

August 11, 2015 – REGULAR SESSION

President Keyes-Maloney called the meeting to order at 8:01 p.m. and read the Open Public Meetings Statement:

Almighty God who holds the fate of Man and Nation, we most humbly beseech thee to bless these deliberations, and these thy servants, that they may act with wisdom and understanding for the good of our community and thy greater glory. Amen.

Flag Salute

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, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 2nd day of January, 2015.

THE PUBLIC WILL HAVE AN OPPORTUNITY TO ADDRESS THE COUNCIL DURING THE “STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC” SEGMENT OF THE MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO SIGN IN ON SHEET PROVIDED IN THE FRONT OF THE ROOM. ALL QUESTIONS AND COMMENTS FROM THE PUBLIC WILL BE DIRECTED TO THE COUNCIL PRESIDENT. WHEN ADDRESSING THE COUNCIL, PLEASE GIVE YOUR NAME AND YOUR ADDRESS.

THE COUNCIL INVITES AND ENCOURAGES PARTICIPATION BY THE PUBLIC IN ITS MEETINGS, HOWEVER A MEMBER OF THE PUBLIC MAY UTILIZE FIVE MINUTES OF TIME FOR REMARKS AND QUESTIONS, UNLESS OTHERWISE ENGAGED IN A DIALOGUE WITH A MEMBER OF THE COUNCIL, ANY FURTHER REMARKS OR QUESTIONS BEYOND THE TIME LIMIT MUST BE AUTHORIZED BY THE PRESIDENT OF THE COUNCIL.

ROLL CALL

- | | |
|-------------------------------------|--------------------------------|
| ▪ Mr. Baxter – Excused | Jim McManimon, Administrator |
| ▪ Mr. Schroth – Present | Joanna Mustafa, CFO |
| ▪ Ms. Steward – Present | Maeve Cannon, Attorney |
| ▪ Ms. Wollert – Present | Kim Macellaro, Municipal Clerk |
| ▪ President Keyes-Maloney – Present | |

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 #15R-150**) A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$5,798,603.60 and to Pay Supplemental Bills per Resolution #15R-27 in the Amount of \$537,969.78.

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

ROLL CALL

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

All items listed under Item H, 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 #15R-151/)

1. **A Resolution Authorizing the Conduct of an On Premise 50/50 Cash Raffle Sponsored by Interfaith Caregivers Greater Mercer County**
2. **A Resolution Authorizing the Conduct of an Off Premise Cash Raffle Sponsored by SERV Foundation, Inc.**
3. **A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, for Overpayment in the Amount of \$176.00 to John Wesley Stoop, 212 Nancy Lane, Ewing, NJ 08638 for Permit #20150480 at 212 Nancy Lane, Ewing, NJ 08638. The Applicant was Unaware of the Senior Discount.**
4. **A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, for Overpayment in the Amount of \$125.00 to Joseph Schino, 23 W. Upper Ferry Rd., Ewing, NJ 08628 for Permit #20150252 at 23 W. Upper Ferry Rd., Ewing, NJ 08628. The Applicant was Unaware of the Senior Discount.**
5. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$19.40 for Oct. 1, 2015 Sewer Bill to Levitt, Brian, 42 Albemarle Ave., Ewing, NJ 08638 for Property Owner Levitt, Brian, for Block: 81 Lot: 118 also known as 42 Albemarle Ave.**
6. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$12.74 for Oct. 1, 2015 Sewer Bill to Baird, Elmer & Marva, 20 Brattle Street, Ewing, NJ 08638 for Property Owner Baird, Elmer & Marva for Block: 170 Lot: 374 also known as 20 Brattle Street**
7. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$62.45 for Oct. 1, 2015 Sewer Bill to Brown, Robert E. & Diane M., 108 Broad Ave., Ewing, NJ 08618 for Property Owner Brown, Robert E. & Diane M. for Block: 497 Lot: 3 also known as 108 Broad Ave.**
8. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$150.00 for Oct. 1, 2015 Sewer Bill, to Gonzalez, Guadalupe, 28 Chesney Ave., Ewing, NJ 08638 for Property Owner Gonzalez, Guadalupe for Block: 132 Lot: 372 also known as 28 Chesney Ave.**
9. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$47.45 for Oct. 1, 2015 Sewer Bill to Farquharson, Phyllis & C. Gilliam, 99 Chelsea Ave., Ewing, NJ 08638 for Property Owner Farquharson, Phyllis & C. Gilliam for Block: 61 Lot: 24 also known as 99 Chelsea Ave.**
10. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$20.55 for Oct. 1, 2015 Sewer Bill to Lynn Francis O. & Suzanne Caimi, 423 Brickhouse Road, Princeton, NJ 08540 for Property Owner Lynn Francis O. & Suzanne Caimi for Block: 219 Lot: 20 also known as 17 Clement Ave.**
11. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$18.60 for Oct. 1, 2015 Sewer Bill to Smith, Richard J. & Lisa A., 30 Colleen Circle, Ewing, NJ 08638 for Property Owner Smith, Richard J. & Lisa A. for Block: 582 Lot: 17 also known as 30 Colleen Circle**

12. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$333.90 for Oct. 1, 2015 Sewer Bill to Pinchot, Dale B., 1597 Parkside Ave., Ewing, NJ 08628-3303 for Property Owner Pinchot, Dale B. for Block: 419 Lot: 51 also known as 762 River Road
13. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$69.86 for Oct. 1, 2015 Sewer Bill to Bennett Jr., William J. & Ingrid, 28 Rockland Road, Ewing, NJ 08638 for Property Owner Bennett Jr., William J. & Ingrid for Block: 214.09 Lot: 48 also known as 28 Rockland Road
14. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$56.34 for Oct. 1, 2015 Sewer Bill to Weaver, Mark, 143 Susan Drive, Ewing, NJ 08638 for Property Owner Weaver, Mark for Block: 214.04 Lot: 11 also known as 143 Susan Drive.
15. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$218.01 for Oct. 1, 2015 Sewer Bill to Lewis-Daniels, Sabrina T., 54 Woodland Ave., Ewing, NJ 08638 for Property Owner Lewis-Daniels, Sabrina T., for Block: 141 Lot: 70 also known as 54 Woodland Ave.
16. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$11.30 for Oct. 1, 2015 Sewer Bill to Rice, Eddie & Yvonne, 63 Woodland Ave., Ewing, NJ 08638 for Property Owner Rice, Eddie & Yvonne for Block: 139 Lot: 26 also known as 63 Woodland Ave.
17. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the Amount of \$15.27 for Oct. 1, 2015 Sewer Bill to Steen, Kelly, 290 Wynnewood Road, Ewing, NJ 08628 for Property Owner Steen, Kelly for Block: 459 Lot: 53 also known as 290 Wynnewood Road.

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

ROLL CALL

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

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. The Clerk read (Ordinance #15-27) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 14, BOARDS, COMMISSIONS AND COMMITTEES, ARTICLE XII, LOCAL ASSISTANCE BOARD

President Keyes-Maloney said that this is a house-cleaning item in light of the fact that there are assistance programs at the State and County level. It allows this board to remain permissive.

There were no questions or comments from Council or the Public. Ms. Wollert then moved the Ordinance, seconded by Ms. Steward. President Keyes-Maloney called for a roll call.

ROLL CALL

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

2. The Clerk read (Ordinance #15-28) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 14, BOARDS, COMMISSIONS AND COMMITTEES, ARTICLE II, ECONOMIC DEVELOPMENT COMMISSION

President Keyes-Maloney explained that this is a house-keeping item to make this Commission permissive in light of the fact that the Redevelopment Agency has taken over a large portion of the functions. It allows us to reestablish this Commission if so desired.

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

ROLL CALL

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

3. The Clerk read (Ordinance #15-29) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 26, CODE OF ETHICS

President Keyes-Maloney explained that this will allow us to create a permissive Board, in the event that it is appropriate, in light of the fact that there are County and State entities that assist us in making sure that there are no conflicts of interest.

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Ordinance, seconded by Ms. Steward. President Keyes-Maloney called for a roll call.

