRIVATE SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE, SPECIFICALLY FIRE EQUIPMENT, TO THE DEFIANCE ENGINE COMPANY #3 IN HOPATCONG, NJ, A 501(c)(3) NON-PROFIT ORGANIZATION

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

(1) Onan Hydrostatic Generator

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

WHEREAS, The Defiance Engine Company #3 in Hopatcong, NJ is an approved 501(c)(3) not-for-profit charity (federal tax ID #14-1898620) established in 1935 and consisting of three fire companies, with each firehouse having their own unique function and location that makes them essential to the adequate fire protection of the borough; and,

WHEREAS, pursuant to N.J.S.A. 40A:12-21(k), The Defiance Engine Company #3 meets the definition of an organization to which municipalities may make private sales of personal property for nominal consideration.

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

Section 1.

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

(1) Onan Hydrostatic Generator

shall be sold pursuant to N.J.S.A. 40A:12-21.1 and N.J.S.A. 40A:12-21(k) to The Defiance Engine Company #3, which is an approved 501(c)(3) not-for-profit charity (federal tax ID #14-1898620) for a nominal consideration of \$1.00.

Section 2.

This Ordinance shall take effect as provided by law.

STATEMENT

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

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

ORDINANCE NO. 24

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 AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF EWING AND EWING REALTY PARTNERS, LLC FOR LEASE OF THE REAL PROPERTY AT 432 STOKES AVENUE

First Reading

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

Second Reading

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

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

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

ORDINANCE NO. 24

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN
THE TOWNSHIP OF EWING AND EWING REALTY PARTNERS, LLC FOR LEASE OF THE
REAL PROPERTY AT 432 STOKES AVENUE**

WHEREAS, Ewing Realty Partners, LLC (“Landlord”) is the owner of real property located at 432 Stokes Avenue, Ewing, NJ, 08638, known and designated as Block 13, Lots 10 and 17 on the Tax Maps of the Township of Ewing, Mercer County, New Jersey (“Site”); and

WHEREAS, the Township of Ewing (“Ewing”) desires to lease a portion of the Site from Landlord for the purpose of operating a composting and brush grinding facility; and

WHEREAS, the term of the lease shall be for ten (10) years with an option to renew for an additional five (5) year term at the option of the Township; and

WHEREAS, the Township agrees to pay Landlord, for the term of the lease, rent in the amount of \$12,500.00 per month, subject to an additional three percent (3%) rate increase for each year over rent paid during the previous year, plus the cost of New Jersey Department of Environmental Protection (“DEP”) annual permitting fees, at an estimated \$34,000.00 per year, for use of Landlord’s Class C Recycling Permit; and

WHEREAS, N.J.S.A. 40A:12-4 and 4A:12-5 authorize Ewing to lease real property within the municipality; and

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

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Ewing that Ewing is authorized to enter a lease with Ewing Realty Partners, LLC for the real property at 432 Stokes Avenue, Ewing, NJ 08638, known and designated as Block 13, Lots 10 and 17 on the Tax Maps of the Township of Ewing, Mercer County, for rent in the amount of \$12,500.00 per month, subject to an additional three percent (3%) rate increase for each year over rent paid during the previous year, and an estimated DEP permitting fee of \$34,000.00 per year, for use of Landlord’s Class C Recycling Permit; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are authorized to execute the lease in substantially the same form as annexed hereto and such other documentation as are necessary to lease the site; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication according to law.

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

A RESOLUTION AUTHORIZING THE EXECUTION OF A SITE ACCESS AGREEMENT BETWEEN THE TOWNSHIP OF EWING AND EWING REALTY PARTNERS, LLC FOR THE REAL PROPERTY AT 432 STOKES AVENUE AND PROVIDING FOR THE IMMEDIATE IMPLEMENTATION OF ORDINANCE NO. 24-12 AUTHORIZING THE LEASE OF THE SITE

Resolution #24R- WHEREAS, Ewing Realty Partners, LLC (“Grantor”) is the owner of real property located at 432 Stokes Avenue, Ewing, NJ, 08638, known and designated as Block 13, Lots 10 and 17 on the Tax Maps of the Township of Ewing, Mercer County, New Jersey (“Site”); and

WHEREAS, the Township of Ewing (“Ewing”) desires to lease an approximately five (5) acre portion of the Site, which is currently vacant land, for the purpose of operating a composting and brush grinding facility (the “Premises”); and

WHEREAS, the parties have agreed, in principle, to the terms of the lease that will govern Grantee’s tenancy (the “Lease”); and

WHEREAS, pending execution of the Lease, Ewing has requested a non-exclusive right of access to the Premises, to begin collecting compost and brush starting May 1, 2024; and

WHEREAS, the attached Site Access Agreement outlines the terms and conditions of Ewing’s right of entry to the Premises;

WHEREAS, pursuant to N.J.S.A. 40:69A-181(b), due to the emergent need for access to a brush drop-off and collection site, the Ewing Council desires to waive the twenty (20) day effective period for Ordinance No. 24-12 authorizing the Lease, so that the Ordinance will be immediately effective on the date of adoption of the Ordinance.

