

June 24, 2014 – REGULAR SESSION

President Baxter called the meeting to order at 8:22 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 20th day of June, 2014.

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.

ROLL CALL

- | | |
|-------------------------------|------------------------------|
| ▪ Ms. Keyes-Maloney – Present | Jim McManimon, Administrator |
| ▪ Mr. Schroth – Present | Joanna Mustafa, CFO |
| ▪ Ms. Steward – Present | Maeve Cannon, Attorney |
| ▪ Ms. Wollert – Present | Susan Bate, Deputy Clerk |
| ▪ President Baxter – Present | |

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

There were no comments or questions from members of the Public.

CONSENT AGENDA

The Deputy Clerk read the Consent Agenda: (Resolution #14R-123/)

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$1,713,303.20 and to Pay Supplemental Bills per Resolution #14R-44 in the Amount of \$10,532.10
2. A Resolution Authorizing a Refund, as Recommended by the Construction Official, for Rental Registration and Fire Prevention Fees in the Amount of \$150.00 to Stephen Arkuszewski, 77078 Easton Road, Pipersville, PA 18947 for property located at 339 Green Lane, Ewing, NJ 08638.
3. A Resolution authorizing a performance bond release for The Gardens at Birmingham, 1460 Parkway Avenue (Block 365/Lot 9) – Ewing Engineers Remington, Vernick & Arango RV&A #1102-I-035
4. A Resolution authorizing a maintenance guarantee release for Solar Energy Corporation, 129 Walters Avenue (Block 194/Lot 44) – Ewing Engineers Remington, Vernick & Arango RV&A #1102-I-047

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

ROLL CALL

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

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. The Deputy Clerk read (**Ordinance #14-15**) **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)**

President Baxter explained that NJ Transit requested that a bus stop be moved to right in front of the KFC on Princeton Avenue.

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

ROLL CALL

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

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

1. The Deputy Clerk read (**Ordinance #14-13**) **AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 342 TAXICABS AND LIMOUSINES TO PROVIDE FOR ADDITIONAL TAXICAB LICENSING CRITERIA (2014)**

WHEREAS, the regulation of taxicab licensing, including the screening of unfit taxicab license applicants, is critical to the furtherance of traffic and public safety; and

WHEREAS, the Township wishes to prohibit those with poor driving records, including, but not limited to, violations for reckless driving, driving while intoxicated, driving while under the influence of drugs, or leaving the scene of accident, from obtaining a taxicab license; and

WHEREAS, the Township wishes to amend the requirements, qualifications for a taxicab operator's license enumerated under § 342-6 to prohibit those with recent violations for reckless driving, driving while intoxicated, driving while under the influence of drugs, or leaving the scene of accident, from receiving a taxicab license; and

WHEREAS, the Township wishes to amend § 342-7, to mandate that applicants for a taxi operator's license provide police authorization to review records of an applicant's motor vehicle infractions; and

WHEREAS, the Township wishes to amend the taxicab license review procedure enumerated under § 342-8, to give the Chief of Police the discretion to reject applicant's with poor driving records.

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 342, TAXICABS AND LIMOUSINES, Section 4, OWNER'S LICENSE REQUIREMENTS, is hereby amended to read as follows:

§ 342-4 Owner's license requirements.

A. General provisions. No taxicab owner's license shall be granted unless the applicant meets the requirements set forth in this section.