ROLL CALL

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

4. The Clerk read (Ordinance #15-30) 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 BICYCLES, TO THE BOYS AND GIRLS CLUB OF TRENTON AND MERCER COUNTY, A 501(c)(3) NON-PROFIT ORGANIZATION

The Council President explained that these bicycles relate to adjudications that happened over the last year. The Township donates these bikes for a nominal value to the Boys and Girls Clubs who then sells the bikes after refurbishing them.

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Ordinance, seconded by Ms. Steward. President Keyes-Maloney called for a roll call.

ROLL CALL

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

5. The Clerk read (Ordinance #15-31) AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$1,000,000 FOR THE PAYMENT OF PREPARATION AND EXECUTION OF A COMPLETE REVALUATION IN AND FOR THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY

President Keyes-Maloney explained that this allows us to continue the work associated with the reevaluation. The tax maps have been accepted by the State and the process will begin next Spring with completion in 2017.

There were no questions or comments from Council or the Public. Ms. Wollert then moved the Ordinance, seconded by Ms. Steward. President Keyes-Maloney called for a roll call.

ROLL CALL

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

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

- 1. The Clerk read (Ordinance #15-24) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, ADDING ADDITIONAL BUS STOPS ALONG MUNICIPAL ROADWAYS PURSUANT TO N.J.S.A. 39:4-8(e)**

BE IT ORDAINED by the Township Council of the Township of Ewing that **Chapter 225, VEHICLES AND TRAFFIC, § 225-64. Schedule XVII: Bus Stops** of the Code of the Township of Ewing is hereby amended as follows:

Section 1: Chapter 225, VEHICLES AND TRAFFIC, § 225-64. Schedule XVII: Bus Stops of the Code of the Township of Ewing is hereby amended that, pursuant to N.J.S.A. 39:4-8(e), the following described locations are designated as bus stops:

§ 225-64. Schedule XVII: Bus Stops

IV. Along Private Roadways

1. Along Charles Ewing Boulevard, a private roadway, eastbound, on the southerly side thereof at:

- A.** Between Lower Ferry Road and Mark Lane (mid-block)
Beginning 475 feet east of the prolongation of the easterly curbline of Lower Ferry Road and extending 135 feet easterly therefrom
(across from the entrance to the Spring Hill Suites – Marriot – near side to the crosswalk).
- B.** Princeton South Corporate Center – West Loop (Far side)
Beginning at the prolongation of the easterly curbline of Princeton South Corporate Center – East Loop and extending 100 feet easterly therefrom.
(near address 701-801 – near side to the crosswalk).
- C.** Princeton South Corporate Center – East Loop (Far side)
Beginning at the prolongation of the easterly curbline of Princeton South Corporate Center – East Loop and extending 100 feet easterly therefrom.
(across from Princeton Corporate Center – far side to the crosswalk).

2. Along Charles Ewing Boulevard, a private roadway, westbound, on the northerly side thereof at:

- A.** Princeton South Corporate Center – East Loop (near side)
Beginning at the easterly curbline of Princeton South Corporate Center – East Loop and extending 100 feet easterly therefrom (at crosswalk)
- B.** Princeton South Corporate Center – West Loop (Near side)
Beginning at the easterly curbline of Princeton South Corporate Center – West Loop and extending 105 feet easterly therefrom (across from Address 701-801 – far side to crosswalk)

- C. Between Lower Ferry Road and Mark Lane (mid-block)
Beginning 475 feet east of the easterly curbline of Mark Lane and extending 135 feet easterly therefrom (after the entrance to the Spring Hill Suites – Marriot – far side to the crosswalk)

BE IT FURTHER RESOLVED that the Mayor and Council of the Township of Ewing will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

Section 2. The Municipal Clerk is hereby instructed to forward a certified adopted copy of this Ordinance to NJ TRANSIT, One Penn Plaza East, Newark, New Jersey 07105-2246; Attn: Joe De Mauro.

Section 3. This Ordinance shall take effect upon approval of the Commissioner of Transportation as provided by law.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to add additional bus stops along municipal roadways pursuant to N.J.S.A. 39:4-8(e).

