

June 26<sup>th</sup>, 2012 - REGULAR SESSION

President Wollert called the meeting to order at 8:00 pm (the Board of Health Meeting had just ended) and read the Open Public Meetings Statement:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 11<sup>th</sup> day of May, 2012.

ROLL CALL

- |                               |                                |
|-------------------------------|--------------------------------|
| ▪ Mr. Baxter – Present        | Jim McManimon, Administrator   |
| ▪ Ms. Hyser - Absent          | Joanna Mustafa, CFO            |
| ▪ Mr. Murphy – Present        | Maeve Cannon, Attorney         |
| ▪ Mr. Summiel - Present       | Kim Macellaro, Municipal Clerk |
| ▪ President Wollert – Present |                                |

STATEMENTS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Warren Wormley (191 Crescent Avenue) requested a resolution for parking permits for the residents of the street. He gave a letter to the Clerk and asked that it be looked into.

**CONSENT AGENDA**

The Clerk presented the Consent Agenda for approval: (Resolution #12R-107)

1. Authorization for the Chief Financial Officer to pay Township bills in the amount of \$5,131,175.59.
2. A Resolution approving the meeting minutes of June 11<sup>th</sup>, 2012 (Agenda) and June 12<sup>th</sup>, 2012 (Regular).
3. A Resolution authorizing a Refund, as recommended by the Tax Collector in the amount of \$1778.38 for May 1, 2012 tax quarter to Servicelink, 4000 Industrial Blvd, Attn: Robert Lee, Aliquippa, PA, 15001, Ref# 2919703 for property owner Melenna, Inc. for Block: 223.10 Lot: 131 also known as 2270 Pennington Road for overpayment paid by mortgage company in error.
4. A Resolution authorizing the conduct of an Off Premise 50/50 Cash Raffle sponsored by St. Francis Medical Center on September 17, 2012.
5. A Resolution authorizing the conduct of an Off Premise Merchandise Raffle (Golf trip and 3 day tournament) sponsored by St. Francis Medical Center on September 17, 2012.
6. A Resolution authorizing the conduct of an Off Premise 50/50 Cash Raffle sponsored by St. Francis Medical Center on November 4, 2012.
7. A Resolution authorizing the conduct of an On Premise 50/50 Cash Raffle sponsored by Ewing Animal Shelter Extension League (EASEL) on August 12, 2012.

Seeing no questions, Mr. Murphy then moved the Resolution, seconded by President Wollert.

ROLL CALL

- |                   |                                  |
|-------------------|----------------------------------|
| President Wollert | YES                              |
| Mr. Murphy        | YES                              |
| Mr. Baxter        | YES but abstained on the minutes |
| Mr. Summiel       | YES                              |

**ORDINANCE(S) FOR FIRST READING AND INTRODUCTION**

(None for this meeting)

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

(None for this meeting)

**NEW BUSINESS**

1. The Clerk read **(Resolution #12R-108)** A RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$7,649,000 GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY AND PROVIDING FOR THEIR SALE.

Mr. Murphy then moved the Resolution, seconded by President Wollert.

Councilman Summiel commented that he did not vote on the first part of this Resolution, because he didn't vote for the bond ordinance and he would abstain on this particular motion.

**ROLL CALL**

President Wollert	YES
Mr. Murphy	YES
Mr. Baxter	YES
Mr. Summiel	ABSTAIN

2. The Clerk read **(Resolution #12R-109)** A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSES.

Mr. Summiel then moved the Resolution, seconded by Mr. Baxter.

**ROLL CALL**

Mr. Baxter	YES
Mr. Summiel	YES
Mr. Murphy	YES
President Wollert	YES

3. The Clerk read **(Resolution #12R-110)** A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR BIG E LIQUORS, INC. t/a BIG E. LIQUORS WITH CONDITIONS.

Mr. Baxter then moved the Resolution, seconded by Mr. Murphy.

