

## NOVEMBER 12, 2013 – REGULAR SESSION

Acting President Baxter called the meeting to order at 6:7:00 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, 2013.

**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 THE 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                              Maeve Cannon, Attorney
- Ms. Wollert – Present                              Kim Macellaro, Clerk
- Acting President Baxter - Present

### CLOSED SESSION – (Resolution #13R-178) A Resolution to Enter into Closed Executive Session

Attorney Cannon read the Resolution to enter into closed session into the minutes. The purpose of the closed session is to conduct interviews of the three named council candidate referrals from the Ewing Democratic Committee for the purpose of conducting interviews for those candidates. The deliberations and voting will take place in open session at the conclusion of the closed session.

Acting President Baxter reiterated that just the interviews will be in closed session and we will deliberate and vote in open session. The public was asked to leave and will be able to return once we are back in open session. Ms. Wollert made a motion to enter into closed session, second by Mr. Schroth. It was agreed by a unanimous voice vote. At 7:03 p.m. Council entered into closed session. At 7:40 p.m. Ms. Keyes-Maloney made a motion to close closed session, seconded by Ms. Wollert. It was agreed by a unanimous voice vote. At 7:42 p.m. the public re-entered the council chambers and Acting President Baxter asked for a motion to enter back into open session. Mr. Schroth so moved, seconded by Ms. Wollert. It was agreed by a unanimous voice vote.

### SELECTION OF COUNCILMEMBER TO FILL VACANCY

At this time the Clerk announced that a selection to fill the vacancy of former council President Hilary Hyser would now take place. Acting President Baxter said that the interviews were excellent. Three truly worthy candidates, everybody gave a very good interview. It is what we expected because we thought you were all very qualified and competent. The decision is going to be a bit tough, but that is what we want. He thinks they would all bring a certain dimension or expertise that would help round out this body as well as enhance the township and the residents. He thanked the three candidates for submitting their names and going through the process.

Ms. Wollert wanted to briefly add that she wants to give great credit to the three candidates who put their names forward to fill the vacancy. She thinks that they all

have very unique capabilities, unique qualifications and every one of you would be an asset and bring something to this Council.

Ms. Keyes-Maloney echoed what Kathy and Kevin said. The benefit is that we have a strong bench regardless of the decision made tonight. You all bring, as Kathy and Kevin have indicated, a unique dynamic in individual ways. There are strengths in every single one of you. This won't be an easy decision for any of us regardless of the choice made.

Mr. Schroth said that he would like to echo what each one of his colleagues have said. Each one of you brings experience in government in a variety of ways, in a variety of capacities, which is unique and positive and makes our decision all that much more difficult. He thanked them all.

Just to clarify for the public, Ms. Wollert stated that she asked the candidates about time constraints that some of the candidates might have in relation to their professional and personal lives and how that would be able to be managed and the extended duties that we sometimes have as Council members. She stated that everyone assured her that they would be able to meet those obligations and be present for meetings and for our different kinds of activities that we have to do as a Council. She thought it was important that the public be aware that all three candidates would have the ability to fulfill the duties if they are selected.

Acting President Baxter asked for nominations for the vacancy of Council. Councilwoman Wollert said that she would like to put in to nomination the name of Sarah Steward, seconded by Jennifer Keyes-Maloney. Acting President Baxter asked for any other nominations. There were none. Acting President Baxter asked for a roll call.

#### **ROLL CALL**

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

Applause, applause, applause. Mayor Steinmann commented that he was not part of the deliberations but he knows all of the candidates very well. He said that he would like to encourage both to be a part of the system because it is through you that the system works. He thanked both gentlemen for being there and said it shows a lot of courage to go through a process like that and even though the outcome doesn't always come out the way you would like it to come out, at the end of the day, we are all better for it.

#### **SWEARING IN OF NEW COUNCILMEMBER**

Mayor Steinmann swore in new Councilwoman Sarah Steward, with the bible being held by her parents. Ms. Steward then joined her fellow councilmembers on the dais.

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

Mildred Russell (119 King Avenue) spoke on behalf of the Brae Burn Park Civic Association and she wanted to say there concerns were met and they are very appreciative of the efforts that the Administration took to look into those situations and she thanked Mr. McManimon, the Mayor and Mr. Erney. She also thanked everyone who came to clean up the park. She said it was a very lovely day and it was nice to see everyone working in harmony.