President Keyes-Maloney explained that this allows us to include additional bus stops along Charles Ewing Boulevard. The nomenclature was changed to reflect that Charles Ewing Boulevard is a private road.

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

ROLL CALL

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

2. **The Clerk read (Ordinance #15-25) AN ORDINANCE AUTHORIZING AN ASSIGNMENT FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 146 SCOTCH ROAD AND SHOWN ON THE EWING TOWNSHIP TAX MAP AS BLOCK 367, LOT 46 FOR A PRICE NOT TO EXCEED \$310,000**

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township may, by ordinance, enter into transactions for the purchase of real property; and

WHEREAS, Blue Oak Development, LLC, as seller, whose address is 20 Nassau Street, Suite, 416, Princeton, NJ 08540, and D&R Greenway Land Trust, as buyer, a New Jersey non-profit corporation, whose address is One Preservation Place, Princeton, New Jersey 08540, have entered into an Agreement for Sale dated April 10, 2015 (the “Agreement of Sale”) for the sale of real property located at 146 Scotch Road and shown on the Ewing Township Tax Map as Block 367, Lot 46 (the “Property”); and

WHEREAS, the Agreement of Sale includes a purchase price of \$310,000 or the Certified Market Value, whichever is less, subject to an appraisal approved by the buyer; and

WHEREAS, two appraisals of the Property were conducted by licensed New Jersey real estate appraisers pursuant to the Agreement of Sale and said purchase price of \$310,000 is based on the lower of the two appraisals; and

WHEREAS, the Township is desirous of purchasing the Property to fulfill various duties and obligations under the New Jersey Department of Environmental Protection’s Green Acres Program; and

WHEREAS, the Township desires to enter into contract with D&R Greenway Land Trust for the assignment of their rights, title and interest in and to the Agreement of Sale with Blue Oak Development, LLC (the “Contract”), the terms of which are attached hereto and incorporated herein by reference in their entirety, in order to purchase the subject Property; and

WHEREAS, the Chief Financial Officer has provided a certification of availability of funds indicating that sufficient funds exist for the award of this contract, as required by law; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Ewing, County of Mercer that the Township is hereby authorized to enter into a Contract with D&R Greenway Land Trust for the assignment of their rights, title and interest in and to the Agreement of Sale with Blue Oak Development, LLC, for the purchase of real property located at 146 Scotch Road and shown on the Ewing Township Tax Map as Block 367, Lot 46, for a price not to exceed \$310,000.

BE IT FURTHER ORDAINED, that the Mayor and Clerk are authorized to execute the Contract in accordance with terms herein and such other documentation as necessary to effectuate the contract with D&R Greenway Land Trust and Blue Oak Development, LLC.

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

STATEMENT

An Ordinance authorizing an assignment for the purchase of real property located at 146 Scotch Road and shown on the Ewing Township tax map as block 367, lot 46 for a price not to exceed \$310,000.

President Keyes-Maloney explained that this relates to the Green Acres site located at 146 Scotch Road. It will allow us to connect some trails between Fisher and Scotch Road besides allowing us to satisfy some Green Acres requirements that we were slightly deficient on.

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

ROLL CALL

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

- 3. The Clerk read (Ordinance #15-26) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 4, ADMINISTRATION OF GOVERNMENT, ARTICLE VII: DIVISION OF FINANCE, ADDING NEW SECTION 35, PURCHASING AGENT**

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 4, ADMINISTRATION OF GOVERNMENT, ARTICLE VII: DIVISION OF FINANCE is hereby amended by adding new Section 35, PURCHASING AGENT:

Article VII: Division of Finance

§ 4-25 Establishment.

There shall be a Division of Finance within the Department of Administration, Finance and Public Works, the head of which shall be the Chief Financial Officer.

§ 4-26 Chief Financial Officer; Appointment.