- (1) Citizenship or visa. The applicant must be a citizen of the United States or a legal resident alien. If the applicant is a partnership or corporation then each partner or officer must be a citizen of the United States or a legal resident alien.
- (2) Authorization to do business. If the applicant is a corporation, the corporation must either be incorporated in the State of New Jersey or authorized to do business in this state.
- (3) Convictions. The applicant shall not have been convicted of any crime and/or disorderly persons offense involving moral turpitude, including, but not limited to, conviction for possession and/or distribution of pornography, conviction for possession and/or distribution of controlled dangerous substances, all elements included under the New Jersey statute prohibiting prostitution, sexual offenses of physical violence against persons or property within 10 years next preceding the date of application for license, unless the police, for good cause shown, shall waive any disqualification based on such conviction. If the applicant is a partnership, then no partner may have such record. If the applicant is a corporation, then neither the corporation nor any officer or director may have such record.
- (4) Prior license revocations. The applicant must have no record of prior revocation by any jurisdiction of a license related to the taxicab business. If the applicant is a partnership, then no partner may have such record. If the applicant is a corporation, then neither the corporation nor any officer or director may have such record.
- (5) Insurance. The applicant must have complied with the provisions of N.J.S.A. 48:16-21 et seq., and the acts amendatory thereof or supplemental thereto, relating to insurance.
 - (a) The owner of the taxicab shall have filed with the Clerk of the municipality in which such operation is permitted, an insurance policy which shall be issued by an admitted insurance company duly licensed to transact business under the insurance laws of this state or a company registered to do business in the state, the policy providing for not less than \$35,000 of motor vehicle liability insurance coverage or the amount of motor vehicle liability insurance coverage required pursuant to section 1 of P.L. 1972, c. 197 (N.J.S.A. 39:6B-1), whichever is greater, to satisfy all claims for damages, by reason of bodily injury to, or the death of, any person or persons, resulting from, or on account of, an accident, by reason of the ownership, operation, maintenance, or use of such taxicab upon any public street; and to satisfy any claim for damages to property of any person or persons, resulting from, or on account of, an accident, by reason of the ownership, operation, maintenance, or use of such taxicab upon any public street.
 - (b) Nothing contained in this subsection shall prohibit the owner of a taxicab from obtaining any additional amount of motor vehicle liability insurance coverage from a company licensed outside the State of New Jersey.
 - (c) The consent shall be effective and operation thereunder shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amounts as aforesaid.
 - (d) The insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance, or use of the taxicab or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.
 - (e) If a licensed owner operates more than one taxicab, he may file with the Municipal Clerk, in lieu of the policy required by Subsection A(5)(a) above, a bond or insurance policy of a company duly licensed to transact business under the insurance laws of this state, in the sum of \$50,000, which shall be a blanket insurance covering all cabs operated by such owner which shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and use of any such taxicabs or any fault in respect

thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.

- B. An owner's license granted under this chapter and pursuant to N.J.S.A. 48:16-2 may be revoked by the Ewing Township Council, after notice and hearing, whenever it shall appear that the person to whom the consent was granted has failed to furnish or keep in force the insurance policy or bond and power of attorney required by this chapter, or to comply with any terms or conditions imposed by the board or body granting the consent, or any law of this state.

Section 2 Chapter 342, TAXICABS AND LIMOUSINES, Section 6, REQUIREMENTS, QUALIFICATIONS FOR OPERATOR'S LICENSE, is hereby amended to read as follows:

§ 342-6 Requirements, qualifications for operator's license.

- A. Required. No person shall drive a taxicab for the purpose of accepting therein or discharging therefrom any person without first having obtained a license to do so.
- B. Qualifications of applicants. Generally, each applicant for a license to drive a taxicab must:
 - (1) Have a valid New Jersey driver's license with no suspensions or revocations of license in any jurisdiction for the preceding two years, except for suspensions and revocations purely administrative in nature.
 - (2) Motor vehicle infractions. The applicant may not have been convicted of reckless driving, driving while intoxicated or under the influence of drugs, or leaving the scene of an accident within three years of the application.
 - (3) State the name of the licensee of the taxicab by whom or which he/she will be employed.
 - (4) Be at least 21 years of age and a citizen of the United States or a legal resident alien.
 - (5) Be able to speak, read and write the English language.
 - (6) At the time of making the initial application, have his/her fingerprints taken and filed with the police of the municipality.
 - (7) The applicant must file with the Municipal Clerk a certificate from a licensed physician, setting forth that he/she has been examined by a physician within 30 days prior to the date of the application. The applicant must have no disability or illness of any type which poses a significant risk of substantial harm to the applicant or others if he/she is granted a license to drive a taxicab.
 - (8) Each operator or driver of the taxicab for which the owner thereof is seeking the consent to operate in a municipality has submitted to the performance of a criminal history record background check and will submit to the performance of a criminal history record background check every two years thereafter. The cost for the criminal history record background checks, including all costs of administering and processing them, shall be borne by the operator or driver of the taxicab.
 - (a) A person shall be disqualified from operating or driving a taxicab if a criminal history record background check required pursuant to this subsection reveals a record of conviction of any of the following crimes:

