

**January 10, 2017 – REGULAR SESSION**

President Steward called the meeting to order at 9:10 p.m.

The Deputy Clerk gave the Invocation: 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

President Steward then read the Open Public Meeting Statement:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 4th day of January, 2017.

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 – Present | Maeve Cannon, Attorney       |
| ▪ Mr. Schroth – Present       | Susan Bate, Deputy Clerk     |
| ▪ Ms. Wollert – Present       |                              |
| ▪ President Steward – Present |                              |

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

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

**BILLS LIST**

1. The Deputy Clerk read (Resolution #17R-11) A Resolution Authorizing the Chief Financial Officer to Pay Supplemental Bills per Resolution #16R-13 in the Amount of \$476,644.14

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

**ROLL CALL**

Ms. Keyes-Maloney	YES
Mr. Schroth	YES
Mr. Baxter	YES
Ms. Wollert	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 Deputy Clerk read the Consent Agenda: (Resolution #17R-12/)

1. Approval of Agenda Session Minutes for November 29, 2016; Approval of Regular Session Minutes for November 29, 2016
2. A Resolution Authorizing the Conduct of a Bingo Sponsored by Prospect Heights Vol. Fire Co. #1
3. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$70.25 for overpayment of transport service on November 14, 2016 for patient Sheree Fleming to Horizon NJ Health, P.O. Box 24077, Newark, New Jersey 07101-0406.

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

**ROLL CALL**

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

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

1. The Deputy Clerk read (Ordinance #17-01) AN ORDINANCE AUTHORIZING THE TOWNSHIP OF EWING UNDER THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1, ET SEQ., TO ENTER INTO A PAYMENT IN LIEU OF TAXES (“PILOT”) AGREEMENT WITH PARKWAY TOWN CENTER URBAN RENEWAL, LLC IN WHICH PARKWAY WILL PAY THE TOWNSHIP OF EWING, IN LIEU OF CONVENTIONAL REAL PROPERTY TAX PAYMENTS, AN ANNUAL MONETARY PAYMENT COMPUTED IN ACCORDANCE WITH N.J.S.A. 40A:20-12(B)(1).

The Attorney explained that this is an Ordinance to authorize a PILOT agreement with Atlantic who will be developing the GM site. It provides for a thirty-year tax exemption in which for the first fifteen years the Developer will pay ten percent of gross revenue and thereafter, for the second fifteen years, the Developer will pay twelve percent on those gross revenues. The Attorney stated that Kevin McManimon, Special Counsel for the Redevelopment Agency who negotiated this agreement, is here tonight to answer any questions.

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

**ROLL CALL**

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

2. **The Deputy Clerk read (Ordinance #17-02) AN ORDINANCE AMENDING THE EWING TOWNSHIP SALARY ORDINANCE ESTABLISHING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF EWING**

**The Council President said that this is an annual Ordinance to establish the salary of the Township Clerk and Township Administrator. Both follow the IBEW contract, but their salaries have to be set separately by Ordinance.**

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

**ROLL CALL**

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

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

1. **The Deputy Clerk read (Ordinance #16-20) AN ORDINANCE OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, AMENDING CHAPTER 354 TRAILERS TO PROHIBIT THE USE OF PORTABLE ON-DEMAND STORAGE OR PORTABLE STORAGE CONTAINERS ON RESIDENTIALLY ZONED PROPERTY EXCEPT IN CONFORMANCE WITH THE TERMS OF THE ORDINANCE.**

*“Interpretive Statement”*

**WHEREAS**, the Mayor and Council of the Township of Ewing wish to enhance and create a sense of place that encourages economic vitality and community activity through well-designed land development that is consistent with established and planned land use patterns and preserves the community’s suburban and urban landscapes alike, which make Ewing Township a unique and desirable place to both live and work; and,

**WHEREAS**, the Township’s Master Plan and subsequent Reexamination Reports identify the need to analyze existing land use patterns and underlying ordinances and make recommendations for changes where incongruous land uses directly abut one another; and

**WHEREAS**, the Mayor and Council wish to further these goals by amending the Township’s Ordinances to be consistent with its Master Plan is within the purpose and intent of the Municipal Land Use Law, N.J.S.A. 40:55D- et.seq. and;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Township of Ewing, County of Mercer, State of New Jersey that the Code of the Township of Ewing be amended to prohibit the use of portable on-demand storage or portable storage containers on residentially zoned property except in conformance with the terms Ordinance, as follows:

Section 1 Chapter 354, ”Trailers” is hereby amended as follows:

**Chapter 354. Trailers and ~~Camp Cars~~ Portable On-Demand Storage Structures, Portable Storage Containers**

ARTICLE I: Recreational Vehicles, Trailers and Campers ~~Cars~~

354.1 Definitions -

“Automobile” includes all motor vehicles except motorcycles.

