

DECEMBER 17, 2013 – REGULAR SESSION

Acting President Baxter called the meeting to order at 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 4th day of December, 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. Steward – Present | Kim Macellaro, Municipal Clerk |
| ▪ Ms. Wollert – Arrived 7:04 p.m. | |
| ▪ Acting President Baxter - Present | |

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

Don Apai (2181 Pennington Road) asked about the overtime budget and how it is doing considering all the snow clearing that had to be done.

The Administrator responded that the overtime budget is doing fine. The money was in a trust. In 2014, we will have to look to replenish it. We are okay, but we are not done with the year yet.

Acting President Baxter asked about the salt inventory.

The Administrator responded that we just placed an order for a second round of salt.

Acting President Baxter then asked approximately how much salt is needed for the Township.

The Administrator replied that the first order was for 200 tons, and the second was for 150 tons.

There were no further questions or comments from members of the public.

CONSENT AGENDA

The Clerk read the Consent Agenda: (Resolution #13R-186/)

1. A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$11,749,573.07.
2. A Resolution Authorizing a Refund, as recommended by the Tax Collector, in the amount of \$326.47 for November 1, 2013 tax quarter to Colon, David M. ux, 13 Carolina Ave., Ewing, NJ, 08618, for property owner Colon, David M. ux, for Block: 258 Lot: 73 also known as 13 Carolina Ave., for overpayment of November 1, 2013 tax quarter.
3. A Resolution Authorizing a Refund, as recommended by the Tax Collector, in the amount of \$508.93 for November 1, 2013 tax quarter to Firetto, Carmela, 60 Holiday Ct., Ewing, NJ, 08638, for property owner Firetto, Carmela, for Block: 214 Lot: 44.31 also known as 60 Holiday Ct., for overpayment of November 1, 2013 tax quarter.
4. A Resolution Authorizing a Refund, as recommended by the Tax Collector, in the amount of \$157.14 for October 1, 2013 sewer bill to Collinson, Beth & Smithe, Cynthia, 8 Kent Drive, Egg Harbor Twp., NJ, 08234, for property owner Collinson, Beth & Smithe, Cynthia, for Block: 214.06 Lot: 13 also known as 128 Nancy La., for overpayment of October 1, 2013 sewer bill.
5. A Resolution Authorizing a Refund, as recommended by the Tax Collector, in the amount of \$243.01 for October 1, 2013 sewer bill to Mapp, Clem, 411 Eggerts Crossing Road, Ewing, NJ, 08638, for property owner Mapp, Clem, for Block: 213 Lot: 8 also known as 411 Eggerts Crossing Rd., for overpayment of October 1, 2013 sewer bill.
6. A Resolution Authorizing a Refund, as recommended by the Tax Collector, in the amount of \$1,237.64 for November 1, 2013 tax quarter to American Properties at Jefferson, 517 US Route 1 South, Iselin, NJ, 08830, for property owner American Properties at Jefferson, for Block: 225.01 Lot: 2.05 Qual: C0436 also known as 436 Timberlake Dr., for overpayment of November 1, 2013 tax quarter.
7. A Resolution Authorizing a Refund, as recommended by the Tax Collector, in the amount of \$241.25 for November 1, 2013 tax quarter to Campbell, E. E. III ux, 514 Ewingville Rd., Ewing, NJ, 08638, for property owner Campbell, E. E. III ux, for Block: 223 Lot: 27 also known as 514 Ewingville Rd., for overpayment of November 1, 2013 tax quarter.
8. A Resolution Authorizing a Refund, as recommended by the Tax Collector, in the amount of \$486.50 for November 1, 2013 tax quarter to Kostur, Anna, 1125 Parkway Ave., Ewing, NJ, 08628, for property owner Kostur, Anna, for Block: 352 Lot: 31 also known as 1125-1127 Parkway Ave., for overpayment of November 1, 2013 tax quarter.
9. A Resolution Authorizing a Refund, as recommended by the Tax Collector, in the amount of \$66.43 for November 1, 2013 tax quarter to Rosco Holdings LLC, 376 Rock Rd East, Lambertville, NJ, 08530, for property owner Rosco Holdings LLC, for Block: 142 Lot: 5 also known as 1624 Pennington Rd., for overpayment of November 1, 2013 tax quarter.
10. A Resolution authorizing the conduct of an Off Premise 50/50 Cash Raffle sponsored by the Bridge Academy on March 29, 2014.
11. A Resolution authorizing the conduct of an on Premise Merchandise Raffle sponsored by the Bridge Academy on March 29, 2014.

12. A Resolution authorizing the conduct of an off premise 50/50 cash raffle sponsored by the Sunshine Foundation on March 29, 2014.
13. A Resolution authorizing the conduct of a Bingo sponsored by the Sunshine Foundation on March 29, 2014.
14. A Resolution authorizing the Township of Ewing to reduce the performance bond(s) PEAC Minor Site Improvements (Block 225.02, Lot 51) – Ewing Engineers Remington, Vernick & Arango Engineers RV&A #1102 I 043.

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

ROLL CALL

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

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

(None for this meeting)

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

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 (2013)

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$45,000, consisting of the \$2,250 down payment from the Capital Improvement Fund and \$42,750 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Township of Ewing, in the County of Mercer, New Jersey (the “Township”) finally adopted, are no longer necessary for the purpose, for which the obligations previously were authorized.

:

#2008-06 - \$16,255.29- Various Improvements

**#2013-17 - \$3,964.16 – Police Pursuit SSV’s 4x4
\$1,472.00 – Public Works, Pick Up Trucks
\$3,308.55 – West Trenton VFC Generator
\$8,744.71**

#2013-24 - \$20,000.00 -ESCC Pool Shades

TOTAL \$45,000.00

Section The \$45,000 described in Section 1, \$2,250 of which is made available pursuant to N.J.S.A. 40A:2-39, is hereby re-appropriated to provide for additional funding for indoor bleachers at Ewing Senior/Community Center Gym and repairs to West Trenton Volunteer Fire Company Tower 33 Sky Arm, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

Section The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

There were no questions from Council.

The Administrator explained that a portion of this is to pay for new bleachers at the Ewing Senior and Community Center to bring them into compliance with the safety code. The other portion is to replace a rotted boom in the Tower 33 sky arm. This is about \$24,000 and the rest is for the bleachers. Ms. Wollert 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 then made a motion to close the public hearing, seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote. Mr. Schroth then moved the Ordinance, seconded by Ms. Steward. Acting President Baxter called for a roll call.

ROLL CALL

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

2. The Clerk read (**Ordinance #13-44 [DEFEATED]**) 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 (2013)

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

ARTICLE II CERTIFICATES OF OCCUPANCY PROPERTY TRANSFER AND INSPECTION §114-3 - §114-6

§114-3. Code inspection prior to sale, lease or other transfer of realty.