Acting President Baxter let the public know that November 2, there was a community park clean-up day in conjunction with the Township, The College of New Jersey students and a couple guys from the public works department as well as

a few council members. He said they all worked together and it was a great day. Ms. Keyes-Maloney thanked the residents of the Brae Burn section for participating. She further stated that seeing everyone working together was really nice and she looks forward to the next event.

### CONSENT AGENDA

The Clerk presented the Consent Agenda (Resolution #13R-180/) for approval.

1. Authorization for the Chief Financial Officer to Pay Township Bills in the Amount of \$6,075,662.26.
2. A Resolution Authorizing the Township of Ewing to Reduce the Performance Bonds(s) of the Gardens at Birmingham (Block 365, Lot 9) – Ewing Engineer Remington, Vernick & Arango Engineers RV&A #1102 I 035.
3. A Resolution Authorizing the Conduct of an Off Premise 50/50 Cash Raffle Sponsored by Trenton Elks Lodge Number 105 on April 26, 2014.
4. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official, in the Amount of \$50.00 to Curtis Johnson, 19 Ohio Ave., Ewing, NJ 08638 for a roofing and siding permit #20130915 on 19 Ohio Ave., Ewing, NJ 08638 that was paid for and resident decided not to have the siding completed.
5. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$121.36 for November 1, 2013 tax quarter to Mustari, Michael & Cari M., 65 Nancy Lane, Ewing, NJ, 08638, for property owner Mustari, Michael & Cari M., for Block: 214.11 Lot: 10 also known as 65 Nancy Lane, for overpayment of November 1, 2013 tax quarter.
6. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$1418.80 for November 1, 2013 tax quarter to Signature Settlement & Title Agency LLC, One Broad Street, Freehold, NJ, 07728, Ref# STA-11530 for property owner Bennett, Scott P & Harford, Amanda, for Block: 193.01 Lot: 94 also known as 827 Lily Lane, for overpayment of November 1, 2013 tax quarter.
7. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$431.24 for November 1, 2013 tax quarter to Ingram Elbert ux, 2311 Spruce St., Ewing, NJ, 08638, for property owner Ingram Elbert ux, for Block: 93.02 Lot: 3 also known as 2311 Spruce St Ext, for overpayment of November 1, 2013 tax quarter.
8. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$477.12 for November 1, 2013 tax quarter to Saba, M. Jacqueline, 56 Jacob Ct., Ewing, NJ, 08628, for property owner Saba, M. Jacqueline, for Block: 419 Lot: 139 also known as 56 Jacob Ct., for overpayment of November 1, 2013 tax quarter.
9. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$165.68 for November 1, 2013 tax quarter to Phillips Randall S., 2 Holiday Ct, Ewing, NJ, 08638, for property owner Phillips Randall S., for Block: 214 Lot: 44.02 also known as 2 Holiday Ct, for overpayment of November 1, 2013 tax quarter.

10. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$2143.22 for November 1, 2013 tax quarter to Weichert Title Agency, 1909 Route 70 East, Cherry Hill, NJ, 08003, File # W-263733 for property owner Chattin, Mary Louise Estate, for Block: 513 Lot: 7 also known as 13 Malaga Dr, for overpayment of November 1, 2013 tax quarter.
11. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$358.00 for November 1, 2013 tax quarter to Hughes, Ivy A., 56 Railroad Ave., Ewing, NJ, 08628, for property owner Hughes, Ivy A., for Block: 378 Lot: 238 also known as 56 Railroad Ave., for overpayment of November 1, 2013 tax quarter.
12. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$151.04 for November 1, 2013 tax quarter to Marino, Paul M. & Joan M., 542 Perry Drive, Mt. Laurel, NJ, 08054, for property owner Marino, Paul M. & Joan M., for Block: 225.02 Lot: 56 Qual: C0522 also known as 522 Masterson Ct, for overpayment of November 1, 2013 tax quarter.
13. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$1,277.84 for November 1, 2013 tax quarter to All Service Abstract, 314 West Lincoln Highway, Penndel, PA, 19047, for property owner Pollock, John, for Block: 59 Lot: 26 also known as 121 Clover Ave, for overpayment of November 1, 2013 tax quarter.
14. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$943.69 for November 1, 2013 tax quarter to Hughes, Stacey, 337 Silvia St, Ewing, NJ, 08628, for property owner Hughes, Stacey, for Block: 341 Lot: 6 Qual: C-337 also known as 337 Silvia St., for overpayment of November 1, 2013 tax quarter.
15. A Resolution Authorizing a Refund, as Recommended by the Tax Collector, in the amount of \$1,558.47 for November 1, 2013 tax quarter to Sunrise Title Services, Inc., 81 Main Street, Hackensack, NJ, 07840, File No. 7704 for property owner Flower, Linda K., for Block: 419 Lot: 121 also known as 22 Jacob Ct, for overpayment of November 1, 2013 tax quarter.
16. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector, a Refund in the amount of \$212.08 and a CANCELLATION in the amount of \$424.15 for the Sewer Bill for CY2013 to Ewing Property Management, LLC, 322 West Trenton Av, Morrisville, PA, 19067 for property owner Ewing Property Management, LLC, for Block: 488, Lot: 3 Qual: T0003 also known as 1980 N Olden Ave Ext. due to meter removal on September 12, 2012.