"Commercial motor vehicle" includes every type of motor-driven vehicle used for commercial purposes on the highways, such as the transportation of goods, wares and merchandise, excepting such vehicles as are run only upon rails or tracks and vehicles of the passenger car type used for touring purposes or the carrying of farm products and milk, as the case may be.

"Commuter van" means a motor vehicle having a seating capacity of not less than seven nor more than 15 adult passengers, in which seven or more persons commute on a daily basis to and from work and which vehicle may also be operated by the driver or other designated persons for their personal use.

"Intermodal container" means a large standardized shipping container, designed and built for intermodal freight transport, meaning these containers can be used across different modes of transport – from ship to rail to truck – without unloading and reloading their cargo.

"Motor-drawn vehicle" includes trailers, semitrailers, or any other type of vehicle drawn by a motor-driven vehicle.

"Motor vehicle" includes all vehicles propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks and motorized bicycles.

"Noncommercial truck" means every motor vehicle designed primarily for transportation of property, and which is not a "commercial vehicle."

"Owner" means a person who holds the legal title of a vehicle, or if a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee, lessee or mortgagor shall be deemed the owner for the purpose of this subtitle.

"Parking" means the standing or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

"Passenger automobile" means all automobiles used and designed for the transportation of passengers, other than omnibuses and school buses.

"Pole trailer" means every vehicle without motor power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads, such as but not limited to boats, motorcycles, machinery, poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections, enclosed or otherwise.

Portable on-demand storage structures, and/or portable storage containers (Commonly known as a PODS, shipping containers, truck storage container, and the like) shall be defined to be; any container, storage unit, shed-like container, or other portable structure that can or is used for the storage of personal property, non-profit, or business-related activities of any kind and which is located for such purposes outside an enclosed building other than an accessory building or shed complying with all building codes and land use requirements, and being with or without axles.

"Recreation vehicle" means a trailer, camper car or van self-propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping or travel purposes and used solely as a family or personal conveyance.

"Semitrailer" means every vehicle with or without motor power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

"Shipping Container" means any container of strength suitable to withstand shipment, storage and handling.

~~"Trailer or Camp Car or Van. A vehicle, whether self-propelled or otherwise, having no permanent foundation, which may be used as a dwelling or sleeping place for one or more persons.~~

"Trailer" means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

"Truck" means every motor vehicle designed, used, or maintained primarily for the transportation of property.

"Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Vehicle" means every device in, upon or by which a person or property is or may be transported upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles

§ 354-2. Parking restrictions; use as permanent dwelling prohibited. [Amended 5-28-2002 by Ord. No. 02-14]

No person shall park any trailer, ~~or camper ear~~, pole trailer or recreational vehicle in any street in the Township of Ewing for a period longer than ~~two~~ four hours and may not be parked overnight. No trailer, van, ~~camper ear~~, or Recreational Vehicle, whether lawfully parked on a street or private property or kept in dead storage on private property, shall be used by any person as a dwelling or sleeping place, except as permitted in § 354-3. No pole trailer may be parked, hitched or otherwise, on a public street overnight. A request may be made, in advance, to the Construction Official, in writing, requesting temporary on-street parking of prohibited trailer, van, camper, Recreational Vehicles or Pole Trailers, but no such extension shall exceed 72 hours.

§ 354-3. Temporary trailer dwelling; permit. [Amended 5-28-2002 by Ord. No. 02-14]

- A. Upon application to the Construction Official ~~Director of the Department of Community Services~~, upon forms prescribed by the Municipal Clerk Construction Official and filed with the Municipal Clerk Construction Official, a person or persons may be permitted to dwell temporarily in a trailer or ~~camper ear~~ having sanitary facilities approved by the Health Official in cases of temporary displacement of a homeowner by fire or other destruction of premises or visitations to private residences by a person(s) whose driver's license residence is more than 25 miles from the Township of Ewing.
- B. Such permit shall be issued in the discretion of the Construction Official ~~Director of Community Services~~ and shall be valid for 30 days. Extensions for like periods, up to a maximum of five extensions, may be approved by the Construction Official ~~Director of Community Services~~. No such permit or extension shall be granted unless the Zoning Officer ~~Director of Community Services~~ first reviews the Zoning Official and Health Official's report and determines that the proposed location of the temporary site is on private noncommercial property and is inoffensive to the neighborhood. Applicant must make reasonable request in writing by justifying why such extension is being requested.

