

November 14, 2016 – REGULAR SESSION

President Schroth called the meeting to order at 9:30 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 January, 2016.

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

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

ROLL CALL

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

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

There were no statements and comments from members of the Public.

BILLS LIST

1. The Clerk read (Resolution #16R-191) A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$6,162,214.69 and to Pay Supplemental Bills per Resolution #16R-13 in the Amount of \$356,454.36

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

ROLL CALL

| | |
|-------------------|-----|
| Ms. Steward | YES |
| Ms. Wollert | YES |
| Mr. Baxter | YES |
| President Schroth | YES |

All items listed under, Consent Agenda, are considered routine by the Township Council and will be enacted by one motion in the form listed below. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and considered separately. There will be one motion for all items listed.

CONSENT AGENDA

The Clerk read the Consent Agenda: (Resolution #16R-192/)

1. Approval of Agenda Session Minutes for September 13, 2016, September 27, 2016, October 11, 2016; Approval of Regular Session Minutes for September 13, 2016, September 27, 2016, October 11, 2016
2. A Resolution Authorizing the Conduct of a Bingo Sponsored by Incarnation St. James Parish
3. A Resolution Authorizing the Conduct of an Instant Raffle Sponsored by BPOE #105 Trenton
4. A Resolution Authorizing the Conduct of an On-Premises 50-50 Cash Raffle Sponsored by the Greater Trenton Choral Society
5. A Resolution Authorizing the Conduct of an On-Premises 50/50 Cash Raffle Sponsored by Incarnation St. James Parish
6. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official in the amount of \$200.00 to the Yedlin Company, 1000 Herrontown Rd., Princeton, NJ 08540-7799 for Certificate of Occupancy at the following address in Ewing, NJ: Princeton Orthopedic – 340 Scotch Rd. He submitted paperwork for a Certificate of Occupancy and he was not required to have a CO since he did construction work under the UCC.
7. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$239.66 for overpayment of transport service on July 30, 2015 for patient Michelle Luttrell to Horizon Blue Cross/Blue Shield of N.J., P.O. Box 420, Newark, New Jersey 07101-0420
8. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$145.59 for October 1, 2016 second half sewer bill to Cowdrick, Jr., Larry, 109 Swan Blvd., Toms River NJ, 08753 for property owner Cowdrick, Jr., Larry for Block: 81 Lot: 113 also known as 22 Albemarle Avenue.
9. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$111.45 for October 1, 2016 second half sewer bill to Olubamowo, Donise M. & Olukoya D., 4 Bradway Avenue, Ewing NJ, 08618 for property owner Olubamowo, Donise M. & Olukoya D. for Block: 452 Lot: 43 also known 4 Bradway Avenue.
10. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$112.65 for October 1, 2016 second half sewer bill to Zieleniecka, Dorota, 162 Clover Avenue, Ewing NJ, 08638 for property owner Zieleniecka, Dorota for Block: 63 Lot: 21 also known 162 Clover Avenue.
11. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$95.79 for October 1, 2016 second half sewer bill to Walker, David W., 1614 Eleventh Street, Ewing NJ, 08638 for property owner Walker, David W. for Block: 89 Lot: 443 also known 1614 Eleventh Street.
12. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$112.05 for October 1, 2016 second half sewer bill to Bozek, John G., 1616 Eleventh Street, Ewing NJ, 08638 for property owner Bozek, John G. for Block: 89 Lot: 442 also known 1616 Eleventh Street.

13. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$95.24 for October 1, 2016 second half sewer bill to Conde, Madeline, 140 Greenland Avenue, Ewing NJ, 08638 for property owner Conde, Madeline for Block: 66 Lot: 21 also known 140 Greenland Avenue.
14. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$121.72 for October 1, 2016 second half sewer bill to Johnson, John E., 4-1/2 Kirk Avenue, Ewing NJ, 08638 for property owner Johnson, John E. for Block: 100 Lot: 396 also known 4-1/2 Kirk Avenue.
15. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1939.67 for overpayment of November 1, 2016 4th qtr. taxes, to McCoy, Sara, 1169 Lower Ferry Rd., Ewing, NJ 08618, for property owner McCoy, Sara for Block: 506 Lot: 1 also known as 1169 Lower Ferry Rd.
16. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$144.48 for October 1, 2016 second half sewer bill to Central Baptist Church of Trenton, 2015 Pennington Rd., Ewing NJ, 08618 for property owner Central Baptist Church of Trenton for Block: 217 Lot: 41 also known 2050 Pennington Rd.
17. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$107.66 for October 1, 2016 second half sewer bill to Crawford, Leon N. Jr. & Delores, 6 Pershing Avenue, Ewing NJ, 08618 for property owner Crawford, Leon N. Jr. & Delores for Block: 234.04 Lot: 4 also known 6 Pershing Avenue.
18. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$62.40 for October 1, 2016 second half sewer bill to Salup, Robert Michael, 9 Revere Ct., Ewing NJ, 08628 for property owner Salup, Robert Michael for Block: 552 Lot: 109 also known 9 Revere Ct.
19. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$100.00 for October 1, 2016 second half sewer bill to Friedman, Steven R., 89 Ridgewood Ave., Ewing NJ, 08628 for property owner Friedman, Steven R., for Block: 258 Lot: 89 also known as 89 Ridgewood Ave.
20. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$199.72 for October 1, 2016 second half sewer bill to Peterson, Heath L and Angela C, 15 Woodhampton Drive, Ewing NJ, 08638 for property owner Peterson, Heath L and Angela C for Block: 223.04 Lot: 95 also known 15 Woodhampton Drive.
21. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$59.83 for October 1, 2016 second half sewer bill to Rice, Eddie & Yvonne, 63 Woodland Avenue, Ewing NJ, 08638 for property owner Rice, Eddie & Yvonne for Block: 139 Lot: 26 also known 63 Woodland Avenue.

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

ROLL CALL

| | | |
|--------------|-------------------|-------------|
| | Ms. Wollert | YES |
| | Mr. Baxter | YES |
| | Ms. Steward | YES, except |
| | | Abstained |
| from Item | | Four as |
| President of | | that |
| Organization | | |
| | President Schroth | YES |

ALCOHOLIC BEVERAGE CONTROL MATTERS

1. The Clerk read (**Resolution #16R-193**) A RESOLUTION AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF SAGE BRE NYNJ MANAGER, LLC (1102-33-024--010); A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE, TO SSN EWING, LLC

The Attorney stated that this is a Resolution to approve the transfer of a liquor license for the Element Hotel which has a new owner. It comes to Council after Police review and approval.

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

ROLL CALL

| | |
|-------------------|-----|
| Ms. Steward | YES |
| Mr. Baxter | YES |
| Ms. Wollert | YES |
| President Schroth | YES |

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. The Clerk read (**Ordinance #16-17**) AN ORDINANCE AMENDING THE EWING TOWNSHIP SALARY ORDINANCE ESTABLISHING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF EWING

President Schroth said that this Ordinance sets the salaries of two individuals, the Business Administrator and the Township Clerk, who are not governed by Township contracts.

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

ROLL CALL

| | |
|-------------------|-----|
| Ms. Steward | YES |
| Mr. Baxter | YES |
| Ms. Wollert | YES |
| President Schroth | YES |

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

1. The Clerk read (**Ordinance #16-16**) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225-59 SCHEDULE XII: STOP INTERSECTIONS TO ADD STOP SIGNS ON BROAD AVENUE, WESTERN AVENUE AND FLORENCE AVENUE AS THEY APPROACH BRENWAL AVENUE

BE IT ORDAINED by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended as follows:

Section 1 CHAPTER 225-59 SCHEDULE XII: STOP INTERSECTIONS is hereby amended as follows:

§ 225-59 SCHEDULE XII: STOP INTERSECTIONS.