Mr. Schroth then moved the Resolution, seconded by Ms. Wollert.

There were no questions from Council or the Public. Acting President Baxter asked for a roll call.

**ROLL CALL**

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

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

1. The Clerk read (**Ordinance #13-43**) AN ORDINANCE REAPPROPRIATING \$45,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE, IN ORDER TO PROVIDE FOR ADDITIONAL FUNDING FOR INDOOR BLEACHERS AT THE EWING SENIOR AND COMMUNITY CENTER GYM AND REPAIRS TO TOWER 33 SKY ARM FOR WEST TRENTON VOLUNTEER FIRE COMPANY, IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY

Acting President Baxter called for a motion. Ms. Keyes-Maloney moved the ordinance for first reading, seconded by Ms. Wollert. CFO Mustafa stated that this Ordinance is re-appropriating \$45,000 from an ordinance from 2008 which is over and done with and we are closing that out and some unspent funds from a 2013 ordinance where items came in to bid below the anticipated amount. We are applying this toward some indoor bleachers and a sky arm for West Trenton Volunteer Fire Company. Acting President Baxter asked for roll call.

**ROLL CALL**

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

2. The Clerk read (**Ordinance #13-44**) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 114 BUILDING CONSTRUCTION, ARTICLE II CERTIFICATES OF OCCUPANCY, § 114-3 CODE INSPECTION PRIOR TO SALE, LEASE OR OTHER TRANSFER OF REALTY, §114-4 INSPECTION, AND ARTICLE III PROPERTY MAINTENANCE CODE §114-7 ADOPTION OF STANDARDS BY REFERENCE; PLUMBING AND MECHANICAL AMENDMENTS

Attorney Cannon explained that this Ordinance amends our code and substituting the nomenclature “certificate of occupancy” to “property maintenance certificate”. The purpose of this is to avoid any confusion because a co is typically used for new construction whereas this new property maintenance certificate can be used anytime there is a change in occupancy. In addition there are some additional clean-ups done throughout the code, particularly changing the 1998 property maintenance code to update to the 2009 Property Maintenance Code and finally the ordinance fills in some of the blanks that are required to be filled in as part of the Property Maintenance Code. There were no questions from the public. Ms. Wollert moved the ordinance for first reading, seconded by Ms. Keyes-Maloney. Acting President Baxter called for a roll call.

**ROLL CALL**

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

3. The Clerk read (**Ordinance #13-45**) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 284 RENTAL PROPERTY, ARTICLE I LANDLORD REGISTRATION, §284-2 CERTIFICATE OF REGISTRATION

Acting President Baxter asked for a motion on the Ordinance. Ms. Keyes-Maloney moved the ordinance for first reading, seconded by Ms. Wollert.

Attorney Cannon explained that this Ordinance is just changing the date that is provided for in the Landlord Registration Ordinance to change it from January 1 to January 31. This will conform all the registrations in the construction office to be consistent.

There were no questions and Acting President Baxter called for a roll call.