- A. Residential (single family). Prior to any sale, rental or other transfer of any single-family residential real estate or part thereof to another, the owner shall apply for and obtain a ~~certificate of occupancy~~ Property Maintenance Certificate, as provided for herein, issued by the Construction Official or his or her designee.
- B. Residential (rental). Prior to any sale, rental or other transfer of any rented single-family residential real estate or part thereof to another, the owner shall apply for and obtain a ~~certificate of occupancy~~ Property Maintenance Certificate, as provided for herein, issued by the Construction Official or his or her designee.
- C. Residential (less than three units). Prior to any sale, rental or other transfer of any residential real estate containing less than three units or part thereof to another, the owner shall apply for and obtain a ~~certificate of occupancy~~ Property Maintenance Certificate, as provided for herein, issued by the Construction Official or his or her designee.
- D. Nonresidential. Prior to any sale, rental or other transfer of any nonresidential real estate or part thereof to another, the owner shall apply for and obtain a ~~certificate of occupancy~~ Property Maintenance Certificate, as provided for herein, issued by the Construction Official or his or her designee.

§114-4. Inspection.

- A. The owner of real estate, set forth above, shall apply for the issuance of a ~~certificate of occupancy~~ Property Maintenance Certificate on forms to be provided by the Construction Official. The application shall at least contain the name of the owner and the name of the person signing the notice and the relationship to the owner; shall describe the property or portion thereof to be transferred by street address or in such other manner as may reasonably be required by the Construction Official; and shall be accompanied by the fee set forth in Chapter 172 of this Code.
- B. Conduct of inspection.

- (1) Within 15 working days of receipt of the application and fee, the Construction Official shall make an inspection and issue a written inspection certificate, in duplicate, stating:
 - (a) That an inspection of the premises has been made, specifying any violations of any applicable ordinance, statute or code relating to the premises, including the ~~1998~~ 2009 International Property Maintenance Code as adopted by the Township of Ewing;
 - (b) If there are no such violations, stating that there are none; or
 - (c) That an inspection is not required because of the provisions below.
 - (2) Each certificate shall be dated, and the Construction Official shall retain a duplicate copy.
 - (3) If the inspection is not conducted within the time specified above, the owner shall be under no further obligation.
 - (4) By such inspection, the Township of Ewing, its agents, servants, employees or officers do not guarantee quality or soundness of any property or structure, and it is not and will not be liable for any act or omission in connection with an inspection or failure to inspect, nor is the Township, its agents, servants, employees or officers, in any way involved in any contractual relationship between owners, tenants and/or purchasers. Such inspections are conducted only to determine compliance with established codes as may be ascertained by reasonable observation.
 - (5) This article shall not be construed to prohibit a transfer of property but shall be construed to prohibit occupancy without the issuance of a ~~certificate of occupancy~~ Property Maintenance Certificate or temporary certificate of occupancy, or which is otherwise exempt as provided in this article.
- C. If an inspection has been made and a certificate of occupancy issued within one year prior to the date of receipt of the completed application, or if a ~~certificate of occupancy~~ Property Maintenance Certificate has been issued for the premises within one year prior to the date of receipt of such completed application, the Construction Official may, but is not required to, make an inspection.
- D. Prior to completing the sale, rental or other transfer, the owner shall inform any transferee(s) of any violations reported by the Construction Official and shall give the transferee(s) a copy of the certificate of inspection.
- (1) All violations shall be corrected prior to completing the sale, rental or other transfer, except as otherwise provided for in this article.
 - (2) Failure of the owner to comply with this provision does not relieve the transferee(s) from the obligations imposed by this article or any of the relevant statutes, ordinances or codes.
- E. Any owner who violates this article by failing to apply for a ~~certificate of occupancy~~ Property Maintenance Certificate under this article or by failing to inform the transferee(s) of violations shall be liable, upon conviction of such violation, to forfeit and pay a penalty not to exceed \$500 or 90 days' imprisonment or both, in the discretion of the court, for every such violation.
- F. Upon correction of all violations noted in the inspection certificate, the Construction Official shall issue a certificate of occupancy. In the case of a sale or other transfer of title to residential property or the sale, rental or other transfer of nonresidential property or a part thereof, a temporary ~~certificate of occupancy~~ Property Maintenance Certificate may be issued, in the discretion of the Construction Official, when the inspection reveals a

departure from the 1998 International Property Maintenance Code but such departure leaves the housing space in substantial compliance with such code; that is, where there is no serious or immediate threat to health, safety or welfare and when the prospective transferee of title or of nonresidential property or a part thereof agrees to assume the violations. Such assumption shall be in writing, signed by the owner and the transferee.

G. Exceptions:

- (1) No inspection under this article shall be required in the case of the sale, rental or other transfer of unimproved real estate.
- (2) Where no immediate occupancy is contemplated in a residential property transfer, an inspection under this article shall not be required; however, prior to residential occupancy, an inspection under this article or as required by the New Jersey Uniform Construction Code shall be conducted.
- (3) Any nonresidential property for which a certificate of occupancy is required under the New Jersey Uniform Construction Code prior to occupancy shall be exempt from this section.
- (4) The provisions of this article shall not apply to hotels and multiple dwelling units governed by the New Jersey Hotel and Multiple Dwelling Law or those residential multifamily dwelling units governed by Chapter **230**, Article **II**, of the Code of the Township of Ewing.

H. Any owner who desires to appeal from a ~~certificate of occupancy~~ Property Maintenance Certificate may file an appeal pursuant to the ~~1998~~ 2009 International Property Maintenance Code.

- (1) Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this code or of any rule or regulation adopted pursuant thereto shall have the right to request and shall be granted a hearing on the matter before the Board, provided that such person shall file, in the office of the Board, a written petition requesting such hearing and containing a statement of the grounds therefor within 20 days after the day the notice was served. The Board shall meet within 21 days of the day the request for a hearing has been filed in the office of the Board. The aggrieved party shall appear and present evidence to the Board regarding the notice which was issued in connection with the enforcement of any provision of this code or of any rule or regulation adopted pursuant thereto. The Construction Official or his designee shall also appear and present evidence regarding said notice.
- (2) In order to protect existing structures in the Township by vigorous enforcement of the provisions of this code, there shall be and is hereby created a Code Appeals Board, hereafter referred to as the Board, consisting of five members who shall be appointed by the Mayor with the advice and consent of Council.
- (3) The Board shall consist of one elected official of the Township; one volunteer fireman; one real estate agent; two citizens, one of whom shall be the following: a licensed professional engineer, an architect, a builder or a superintendent of building construction. No more than one member of the Board shall be of the specified professions. The Mayor shall appoint an alternate member of such Board in addition to the five members above provided for, who shall act with full power only when a member of the Board refuses to vote because of a conflict of interest or when a member is absent. The Mayor shall designate one member of the Board to act as Secretary to the Board.
- (4) The Board shall hear all appeals relative to the enforcement of this code and, by a concurring vote of the majority of its members, shall reverse or affirm, wholly or partly,

or modify the decision appealed from and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the Construction Official.

- (5) A member of the Board shall not participate in any hearings or vote on any appeal in which that member has a direct or indirect financial interest or is engaged as a contractor or is engaged in the preparation of plans and specifications or in which that member has any personal interest.
- (6) The Secretary of the Board shall keep a record of each meeting so that the record shows clearly the basis for each decision made by the Board. An aggrieved party may provide for transcription of the proceedings at his/her own cost and shall provide a copy of said transcript to the Board, at no cost to the Board.
- (7) An appeal from the Board shall be to the Ewing Township Council within 20 days of the decision from the Board. The Ewing Township Council shall schedule the appeal to be heard at the next regularly scheduled meeting of the Council.

§114-7. Adoption of standards by reference; plumbing and mechanical amendments.