In accordance with the provisions of § 225-13, the following streets shall be designated as stop intersections, and stop signs shall be installed as provided herein:

| | |
|---------------------------------|---------------------|
| Intersection | Stop Sign On |
| Auburn Place and Chesney Avenue | Auburn Place |

Intersection

Auburn Place and Lisbon Avenue
 Beechwood Avenue and Radnor Avenue
 Bernard Drive and Frederick Lane
 Bernard Drive and Scudder Road
 Berwyn Avenue and Radnor Avenue
 Bismark Avenue and Trent Avenue
 Bittersweet Drive and Autumn Lane

Brenwal Avenue and Broad Avenue**Brenwal Avenue and Western Avenue****Brenwal Avenue and Florence Avenue**

Browning Avenue and Crescent Avenue
 Bull Run Road and Federal City Road
 Chauncey Avenue and Linwood Avenue
 Cleardale Avenue and Patton Drive
 Concord Avenue and Radnor Avenue
 Dover Avenue and Hazel Avenue
 Dover Avenue and Robbins Avenue
 Duffield Drive and Holder Drive
 Duffield Drive and Willis Drive
 Exit driveway at Ewing High School
 [Added 10-9-2001 by Ord. No. 01-26]
 Fireside Avenue and Dunmore Avenue
 Glen Stewart Drive and Glen Mawr Drive
 [Added 2-13-2001 by Ord. No. 01-03]

Glenmore Avenue and Pennington Road
 Greenway Avenue and Radnor Avenue
 Hawthorne Avenue and Browning Avenue
 Hawthorne Avenue and Dearborn Avenue
 Hendrickson Avenue and Albemarle Avenue
 [Added 11-22-2005 by Ord. No. 05-44; amended 2-14-2006 by Ord. No. 06-04]

Hinckle Avenue and Summit Avenue
 [Added 2-13-2001 by Ord. No. 01-03]

Ives Avenue and Hillman Avenue
 Kelsey Avenue — Hazel Avenue and Homestead Avenue
 Keswick Avenue and Dearborn Avenue

Lake Boulevard and Linwood Avenue
 Lafayette Avenue and Summit Avenue
 Langford Lane and Franklyn Road — Clamer Road
 Latona Avenue and Radnor Avenue
 Levin Properties (Laneco)

Lochatong Road and Westwood Drive
 [Added 10-9-2001 by Ord. No. 01-26]

Nancy Lane and Alexander Drive
 Pickford Avenue and Pershing Avenue
 Pingree Avenue and Berwyn Avenue
 [Added 2-13-2001 by Ord. No. 01-03]

Pingree Avenue and Berwyn Avenue
 [Added 5-3-2005 by Ord. No. 05-16]

Pingree Avenue and Latona Avenue

Stop Sign On

Auburn Place
 Radnor Avenue
 Frederick Lane
 Scudder Road
 Radnor Avenue
 Trent Avenue
 Autumn Lane
Broad Avenue
Western Avenue
Florence Avenue
 Crescent Avenue
 Bull Run Road
 Linwood Avenue
 Patton Drive
 Radnor Avenue
 Hazel Avenue
 Robbins Avenue
 Holder Drive
 Willis Drive
 Exit driveway at Ewing High School

Fireside Avenue
 Glen Stewart Drive

Glenmore Avenue
 Radnor Avenue
 Browning Avenue
 Dearborn Avenue
 Albemarle Avenue

Hinckle Avenue

Hillman Avenue
 Homestead Avenue

Dearborn Avenue

Lake Boulevard
 Summit Avenue
 Langford Lane
 Radnor Avenue

All locations numbered 1 and circled in red shown on the plan prepared by Carr Engineering Associates, P.A., revised October 4, 1989

Lochatong Road

Alexander Drive
 Pershing Avenue
 Pingree Avenue

Pingree Avenue and Berwyn Avenue

Pingree Avenue

Intersection**Stop Sign On**

[Added 2-13-2001 by Ord. No. 01-03]

Pingree Avenue and Latona Avenue
[Added 5-3-2005 by Ord. No. 05-16]

Pingree Avenue and Latona Avenue

Pingree Avenue and Westmoreland Drive
[Added 2-13-2001 by Ord. No. 01-03]