Charles Green (979 Bear Tavern Road) said he would appreciate it if Council could share what the conditions are for each establishment. Administrator McManimon stated that most of them are construction cited violations, except for the one on River Road. Councilman Summiel stated that most of them are fire violations, such as faulty wiring on the sprinkling system and lights that are out, but they are all related to fire code violations and most are minor infractions that are correctable. Attorney Cannon stated that the Construction Department does an annual inspection every year and if they fail any aspect of the inspection, if it is a minor problem, they have 60 days to comply and that is why the license is conditional.

**ROLL CALL**

Mr. Murphy	YES
Mr. Baxter	YES
Mr. Summiel	YES
President Wollert	YES

4. The Clerk read (Resolution #12R-111) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR BAY RIDGE COMPANY t/a BUDDY'S SHAMROCK TAVERN WITH CONDITIONS.

Mr. Murphy then moved the Resolution, seconded by Mr. Summiel.

**ROLL CALL**

Mr. Summiel	YES
Mr. Murphy	YES
Mr. Baxter	YES
President Wollert	YES

5. The Clerk read (Resolution #12R-112) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR AMERICAN LEGION POST 314 WITH CONDITIONS.

Mr. Summiel then moved the Resolution, seconded by Mr. Murphy

**ROLL CALL**

Mr. Murphy	YES
Mr. Summiel	YES
Mr. Baxter	YES
President Wollert	YES

6. The Clerk read (Resolution #12R-113) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR FIRKIN TAVERN, LLC t/a FIRKIN TAVERN WITH CONDITIONS.

Mr. Murphy then moved the Resolution, seconded by Mr. Summiel.

**ROLL CALL**

Mr. Summiel	YES
Mr. Murphy	YES
Mr. Baxter	YES
President Wollert	YES

7. The Clerk read (Resolution #12R-114) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR DAWN BOTTLE & SPIRITS, INC. t/a DAWN BOTTLE & SPIRITS WITH CONDITIONS.

Mr. Summiel then moved the Resolution, seconded by Mr. Murphy.

**ROLL CALL**

Mr. Murphy	YES
Mr. Summiel	YES
Mr. Baxter	YES
President Wollert	YES

8. The Clerk read (Resolution #12R-115) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR HOMI, INC. t/a HIGH SPIRITS LIQUOR WITH CONDITIONS.

Mr. Summiel then moved the Resolution, seconded by Mr. Murphy.

**ROLL CALL**

Mr. Murphy	YES
Mr. Summiel	YES
Mr. Baxter	YES
President Wollert	YES

9. The Clerk read **(Resolution #12R-116)** A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR FREDDIE'S TAVERN, INC. t/a FREDDIE'S TAVERN WITH CONDITIONS.

Mr. Murphy then moved the Resolution, seconded by Mr. Baxter.

**ROLL CALL**

Mr. Baxter	YES
Mr. Murphy	YES
Mr. Summiel	YES
President Wollert	YES

10. The Clerk read **(Resolution #12R-117)** A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR BARAN, INC. t/a SHERWOOD LIQUOR FAIR WITH CONDITIONS.

Mr. Murphy then moved the Resolution, seconded by Mr. Summiel.

**ROLL CALL**

Mr. Summiel	YES
Mr. Murphy	YES
Mr. Baxter	YES
President Wollert	YES

11. The Clerk read **(Resolution #12R-118)** A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR TRENTON COUNTRY CLUB WITH CONDITIONS.

Mr. Summiel then moved the Resolution, seconded by Mr. Murphy.

**ROLL CALL**

Mr. Murphy	YES
Mr. Summiel	YES
Mr. Baxter	YES
President Wollert	YES

12. The Clerk read **(Resolution #12R-119)** A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR JOVIN TAVERN CORPORATION t/a AL'S AIRPORT INN WITH CONDITIONS.

Mr. Murphy then moved the Resolution, seconded by Mr. Summiel.

**ROLL CALL**

Mr. Summiel	YES
Mr. Murphy	YES
Mr. Baxter	YES
President Wollert	YES

13. The Clerk read **(Resolution #12R-120)** A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR CAFÉ MULINO, LLC t/a CAFÉ MULINO WITH CONDITIONS.

Mr. Murphy then moved the Resolution, seconded by Mr. Baxter.