[1] In New Jersey or elsewhere any crime as follows: aggravated assault, arson, burglary, escape, extortion, homicide, kidnapping, robbery, aggravated sexual assault, sexual assault or endangering the welfare of a child pursuant to N.J.S.A. 2C:24-4, whether or not armed with or having in his possession any weapon enumerated in Subsection r of N.J.S.A. 2C:39-1, a crime pursuant to the provisions of N.J.S.A. 2C:39-3, 2C:39-4, or 2C:39-9, or other than a disorderly persons or petty disorderly persons offense for the unlawful use, possession or sale of a controlled dangerous substance as defined in N.J.S.A. 2C:35-2.

[2] In any other state, territory, commonwealth, or other jurisdiction of the United States, or any country in the world, as a result of a conviction in a court of competent jurisdiction, a crime which in that other jurisdiction or country is comparable to one of the crimes enumerated in Subsection B(7)(a)[1] of this section.

- (b) If a person who has been convicted of one of the crimes enumerated in Subsection B(7)(a)[1] and [2] of this section can produce a certificate of rehabilitation issued pursuant to N.J.S.A. 2A:168A-8 or, if the criminal offense occurred outside New Jersey, an equivalent certificate from the jurisdiction where the criminal offense occurred, the criminal offense shall not disqualify the applicant from operating or driving a taxicab.
- (c) The provisions of this subsection shall not apply to an operator or driver of a taxicab who has received the consent to operate in a municipality prior to the effective date of P.L. 2011, c. 135 (N.J.S.A. 48:16-2.1 et al.).

Section 3 Chapter 342, TAXICABS AND LIMOUSINES, Section 7, APPLICATIONS FOR TAXICAB OPERATOR'S LICENSE, is hereby amended to read as follows:

§ 342-7 Applications for taxicab operator's license.

- A. Forms. Applications for taxicab operator's licenses under this chapter shall be made by the applicant upon forms furnished by the Municipal Clerk. The form shall require the applicant to provide all of the information necessary to determine whether the applicant is entitled to an operator's license.
- B. Proof of driver's license. The applicant must provide the Municipal Clerk with proof that he/she holds a valid driver's license issued by the New Jersey Division of Motor Vehicles.
- C. Convictions. At the time of the initial application and every two years thereafter, the applicant shall provide the police with authorization to review any records of criminal convictions for that individual or the individual partners. Any costs associated with providing the police with the authorizations to review any records of criminal convictions will be borne by the applicant.
- D. Driving violations. At the time of application and at all times thereafter, the applicant shall provide the Chief of Police or his designee with authorization to review any records regarding motor vehicle infractions for that individual or the individual partners. Any costs associated with providing the police with authorization to review records of motor vehicle infractions shall be borne by the applicant.
- E. Affidavit. All applications shall be duly verified by the affidavit of the applicant seeking the license.
- F. False statement. Any person who shall make a false statement in any license application or in any record or certificate that he/she is required to file or maintain shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including the license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Court.
- G. Fees. A nonrefundable fee (cash or money order) as provided in Chapter 172, Fees, shall be submitted with all license applications which, if approved, will be applied to the licensing fee.
- H. Photographs. Each applicant for an operator's license shall file with his/her application three unmounted, unretouched passport-quality photographs of himself/herself. The photographs shall have been taken within 30 days preceding the filing of the application. One of the photographs shall be attached to the operator's license. The remaining photographs shall be filed with the application by the Municipal Clerk and with the police. Each licensed operator shall exhibit his/her license with the photograph attached for inspection. In case an application for an operator's license is denied, two of the photographs shall be returned to the applicant.

Section 4 Chapter 342, TAXICABS AND LIMOUSINES, Section 8, REVIEW OF APPLICATIONS, is hereby amended to read as follows:

§ 342-8 Review of applications.