Pingree Avenue

Rhodes Avenue and King Avenue
Riverview Drive and Wilburtha Road
Roosevelt Avenue and Southard Street
Roosevelt Avenue and Trent Street
Rosedale Avenue and Greenville Avenue
[Added 11-22-2005 by Ord. No. 05-44;
repealed 2-14-2006 by Ord. No. 06-04]

Rhodes Avenue
Riverview Drive
Southard Street
Trent Street

Rosedale Avenue and Hendrickson Avenue
[Added 11-22-2005 by Ord. No. 05-44;
repealed 2-14-2006 by Ord. No. 06-04]

Sherbrook Road and Kilmer Drive
South driveway of Ground Round Restaurant and
Route 31
Star Drive and Westwood Drive
[Added 10-9-2001 by Ord. No. 01-26]

Kilmer Drive
South driveway of Ground Round
Restaurant
Star Drive

Stuart Avenue and Clement Avenue
Summit Avenue and Walker Avenue
Summit Avenue and Washington Avenue
[Amended 2-13-2001 by Ord. No. 01-03]

Stuart Avenue
Summit Avenue
Washington Avenue

Sutherland Avenue and Pingree Avenue
Terrace Boulevard and Stratford Avenue
Trenton Avenue and Hinckle Avenue
[Amended 2-13-2001 by Ord. No. 01-03]

Pingree Avenue
Stratford Avenue
Trenton Avenue

Trenton Avenue and Howell Avenue
Trenton Avenue and Walker Avenue
Walker Avenue and Central Avenue
[Amended 2-13-2001 by Ord. No. 01-03]

Howell Avenue
Walker Avenue
Walker Avenue

Washington Avenue and Central Avenue
Weber Avenue and Robbins Avenue
White Oak Way and Glen Mawr Drive
[Added 2-13-2001 by Ord. No. 01-03]

Central Avenue
Robbins Avenue
White Oak Way

Whitebeach Drive and Glen Mawr Drive
[Added 2-13-2001 by Ord. No. 01-03]

Whitebeach Drive

Section 3 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 4 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

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

Adopted:

President Schroth explained that the Police Department brought it to our attention that there is a “line of sight” issue at these intersections; to make these intersections safe, stop signs are being added.

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

ROLL CALL

| | |
|-------------------|-----|
| Ms. Steward | YES |
| Mr. Baxter | YES |
| Ms. Wollert | YES |
| President Schroth | YES |

NEW BUSINESS

1. The Clerk read (**Resolution #16R-194**) A RESOLUTION APPROVING A SETTLEMENT AGREEMENT BETWEEN THE DECLARATORY PLAINTIFF TOWNSHIP OF EWING AND INTERVENOR/DEFENDANT FAIR SHARE HOUSING CENTER REGARDING THE MATTER ENTITLED IN THE MATTER OF THE TOWNSHIP OF EWING, DOCKET NO. L-001556-15

The Attorney said that this is a settlement of the affordable housing litigation in Mercer County. It approves Ewing’s fair share allocation through 2025. It provides for 341 units for the third round and approves that the second round has certain other parameters around it. It will allow Ewing to exit this litigation.

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

ROLL CALL

| | |
|-------------------|-----|
| Ms. Wollert | YES |
| Mr. Baxter | YES |
| Ms. Steward | YES |
| President Schroth | YES |

2. The Clerk read (**Resolution #16R-195**) A RESOLUTION TO ADOPT REVISIONS OF A NEW CONTRACT BETWEEN THE TOWNSHIP OF EWING (THE “TOWNSHIP”) AND LOCAL 102 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (“IBEW”)

President Schroth said that this is a new contract entered into between the Township and the IBEW which represents a number of Township employees.

President Schroth said that, in reviewing the contract, he assumes that it is the intention of the Township to only hire certified Deputy Tax Collectors and then asked what would happen if an uncertified Deputy Tax Collector was hired.

The Mayor replied that that would not happen.