The Township of Ewing adopts the ~~1998~~ 2009 International Property Maintenance Code and any of its subsequently adopted edition(s), with the following additions, in place of the 1996 BOCA National Property Maintenance Code:

Chapter 1
Administration

Section 1.01. (Insert in brackets): Township of Ewing.

Section 103.5. (Insert in brackets): See §172-25(B)(1)(E)

Stop Work Order

Section 112.4. (Insert in brackets): not less than \$100 and not more than \$2,000.

Chapter 3
General Requirements

Section 302.4. (Insert in parenthesis): 10 inches.

Section 303.14. (Insert in brackets): May 1 and September 1, respectively.

Chapter 5
Plumbing Facilities and Fixture Requirements

Section 508
Hot Water

508.1. Hot Water. Hot water is not to exceed 140°.

Chapter 6
Mechanical and Electrical Requirements

Section 602
Heating Facilities

602.3. Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitories or guest rooms on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of not less than 68° F. (18° C.) in all habitable rooms, bathrooms, and toilet rooms.

602.4. (Insert in brackets): October 1 to May 1.

**Section 604
Electrical Facilities**

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. Every dwelling shall be served by a main service that is not less than 60 amperes, three wires. If it is determined that a 60 amp service is not sufficient for the electrical load, a minimum of 100 amp service is to be installed.

STATEMENT

This Ordinance amends the Revised General Ordinances of the Township of Ewing in the County of Mercer, 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

The Attorney explained that this Ordinance would amend the property management code to change the term for student occupancy property maintenance certificate and to make some additional changes. The most significant change is to adopt the 2009 property maintenance code and to replace the 1998 Code that we are currently using. The Attorney then explained that the Construction Official brought it to her attention that the 2009 Code may have some provisions that we may not want to adopt. The Attorney then asked Council to defeat this Ordinance and stated that it will be reintroduced with the appropriate revisions.

There were no questions from Council. Ms. Keyes-Maloney then 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 members of the Public. Ms. Wollert made a motion to close the public hearing, seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote. Mr. Schroth then made a motion to defeat this Ordinance, seconded by Ms. Keyes-Maloney. Acting President Baxter called for a roll call.

ROLL CALL

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

This Ordinance was defeated.

- 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 (2013)

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

- A. Registration. Every landlord of a one-dwelling-unit rental or a two-dwelling-unit non-owner-occupied premises shall hereafter be registered with the Municipal Clerk, or Construction Office if so designated by the Municipal Clerk, on forms which shall be provided by the Municipal Clerk's office, or Construction Office if so designated by the Municipal Clerk, containing the requirements of N.J.S.A. 46:8-28. Thereafter, the landlord registration form shall be renewed by January + 31 of each year. All landlord registration forms received after January + 31 of each year shall be considered late and are subject to penalties pursuant to § **284-4** of this article. Every landlord shall also deliver a copy of the rental license and certificate of occupancy simultaneously to the tenant(s) upon submission of the landlord registration form to the Municipal Clerk's office, or Construction Office if so designated by the Municipal Clerk.

- B. Amendments; filing. Every person required to file a registration form pursuant to this section shall file an amended registration form within 20 days after any change in the information required to be included thereon. No fee shall be required for the filing of an amendment except where the ownership or tenancy of the premises is changed.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing Chapter 284 Rental Property, Article I Landlord Registration, §284-2 Certificate of Registration.

The Attorney explained that this will amend Chapter 284-2 to change the due date for landlord registration from January 1st, to January 31st. This is part of a more comprehensive initiative to bring all the due dates in the Construction Office into alignment at January 31st.

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

ROLL CALL

Ms. Wollert	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	YES
Ms. Steward	YES
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 (2013)**

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

A. Fire inspection permits. The charge for fire inspection permits shall be as set forth on the State of New Jersey Schedule, N.J.A.C. 5:70-2.9, as amended from time to time.

(1) Permit application fee. The application fee for a permit shall be as follows:

(a) Type 1: \$42.

(b) Type 2: \$166.

(c) Type 3: \$331.

(d) Type 4: \$497. Exception: There shall be no fee for Type 4 permits for storage or activity at a premises registered as a life-hazard use.

(e) Type 5: (Reserved).

(2) Penalties for failure to obtain permits pursuant to N.J.A.C. 5:70-2.12.

(a) Failure to obtain a required permit prior to commencing the operation, process or activity for which a permit was required: a maximum of double the amount of the applicable permit fee.

(b) Failure to obtain a required permit after being ordered to do so while continuing the operation, process or activity: a maximum of \$5,000 per day during which the operation, process or activity continues.

(3) Exemptions from Uniform Fire Code local permit fees. The following users shall be exempt from the local permit fees only; each must still properly apply for such permits and comply with all other code requirements:

(a) Volunteer fire companies.

(b) Nonprofit civic groups when applying for a use of an occasional nature (limited to twice per year).

(c) Township of Ewing.

(d) Township of Ewing Boards of Education.

B. Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.) inspections.

(1) Structures of up to 50,000 feet: \$25.

(2) Structures of 50,001 to 200,000 square feet: \$50.

(3) Structures of more than 200,000 square feet: \$25 for each 100,000 square feet over 200,000 square feet to a maximum fee of \$250.

C. Smoke-sensitive alarm device inspection. Each inspection or reinspection for smoke-sensitive alarm device pursuant to N.J.S.A. 52:27D-192 et seq.: \$35.

D. Application fee for certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3. The application fee shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

- (1) Request for a CSDCMAC received more than 10 business days prior to change of occupant: \$35.
- (2) Request for a CSDCMAC received four to 10 business days prior to the change of occupant: \$70.
- (3) Request for a CSDCMAC received fewer than four business days prior to the change of occupant: \$125.

E. Basic inspection fees for non-life-hazard uses. All buildings and occupants subject to the Uniform Fire Code and not considered life-hazard uses will be subject to the following inspection fees based on the square footage of the premises:

0 to 1,000 square feet	\$50
1,001 to 5,000 square feet	\$100
5,001 to 15,000 square feet	\$135
15,001 to 30,000 square feet	\$250
Over 30,001 square feet	\$500

- (1) Each individual leased space and building of a complex shall be billed separately.
- (2) Billing dates; penalties. Billing for the basic inspection fees will take place in January of each year. Fees are due to the Township by ~~March 31~~ January 31 of the same year. Failure to remit the required fee by ~~March 31~~ January 31 will result in a penalty equal in amount to the basic fee.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing Chapter 172 Fees, §172-11 Office of Fire Prevention.

The Attorney explained that this will change the fire prevention compliance period from March 31st to January 31st.

There were no questions or comments from Council.

Ms. Steward made a motion to open the public hearing, seconded by Ms. Wollert. It was agreed by unanimous voice vote. There were no questions or comments from members of the Public.

Ms. Keyes-Maloney 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. Steward. Acting President Baxter then asked for a roll call.

ROLL CALL

Ms. Steward	YES
Mr. Schroth	YES
Ms. Keyes-Maloney	YES
Ms. Wollert	YES
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 (2013)

WHEREAS, as a matter of course, the Township has deemed it necessary to amend its fee schedule; and

WHEREAS, it is necessary to amend the Ewing Township Code to reflect this new fee schedule;

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Ewing that **Section 172-3 ANIMALS, Section 172-5 BOARD OF HEALTH, Section 172-12 RETAIL FOOD ESTABLISHMENT LICENSES, Section 172-18 PLANNING AND ZONING, Section 172-23 SWIMMING POOLS, and Section 172-26 VENDING MACHINES**, of the Code of the Township of Ewing is hereby amended as follows:

Section 1. **Chapter 172, FEES, Section 3, ANIMALS**, of the Code of the Township of Ewing is hereby AMENDED as follows:

§ 172-3 Animals.