- A. Review by Municipal Clerk. Each application shall be reviewed by the Municipal Clerk for completeness. If the application is not complete, the Municipal Clerk shall advise the applicant and no further action shall be taken until the application is complete. If the application is complete, the Municipal Clerk shall refer the application to the Chief of Police for further action.
- B. Inspection of vehicle.
 - (1) Vehicles must be inspected at a state-operated inspection station only.
 - (2) No vehicle shall be licensed under this article until it has been thoroughly and carefully inspected by the police and found to be in a thoroughly safe, clean and fit condition for transportation of passengers. If required, a taximeter shall be attached to the vehicle. The taximeter shall be inspected and approved by the police. Municipal inspection stickers will be affixed to the vehicle by the police.
- C. Examination and certification of applicant as to knowledge of laws. As part of his/her review, each applicant may be examined as to the applicant's knowledge of the provisions of this chapter, the Motor Vehicle Act, the Traffic Act and other ordinances and regulations having to do with traffic and the geography of the municipality, and if the result of the examination is unsatisfactory, he/she shall be refused a license.
- D. Police Review of Applicant's Driving Record. Upon receiving a completed application from the Municipal Clerk, the Chief of Police shall review an applicant's driving record. Upon inspection, the Chief of Police may reject an application upon determining that an applicant's violations of traffic and/or motor vehicle laws renders the applicant unfit for a taxicab operator's license. If the Chief of Police rejects an application hereunder, applicant shall receive a written response explaining said rejection.

Section 5 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 6 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 7 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Adopted:

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

ROLL CALL

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

2. The Deputy Clerk read (Ordinance #14-14) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 172 FEES (2014)

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 §172-3 Animals, is hereby amended as follows:

A. Dogs.

- (1) Annual license, each dog: \$6.50.
- (2) Annual potentially dangerous dog license: \$550.
- (3) Annual registration tag, each dog: \$1.
- (4) Annual surcharge per P.L. 1983, c. 181 (N.J.S.A. 4:19-15.3c), each dog: \$0.20.
- (5) Annual surcharge per P.L. 1983, c. 172 (N.J.S.A. 4:19-15.3b), each dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization: \$3.
- ~~(6) Kennel license: \$35.~~
- (7) Penalty, if not paid within 30 days of the date due: [Amended 1-25-2005 by Ord. No. 05-06]
 - (a) August 1 through October 1: \$5.
 - (b) October 2 through November 15: \$10.
 - (c) November 16, each year: \$15.

B. Animal adoption (said funds to be dedicated for use by the Ewing Animal Shelter): [Amended 8-24-1999 by Ord. No. 99-11; 9-9-2008 by Ord. No. 08-18]

- (1) Dogs and puppies: \$75.
- (2) Cats and kittens: \$50.

C. Redemption of owned animals (said funds to be dedicated for use by the Ewing Animal Shelter): [Amended 8-24-1999 by Ord. No. 99-11; 9-9-2008 by Ord. No. 08-18]

- (1) First day: \$11.
- (2) Each additional day: \$7.

D. Dropoff of unwanted animals (said funds to be dedicated for use by the Ewing Animal Shelter). [Amended 8-24-1999 by Ord. No. 99-11; 9-9-2008 by Ord. No. 08-18]

- (1) Dogs and puppies: \$75.
- (2) Cats and kittens: \$60.

E. License fees for kennels and pet shops; no fee for shelters or pounds:

- (1) The annual license fee for a kennel providing accommodations for ten (10) or less pets shall be \$10.00 and for more than ten (10) pets \$25.00.
- (2) The annual license fee for a pet shop shall be \$10.00.
- (3) No fee shall be charged for a shelter or pound.

Section 2 When effective. The provisions of this ordinance shall take effect immediately upon final passage and publication in accordance with law. For purposes of licensing, this ordinance shall become effective upon the next annual licensure deadline. Existing establishments shall become licensed in accordance with the timeframe set forth herein, but otherwise shall comply with all other requirements of this ordinance immediately upon its effective date.

Ms. Keyes-Maloney made a motion to open the public hearing, seconded by Ms. Wollert. It was agreed by unanimous voice vote.

The Attorney explained that this is to align our kennel fees with State statute. The five dollar flat fee is being stricken; instead, the fee will be based on the number of dogs housed.