President Schroth asked if it is either spelled out in the contract or is there a statutory requirement that a Deputy Tax Collector be certified.

The Mayor replied that he believes it is a statutory requirement because the Deputy would have to certify funds and do other things. It is the same as with a Deputy Tax Assessor or a Deputy Construction Official – it is a statutory requirement that they have that particular license. It is not the case with the Deputy Municipal Clerk, you can appoint anybody to that position although now we are requiring that that position be certified.

President Schroth asked the Township Attorney and the Labor Attorney, Rocky Peterson, if the Mayor is correct.

The Attorney replied that she does not know if the position requires certification. Although, in order for a Deputy Tax Collector to perform the functions of a Tax Collector that person must be a certified Tax Collector. If the purpose of a Deputy Tax Collector, is to perform the functions of a Tax Collector then it would follow that the Deputy must be certified.

President Schroth said that he can envision a situation where you have someone who is not certified and they simply do not sign anything that they are not allowed to sign.

Rocky Peterson (Township Labor Attorney) replied that, if you hired someone without certification, which you probably would not, a condition of employment would be certification within a certain time period and if that person does not get certification, that person would not be able to keep the job.

President Schroth asked if this position has been officially created yet.

The Mayor replied, no – but it will be created because of the pending requirements. What we wanted to do was to give people the opportunity to move up in the world – to get their certifications where they are required to get their certification. Every Deputy at Town Hall will now be certified other than the one in Finance. Certification is required for that position to become the Deputy CFO.

President Schroth commented that that is not in this contract.

The Mayor answered that it is not specifically spelled out in the contract.

President Schroth and the Mayor further discussed the Deputy Tax Collector position and the salary range.

The Mayor said that we are trying to get everything aligned so it is all the same.

President Schroth asked if the contract has been amended to include the certified Deputy Clerk position.

The Attorney and the Labor Attorney replied – yes.

Councilman Baxter asked if we have a Deputy Tax Assessor in the IBEW.

The Administrator responded that we have a Deputy Tax Assessor; that title is in the CWA.

Councilman Baxter then asked about the Deputy Court Administrator.

The Administrator responded that the CWA will not give us that position either.

Councilwoman Wollert commented that maybe all deputies should be in the IBEW.

The Mayor responded that there are titles in the IBEW that should not be there.

Councilwoman Wollert added that perhaps the Deputy Tax Collector position should have the same specificity as with the Deputy Clerk – include a certified versus non-certified salary range.

President Schroth responded that what the Mayor is saying is that you are either a certified Deputy Tax Collector or there is no Deputy Tax Collector.

The Mayor thanked everyone on the IBEW negotiation team. There were some intense moments, but it went fairly smoothly as far as contracts are concerned. In the end, everyone was satisfied with the end result and the vote reflects that.

Councilman Baxter asked the Attorney or the Labor Negotiator to look under the Faulkner Act and let Council know who actually sets salary ranges.

The Attorney replied that it is the Administration and said that she will provide Councilman Baxter with the citation.

There were no additional questions or comments from Council. There were no questions or comments from the Public. Ms. Steward then moved the Resolution as further amended this evening, seconded by Ms. Wollert. President Schroth asked for a roll call.

ROLL CALL

| | |
|-------------------|-----|
| Ms. Wollert | YES |
| Ms. Steward | YES |
| Mr. Baxter | YES |
| President Schroth | YES |

President Schroth announced that Items Three, Four, Five and Eleven will be voted on as a block.

3. The Clerk read (Resolution #16R-196) A RESOLUTION AUTHORIZING CY2016 BUDGET TRANSFERS
4. The Clerk read (Resolution #16R-197) A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

5. The Clerk read (Resolution #16R-198) A RESOLUTION TO CANCEL OUTSTANDING CHECKS

11. The Clerk read (Resolution #16R-203) A RESOLUTION ESTABLISHING A CHANGE FUND FOR THE EWING TOWNSHIP MUNICIPAL REGISTRAR

The Clerk read each Title.

The Attorney explained that all are routine financial clean-up resolutions.