A. Dogs.

- (1) Annual license, each dog: ~~\$11~~ \$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.

Section 2. Chapter 172, FEES, Section 5, BOARD OF HEALTH, of the Code of the Township of Ewing is hereby AMENDED as follows:

§ 172-5 Board of Health.

[Amended 4-13-2004 by Ord. No. 04-05]

A. Analysis of water samples: \$10 plus actual laboratory costs.

B. Birth certificate, certified copy: ~~\$15~~ \$5.

C. Burial, transit or removal permit: ~~\$10~~ \$5.

D. Duplicate burial, transit or removal permit: ~~\$10~~ \$5.

E. Correction to vital record, including birth certificates, death certificates, marriage/remarriage licenses, civil union licenses, and domestic partnership registrations: ~~\$30~~. ~~Certified copies of amended documents due to corrections, including death certificates and marriage licenses: \$10.~~

F. Death certificate, certified copy: ~~\$15~~ \$5.

G. Certified copies of marriage/remarriage license, civil union/reaffirmation license, and domestic partnership registration: ~~\$15~~. ~~Marriage license, certified copy (N.J.S.A. 37:1-12): \$5.~~

H. Fee for marriage/remarriage license, civil union/reaffirmation license, and domestic partnership registration: ~~\$28~~.

Section 3. Chapter 172, FEES, Section 12, RETAIL FOOD ESTABLISHMENT LICENSES, of the Code of the Township of Ewing is hereby AMENDED as follows:

§ 172-12 Retail Food Establishment Licenses.

A. Retail food establishments with a permanent location, serving food for consumption on premises (including, for example, restaurants, taverns and luncheonettes, but not limited thereto):

(1) One to 50 seats: ~~\$125~~ \$50.

(2) Fifty-one to 200 seats: ~~\$200~~ \$100.

(3) More than 200 seats: ~~\$335~~ \$150.50.

(4) Limited retail food establishment (one where food is served to be consumed on premises but offers only prepackaged products that have been purchased from other suppliers and which meet all packaging and labeling requirements, including but not limited to prepackaged candy, alcohol or nonalcoholic beverages, canned and frozen goods, and so on): \$15.

(5) Theaters and Auditoriums: \$335.

B. Retail food establishments with a permanent location, where food is not customarily consumed on premises (including, for example, supermarkets, grocery stores and delicatessens, but not limited thereto):

(1) Zero to 3,500 square feet: \$100 \$50.

(2) From 3,501 to 5,000 square feet: \$175 \$100.

(3) From 5,001 to 10,000 square feet: \$300 \$150.

(4) More than 10,000 square feet: \$450 \$200.

C. Temporary or itinerant retail food establishments:

(1) Agricultural markets: \$45 \$20.

(2) Mobile units (each): \$60 \$30.

(3) Temporary establishments: \$50 \$20 weekdays, \$80 weekend/holidays.

D. Issuance of duplicate retail food establishment license: \$10.

E. Retail Food Establishment Plan Review:

(1) Zero to 1,000 square feet: \$120.

(2) From 1,001 to 5,000 square feet: \$150.

(3) Over 5,001 square feet: \$250.

Section 4. Chapter 172, FEES, Section 18, PLANNING AND ZONING, of the Code of the Township of Ewing is hereby AMENDED as follows:

§ 172-28 Planning and Zoning.

R. Wells:

(1) Well installation permit: \$200.

(2) Well abandonment permit: \$100.

S. Septic System Permits:

(1) New construction permit: \$500.

(2) Alteration permit: \$500.

(3) Permit to empty septic tank: \$10.

(4) Repairs to septic tank permit: \$150.

Section 5. Chapter 172, FEES, Section 23, SWIMMING POOLS, of the Code of the Township of Ewing is hereby AMENDED as follows:

§ 172-23 Swimming pools.

Public swimming pool licenses:

- A. License to locate and construct a swimming pool (for review): ~~\$300~~ \$25.
- B. License to alter a swimming pool (for review): ~~\$300~~ \$10.
- C. Issuance or renewal of license to operate a swimming pool: ~~\$37.50~~.

(1) Annual: \$350

(2) Seasonal: \$250.

Section 6. Chapter 172, FEES, Section 26, VENDING MACHINES, of the Code of the Township of Ewing is hereby AMENDED as follows:

§ 172-26 Vending machines.

A. Inspection of vending machines dispensing any type of food or drink for human consumption.

(1) The first machine on or in any premises: ~~\$20~~ \$10.

(2) Each machine thereafter on or in the premises under the same ownership: ~~\$10~~ \$2.

B. Vendors of food. Food vendors in parks and playgrounds and other temporary or itinerant retail food vendors are subject to the retail food establishment licenses set forth in § 172-12A(3) and to the licensing and fee requirements set forth in Chapter 267, Peddling and Soliciting, and § 172-17 of this chapter.

Section 7: If any section or part of this Ordinance shall be declared invalid by the judgment of any court or competent jurisdiction, such section or part shall be deemed to be severable from the remainder of this Ordinance.

Section 8: This Ordinance shall take effect upon final passage and publication according to law.

STATEMENT

An Ordinance to Amend Chapter 172, Fees of the Code of the Township of Ewing.

The Attorney explained that this Ordinance will change a number of fees applied by the Health Department. The Health Department reviewed fees charged by other municipalities in Mercer County and found that Ewing was at the very bottom; the highest was Princeton. This amendment will bring Ewing somewhere in the middle in alignment with Lawrence. The Attorney then mentioned some of the fees that are being changed.

Councilwoman Wollert asked the Attorney to explain “potentially dangerous dog” license.

The Attorney replied that this is set by statute and is not being amended. The Attorney explained that if you have a dog that has been found to be potentially dangerous, there is a process that the owner can follow instead of the dog being put to sleep. It has fairly onerous provisions.

There were no additional questions from Council.

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 members of the Public. Mr. Schroth made a

motion to close the public hearing, seconded by Ms. Steward. It was agreed by unanimous voice vote. Ms. Wollert then moved the Ordinance, seconded by Ms. Keyes-Maloney. Acting President Baxter then called for a roll call.

ROLL CALL

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

- 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 (2013)**

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

§ 151-1. Presentation of survey of property.

Within 30 days of becoming the owner(s) of any lot(s) within the Township, the owner(s) shall present the survey of the property conveyed to the Township Tax Assessor for the official records of the Township, if a survey has been prepared in connection with the transaction to convey the property.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing 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 such a survey has been prepared in connection with the transaction.

The Attorney stated that this Ordinance is coming back before Council. Earlier this year, the fees were amended to remove the fee to plot deeds as we were no longer plotting deeds. At that time, the Assessor's Office stated that it would be helpful to have a survey when properties are transferred. Councilman Schroth brought it to our attention that he had received complaints from some attorneys in the area who advised us that currently it is the practice for title companies and some banks to not require surveys when there is a property transfer. The Attorney stated that it was not the intention of the Ordinance to impose an additional financial burden on those involved with a property transfer, so unless a survey is already required, it will not have to be provided to the Assessor's Office.