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

ROLL CALL

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

NEW BUSINESS

- 1. The Deputy Clerk read (Resolution #14R-124) A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) EMERGENCY EQUIPPED CHEVROLET TAHOE SSV 4 X 4 FOR USE IN THE CONSTRUCTION OFFICE FROM DAY CHEVROLET and MUNICIPAL EQUIPMENT ENTERPRISES AS PER STATE CONTRACTS**

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

ROLL CALL

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

- 2. The Deputy Clerk read (Resolution #14R-125) A RESOLUTION AUTHORIZING AN ACCELERATED TAX LIEN SALE FOR CY2014 PURSUANT TO N.J.S.A. 54:5-19**

President Baxter explained that this is our yearly tax lien sale that takes place at the end of December.

There were no questions or comments from Council.

Mark Fetter (327 Concord Avenue) asked Council to explain what “accelerated” means.

The CFO explained that an accelerated tax sale is a tax sale that is held in the year that the tax is due rather than carrying over into the following budget year. If you carry over into the following budget year you have to have a reserve for uncollected taxes. If you do not have a sale before the end of that year, that number is very large. A few years ago, before the Township did an accelerated sale, the Township had a two million dollar budget appropriation for uncollected taxes. With an accelerated tax sale, you can pretty much guarantee the bulk of that tax money in the year that you collect it; you do not have to carry over as much.

There were no additional questions or comments from the Public.

Ms. Keyes-Maloney then moved the Resolution, seconded by Ms. Wollert. President Baxter asked for a roll call.

ROLL CALL

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

3. The Deputy Clerk read (**Resolution #14R-126**) **RESOLUTION AUTHORIZING THE PURCHASE OF TEN (10) TO-16 MODEL G-2 E-NET, BIO-METRIC TIME CLOCKS AND ALL APPLICABLE SOFTWARE AND INSTALLATION FROM TEMPO SYSTEMS AS PER STATE CONTRACT T-0200**

The CFO explained that these will be placed in every public building where employees are based. It will record attendance and monitor employees' work hours.

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

ROLL CALL

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

4. The Deputy Clerk read (**Resolution #14R-127**) **A RESOLUTION AUTHORIZING PARTICIPATION IN THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM ACT OF THE STATE OF NEW JERSEY FOR SHBP DENTAL PLAN COVERAGE**

The CFO explained that the State offers a dental plan which would be more cost effective to the Township than the current reimbursement program. The current program is under union contract. The State plan is a better benefit to employees and is a cost savings to the Town.

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

ROLL CALL

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

5. The Deputy Clerk read (**Resolution #14R-128**) **A RESOLUTION AWARDED THE DOOR ACCESS SECURITY SYSTEM CONTRACT AT THE EWING TOWNSHIP MUNICIPAL BUILDING TO MAIN ACCESS SYSTEMS, INC. IN THE AMOUNT OF \$90,489.00**

The Attorney stated that the amount of the contract to be awarded by Resolution this evening is \$79,989.00. The Resolution provides for an option in each of the following three years – second, third, and fourth - for maintenance and warranty in the amount of \$10,500. The options will be exercised by the Township in subsequent years if appropriate.

There were no questions or comments from Council.

Mark Fetter (327 Concord Avenue) stated that the municipal building used to be open until midnight. Mr. Fetter asked why, during the past year or two, are the doors being locked and what time do the doors actually lock.

The Administrator replied that from 2007 to 2010 the building doors were locked and gates were put up so people could not get into the building. Emergency access to the Police Department was installed. In 2011, the doors were reopened and could be locked electronically, access could be granted with a key file.

The Administrator stated that it is a security issue and then explained that on weekends, the bathrooms were destroyed and Township bathroom products were be stolen. The Administrator said that, for a time, the doors were being locked at 9 p.m. and then said that the door policy is constantly revisited depending on the situation around the Municipal Building.

Mr. Fetter asked what is the exact time that these doors get locked. Mr. Fetter stated that he does not like this trend of the building getting locked up earlier and earlier. Mr. Fetter said that this is Ewing Township citizens' building; locking the building is not serving Ewing residents.

There were no additional questions or comments from the Public.

Ms. Wollert then moved the Resolution, seconded by Mr. Schroth. President Baxter asked for a roll call.