#### ROLL CALL

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

4. The Clerk read (Ordinance #13-46) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 172 FEES, § 172-11 OFFICE OF FIRE PREVENTION

Acting President Baxter asked for a motion on the Ordinance. Ms. Keyes-Maloney moved the Ordinance for first reading, seconded by Ms. Wollert.

Attorney Cannon explained that this Ordinance will change the current date for when the inspection fees are due from March 31 to January 31, again conforming the dates to all January 31. There were no questions from Council or the public.

#### ROLL CALL

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

5. The Clerk read (Ordinance #13-47) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING AMENDING CHAPTER 172, FEES

Acting President Baxter asked for a motion on the Ordinance. Mr. Schroth moved the Ordinance for first reading, seconded by Ms. Wollert.

Administrator McManimon stated that Administration was asked by both Council members and the Mayor to review the various fees that the town charges and the Health Department was the focus for this. In reviewing the fees, they did look at Lawrence Twp, East Windsor, West Windsor, Hopewell, Hightstown, Robbinsville and Princeton. We were pretty much near the bottom with all the fees. He also stated that he gave Council a chart to look at the comparison. He gave the breakdown of the new fees. Mildred Russell (119 King Avenue) wanted to know if these fees included restaurants. Administration responded yes. There were no questions from Council.

**ROLL CALL**

<b>Ms. Wollert</b>	<b>YES</b>
<b>Mr. Schroth</b>	<b>YES</b>
<b>Ms. Keyes-Maloney</b>	<b>YES</b>
<b>Ms. Steward</b>	<b>ABSTAIN</b>
<b>Acting President Baxter</b>	<b>YES</b>

6. The Clerk read **(Ordinance #13-48)** AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 151, §151-1 PRESENTATION OF SURVEY OF PROPERTY, TO ELIMINATE THE REQUIREMENT THAT A SURVEY OF THE PROPERTY CONVEYED BE PRESENTED TO THE TAX ASSESSOR UNLESS A SURVEY HAS BEEN PREPARED IN CONNECTION WITH THE TRANSACTION

Acting President Baxter asked for a motion on the Ordinance. Mr. Schroth moved the Ordinance for first reading, seconded by Ms. Keyes-Maloney.

There were no questions from the public or Council.

**ROLL CALL**

<b>Ms. Keyes-Maloney</b>	<b>YES</b>
<b>Mr. Schroth</b>	<b>YES</b>
<b>Ms. Steward</b>	<b>ABSTAIN</b>
<b>Ms. Wollert</b>	<b>YES</b>
<b>Acting President Baxter</b>	<b>YES</b>

7. The Clerk read **(Ordinance #13-49)** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55, OFFICERS AND EMPLOYEES, SECTION 2, RESIDENCY REQUIREMENT, TO INCORPORATE PROVISIONS OF N.J.S.A. 40A: 9-1.1 ET SEQ. REGARDING RESIDENCY AND INCORPORATE THE NEW JERSEY FIRST ACT'S REQUIREMENT OF PRINCIPLE RESIDENCY IN THE STATE OF NEW JERSEY

Acting President Baxter asked for a motion on the Ordinance. Ms. Wollert moved the Ordinance for first reading, seconded by Mr. Schroth.

Attorney Cannon explained that these amendments accomplish two purposes. The Township has an existing residency ordinance regarding township employees. The second part of this ordinance will also incorporate the provisions of the New Jersey First Act, which is a state statute that says that any public employee in New Jersey must reside in the state of New Jersey unless they have received dispensation to live outside the state from a special state committee.

**ROLL CALL**

<b>Mr. Schroth</b>	<b>YES</b>
<b>Ms. Wollert</b>	<b>YES</b>
<b>Ms. Keyes-Maloney</b>	<b>YES</b>
<b>Ms. Steward</b>	<b>ABSTAIN</b>
<b>Acting President Baxter</b>	<b>YES</b>

8. The Clerk read **(Ordinance #13-50)** AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF "HOST FEES" TO THE TOWNSHIP OF EWING TO PROMOTE THE PUBLIC WELFARE OF THE COLLEGE OF NEW JERSEY COMMUNITY AND THE CITIZENS OF THE TOWNSHIP OF EWING AND THE STATE OF NEW JERSEY

Acting President Baxter asked for a motion on the Ordinance. Ms. Keyes-Maloney moved the Ordinance for first reading, seconded by Mr. Schroth.