**There were no questions from Council.
Ms. Keyes-Maloney made a motion to open the public hearing, seconded by Ms. Wollert. It was agreed by unanimous voice vote.**

**Don Apai (2181 Pennington Road) stated that this was the most confusing thing he has ever read and then asked for clarification.
The Attorney responded that with some transactions, a survey is required. If a survey is required, then that survey is to be provided to the Assessor's Office.**

There were no further questions from members of 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. Keyes-Maloney. Acting President Baxter asked for a roll call.

ROLL CALL

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

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 (2013)**

WHEREAS, it is of vital public interest of the citizens of the Township of Ewing to promote the employment of its residents of the Township, and to enhance the quality of employee performance, and to assure greater knowledge of the Township's conditions, and to circulate in employees a feeling of interest in the Township's welfare and progress, and to instill greater loyalty and dedication in employees and a responsiveness to the public good and welfare; and

WHEREAS, N.J.S.A. 40A:9-1.3 permits municipalities to enact residency requirements for officers and employees and Ewing's current residency ordinance; and

WHEREAS, N.J.S.A. 52:14-7 requires every person holding an office, employment, or position (1) in the Executive, Legislative, or Judicial Branch of this State, or (2) with an authority, board, body, agency, commission, or instrumentality of the State including any State college, university, or other higher educational institution, and, to the extent consistent with law, any interstate agency to which New Jersey is a party, or (3) with a county, municipality, or other political subdivision of the State or an authority, board, body, agency, district, commission, or instrumentality of the county, municipality, or subdivision, or (4) with a school district or an authority, board, body, agency, commission, or

instrumentality of the district, to have his or her residence in the State of New Jersey; and

WHEREAS, the Township wishes to amend Section 55-2, "Residency requirement" to incorporate the requirements of N.J.S.A. 52:14-7, maintain the Township's requirement of residency within the Township in the hiring and promotion of individuals to various positions within the Township and incorporating various provisions required by N.J.S.A. 40A:9-1.1 et seq. and to eliminate the five year exemption to Township residency currently in the statute;

NOW THEREFORE, be it ordained by the Township Committee of the Township of Ewing as follows:

Part 1. Chapter 55, Officers and Employees, Section 2, Residency Requirement, is hereby amended and supplemented to add thereto:

55-2 Residency requirement.

A. All ~~prospective~~ officers and employees of the Township are hereby required, as a condition of employment, except as exempt by general law or this Code, to reside within the boundaries of this Township and to be bona fide residents therein and where continued residency may not be required under statutory exemption or this Code, to maintain primary residence within the State of New Jersey during any period of employment thereafter.

B. Failure of any officer or employee of the Township who is not expressly exempt and excluded by general law or this Code from a residency requirement as a condition to employment or of continued employment to comply with this section shall be deemed sufficient cause for removal or discharge from the service or employ of the Township. In the event any employee not otherwise exempt shall fail to maintain such bona fide residency, the Township shall notify said employee that failure to again take up residency within six months of notification shall result in a removal from service. Such removal or discharge shall take place on the date specified in the

notice, but any employee so removed or discharged shall have the right to such appeals as are available by law.

C. Classification and appointment.

(1) If the Township determines that there cannot be recruited a sufficient number of qualified residents for available specific positions or employments, the Township shall advertise for other qualified applicants. The Township shall thereupon classify all qualified applicants for such positions or employments so determined in the following manner:

(a) Class I: Other residents of the Township of Mercer County.

(b) Class II: Other residents of Mercer County of counties contiguous to Mercer County.

(3) Class III: ~~all~~ Other residents of the State of New Jersey.

(4) Class IV: All other applicants.

(2) The Township shall first appoint all those in Class 1 and then those in each succeeding class in the order above listed and shall appoint a person or persons in any such class only to a position or positions, or employment or employments, remaining after all qualified applicants in the preceding class or classes have been appointed or have declined an offer of appointment. The preference established by this section shall in no way diminish, reduce or affect the preferences granted pursuant to any other provisions of the law. An employee hired under this section shall be required to become a bona fide resident of Ewing Township as a condition of their continued employment within a reasonable period and not later than one year of their hiring.

D. The Township shall give preference in promotion to officers and employees who are bona fide residents of the Township. When promotions are based upon merit as determined by suitable promotion tests or other objective criteria, a resident shall be given preference over a nonresident in any instance when all other measurable criteria are equal. The preference granted by this

section shall in no way diminish, reduce, or affect the preference granted pursuant to any other provision of law.

~~D~~. E. Notwithstanding any other provision of this section, the municipal residency requirement shall no longer apply to any officer or employee after he or she has been continuously employed by the Township for a period of five years.

F. Whenever the Township shall determine that there are certain specific positions and employments, requiring special talents or skills which are necessary for the operations of the Township and which are not likely to be found among the residents of the Township, such positions or employments so determined may be filled without reference to residency. Any finding under this subsection shall require that the positions and employments shall have first been advertised to the residents of the Township, without success. Positions and employments falling under this section must meet be specialized and qualitative in nature requiring expertise, extensive training, education or licensing and proven reputation in the field and necessary for the operations of the Township.

G. All employees of the Township must comply with N.J.S.A. 52:14-7, the New Jersey First Act, by maintaining a principal residence within the State of New Jersey while employed by the Township.

There were no questions from Council.

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

Don Apai (2181 Pennington Road) pointed out that “principle” is incorrect and requested that it be corrected to “principal.”

Acting President Baxter said “thank-you” and “so noted”.

There were no further questions or comments from members of the public.

Ms. Keyes-Maloney 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. Steward. Acting President Baxter asked for a roll call.

ROLL CALL

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

- 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 (2013)**

WHEREAS, the Township Council of the Township of Ewing has determined that the development of the Campus Town mixed use residential and retail development project (the “Project”) on the campus of The College of New Jersey (“TCNJ”) will benefit the students, educators and overall college community of TCNJ, as well as the citizens of the Township of Ewing and the State of New Jersey; and

WHEREAS, the Project is being developed to allow TCNJ to provide additional student housing, a new bookstore and a new fitness center and to improve the quality of student life on campus; and

WHEREAS, the development of the Project will improve the area of the TCNJ campus on which it will be located, and the retail portion of the Project will provide needed shopping, retail services and eating establishments which will be made available to and enjoyed by and benefit the college community of TCNJ and the citizens of the Township of Ewing; and

WHEREAS, the development of the Project will result in the creation of temporary construction employment and permanent employment; and

WHEREAS, the development of the Project will allow more students to live on campus, which will reduce public safety concerns that are attendant to off-campus student housing; and

WHEREAS, the TCNJ campus police will be the first responders to the Project instead of the Township police; and

WHEREAS, the Township may be called upon to provide emergency response services to the Project, which will result in additional municipal costs to the Township; and

WHEREAS, pursuant to *N.J.S.A. 18A:64-85*, entitled, “Authority of college to enter into a public-private partnership agreement for certain building and facilities projects”, TCNJ and PRC Campus Centers, LLC (“PRC”) have advised the Township of their intent to enter into a Ground Lease of TCNJ’s property on which the Project will be located for a term of approximately 50 years (the “Ground Lease”); and

WHEREAS, when construction of the Project is completed, PRC intends to enter into a Master Sublease with Campus Town Education Association Inc., a New Jersey nonprofit corporation, which will operate the Project; and

WHEREAS, the Township recognizes and acknowledges that the land upon which the Project is to be constructed is fully exempt from the payment of real estate taxes and other municipal charges by virtue of the fact that TCNJ is an instrumentality of the State of New Jersey; and

WHEREAS, the Township recognizes and acknowledges that it is the position of PRC that the proposed improvements constituting the Project are fully exempt from the

payment of real estate taxes and other municipal charges and payments in lieu of taxes by virtue of the application of *N.J.S.A.* 18A:64-85; and

WHEREAS, notwithstanding the provisions of *N.J.S.A.* 18A:64-85, in recognition that the Township may incur additional municipal costs as a result of the Project, PRC and the Township have agreed that the Project will be voluntarily subject to a host fee on the improvements of the Project in lieu of payment of real estate taxes and other municipal charges, except user based fees; and

WHEREAS, the agreed upon host fee shall be calculated, levied and paid as set forth in this ordinance.