§ 354-4. Violations and penalties.

Except as provided herein, violations of this article shall be punishable as provided in Chapter 1, Article III, General Penalty, §1-17, subsection B.

ARTICLE II: Temporary Construction and Sales Trailers  
[Adopted 2-14-2006 by Ord. No. 06-03]

§ 354-5. Permit required.

Any person expanding an existing building or structure located within the Township of Ewing will be required to obtain a permit to use temporary construction and/or sales trailers pending the completion of construction. Applications will be made to the Construction Office. Such permits shall be issued at the direction of the Township Construction Official and shall be valid for a period of six months, with one extension for up to six months to be granted in the discretion of the Township Construction Official. Any additional application for extension beyond one year must be made to the Township Council, which, in its discretion, may grant an additional extension.

§ 354-6. Temporary construction trailers.

A temporary construction trailer may be at the site for the period of construction beginning with the issuance of a construction permit and concluding before the final certificate of occupancy is granted.

§ 354-7. Temporary sales trailers.

A temporary sales trailer may be at the site for the period beginning with the posting of bonds for the project and concluding before a certificate of occupancy is granted (or the last certificate of occupancy in the case of a residential project).

§ 354-8. Removal of trailers; assessment for non-removal.

When a permit for a construction and/or sales trailer expires, the business, person or persons who applied for the permit must remove the trailer from the property within five business days of such expiration. If a temporary construction or sales trailer remains on the property after the five business days allowed for removal, the business person or persons shall be assessed, at the current tax rate, as if the trailers were permanent fixtures.

§ 354-9. Violations and penalties.

Except as provided herein, violations of this article shall be punishable as provided in Chapter 1, Article III, General Penalty, §1-17, subsection B.

## **NEW SECTION**

### **ARTICLE III: Portable on-demand storage structures, and/or portable storage containers**

§ 354-10. Use of On-Demand Structures: A portable on-demand storage structure may be utilized as a temporary structure within the Township when in compliance with the standards of this subsection. Any use of such structures within the Township not in compliance with this subsection shall be unlawful. No portable on-demand storage structure or containers may be utilized for commercial purposes in a residential zone unless permitted through the Zoning Official or Board of Adjustment. Intermodal containers are prohibited.

§ 354-11. Registration: Prior to or within 24 hours following the initial delivery of the portable on-demand storage unit, portable storage container, or shipping container, the applicant or supplier shall register the placement of the temporary storage unit, portable storage container, or shipping container with the Township Code Enforcement Department. The registration shall require the completion of a "Code Enforcement Application" form, payment of a \$50 25 nonrefundable registration fee in residential zones and \$200 100 in commercial zones, and the Code Enforcement Department's written approval of the application

§ 354-12 . Such temporary structure, container, or trailer may not exceed 8.5 feet (eight feet, six inches) in height, 10 (ten) feet in width or 20 (twenty) feet in length.

§ 354-13. Requirements for Placement and Location of On-Demand Structures or Portable Storage Containers:

- A. It shall be unlawful for any person or entity to place or permit the placement of portable on-demand storage structures or portable storage containers within a residentially-zoned location in the Township without properly registering the on-demand storage unit or portable storage container with the Code Enforcement Department or Zoning Office as provided above
- B. On-demand storage structures or portable storage containers shall only be placed on the property owner's driveway or a parking area, or if access exists, to the rear of the site. Required parking space(s) shall at all times be maintained if temporary storage units are placed in parking areas.
- C. No temporary storage structure or container shall be used at any time to store solid waste, construction debris, recyclable materials, business inventory, commercial goods, goods for property other than the residential property where the temporary storage unit or container is located (i.e., used for retail sales or non-profit sales distribution), or any other illegal or hazardous material. The Township may inspect the contents of any portable on-demand storage unit or portable storage container at any reasonable time to ensure it is not being used to store said materials.

§ 354-14. Duration of Time Storage Structures or Containers May Be on Property; Extensions

A. A portable on-demand storage structure or portable storage container may be located as a temporary structure on a residentially-zoned property within the Township for a period not exceeding ~~72 hours~~ 14 days in duration from time of delivery to time of removal. No more than one (1) portable on-demand storage structure or portable storage container may be located on the specifically permitted property within the Township at one time; such structures or containers shall be individually limited to the duration time period established within. Such temporary structure or trailer may not be located on the specifically permitted residentially-zoned property more than ~~two~~ one times in any given one hundred and eighty ~~ninety (90)~~ (180) day period.