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

1. The Township of Ewing is authorized to enter into the attached Site Access Agreement with Ewing Realty Partners, LLC to access a five (5) acre portion of the real property located at 432 Stokes Avenue, Ewing, NJ, 08638, known and designated as Block 13, Lots 10 and 17 on the Tax Maps of the Township of Ewing, Mercer County, New Jersey, for the purpose of collecting compost and brush as of May 1, 2024.
2. The Mayor is authorized to execute all necessary documents to effectuate this Site Access Agreement.
3. The twenty (20) day effective period for Ordinance No. 24-12 is hereby waived pursuant to N.J.S.A. 40:69A-181(b), due to the emergent need for access to a brush drop-off and collection site, and the Ordinance shall take effect immediately upon the adoption by the Ewing Council.

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 23rd day of April 2024.

SEAL

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

THE TOWNSHIP OF EWING

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A RESOLUTION INTRODUCING AND APPROVING THE MUNICIPAL BUDGET OF THE TOWNSHIP OF EWING, COUNTY OF MERCER FOR THE CALENDAR YEAR 2024

Resolution #24R- WHEREAS, the Mayor and Administration of the Township of Ewing submitted the municipal budget for Calendar Year 2024 to the Council for review, introduction and approval; and,

WHEREAS, pursuant to N.J.S.A. 40A:4-4 and N.J.S.A. 40A:4-5, the Council must by resolution introduce and approve a proposed budget by March 29th, 2024 or the next regularly scheduled meeting of the governing body; and

WHEREAS, pursuant to N.J.S.A. 40A:4-5, approval thereof constitutes a first reading which may be by title and upon the approval of the budget by the Council, a time and place for the holding of a public hearing upon the budget shall be fixed not less than twenty-eight (28) days after introduction and approval.

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

The municipal budget for Calendar Year 2024 is introduced and approved: Pursuant to N.J.S.A. 40A:4-6, the Municipal Clerk is directed to publish the same: The Chief Financial Officer will upload the CY2024 budget to the FAST system; and Pursuant to N.J.S.A. 40A:4-7, a public hearing upon the budget shall be conducted not less than 28 days after introduction and approval.

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 23rd day of April 2024.

SEAL

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

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A RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO THE GREEN ACRES PROJECT AGREEMENT WITH THE STATE OF NEW JERSEY FOR ESCC POOL AREA IMPROVEMENT PROJECT

Resolution #24R- WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS the Township of Ewing desires to further the public interest by obtaining a Green Acres loan of \$393,292.00 and/or a Green Acres grant of \$131,098.00 from the State to fund the following project(s):

#1102-21-094 ESCC Pool Area Improvements

NOW, THEREFORE, the governing body/board resolves that Mayor or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required,
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

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

1. The Mayor is hereby authorized to execute an agreement and any amendment thereto with the State known as ESCC Pool Area Improvements; and
2. The applicant has its matching share of the project, if a match is required, in the amount of \$0.
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and

4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. 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 23rd day of April 2024.

SEAL

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

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A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION

Resolution #24R- WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on April 23, 2024 the governing body of the Township of Ewing, County of Mercer, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

NOW, THEREFORE BE IT RESOLVED by the Township of Ewing, County of Mercer, State of New Jersey as follows:

- 1. This Resolution shall be known and may be cited as the Hunterdon County Educational Services Commission Cooperative Pricing System Purchasing Resolution of the Township of Ewing.**
- 2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Purchasing Agreement with the Lead Agency.**
- 3. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.**

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 23rd day of April 2024.

SEAL

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

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A RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 FORD F-250 XL 4WD SUPER CAB FOR THE PUBLIC WORKS DEPARTMENT, THRU NIELSON FORD OF MORRISTOWN, STATE CONTRACT 23-FLEET-34922.

