

March 28, 2017 – REGULAR SESSION

President Steward called the meeting to order at 8:13 p.m.

The 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 read the Open Public Meetings Statement:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in a notice which was transmitted to the Times of Trenton and the Trentonian, filed with the Clerk of the Township of Ewing and posted in the Ewing Township Municipal Complex, all on the 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 | Joanna Mustafa, CFO |
| ▪ Mr. Schroth – Present | Maeve Cannon, Attorney |
| ▪ Ms. Wollert – Present | Kim Macellaro, Municipal Clerk |
| ▪ President Steward – Present | |

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

There were no questions or comments from the Public for items not on the Agenda.

BILLS LIST

1. The Clerk read (**Resolution #17R-61**) A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$5,624,542.49 and to Pay Supplemental Bills per Resolution #17R-14 in the Amount of \$133.96

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

ROLL CALL

Ms. Keyes-Maloney	YES
Ms. Wollert	YES
Mr. Baxter	YES
Mr. Schroth	YES
President Steward	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 #17R-62/)**

- 1. Approval of Agenda Session Minutes for January 24, 2017; Approval of Regular Session Minutes for January 24, 2017**
- 2. A Resolution Authorizing the Conduct of an Off-Premises 50/50 Cash Raffle Sponsored by Prospect Heights Vol. Fire Co. #1.**
- 3. A Resolution Authorizing the Conduct of an On Premises 50/50 Cash Raffle Sponsored by Central and South Jersey Affiliate of Susan G. Komen for the Cure**
- 4. A Resolution Authorizing the Conduct of an On Premises 50/50 Cash Raffle Sponsored by Central and South Jersey Affiliate of Susan G. Komen for the Cure**
- 5. A Resolution Authorizing the Conduct of an On Premises Tricky Tray Sponsored by Central and South Jersey Affiliate of Susan G. Komen for the Cure**
- 6. A Resolution Authorizing the Conduct of an On Premises Tricky Tray Sponsored by Central and South Jersey Affiliate of Susan G. Komen for the Cure**
- 7. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,464.51 for February 1, 2017 1st quarter taxes to S & H Abstract Company, 1305 Mount Holly Rd., Burlington NJ, 08016 for property owner Rosco Holdings, LLC for Block: 508 Lot: 4 also known 5 Chelmsford Drive.**
- 8. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,169.04 for February 1, 2017 1st quarter taxes to Witcher, Susan A, 114 Crawley Avenue, Pennington NJ, 08534 for property owner Witcher, Susan A for Block: 495 Lot: 12 also known 20 Conway Avenue.**
- 9. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,500.96 for February 1, 2017 1st quarter taxes to Cirello, Scott J & Stacy, 9 Dover Court, Ewing NJ, 08618 for property owner Cirello, Scott J & Stacy for Block: 263 Lot: 20 also known 9 Dover Court.**
- 10. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,542.28 for February 1, 2017 1st quarter taxes to Lore, Teresa, 4 Holiday Ct, Ewing NJ, 08638 for property owner Lore, Teresa for Block: 214 Lot: 44.27 also known 52 Holiday Ct.**
- 11. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,270.35 for February 1, 2017 1st quarter taxes to Emerald Title Agency, 365 White Horse Avenue, Hamilton NJ, 08610 for property owner Daileida, Brian & Susan for Block: 467 Lot: 126 also known 114 Rutledge Avenue.**
- 12. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$993.09 for February 1, 2017 1st quarter taxes to CitiMortgage Inc, PO BOX 23689, Rochester NY, 14692 for property owner Ritter, Aimee for Block: 341 Lot: 6 Qualifier: C-501 also known as 501 Silvia Street.**

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

ROLL CALL

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

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. The Clerk read (**Ordinance #17-10**) **AN ORDINANCE FOR THE CALENDAR YEAR 2017 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

The CFO explained that, every year, by Statute, the Township is permitted to adopt this Ordinance. This year the CPI is one-half of a percent. This allows the Township to increase its appropriations up to three and one-half percent. This gives the Township flexibility in succeeding budget years in case the Township needs to use it.

There were no questions or comments from Council or the Public. Ms. Keyes-Maloney then moved the Ordinance, 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**

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

1. The Clerk read (**Ordinance #17-07**) **AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 300, SEWERS, ARTICLE II SEWER RATES AND CHARGES, TO AMEND THE INFILTRATION/INFLOW SEWER USE CHARGE FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS**

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 300, Sewers

ARTICLE II SEWER RATES AND CHARGES

§ 300-8 EWING RESIDENT RATE.