Extensions to the ~~72-hour~~ 14 day limitation on placement of the structures or containers in residentially-zoned properties may be granted to the Applicant, subject to conditions, for a reasonable time period, and not to exceed ~~48~~ 72 hours. Applicant must make reasonable request in writing by justifying why such extension is being requested. Any further length of time will require a Zoning Permit as may be allowable after application and, if necessary, approval by the Zoning Board of Adjustment.

B. Exceptions to these limits may occur for up to 2 weeks, but limited to the following conditions:

1. When a homeowner is in the process of relocating to another location or locating to the subject premise;
2. Upon fire/natural disaster damage.

C. Any portable on-demand structure or portable storage container which is not removed at the end of the time for which it may lawfully remain in place, or immediately upon the direction of a law enforcement officer for removal of such temporary structure for safety reasons, may be removed by the Township immediately, without notice, and the cost of such removal, together with the cost of administration of its removal, may be assessed against the property on which the temporary structure was located and may be filed as a lien against such property by the Township Clerk. Such lien shall be superior in dignity to all other liens or encumbrances upon the property, including the lien of a mortgage, and shall be equal in dignity to the lien of *ad valorem* taxes.

#### § 354-15. Violations and penalties.

Except as provided herein, violations of this article shall be punishable as provided in Chapter 1, Article III, General Penalty, §1-17, Subsection B.

Section 2 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 3 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 4 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law, except that the Township shall afford all parties who are in violation of the terms of this amended ordinance at the time of its adoption 120 days in which to comply with the terms of this amended Ordinance.

Adopted:

#### STATEMENT

An Ordinance amending Chapter 354 Trailers, of the Code of the Township of Ewing to prohibit the use of portable on-demand storage or portable storage containers on residentially zoned property except in conformance with the terms of the Ordinance.

**President Steward said that this Ordinance is an effort to regulate portable storage containers and shipping containers on residential properties in the Township. There has been significant debate on this earlier tonight and at Council's two prior meetings. President Steward commented that she thought that they have found a**

good product to begin with and to continue to refine with feedback from the Public. It is an excellent step in the right direction to start to bring this issue into focus. Councilwoman Keyes-Maloney stated that she appreciates that the Administration was so willing to work through a lot of the changes associated with this. Councilwoman Keyes-Maloney said that, as we heard from comments this evening, there is still more room to grow with this particular Ordinance and then said that she looks forward to working with the Administration and with Council to potentially “tweak” some of the rougher edges of the POD section of the Ordinance.

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

**ROLL CALL**

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

Ms. Keyes-Maloney stated that she votes “yes” with the expectation that they will address additional amendments at their next available meeting. Ms. Wollert stated that she votes “yes” with the provision that they continue to look at it and to work on approving it. President Steward said that she commits to continue to look at this issue.

**NEW BUSINESS**

**1. The Deputy Clerk read (Resolution #17R-13) A RESOLUTION OF TEMPORARY APPROPRIATIONS**

President Steward explained that in this New Year, before the Budget is adopted by Council, Council adopts a temporary Budget in which each month is one-twelfth of the prior year’s Budget.

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

**ROLL CALL**

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

**2. The Deputy Clerk read (Resolution #17R-14) A RESOLUTION AUTHORIZING CHECK AUTHORIZATION PRIOR TO BILLS LIST APPROVAL**

President Steward said that this Resolution allows the CFO to make certain check authorizations between Council meetings in certain emergent or contractual situations that arise, particularly, in months where there is only one Council meeting. This has been in place for about two years and those checks are always brought to Council on the subsequent Bills List for review.

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



**ROLL CALL**

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

3. The Deputy Clerk read (Resolution #17R-15) **A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO AWARD A TEMPORARY EMERGENCY CONTRACT PURSUANT TO N.J.S.A. 40A:11-6 FOR TOWNSHIP ELEVATOR INSPECTION SERVICES TO EIC INSPECTION, CORP.**

The Council President said that the Township is required to have an elevator inspector on contract.

The Attorney explained that this contract will go until March 1<sup>st</sup>. Bids are due January 25<sup>th</sup> so this will give us time to evaluate the bids and award the contract which will be effective March 1<sup>st</sup>.

Councilman Baxter asked if the Clerk's Office has a copy of the certificate of funds. The Administrator said that the CFO provided it to the Clerk's Office. This of an emergent nature. Everything is dependent on the passage of the temporary budget. The Township must have this to be in compliance.