There is hereby created the position of Chief Financial Officer, who shall be the person who is a certified municipal finance officer pursuant to all the criteria and requirements of N.J.S.A. 40A:9-140.1 et seq., as amended from time to time, and who shall carry out the responsibilities set forth in N.J.S.A. 52:27BB-26 et seq. The Chief Financial Officer shall be appointed by the Mayor and shall be qualified as set forth in N.J.S.A. 40A:9-140.1.

§ 4-27 Municipal Financial Officer.

[Amended 2-22-2000 by Ord. No. 00-04]

The Mayor may appoint a Municipal Financial Officer qualified pursuant to N.J.S.A. 40A:9-140.1, who shall serve a term of one year and shall have all the power, authority and duty of the Chief Financial Officer in the absence of the Chief Financial Officer.

§ 4-28 Powers and Duties of Chief Financial Officer.

The Chief Financial Officer shall:

- A. Receive funds entrusted to or under the control of any department and deposit all funds received in depositories authorized by the Township Council by resolution.
- B. Have custody of all investments and invested funds of the Township or in possession of the Township in a fiduciary capacity, except as otherwise provided by law, and keep such funds and all moneys of the Township not required for current operations, safely invested or deposited in interest-bearing accounts.
- C. Have the safekeeping of all bonds and notes of the Township and the receipt and delivery of Township bonds and notes for transfer, registration or exchange.
- D. Keep a full account of all cash receipts and disbursements of the Township and, at least once each month or more often if the Township Council requires, furnish the Township Council with a statement of all moneys received and expended by the Chief Financial Officer.
- E. Perform the duties of the Treasurer.

§ 4-29 Disbursements.

- A. Disbursements in payment of bills and demands shall be approved by the Township Council after preaudit and review and recommendation of the same by the Chief Financial Officer. All disbursements shall be made by a combination warrant-bank check or draft signed by the Chief Financial Officer and countersigned by the Mayor individually or by a signature plate.
- B. The Chief Financial Officer shall prepare for each regular meeting of the Township Council a list of all bills, claims and vouchers which have been presented through the close of business 24 hours preceding the meeting and since the last preceding list was compiled. Such list shall be prepared in sufficient copies for each member of the Township Council.
- C. Vouchers for payment shall be considered by the Township Council, which shall approve the same, except that the Council may reject any claim presented to it, stating the reason for such rejection. Any disapproved claim shall be referred back to the Chief Financial Officer with such instructions as the Council may give at the time of disapproval.

§ 4-30 Tax Collector.

[Amended 1-25-2005 by Ord. No. 05-04]

- A. The Tax Collector, prior to appointment, shall be qualified by training and experience in the administration of municipal tax collections and tax accounting procedures and certified by the State of New Jersey. The Tax Collector shall be appointed by the Mayor

and serve a term of four years from the first day of January next following the appointment or as otherwise provided by general law.

- B. The Tax Collector is authorized to process, without further action by the governing body, the cancellation of any property tax refund of less than \$10, or any property tax delinquency of less than \$10, as well as sewer refunds of less than \$10, together with interest per fiscal year.[1]

[1]:Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 4-31 Tax Assessor.

- A. The Township Tax Assessor shall be appointed by the Mayor for a term of four years from the first day of July next following the Assessor's appointment. The Mayor may also appoint up to three Deputy Tax Assessors, who shall assist the Tax Assessor and who shall act under the supervision of the Tax Assessor.
- B. The Tax Assessor and Deputy Tax Assessors shall hold Tax Assessor certificates as provided in N.J.S.A. 54:1-35.25 et seq., as amended from time to time, and shall meet such other qualifications as may be imposed by the State of New Jersey from time to time. The Tax Assessor and Deputy Tax Assessors shall perform the tax assessment functions as set forth in N.J.S.A. 40A:9-146 et seq., and any rules and regulations promulgated thereunder.
- C. With respect to budget, accounting controls, central purchasing practices, personnel procedures and regulations, and central data processing services, the Tax Assessor shall be subject to the general administrative procedures of the Township in accordance with N.J.S.A. 40:69A-43.

§ 4-32 Tax Searcher.

There shall be an Official Tax Searcher appointed by the Mayor, who shall make, or cause to be made, and certify searches for tax, water and other liens on real property as may be authorized by law and charge and collect for the use of the Township the fee required pursuant to law for any such search.