The "Ewing resident rate" shall consist of the sewer charges set forth herein.

A. Computation of proportionate flow sewer charges for Ewing residents commencing on January 1, 2012. The rate per 100 cubic feet based upon annual water consumption or sewer flow shall be set by the Township Council by resolution annually based upon actual billing from the ELSA within the following range:

ELSA and Ewing operations, maintenance and replacement charges Range: \$3.25 to \$5.00

B. Infiltration/inflow sewer use charge. Each user, in addition to the proportionate flow charges in Subsection A herein, shall pay an annual charge for his or her proportionate share of operation and maintenance for extraneous flows caused by infiltration and inflow. A separate charge shall be paid for each dwelling unit or each commercial, industrial or other facility receiving sewer

service. Twenty percent of the flows to ELSA from its users are deemed caused by such extraneous flows. The infiltration/inflow charge shall be calculated by the Township based upon the number of dwelling units and each commercial, industrial and other facility receiving service. The infiltration/inflow sewer use charge commencing January 1, 2012, will be set by the Township Council by resolution annually based upon actual billing from the ELSA within the following range: \$75 to ~~\$135~~ \$175.

C. Rate charges for unmetered premises. Charges for sewer service for premises without metered sewer or water connections, based upon an estimated annual water consumption of 6,400 cubic feet. Applying the proportionate flow sewer charge in § 300-8A, the annual charge commencing January 1, 2012, will be set by the Township Council by resolution annually based upon actual billing from the ELSA within the following range:

(1) Each family, dwelling or commercial facility with a complement of five or fewer fixtures shall pay annually: \$208 to \$265.

(2) For each additional fixture over the complement of five, the user shall pay an additional \$52 to \$65.

(3) Each user shall also pay, for each laundry tub or automatic washing machine in excess of two, an additional \$59.80.

(4) When more than one family uses the same complement of fixtures, or where individual fixtures are used in common by more than one family, the charge will be determined by multiplying the aforesaid rates or charges by the number of families using the fixtures.

(5) Each family, dwelling or commercial facility shall also pay the annual infiltration/inflow sewer use charge.

D. Rate for new connections. Newly connected sewer accounts shall be charged \$23.58 per month from the issuance of the first certificate of occupancy (whether temporary or permanent) until December 31 of that calendar year. Thereafter, charges shall be in accordance with § 300-8A and B.

E. Charges and rates to be amended by resolution. The charges and rates specified in this article may be amended from time to time throughout the calendar year by resolution of the Township Council based on the actual charges and rates assessed by the Ewing-Lawrence Sewerage Authority to the Township.

F. Unmetered premises which use wells for water connection may install a water or sewer meter in order for the Township to charge for sewer service based on actual water consumption or sewer usage.

(1) The installation of the water or sewer meter must conform to Ewing Township Building and Construction Codes so as to ensure proper installation and measurement of usage and is subject to penalty and inspection upon installation.

(2) The resident shall read the water or sewer meter and shall accurately report the actual reading shown on the meter to the Township tax office on a quarterly basis. The Township or its authorized designee shall read the meter annually in January, for which access must be provided by the homeowner in the case of meters not visible from the outside of the premises. To the extent possible, meters shall be installed so as to provide accessibility and visibility from outside of the premises. In the event that access to the interior of the premises is necessary to read the meter, the homeowner shall afford such access on reasonable notice from the Township or its authorized designee to accomplish the annual fourth quarter reading. If access is denied or prevented after two efforts by the Township or its authorized designee to read the meter, the sewer charges shall be calculated in accordance with Subsection C above.

(3) The Township or its authorized designee may conduct periodic inspections of the water or sewer meter in order to confirm the working status and accuracy of the meter. Upon installation and in January of every other year thereafter, the homeowner shall provide to the tax office a certification as to the accuracy and functionality of the said meter from the manufacturer or installer or other qualified entity, including but not limited to Trenton Water Works. Such meter certification must certify as to accuracy of

better than +/- 1%. The Township shall maintain such certifications with the homeowner's sewer charge records.

(4) Upon the sale of the property, a Township official or its authorized designee will conduct a final reading of the water or sewer meter. The homeowner shall provide a current certification, consistent with Subsection F(3) above, confirming the working status and accuracy of the meter. The full balance shown as due, based on the final reading by the Township official or authorized designee, will be charged to the premises at the rate in effect at the time of the final reading.