Councilman Baxter commented that we need a certificate of funds to know that we do have the funds.

The Administrator replied that we do have the funds.

Councilwoman Keyes-Maloney said that this is an existing function. We had built into our Budget that this is a function that would continue.

The Administrator added that we can do a budget transfer at the next meeting.

The Attorney said that Councilman Baxter is correct that without the CFO having certified the funds....

The Deputy Clerk said that she knows that there was one that did not require a certificate of funds but at the moment could not recall which one that was.

The Attorney stated that elevator inspections are paid for by the users. The way that this contract is bid, is that there is a maximum ceiling set by the DCA for the elevator inspection service. When it is bid, they bid down a percentage. It is competitive because it is being charged to the public. The Town does not pay for it and then the Town gets an administrative fee as a percentage of the amount bid. There is no actual expenditure on this contract by the Town except for the Township elevators which are done by purchase order and are not part of this contract.

The Council President, the Attorney and the Administrator then briefly discussed this further.

The Attorney said that the CFO might have done a certificate of funds but it would be for zero dollars.

The Administrator stated that the funds are collected and in an account; the CFO still certified that the funds are there, but it is not taxpayer money.

President Steward stated that Council will accept the Administrator's assurances that this exists.

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

**ROLL CALL**

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

4. The Deputy Clerk read (Resolution #17R-16) **A RESOLUTION AUTHORIZING THE SUBMISSION OF THE EWING (EDAA) MUNICIPAL ALLIANCE GRANT FOR JULY 1, 2017 TO JUNE 30, 2018**

President Steward explained that this is a grant that enables the wonderful activities of the Township's Municipal Alliance in pursuit of protecting the Township's young people. It is an annual grant in the amount of approximately \$32,000.00.

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

**ROLL CALL**

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

5. The Deputy Clerk read (Resolution #17R-17) A RESOLUTION APPROVING CHANGE ORDER NO. 1 INCREASE TO SCOZZARI BUILDERS, INC. FOR THE HOLLOWBROOK COMMUNITY CENTER RENOVATIONS AND ALTERATIONS IN THE AMOUNT OF \$133,298.32

President Steward explained that this is a change order for the work being done renovating and improving the Hollowbrook Center.

The Administrator listed the work being done with this change order.

President Steward stated that it is still well within the amount bonded for this project.

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

**ROLL CALL**

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

6. The Deputy Clerk read (Resolution #17R-18) A RESOLUTION AUTHORIZING A MAINTENANCE GUARANTEE RELEASE FOR THE WAY OF THE CROSS HOLY TEMPLE, BLOCK 13 LOT 33, PRINCESS DIANA WAY, EWING TOWNSHIP FOR PROJECT NUMBER RV&A#1102 I 028 SUBJECT TO THEIR COMPLIANCE WITH SPECIFICATIONS OUTLINED BY EWING TOWNSHIP ENGINEERS REMINGTON, VERNICK & ARANGO

The Council President said this release is recommended by the Township Engineer.

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. Keyes-Maloney	YES
Mr. Schroth	YES
President Steward	YES

7. The Deputy Clerk read (Resolution #17R-19) A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO REDUCE THE PERFORMANCE BOND OF BEAR TAVERN GREENE ON-SITE IMPROVEMENTS – 750 BEAR TAVERN ROAD (BLOCK 373, LOT 2) – EWING ENGINEERS REMINGTON, VERNICK & ARANGO RV&A #1102 I 059

President Steward said that this is also at the recommendation of the Township Engineer.

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

**ROLL CALL**

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

8. The Deputy Clerk read (Resolution #17R-20) A RESOLUTION APPROVING NICHOLAS A. CIMINO AS A SENIOR FIREFIGHTING MEMBER OF THE WEST TRENTON VOLUNTEER FIRE COMPANY NO.1

President Steward said that Council applauds Mr. Cimino's dedication to the West Trenton Volunteer Fire Company.

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

**ROLL CALL**

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

**CLOSED SESSION**

(None for this Meeting)

**ADJOURNMENT**

President Steward mentioned that this weekend is the first of the fire dinners. This Saturday, the Prospect Heights dinner will be held at Mountain View.

There being no further business President Steward called for a motion to adjourn. Ms. Wollert so moved seconded by Mr. Schroth. It was agreed by unanimous voice vote. The meeting was adjourned at 9:32 p.m.

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Sarah Steward, President

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Susan Bate, Deputy Municipal Clerk