**ROLL CALL**

Mr. Baxter	YES
Mr. Murphy	YES
Mr. Summiel	YES
President Wollert	YES

14. The Clerk read (Resolution #12R-121) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR AMPHORA RESTAURANT, LLC t/a ERINI'S RESTAURANT WITH CONDITIONS.

Mr. Summiel then moved the Resolution, seconded by Mr. Murphy.

**ROLL CALL**

Mr. Murphy	YES
Mr. Summiel	YES
Mr. Baxter	YES
President Wollert	YES

15. The Clerk read (Resolution #12R-123) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2012-2013 EWING MUNICIPAL LIQUOR LICENSE FOR SHRI GOVINDA CO. t/a LANDMARK WINES & SPIRITS WITH CONDITIONS.

Mr. Summiel then moved the Resolution, seconded by Mr. Murphy.

**ROLL CALL**

Mr. Murphy	YES
Mr. Summiel	YES
Mr. Baxter	YES
President Wollert	YES

16. The Clerk read (Resolution #12R-124) A RESOLUTION IN SUPPORT OF MERCER COUNTY RESOLUTION 2012-251 DECLARING YOUTH VIOLENCE AS A PUBLIC HEALTH ISSUE IN MERCER COUNTY.

Mr. Murphy then moved the Resolution, seconded by Mr. Baxter. Seeing no questions on the motion, President Wollert called for a roll call.

**ROLL CALL**

Mr. Baxter	YES
Mr. Murphy	YES
Mr. Summiel	YES
President Wollert	YES

17. The Clerk read (Resolution #12R-125) A RESOLUTION APPOINTING SHARON CANULLI AND JACQUELINE ORTIZ AS ALTERNATE DEPUTY REGISTRARS.

Mr. Murphy then moved the Resolution, seconded by President Wollert.

Councilman Summiel asked for point of discussion. He wanted to make sure that everyone is on the same playing field with regard to this. He asked what constituted an alternate deputy registrar. He commented that he understood from testimony from the administration, these individuals would serve as substitute signatures in the absence of the registrar or deputy registrar without remuneration. He further commented that there was discussion about a stipend when the actual services are performed. Administrator McManimon clarified that there is no stipend that is budgeted. He further commented that the Health Officer made the request and Administration denied it. After much discussion with Council and Administration, Attorney Cannon suggested that they amend the resolution with a sunset clause stating that they be appointed until September 30<sup>th</sup>, at which time Council can revisit this resolution. President Wollert then asked for a motion on the amended resolution. Mr. Murphy moved the resolution as amended, seconded by President Wollert.

**ROLL CALL**

President Wollert	YES
Mr. Murphy	YES
Mr. Baxter	YES
Mr. Summiel	YES

18. The Clerk read (Resolution #12R-126) A RESOLUTION DIRECTING AND AUTHORIZING PLANNING BOARD RE-EXAMINATION OF THE MASTER PLAN OF THE TOWNSHIP OF EWING.

Mr. Murphy then moved the Resolution, seconded by Mr. Baxter.

President Wollert explained that this is a re-examination of the master plan that they are forwarding to the Planning Board. It has been six years since this has been done. Councilman Summiel reiterated that Mayor Steinmann assured Council that there would be no cost incurred for this.

**ROLL CALL**

Mr. Baxter	YES
Mr. Murphy	YES
Mr. Summiel	YES
President Wollert	YES

19. The Clerk read (Resolution #12R-127) A RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO A SETTLEMENT AGREEMENT WITH THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT (“LWD”), OFFICE OF PUBLIC EMPLOYEES’ OCCUPATIONAL SAFETY AND HEALTH (“OPEOSH”).

Mr. Murphy then moved the Resolution, seconded by Mr. Baxter.

Attorney Cannon gave an explanation to the public.

**ROLL CALL**

Mr. Baxter	YES
Mr. Murphy	YES
Mr. Summiel	YES
President Wollert	YES

**CLOSED SESSION**

**ADJOURNMENT**

There being no further business President Wollert called for a motion to adjourn. Mr. Baxter so moved seconded by Mr. Murphy. The meeting was adjourned at 8:31 p.m.

---

Kathleen Wollert, President

---

Kim Macellaro, Clerk