§ 4-33 Payroll Clerk.

- A. The Payroll Clerk shall prepare all checks and vouchers for the payment of salaries, wages and expenses to all municipal officers and employees.
- B. There shall be an account, to be designated the "Township of Ewing Payroll Account," and from time to time, the Chief Financial Officer, upon receipt of a warrant or an amount due such payroll account, shall deposit the same to the credit of the payroll account, charging the appropriate budgetary accounts therewith. Disbursement from the payroll account may be made by payroll checks signed by the Chief Financial Officer alone, or someone authorized by the Township Council to act in his stead, upon preaudit and warrant of the Chief Financial Officer and approval by the Township Council of the entire payroll.

§ 4-34 Municipal Auditor.

In accordance with N.J.S.A. 40A:5-4, a Municipal Auditor shall be appointed by the Mayor, with the advice and consent of the Council. The Auditor shall be appointed pursuant to a professional services resolution in accordance with the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.). The Auditor shall be a registered municipal accountant and shall perform the annual audit as required by law.

§ 4-34.1 Purchasing Agent.

Pursuant to N.J.S.A. 40A:11-9, there is hereby created the position of Purchasing Agent for the Township of Ewing. The Purchasing Agent shall be appointed by the Mayor with the advice and consent of the Ewing Township Council. A Purchasing Agent appointed hereunder shall possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs. In accordance with N.J.S.A. 40A:11-

9(g), if the person appointed hereunder no longer performs such duties, the Mayor may appoint for a period not to exceed one year commencing from the date of the vacancy, a person who does not possess a qualified purchasing agent certificate to serve as a temporary purchasing agent. Any person so appointed may, with the approval of the Director of the Division of Local Government Services, be reappointed as a temporary purchasing agent for a maximum of one additional year following the end of the first temporary appointment. No temporary purchasing agent may serve for more than two consecutive years.

The Purchasing Agent shall have, on behalf of the Council of the Township of Ewing, the authority, responsibility and accountability for the purchasing activity pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts; to administer competitive contracting processes pursuant to N.J.S.A. 40A:11-4.1 et seq.; to award contracts pursuant to New Jersey law in accordance with the regulations, forms and procedures promulgated by state regulatory agencies; and conduct any activities as may be necessary or appropriate to the purchasing function of the Township of Ewing. Unless hereafter otherwise restricted by resolution of the Governing Body, the Purchasing Agent duly appointed hereunder may negotiate and award purchases up to \$40,000, or such other threshold amount as adjusted by the Governor pursuant to N.J.S.A. 40A:11-3(c), without public advertising for bids.

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 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:

President Keyes-Maloney said that, although we have long had a resolution that established a purchasing agent, this articulates the role and the responsibilities. It also ties the actual authorized amount to what is established underneath State regulation.

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

ROLL CALL

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

NEW BUSINESS

- 1. The Clerk read (Resolution #15R-152) A RESOLUTION TO CANCEL OUTSTANDING CHECKS**

President Keyes-Maloney stated that this relates to activities from 2013.

There were no questions or comments from Council or the Public. Ms. Steward then moved the Resolution, seconded by Ms. Wollert. The Council President called for a roll call.

ROLL CALL

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

2. The Clerk read (Resolution #15R-153) A RESOLUTION APPROVING CHANGE ORDER NO. 1 FINAL TO RICHARD T. BARRETT PAVING COMPANY, INC. FOR THE EMERGENCY ROAD REPAIRS 2015 RV&A#1102T013

President Keyes-Maloney said that this allows us some significant savings in light of savings related to paving itself in the amount of some \$71,000.

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

ROLL CALL

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

3. The Clerk read (Resolution #15R-154) A RESOLUTION AMENDING AND REVISING RESOLUTION #15R-1/3 TO CHANGE THE STARTING TIME FOR REGULAR SESSION MEETINGS OF THE TOWNSHIP COUNCIL FROM 7:30 P.M. TO 7:00 P.M.