Resolution #24R- WHEREAS, the Township of Ewing wishes to purchase A 2023 FORD F-250 XL 4WD SUPERCAB THRU NIELSON FORD OF MORRISTOWN, STATE CONTRACT 23-FLEET-34922 in the amount of \$63,304.00; and

WHEREAS, said equipment was approved for purchase through Fund 73, Storm Recovery Trust, 731480; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said purpose in Fund 73, Storm Recovery Trust, 731480; 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 Nielson Ford of Morristown NJ in the amount of \$63,304.00; 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 23rd day of April 2024.

SEAL

**Kim J. 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 TWO (2) 2023 FORD ESCAPE SE'S FOR THE PURPOSE AND USE FOR THE RECREATION DEPARTMENT, THRU CHAS WINNER FORD OF CHERRY HILL NJ THRU NJ STATE CONTRACT 20-FLEET-01392

Resolution #24R- WHEREAS, the Township of Ewing wishes to purchase two (2) 2023 Ford Escape SE's thru Chas Winner Ford of Cherry Hill, NJ in the amount of \$65,000.00 thru NJ State Contract 20-Fleet-01392; and

WHEREAS, said equipment was approved for purchase through Fund 30, Capital Fund, 305692908; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said purpose in Fund 30, Capital Fund, 305692908; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Ewing hereby authorizes the purchase of the above-mentioned Vehicles from Chas Winner Ford of Cherry Hill, NJ in the amount of \$65,000.00.

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 Regular Meeting of the Municipal Council of the Township of Ewing, County of Mercer, State of New Jersey held on the 23rd day of April 2024.

SEAL

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Municipal Clerk**

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A RESOLUTION APPROVING MATTHEW A. TATE AS A SENIOR FIREFIGHTING MEMBER OF THE PROSPECT HEIGHTS VOLUNTEER FIRE COMPANY NO. 1

Resolution #24R- WHEREAS, the Prospect Heights Volunteer Fire Company No. 1 in the Township of Ewing provides protection and service for the community; and

WHEREAS, Matthew A. Tate has completed all the requirements necessary to become a Senior Firefighting Member of the Prospect Heights Volunteer Fire Company No. 1; and

WHEREAS, the Township Council is satisfied that Matthew A. Tate is qualified to become a Senior Firefighting Member of the Prospect Heights Volunteer Fire Company No. 1; now therefore

BE IT RESOLVED that the Township Council of the Township of Ewing does hereby appoint Matthew A. Tate as a Senior Firefighting Member of the Prospect Heights Volunteer Fire Company No. 1.

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 23rd day of April 2024.

SEAL

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

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

Resolution #24R- WHEREAS, the Township is in possession of property as identified below, that is no longer usable and has reached the end of its useful life; and

2008 Dodge Caravan (Red) VIN # 1D8HN44H08B118952
2005 GMC Envoy (Green) VIN # 1GKDT135852348317

WHEREAS, Captain Christopher Boller of the Ewing Township Police Department has recommended disposal of said property which is presently being stored on-site at 2 Jake Garzio Drive, Ewing, NJ 08628; and

WHEREAS, the Ewing Township Police Department has determined that such property is of little or no value, is not needed for public purposes and recommends that said property either be donated, recycled or disposed of; and

WHEREAS, Hawk's Towing is currently one of the Township's towing companies and has agreed to remove the above cars to use for scrap. Hawk's will pay the Township \$600.00 per vehicle for a total amount of \$1200; and

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

IT IS SO RESOLVED.

Certification:

I, 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 23rd day of April 2024.

SEAL

Kim J. Macellaro, CMC
Municipal Clerk

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A RESOLUTION AUTHORIZING THE DISCHARGE OF FIREWORKS AT THE ANNUAL FOURTH OF JULY CELEBRATION

Resolution #24R-8 WHEREAS, the Township is desirous of sponsoring and conducting a Fourth of July celebration on July 3rd, 2024 at dusk; and

WHEREAS, the New Jersey Department of Community Affairs Fireworks Permit application requires the adoption of a Resolution by the Township Council of Ewing Township approving of the discharge of fireworks at said celebration; and

WHEREAS, the Township Council of Ewing Township has determined that it is in the best interest of the citizenry of Ewing to conduct a Fourth of July celebration on July 3rd, 2024 that includes a fireworks display; and

NOW THEREFORE, BE IT RESOLVED that the Township Council of Ewing Township hereby approves of the discharge of fireworks during the Township's 2024 Fourth of July celebration on July 3rd, 2024; and

BE IT FURTHER RESOLVED that this approval of the discharge of fireworks is conditional upon the approval of such other governmental entities with jurisdiction over the discharge of fireworks.

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 23rd day of April 2024.

SEAL

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