BE IT ORDAINED, by the Township Council of the Township of Ewing, County of Mercer, State of New Jersey, that Ewing Township shall assess a host fee upon the Project, for the purpose of furthering the public interest and welfare, and by agreement with PRC as a fair and reasonable host fee in lieu of payment of real estate taxes and other municipal charges as follows:

SECTION 1:

1. Levy of Host Fee.

(a) The Township of Ewing shall levy upon the improvements of the Project a host fee which shall be paid in lieu of real estate taxes and other municipal charges from which the Project is exempt pursuant to *N.J.S.A.* 18A:64-85.

(b) The Host Fee is to be used by the Township to offset the additional municipal costs of providing emergency response services to the Project.

2. Payment of Host Fee.

(a) For each calendar year 2014 and 2015, a Host Fee in the amount of \$57,000 shall be levied.

(b) In calendar year 2016, the Township shall levy a Host Fee in the amount \$390,000.

(c) For each calendar year subsequent to 2016 and for the term of the Ground Lease, the Host Fee shall be equal to (i) the prior year's Host Fee plus (ii) the prior year's Host Fee multiplied by the lesser of (A) the percentage increase in that year's municipal general tax rate over the prior year's municipal general tax rate for the Township, or (B) the percentage change in the Consumer Price Index as determined by the United States Bureau of Labor Statistics from October 1 of the preceding year to October 1 of the year in question.

(d) The amount of the Host Fee for each calendar year subsequent to calendar year 2016 shall be calculated in the fourth quarter of the immediately preceding calendar year.

(e) Each calendar year's Host Fee shall be paid to the Tax Collector in quarterly installments at the same time real estate taxes would be due and payable to the Tax Collector for property that is not exempt.

(f) A statement showing the calculation of the Host Fee due for the current calendar year shall be mailed by January 15th of each year to the then current operator of the Project.

3. No Conflict.

(a) In the event this ordinance conflicts with any other Township ordinance, the provisions of this ordinance shall prevail.

4. Duration of host fee levy.

(a) In consideration of PRC's investment in the Project which will benefit the public welfare in that it will result in the development of student residential housing and services for the TCNJ community and for the citizens of the Township, and which will result in the creation of permanent employment for the citizens of the State of New Jersey, it is the intent of the Township that this ordinance remain in full force and effect for the duration of the term of the Ground Lease.

5. Tax bills.

(a) In consideration of the payment of Host Fees, and in consideration of *N.J.S.A.* 18A:64-85, no tax bill or bill for other municipal charges shall be issued for the land and improvements which are the subject of the Project.

SECTION 2: Legal effect.

This ordinance shall take effect upon final passage and publication according to law.

The Mayor explained that this is a "PILOT" - payment in lieu of taxes - with the PRC Group that is building a "town center" at the College of New Jersey. The Mayor stated that this is a grey area of the law as to whether the Township can even charge full taxes on the property. The Mayor then gave a detailed explanation of the decision-making process behind this agreement. The Mayor stated that the PRC Group will be paying the Township \$395,000 a year starting in 2016 for thirty or forty years in conjunction with their lease with the College of New Jersey. There is an escalating clause as well. The PRC Group will also pay \$75,000 in 2014 and 2015 while construction is ongoing.

Councilwoman Wollert asked for confirmation of the amount of the host fee in 2014 and 2015 as the Mayor said that in 2014 and 2015 the amount of the host fee would be \$75,000 but the Ordinance says \$57,000. The Attorney responded that it is \$57,000.

There were on additional questions 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. Wollert made a motion to close the public hearing, seconded by Ms. Keyes-Maloney. It was agreed by unanimous voice vote. Ms. Steward then moved the Ordinance, seconded by Ms. Wollert. Acting President Baxter called for a roll call.

ROLL CALL

Ms. Wollert	YES
Ms. Steward	YES
Ms. Keyes-Maloney	YES
Mr. Schroth	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 (2013)

Chapter 172, fees is hereby amended to include a new fee for the licensing of body art establishments, as follows:

§ 172-32 Body Art Establishments.

A. Body art establishment annual license fee: \$400.00.

B. Body art establishment plan reviews:

(1) Tattoo, cosmetic, piercing: \$125.

(2) Temporary establishments: \$250.

Chapter 388, Violations and Penalties is hereby amended to provide penalties with respect to the licensing and operation of body art establishments, as follows:

§ 388-16 Violations and Penalties:

D. Any person who directly or indirectly acting as agent or otherwise who violates any provision of Chapter 418 Body Art Facilities shall be liable for a penalty not less than \$50 nor more than \$1,000, or as otherwise authorized under N.J.S.A. 26:1A-10 and all other applicable law and/or injunctive action as provided by law or both.

The Health Code of the Township of Ewing is hereby amended to provide for a new section 418, Body Art Facilities, as follows:

Part III: Health Legislation:

Chapter 418 Body Art Facilities

§ 418-1 Establishment of Code.

A code regulating body art facilities establishments and fixing penalties is hereby established under the Township's general jurisdiction under N.J.S.A. 26:3-64 to adopt health ordinances for the control of disease and improvement of health of its citizens. The Township hereby accepts and adopts the New Jersey Administrative Code, N.J.A.C. 8:27-1 et seq., as the standard governing all businesses that offer tattooing, permanent cosmetics and ear and body piercing to the public with the exception of a physician who is authorized by the State Board of Medical Examiners to practice medicine pursuant to N.J.S.A. 45:9-6 et seq.

§ 418-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated below.

Body art

The practice of physical body adornment in permitted establishments by operators utilizing, but not limited to, the following techniques: body piercing, tattooing; and permanent cosmetics. Body piercing includes piercing any portion of the ear with the exception of the ear lobe.

Body art establishment

Any place or premises, whether public or private, temporary or permanent in nature or location, where the practices of body art, whether or not for profit, are performed.

Body art establishment license

A license issued to the owner of a body art establishment to operate a business under the provisions of this chapter.

Body piercing

Puncturing or penetration of the skin of a person using pre-sterilized single use needles and the insertion of pre-sterilized or disinfected jewelry or other adornment thereto in the opening.

Branding

Scarification through the application of a heated material (usually metal) to the skin, creating a serious burn which eventually results in a scar.

Cutting

A design cut into the skin or other soft tissue using a sharp blade, leaving a scar. Often the design is immediately rubbed with ink leaving a colored scar.