Mayor Steinmann explained that this is a program by the Campus Town and they will be giving to the Township of Ewing the sum of \$57,000 per year for years 2014 and 2015 and then commencing in year 2016 they will be giving the town \$390,000 per year. There will be approximately 125,000 sq ft of retail space, a pizza shop, a 7-eleven, a Barnes and Noble bookstore and 460 beds of dormitory space. There were no questions from the public or Council.

**ROLL CALL**

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

9. The Clerk read (Ordinance #13-51) AN ORDINANCE PROVIDING FOR THE REGULATION AND LICENSING OF BODY ART ESTABLISHMENTS WITHIN THE TOWNSHIP OF EWING

Acting President Baxter asked for a motion on the Ordinance. Ms. Wollert moved the Ordinance for first reading, seconded by Mr. Schroth.

Attorney Cannon explained that this is an Ordinance that comes back to you. It was unchanged except for the fees which were a point of contention. The only body art establishment in town objected to the fees and so this is a reduction in fees from \$600.00 to \$400.00 for an annual fee. There were no questions from the public or Council.

**ROLL CALL**

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

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

1. The Clerk read (Ordinance #13-42) AN ORDINANCE OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, AMENDING THE REVISED ORDINANCES OF THE TOWNSHIP OF EWING, AMENDING SECTION 225-52, ENTITLED "SCHEDULE V: HANDICAPPED PARKING ON STREETS," TO ADD A HANDICAPPED PARKING SIGN AT 41 STOUT AVENUE (2013)

WHEREAS, Nahmado A. Emara resides at 41 Stout Avenue in the Township of Ewing and has requested one designated handicapped parking sign in front of her residence, and

WHEREAS, the Ewing Traffic Office has approved Nahmado A. Emara's designated handicapped parking sign request for 41 Stout Avenue.

BE IT ORDAINED by the Township Council of the Township of Ewing that the Revised General Municipal Ordinances of the Township of Ewing be amended to provide for the designation of a handicapped parking sign at 41 Stout Avenue, as follows:

Section 1 CHAPTER 225, VEHICLES AND TRAFFIC, ARTICLE VIII Schedules, §225-52. Schedule V: Handicapped Parking on Streets, of the Code of the Township of Ewing, is hereby amended as follows:

§225-52. Schedule V: Handicapped Parking on Streets.



In accordance with the provisions of § 225-9A, restricted parking spaces for use by handicapped persons with special vehicle identification cards shall be prescribed in the following locations:

Name of Street	Location
Stout Avenue	One parking space in front of 41 Stout Avenue

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

#### STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to provide for the designation of one handicapped parking space at 41 Stout Avenue.

Acting President Baxter stated that this is pretty standard. This is a vetting process that is done by the police to make sure that they don't have driveways. Ms. Wollert made a motion to open the public hearing, seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote. Caroline Steward (39 Gilmore Avenue) asked about handicapped parking and if the person moves from that house, how do they remove them. Attorney Cannon explained that if the township was made aware that the handicapped parking sign was no longer needed, the township can amend the Ordinance to strike that particular address and the sign would be removed. Mildred Russell (119 King Avenue) and Ron Prykanowski (16 Thurston Avenue) also spoke about the handicapped ordinance. After some discussion, Ms. Wollert made a motion to close the public hearing, seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote.

Acting President Baxter asked for a motion to adopt. Ms. Wollert moved to adopt the Ordinance, seconded by Ms. Keyes-Maloney. Acting President Baxter asked for a roll call.

#### ROLL CALL

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

#### NEW BUSINESS

1. The Clerk read (Resolution #13R-180) A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87.

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

#### ROLL CALL

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

2. The Clerk read (**Resolution #13R-181**) A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION SITE.

Ms. Keyes-Maloney then moved the Resolution, seconded by Ms. Wollert.

Acting President Baxter asked if there were any questions. He explained that this is some surplus property auctioned off and any revenue generated will go back to the general fund.

There were no questions from Council or the public. Acting President Baxter then called for a roll call.

**ROLL CALL**

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

3. The Clerk read (**Resolution #13R-182**) A RESOLUTION AUTHORIZING CY2013 BUDGET TRANSFERS.

Ms. Keyes-Maloney then moved the Resolution, seconded by Mr. Schroth.