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

ROLL CALL

| | |
|-------------------|-----|
| Mr. Baxter | YES |
| Ms. Steward | YES |
| Ms. Wollert | YES |
| President Schroth | YES |

6. The Clerk read (Resolution #16R-199) A RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER INTO A GENERAL MUTUAL RELEASE WITH BROADVIEW NETWORKS FOR THE AMOUNT OF \$4,800

The Council President said that this is a settlement of a financial dispute with our former company that handled telephone lines. It is an at-cost settlement of \$4,800. No other factors are coming into play. It is just the use of the lines that were determined to have been used and that we owed for.

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

ROLL CALL

| | |
|-------------------|-----|
| Ms. Wollert | YES |
| Mr. Baxter | YES |
| Ms. Steward | YES |
| President Schroth | YES |

7. The Clerk read (Resolution #16R-200) A RESOLUTION APPOINTING BROWN & BROWN METRO FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES PURSUANT TO THE REQUIREMENTS OF THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND AS A NON-FAIR AND OPEN CONTRACT

President Schroth said that it is a requirement of participants in the JIF, that we have a risk management consulting firm providing services to us. Brown & Brown is someone that we have been using since 2008. And, we are seeking to continue to use their services.

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

ROLL CALL

| | |
|-------------------|-----|
| Mr. Baxter | YES |
| Ms. Wollert | YES |
| Ms. Steward | YES |
| President Schroth | YES |

President Schroth stated that Item 8 was pulled during the Agenda Session earlier this evening.

8. A RESOLUTION OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, APPROVING THE EXECUTION OF A THREE-YEAR SERVICE AGREEMENT BETWEEN SWIFTREACH NETWORKS, INC. AND THE TOWNSHIP OF EWING FOR THE PROVISION OF EMERGENCY NOTIFICATION SERVICES AT THE ANNUAL RATE OF \$9,495.00, FOR A TOTAL CONTRACT AWARD OF \$28,485.00
9. The Clerk read (Resolution #16R-201) A RESOLUTION TO DISSOLVE EWING TOWNSHIP'S TALENT SHOW PROGRAM FUND AS APPROVED BY DIVISION OF LOCAL GOVERNMENT SERVICES UNDER N.J.S.A. 40A:5-29 ACCEPTANCE OF BEQUESTS, LEGACIES, GIFTS

President Schroth said that this is a program that is no longer in existence. Funds are going to be dispersed to Mercer Street Friends and the Boys & Girls Club. The Attorney added that these are donated funds. At the State's direction, these funds have to go where the donor wished them to go.

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

ROLL CALL

| | |
|-------------------|-----|
| Mr. Baxter | YES |
| Ms. Steward | YES |
| Ms. Wollert | YES |
| President Schroth | YES |

10. The Clerk read (Resolution #16R-202) A RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAW OF 1997

President Schroth stated that this is just the reissuing of a duplicate tax sale certificate.

The Attorney added that it is at the request of the owner who lost the original certificate. There is a replacement fee.

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

ROLL CALL

| | |
|-------------------|-----|
| Ms. Steward | YES |
| Ms. Wollert | YES |
| Mr. Baxter | YES |
| President Schroth | YES |

President Schroth announced that Items 12, 13 and 14 will be moved as a block.

12. The Clerk read (Resolution #16R-204) A RESOLUTION APPROVING A CHANGE ORDER IN THE AMOUNT OF \$48,700.00 TO EAST COAST HAZ MAT REMOVAL, INC. FOR ASBESTOS ABATEMENT AT THE HOLLOWBROOK COMMUNITY CENTER
13. The Clerk read (Resolution #16R-205) A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF 19,500.00 WITH NETTA FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH ITS CONTRACT FOR THE REMOVAL OF ASBESTOS CONTAINING MATERIAL AND RELATED RENOVATIONS AT THE HOLLOWBROOK COMMUNITY CENTER

14. The Clerk read (**Resolution #16R-206**) A RESOLUTION APPROVING A CHANGE ORDER IN THE AMOUNT OF \$13,724.00 TO RJB ENVIRONMENTAL, INC. FOR ASBESTOS REMOVAL PROJECT DESIGN, PLANS AND SPECIFICATIONS AT THE HOLLOWBROOK COMMUNITY CENTER

President Schroth said that all three are change orders that were necessitated by additional and unforeseen work related to the asbestos removal at the Hollowbrook Community Center.