President Keyes-Maloney stated that this comes after discussions in light of a community member who had concerns about the start time associated with our Regular Session meetings. This clarifies that our Regular Session meetings will not begin before 7:00 p.m. or that which time the Agenda Session ends.

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

ROLL CALL

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

4. The Clerk read (Resolution #15R-155) A RESOLUTION AMENDING (RESOLUTION #15R-67) THE PROCEDURES FOR THE CONDUCT OF COUNCIL, 2015

President Keyes-Maloney explained that this is tied to Item #3.

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

ROLL CALL

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

5. The Clerk read (Resolution #15R-156) A RESOLUTION AUTHORIZING THE PURCHASE OF A 2015 OR NEWER AMBULANCE IN THE AMOUNT OF \$159,320

The Council President explained that this is included in our capital budget and requires the trade-in of two vehicles.

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

ROLL CALL

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

6. The Clerk read (**Resolution #15R-157**) **A RESOLUTION AUTHORIZING THE PURCHASE OF THREE (3) CHEVROLET TAHOE 4 X 4 POLICE PURSUIT VEHICLES FOR USE IN THE POLICE DEPARTMENT FROM MALL CHEVROLET THROUGH THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM – IDENTIFIER #47**

The Council President stated that it relates to an Ordinance approved on June 9th of this year.

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

ROLL CALL

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

7. The Clerk read (**Resolution #15R-158**) **A RESOLUTION TO ACCEPT SUBGRANT FY2013 EMERGENCY MANAGEMENT AGENCY ASSISTANCE AWARD FROM THE COUNTY OF MERCER FOR THE EWING OFFICE OF EMERGENCY MANAGEMENT**

President Keyes-Maloney said that this is a \$5,000 grant that we get annually from the County of Mercer.

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

ROLL CALL

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

8. The Clerk read (**Resolution #15R-159**) **A RESOLUTION TO ACCEPT SUBGRANT FY2014 EMERGENCY MANAGEMENT AGENCY ASSISTANCE AWARD FROM THE COUNTY OF MERCER FOR THE EWING OFFICE OF EMERGENCY MANAGEMENT**

President Keyes-Maloney said that this is the 2014 grant we receive from the County of Mercer.

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

ROLL CALL

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

9. The Clerk read (**Resolution #15R-160**) **A RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2015 STATEWIDE CRACKDOWN**

The Council President explained that the Police Department has already put out a press release regarding this campaign. Councilwoman Steward had a de minimis change associated with some punctuation.

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

ROLL CALL

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

10. The Clerk read (**Resolution #15R-161/1**) A RESOLUTION AUTHORIZING IN-REM FORECLOSURE PROCEEDINGS AGAINST TAX SALE CERTIFICATES SET FORTH ON EWING TOWNSHIP TAX FORECLOSURE LIST NO. 1

The Attorney suggested that Items 10, 11 and 12 be moved as a block as they are identical except for the individual in-rem foreclosure items within each list. There are separate resolutions only for the convenience of the Court.

There were no questions or comments from Council or the Public. Mr. Schroth then moved the Resolutions as a Block, seconded by Ms. Steward. President Keyes-Maloney called for a roll call.

ROLL CALL

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

11. The Clerk read (**Resolution #15R-161/2**) A RESOLUTION AUTHORIZING IN-REM FORECLOSURE PROCEEDINGS AGAINST TAX SALE CERTIFICATES SET FORTH ON EWING TOWNSHIP TAX FORECLOSURE LIST NO. 2

Item 11 was moved as part of a Block with Items 10 and 12.

12. The Clerk read (**Resolution #15R-161/3**) A RESOLUTION AUTHORIZING IN-REM FORECLOSURE PROCEEDINGS AGAINST TAX SALE CERTIFICATES SET FORTH ON EWING TOWNSHIP TAX FORECLOSURE LIST NO. 3

Item 12 was moved as part of a Block with Items 10 and 11.

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business President Keyes-Maloney called for a motion to adjourn. Ms. Wollert so moved, seconded by Ms. Steward. The meeting was adjourned at 8:20 p.m.

David P. Schroth, President

Kim Macellaro, Municipal Clerk