CFO Mustafa explained that in November and December of the calendar year by statute the finance officer is allowed to move available funds from one line of appropriation to another that may need it and this is a resolution to do that. Acting President Baxter asked if there were any questions.

There were no questions from Council or the public. Acting President Baxter then called for a roll call.

**ROLL CALL**

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

4. The Clerk read (**Resolution #13R-183**) A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE RENEWAL AGREEMENT FOR A PORTION OF THE HOLLOWBROOK COMMUNITY CENTER TO THE COUNTY OF MERCER NUTRITION PROGRAM

Ms. Wollert then moved the Resolution, seconded by Mr. Schroth.

Acting President Baxter stated that this is an annual shared service with the county. This is the lease agreement for 2014-2015. Administrator McManimon stated that it is a program for the seniors and provides them with a healthy meal. The County pays \$10,500 yearly and this is the tenth year we have been engaged with the County on this. Acting President Baxter asked if there were any questions.

There were no questions from Council or the public. Acting President Baxter then called for a roll call.

**ROLL CALL**

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

**ABSTAIN**

**Acting President Baxter** YES

5. The Clerk read (Resolution #13R-184) A RESOLUTION GRANTING BRIAN PARKER PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, . 45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA910) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT OCTOBER 1, 2013

**Mr. Schroth then moved the Resolution, seconded by Ms. Keyes-Maloney.**

**Acting President Baxter stated that we get these from time to time as our Ewing police officers retire, they put in for their automatic pistol that they will be retiring with. This is pretty routine. Acting President Baxter asked if there were any questions.**

**There were no questions from Council. Debbie Jones (26 Millard Terrace) wanted to know if this was standard and did they purchase the guns themselves. Administrator McManimon stated that the last time we purchased guns it was through a grant from the Mercer County Prosecutors Office to replace the old ones and they were about \$24,000. Police Officers that retire want to retire with their guns and we give a new weapon to a new officer. It has been past practice as long as the officer retires in good standing. Ms. Keyes-Maloney wanted to say that this is a weapon that is probably 20-25 years in age and they have taken on unique characteristics based on the officers' care and maintenance of the weapon itself. She further stated that very candidly it is appropriate and from a firearms safety perspective you would want to ensure that an officer coming on board has a new weapon to use. Mayor Steinmann commented that the resale of these guns-there is no mark up. There were no more questions. Acting President Baxter then called for a roll call.**

**ROLL CALL**

**Ms. Keyes-Maloney** YES  
**Ms. Schroth** YES  
**Ms. Steward** ABSTAIN  
**Ms. Wollert** YES  
**Acting President Baxter** YES

6. A RESOLUTION OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, APPROVING THE INSTALLATION OF A TEMPORARY OFFICE TRAILER FOR PARKWAY AUTO, LOCATED AT 9-11 CHELSEA AVENUE, BLOCK 61, LOT 27, BECAUSE OF A FIRE THAT RESULTED IN THE OFFICES BEING DESTROYED.

**Ms. Wollert then moved the Resolution, seconded by Mr. Schroth.**

**Administrator McManimon explained that this was a fire that destroyed the office and has to be repaired. So, the owner, through his insurance company, has asked to locate a trailer there for a 90 day period with an option to renew for one more 90 day period so they can continue to operate while their office is being repaired. Acting President Baxter asked if there were any questions.**

There were no questions from Council or the public. Acting President Baxter then called for a roll call.

**ROLL CALL**

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

ABSTAIN

Acting President Baxter    YES

Acting President Baxter stated that we were handed a memo from Ms. Peoples earlier in the evening and he had a chance to read it and prevue it and he wants her to know that this was not Council's decision. He noticed that she addressed it to Council and he wanted her to know that they were not a part of the decision making.

Administrator McManimon announced that there is a community clean-up this Saturday with the Green Team and the Key Club of Ewing High School at the Shabakunk Creek Park on Olden Avenue, across from the old Carvel at 9:00 a.m. If anyone wants to come and help out, it would be appreciated.

**ADJOURNMENT**

There being no further business Acting President Baxter called for a motion to adjourn. Ms. Keyes-Maloney so moved, seconded by Ms. Wollert. The meeting was adjourned at 8:35 p.m.

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Kevin Baxter, Acting President

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Kim J. Macellaro, Municipal Clerk