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

ROLL CALL

| | |
|-------------------|-----|
| Ms. Wollert | YES |
| Mr. Baxter | YES |
| Ms. Steward | YES |
| President Schroth | YES |

15. The Clerk read (**Resolution #16R-207**) A RESOLUTION AUTHORIZING A MAINTENANCE GUARANTEE RELEASE FOR THE GARDENS AT BIRMINGHAM, BLOCK 365 LOT 9, 1460 PARKWAY AVENUE, EWING TOWNSHIP FOR PROJECT NUMBER RV&A#1102 I 035 SUBJECT TO THEIR COMPLIANCE WITH SPECIFICATIONS OUTLINED BY EWING TOWNSHIP ENGINEERS REMINGTON, VERNICK & ARANGO

President Schroth explained that this is a routine release of a performance bond. Performance bonds are required at the beginning of a project such as these and upon substantial completion or completion of the project, are released. The Attorney clarified that this is the next step. The performance bond has already been released. This is the maintenance guarantee. The project is even further along.

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

ROLL CALL

| | |
|-------------------|-----|
| Mr. Baxter | YES |
| Ms. Wollert | YES |
| Ms. Steward | YES |
| President Schroth | YES |

President Schroth stated that Items 16, 17, and 18 are being moved as a block.

16. The Clerk read (**Resolution #16R-208**) A RESOLUTION AUTHORIZING THE PURCHASE OF SDL PROGRAM LICENSES TO BE USED BY VARIOUS DEPARTMENTS FOR THE TOWNSHIP OF EWING FROM SHI INTERNATIONAL CORP. #89851 THROUGH STATE CONTRACT M-0003(expires 06/30/2020)

17. The Clerk read (**Resolution #16R-209**) A RESOLUTION AUTHORIZING THE PURCHASE OF DUAL HEAD RADIOS FOR USE BY THE POLICE DEPARTMENT FOR THE TOWNSHIP OF EWING FROM MOTOROLA SOLUTIONS #83909 THROUGH STATE CONTRACT T-0109 (expires 04/30/2018)

18. The Clerk read (**Resolution #16R-210**) A RESOLUTION AUTHORIZING THE PURCHASE OF A VOICE RECORDING SYSTEM FOR USE IN THE POLICE DEPARTMENT FOR THE TOWNSHIP OF EWING FROM GOLD TYPE BUSINESS MACHINES #83891 THROUGH STATE CONTRACT T-0109 (expires 04/30/2018)

President Schroth explained that these are purchases made in accordance with the Budget and pursuant to contract.

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

ROLL CALL

| | |
|--------------------------|------------|
| Mr. Baxter | YES |
| Ms. Steward | YES |
| Ms. Wollert | YES |
| President Schroth | YES |

19. The Clerk read (Resolution #16R-211) A RESOLUTION AWARDING A MONTH-TO-MONTH EXTENSION OF THE CONTRACT FOR PHYSICIAN SERVICES WITH ROBERT WOOD JOHNSON UNIVERSITY HOSPITAL-HAMILTON

The Council President explained that this is awarding a month-to-month extension of the contract for physician services with Robert Wood Johnson. It covers employee physicals, employee return to work and workman's comp.

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

ROLL CALL

| | |
|--------------------------|------------|
| Mr. Baxter | YES |
| Ms. Wollert | YES |
| Ms. Steward | YES |
| President Schroth | YES |

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

There being no further business President Schroth called for a motion to adjourn. Ms. Steward so moved seconded by Mr. Baxter. The meeting was adjourned at 10:02 p.m.

President Schroth, President

Kim J. Macellaro, Municipal Clerk