Ear piercing

The puncturing of the ear lobe and the trailing edge of the ear using a pre-sterilized, single use stud and clasp ear piercing system following manufacturer's instructions.

Implant

Any object implanted fully under the skin.

Jewelry

Any personal ornament inserted into a newly pierced area, and may be made of surgical implant grade stainless steel, solid 14 karat or 18 karat white or yellow gold, niobium, titanium, platinum, glass or a dense, low-porosity plastic.

Operator

Includes the owner or the owner's designee having ownership, control or custody of any place of business or employment and who manages the day-to-day operations of the body art establishment.

Permanent cosmetics

The implanting of inert pigments, colors, and/or dyes intradermally which results in permanent alteration of tissue to gain a cosmetic effect.

Person

One or more individuals, legal representatives, partnerships, joint ventures, associations, corporations (whether or not organized for profit), business trusts, or any organized group of persons.

Practitioner

Any person that performs the act of tattooing, permanent cosmetics and/or ear and body piercing.

Single use

Products, instruments or items that are intended for one-time use and are disposed of after each use, including, but not limited to, cotton swabs or balls, tissues or paper products,

paper or plastic cups, gauze and sanitary coverings, razors, needles, scalpel blades, stencils, ink cups and protective gloves.

Sterilization

A process resulting in the destruction of all forms of microbial life, including highly resistant bacterial spores.

Tattooing

Any method of placing ink or other inert pigment into or under the skin or mucosa by the aid of needles or any other instrument used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This includes all forms of permanent cosmetics.

Temporary establishment

An establishment that has been issued a permit by the Board of Health to operate for the purpose of performing body art procedures for not more than 14 calendar days in conjunction with a single event.

§ 418-3 Conformance with Regulations Required.

No person shall engage in the business of body art and body piercing, whether for compensation or not, operate any establishment where body piercing or body art is performed, whether for compensation or not, or body pierce or body art any person whether for compensation or not, without complying with the requirements of this chapter, pursuant to local rules and regulations, as well as the regulations of the State of New Jersey, including the New Jersey Administrative Code at N.J.A.C. 8:27-1.1 et seq.

§ 418-4 License to Operate.

- A. No person shall display a sign or in any way advertise or purport to be a body art practitioner or be engaged in the business of body art without first applying for and obtaining an annual body art establishment license from the Ewing Township Board of Health.
- B. The annual license shall be issued on January 1 of each calendar year. All licenses issued during the course of a year shall expire on December 31, regardless of the date issued. At least 30 days prior to expiration of a license, the licensee shall make an application for renewal with the Board of Health. Failure to file a timely renewal shall cause the establishment to be closed until the appropriate inspection can be made.
- C. Upon issuance, the said license shall not be transferable. Any change in ownership shall require submission of a new application with payment of fees. The license shall be posted in a conspicuous place near the public entrance of the establishment where it may be readily observed by all patrons.

§ 418-5 Application for License.

Any person desiring to construct, expand, alter, or operate a permanent cosmetic, tattooing, or ear or body piercing establishment shall apply in writing to the Board of Health for review and approval before such construction, expansion, alteration or operation is begun. The application shall comply with the requirements of the New Jersey Administrative Code at N.J.A.C. 8:27-2.1.

§ 418-6 License Fee.

Body Art Establishment Licenses shall be issued annually on January 1 upon payment of an annual license fee of \$400.00.

§ 418-7 Prohibitions.

- A. Implants under the skin shall not be performed in a body art establishment.

- B. Scarification such as branding and cutting shall not be performed in a body art establishment.
- C. No person shall perform any body piercing procedure upon a person under 18 years of age without the presence, written consent and proper identification of a parent or legal guardian.
- D. No person shall perform genital piercing upon a person under 18 years of age regardless of parental consent.
- E. No tattoo or permanent cosmetics shall be applied to any person under 18 years of age, without the presence, written consent, and proper identification of a parent or legal guardian.
- F. No person shall practice or attempt to practice body art in a non-licensed facility.
- G. All other prohibitions as provided under the New Jersey Administrative Code at N.J.A.C. 8:27-2.6.

§ 418-8 Physical Plant and Environment.

Each body art establishment shall comply with the physical plant and environment requirements of the New Jersey Administrative Code at N.J.A.C. 8:27, subchapter 3.

§ 418-9 Health Safety and Occupation Health.

Each body art establishment shall comply with the health, safety and occupation health requirements of the New Jersey Administrative Code at N.J.A.C. 8:27, subchapter 4.

§ 418-10 Sterilization and Disinfection.

Each body art establishment operator shall comply with the sterilization and disinfection requirements of the New Jersey Administrative Code at N.J.A.C. 8:27, subchapter 5.

§ 418-11 Body Piercing Qualifications.

With the initial application and any subsequent renewal applications for a license, the applicant shall furnish proof of each body piercing practitioner as being qualified under the requirements of the New Jersey Administrative Code at N.J.A.C. 8:27, subchapter 6.

§ 418-12 Tattooing Qualifications.

With the initial application and any subsequent renewal applications for a license, the applicant shall furnish proof of each tattooing practitioner as being qualified under the requirements of the New Jersey Administrative Code at N.J.A.C. 8:27, subchapter 7.

§ 418-13 Permanent Cosmetics Qualifications.

With the initial application and any subsequent renewal applications for a license, the applicant shall furnish proof of each permanent cosmetics practitioner as being qualified under the requirements of the New Jersey Administrative Code at N.J.A.C. 8:27, subchapter 8.

§ 418-14 Ear Piercing Qualifications.

With the initial application and any subsequent renewal applications for a license, the applicant shall furnish proof of each ear piercing practitioner as being qualified under the requirements of the New Jersey Administrative Code at N.J.A.C. 8:27, subchapter 9.

§ 418-15 Temporary Establishments.

Temporary establishments shall be governed by all the rules of a permanent establishment as set forth in this chapter and shall satisfy all requirements as set forth in the New Jersey Administrative Code at New Jersey Administrative Code at N.J.A.C. 8:27, subchapter 10.

§ 418-16 Inspections; right of entry.

The Board of Health, its agents and employees shall have the right to conduct periodic inspections, with or without notice, of any establishment engaged in body art procedures that are governed by this chapter, or as otherwise provided under § 392-9, for the purpose of determining whether or not such establishment and the persons performing the art therein are in compliance with all applicable health provisions.

§ 418-17 Violations and Penalties.

Any person who directly or indirectly acting as agent or otherwise who violates any provision of this chapter shall be liable for a penalty not less than \$50 nor more than \$1,000, or as otherwise authorized under N.J.S.A. 26:1A-10 and all other applicable law and/or injunctive action as provided by law or both.

§ 418-18 Repealer.

All prior ordinances or parts of same inconsistent with any provisions of this chapter are hereby repealed to the extent of such inconsistency.

§ 418-19 Severability.

Should any section, clause, sentence, phrase or provision of this chapter be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this chapter.

§ 418-20 When effective.

The provisions of this chapter shall take effect immediately upon final passage and publication in accordance with law. For purposes of licensing, this chapter 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 Chapter immediately upon its effective date.

The Attorney explained that this Ordinance was defeated last time because of the proposed licensing fee; it has come back before Council in its entirety except for a revised fee structure - \$400 instead of \$650.

There were no questions from Council.

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

Don Apai (2181 Pennington Road) stated that he is opposed to this and asked why the Township is picking on one type of business in the Township for a re-inspection after they are already inspected by the State.