ROLL CALL

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

6. The Deputy Clerk read (**Resolution #14R-129**) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2014-2015 EWING MUNICIPAL LIQUOR LICENSES

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

ROLL CALL

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

7. The Deputy Clerk read (**Resolution #14R-130**) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2013-2014 EWING MUNICIPAL LIQUOR LICENSE FOR AMPHORA RESTAURANT, LLC t/a ERINI'S RESTAURANT WITH CONDITIONS

The Attorney explained that this is a conditional renewal of a liquor license. This location had several conditions imposed on it several years ago because of complaints from neighbors. Each year these same conditions are imposed with the renewal of this license. The Attorney then listed these conditions.

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

ROLL CALL

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

8. The Deputy Clerk read (**Resolution #14R-131**) A RESOLUTION AUTHORIZING THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EWING, COUNTY OF MERCER, STATE OF NEW JERSEY TO RETIRE LIQUOR LICENSE NO. 1102-36-037-001 (HOTEL EXCEPTION/POCKET) HERSHA HOSPITALITY MANAGEMENT, L.P.

The Attorney explained that this is the Element Hotel. They have a hotel liquor license which they are allowing to expire. The Element also has a regular liquor license. Hotel liquor licenses are issued differently than regular liquor licenses. If the Element wishes to obtain a hotel liquor license again, they can just apply for it.

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

ROLL CALL

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

9. The Deputy Clerk read (**Resolution #14R-132**) A RESOLUTION TO AMEND THE MEETING DATES OF THE TOWNSHIP COUNCIL FOR 2014.

There were no questions or comments from Council.

Mark Fetter (327 Concord Avenue) asked which days are you going to amend.

President Baxter replied that for the rest of the year both the Agenda Session and the Regular Session will be on the same day – Tuesday.

Mr. Fetter said that some members of the public are against this.

President Baxter replied that a month ago, he had members of the public who were in favor of it.

Mr. Fetter stated that if the Agenda and Regular Session are held on the same day, it will not give the Public time to think and to talk about the issues.

President Baxter said that the agendas are posted well in advance so the public will have time to think about the issues. President Baxter said that this may vary each year and said that as Council President this is what he has chosen to do.

Councilman Schroth added that it is important to remember that when new ordinances are brought forward there is a first and second reading so there is ample opportunity for residents to engage in the process. Councilman Schroth said that Council has tabled matters when issues have arisen and then said that frequently we have had people show up for an Agenda Session and then not come the next night; those people do not know what happened. Councilman Schroth then added that he thought that this was a good experiment and he thanked President Baxter for his leadership on this issue.

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

ROLL CALL

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

10. The Deputy Clerk read (Resolution #14R-133) RESOLUTION AUTHORIZING THE DISCHARGE OF FIREWORKS AT THE ANNUAL FOURTH OF JULY CELEBRATION

President Baxter explained that it is now a State requirement that a Resolution be passed in order for municipalities to discharge fireworks.

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

ROLL CALL

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

11. The Deputy Clerk read (Resolution #14R-134) A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,790,000 TAX ANTICIPATION NOTES OF 2014 OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY

The CFO explained that this is short term borrowing against our tax revenue due to low receipts in the month of June. The Township has obligatory payments to the school that we have to make. This will tide us over until the tax bills start getting paid in August.

There were no questions from Council or the Public.

Ms. Keyes-Maloney then moved the Resolution, seconded by Mr. Schroth. President Baxter asked for a roll call.

ROLL CALL

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

CLOSED SESSION – (A Resolution to Enter into Executive Session)

The Attorney read the Resolution (Resolution #14R-135) to enter into Closed Executive Session.

At 8:50 p.m., Ms. Keyes-Maloney made a motion to enter into Closed Executive Session, seconded by Ms. Wollert. It was agreed by unanimous voice vote.

At 9:05 p.m., Ms. Wollert made a motion to close the Closed Executive Session, seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote.

At 9:05 p.m., Ms. Steward made a motion to move back into Open Session, seconded by Ms. Wollert. It was agreed by unanimous voice vote.

ADJOURNMENT

There being no further business President Baxter called for a motion to adjourn. Mr. Schroth so moved seconded by Ms. Steward. The meeting was adjourned at 9:05 p.m.

Jennifer Keyes-Maloney, President

Susan Bate, Deputy Municipal Clerk