The Attorney replied that the State is not doing these inspections. Municipalities are now required to inspect and to license using the State inspection and license schemes.

Mr. Apai then asked if the Township has people qualified to do this.

The Attorney replied that we have certified health officials.

After confirmation that the State is not involved with these inspections, Mr. Apai withdrew his objection.

There were no further questions or comments from members of the public.

Ms. Wollert then made a motion to close the public hearing, seconded by Ms. Steward. It was agreed by unanimous voice vote. Mr. Schroth then moved the Ordinance, seconded by Ms. Keyes-Maloney. Acting President Baxter then asked for a roll call.

ROLL CALL

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

NEW BUSINESS

1. The Clerk read (**Resolution #13R-187**) A RESOLUTION GRANTING GEORGE CAHILL PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SEREIAL NUMBER RYA923) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JANUARY 1, 2014.

The Administrator explained that in the past we have allowed officers to retire with their service firearm and in turn they have to get licensed and to keep up with their qualifications. The Administrator stated that unless there is a reason not to, we have always supported police officers retiring with their service weapon.

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

ROLL CALL

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

2. The Clerk read (**Resolution #13R-188**) A RESOLUTION ACCEPTING THE PROPOSAL OF GEN II CONTRACTING CO., INC. FOR THE ROOF REPLACEMENT PROJECT AT THE EWING SENIOR AND COMMUNITY CENTER ACTIVITY ROOM IN THE AMOUNT OF \$44,150.00.

The Administrator explained that this is the last part of the roof at the Ewing Senior and Community Center. This money can only be used for the Senior part of the Community Center.

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

ROLL CALL

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

3. The Clerk read (Resolution #13R-189) A RESOLUTION AMENDING RESOLUTION #13R-147 TO REMOVE CONTINGENCIES IN AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF CHARLES E. WALDRON, ESQ. AS STATUTORY RECEIVER OF SHRI GOVINDA COMPANY, INC. (1102-32-009-004); A PLENARY RETAIL CONSUMPTION LICENSE W/BROAD PACKAGE PRIVILEGE, TO GIANT WINE AND LIQUOR LLC. T/A GIANT WINE AND LIQUOR.

The Attorney explained that this is an amendment to a resolution that approved the transfer of this liquor license. The transfer of the liquor license was contingent on the sale. ABC asked that we amend the resolution removing this contingency.

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

ROLL CALL

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

4. The Clerk read (Resolution #13R-190) A RESOLUTION AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF PAULIES HILLTOP MANOR, LLC T/A PAULIES ANNA ROSE (1102-33-019-002); A PLENARY RETAIL CONSUMPTION LICENSE, TO S.E.J. RESTAURANTS INC. T/A PAULIES ANNA ROSE.

The Attorney stated that this is a resolution approving the transfer of a liquor license. It is straightforward - a sale. The Police Department has completed a background check on the buyer and has determined that the source of funds to purchase the license is not otherwise prohibited.

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

ROLL CALL

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

5. The Clerk read (Resolution #13R-191) A RESOLUTION AUTHORIZING CY2013 BUDGET TRANSFERS.

The Administrator explained that the State allows municipalities (N.J.S.A. 40A:4-58) to transfer funds between line items during the last two months of the budget year for the purpose of balancing the budget. Acting President Baxter then stated that the CFO was here last night and explained the transfers.

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

ROLL CALL

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

6. The Clerk read (**Resolution #13R-192**) A RESOLUTION AUTHORIZING THE SUBMISSION OF THE GRANT EXTENSION FOR THE EWING MUNICIPAL ALLIANCE GRANT.

The Administrator stated that George Long (Municipal Alliance Coordinator) was here last night and explained the program. It provides help to people for treatment of alcohol and drug problems throughout the County. The State is moving to a fiscal year from a calendar year; this resolution coordinates the timing for the Township to put it in the 2014 budget.

The Administrator noted that AA meets on Monday and Friday here in the Municipal Building. The meetings are open to the public and start at 7:00 p.m. The Administrator also noted that the Township has a Drug and Alcohol Alliance Committee.

Acting President Baxter mentioned that Mr. Long also spoke about a scooter that shows children the effects of drug/alcohol impairment and texting while driving. Acting President Baxter then mentioned that Mr. Long and the Mayor were able to secure a simulator from NJM that does the same thing.

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

ROLL CALL

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

7. The Clerk read (**Resolution #13R-193**) A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS NJS 40A:4-87.

The Administrator explained that these are grants that are coming from State agencies into the Township. The Township has to accept them into the Budget before the money can be expended. The Administrator noted that the Recycling Grant is about half of what it has been due to State cuts; we will be more reserved on how we spend the money in promoting our green and environmental efforts.

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

ROLL CALL

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

8. The Clerk read (**Resolution #13R-194**) A RESOLUTION CONSENTING TO THE APPOINTMENT OF MARION MILLER TO THE EWING TOWNSHIP SENIOR CITIZEN ADVISORY COMMITTEE.

Acting President Baxter stated that Ms. Miller is being appointed to fill a vacancy on the Senior Advisory Committee.

The Administrator added that Ms. Miller has volunteered to become a member.

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

ROLL CALL

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

9. The Clerk read (**Resolution #13R-195**) A RESOLUTION ACCEPTING THE BID OF PJM MECHANICAL CONTRACTORS, INC. FOR THE CONTRACT FOR THE EWING TOWNSHIP MUNICIPAL BUILDING BOILER REPLACEMENT PROJECT IN THE AMOUNT OF \$313,700.00.

The Attorney explained that this bid is for the boiler replacement at the Municipal Building. Nine bids were received. The low bid was an unbalanced bid; it was rejected for being non-compliant with the specifications. The Attorney then explained that the second lowest bidder was PJM Mechanical Contractors with a base bid of \$269,200, \$19,500 for Alternate #1 and for Alternate #3 a \$25,000 allowance for all bids. The total cost of their bid is \$313,700.00.

Acting President Baxter asked if the CFO has certified the funds.

The Administrator responded – yes, out of the 2013 Capital Budget.

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

ROLL CALL

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

10. The Clerk read (**Resolution #13R-196**) A RESOLUTION OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MERCER AND THE TOWNSHIP OF EWING FOR RADIO EQUIPMENT INSTALLATION ON EWING TOWNSHIP'S POLICE DEPARTMENT RADIO TOWER AND OF THE ATTACHED SITE ACCESS AGREEMENT

The Administrator explained that this is an agreement with the County. Additional equipment will be installed to improve Township communication at a couple of dead zones. Radio equipment will be installed at the ELSA Pump Station on Route 29 and on top of Parkway School. The County will install the radio equipment at their expense. In turn, the Township will allow

the County access to service the equipment and the Township will get access to the County radio system.

The Attorney added that it is two agreements. One is a memorandum of understanding with the County and the second is a site access agreement to allow the County's contractor access to install the equipment – a list is attached.

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

ROLL CALL

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

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

Acting President Baxter thanked the Public for their support of this Council and for supporting him these past two meetings. Acting President Baxter then wished everyone a “safe,” “healthy” and “Happy Holiday”.

There being no further business Acting President Baxter called for a motion to adjourn. Ms. Wollert so moved seconded by Ms. Steward. The meeting was adjourned at 7:46 p.m.

Kevin Baxter, President

Kim Macellaro, Municipal Clerk