(5) A determination, pursuant to Subsection F(3) or (4) above, that the meter is not working, has been tampered with or is for any reason inaccurate, will result in a new assessment based on Subsection C above for the entirety of the period from the date of the last certification of accuracy. Credit shall be accorded for any sewer fees paid during said period. Further, in the case of deliberate tampering, the violator shall be referred to the appropriate authorities for review and prosecution, if appropriate.

(6) The failure to provide the biannual certification required hereunder will cause the homeowner to be assessed sewer charges in accordance with Subsection C above, until a new certification is provided, if the validity or accuracy of any reported reading is questioned based on previously reported readings.

G. The failure to pay the amount of the sewer bill as determined by the Township tax office shall cause the Township tax office to certify the amount due and any interest charged to the Township Council, which shall examine the amounts due and, if found correct, shall cause the costs as shown thereon to be charged against said lands. Such costs shall be added to the taxes next to be assessed and levied upon such lands the same to bear interest at the same rate as taxes and to be collected and enforced by the Tax Collector in the same manner as taxes.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

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.

Adopted:

STATEMENT

This Ordinance amends the sewer infiltration/inflow sewer use charge for residential and commercial customers as contained in the Ewing Township Municipal Code, Chapter 300.

President Steward stated that on an annual basis the Township reviews its sewer costs. This year the Township also conducted a review of its I&I rates.

The CFO explained that the Township, each year, must evaluate the sewer revenue it receives to make sure it can pay its sewer bill to ELSA. ELSA had a significant increase due to infrastructure repair and maintenance this year. This is to increase the I&I rates from \$120.00 to \$150.00 per year. This is still low compared to other municipalities.

President Steward said that this Ordinance amends the range that the Township could charge. Council is also going to walk-on a Resolution this evening to amend the rate as well as walk-on a Resolution to make this Ordinance effective immediately.

There were no questions or comments from Council. 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. Ms. Wollert made a motion to close the Public Hearing, seconded by Mr. Baxter.

It was agreed by unanimous voice vote. 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 Clerk read (Ordinance #17-08) 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 TERRACE BOULEVARD**

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
Auburn Place and Lisbon Avenue	Auburn Place
Beechwood Avenue and Radnor Avenue	Radnor Avenue
Bernard Drive and Frederick Lane	Frederick Lane
Bernard Drive and Scudder Road	Scudder Road
Berwyn Avenue and Radnor Avenue	Radnor Avenue
Bismark Avenue and Trent Avenue	Trent Avenue
Bittersweet Drive and Autumn Lane	Autumn Lane
Brenwal Avenue and Broad Avenue	Broad Avenue
Brenwal Avenue and Western Avenue	Western Avenue
Brenwal Avenue and Florence Avenue	Florence Avenue
Browning Avenue and Crescent Avenue	Crescent Avenue
Bull Run Road and Federal City Road	Bull Run Road
Chauncey Avenue and Linwood Avenue	Linwood Avenue
Cleardale Avenue and Patton Drive	Patton Drive
Concord Avenue and Radnor Avenue	Radnor Avenue
Dover Avenue and Hazel Avenue	Hazel Avenue
Dover Avenue and Robbins Avenue	Robbins Avenue
Duffield Drive and Holder Drive	Holder Drive
Duffield Drive and Willis Drive	Willis Drive
Exit driveway at Ewing High School [Added 10-9-2001 by Ord. No. 01-26]	Exit driveway at Ewing High School
Fireside Avenue and Dunmore Avenue	Fireside Avenue
Glen Stewart Drive and Glen Mawr Drive [Added 2-13-2001 by Ord. No. 01-03]	Glen Stewart Drive
Glenmore Avenue and Pennington Road	Glenmore Avenue
Greenway Avenue and Radnor Avenue	Radnor Avenue
Hawthorne Avenue and Browning Avenue	Browning Avenue
Hawthorne Avenue and Dearborn Avenue	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]	Albemarle Avenue

Intersection

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

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]

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]

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

Sutherland Avenue and Pingree Avenue
Terrace Boulevard and Beacon Avenue

Stop Sign On

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

Pingree Avenue and Latona Avenue

Pingree Avenue

Rhodes Avenue
Riverview Drive
Southard Street
Trent Street

Kilmer Drive
South driveway of Ground Round Restaurant
Star Drive

Stuart Avenue
Summit Avenue
Washington Avenue

Pingree Avenue
Beacon Avenue

<u>Terrace Boulevard and Dunmore Avenue</u>	<u>Dunmore Avenue</u>
<u>Terrace Boulevard and Farrell Avenue</u>	<u>Farrell Avenue</u>
<u>Terrace Boulevard and Meridan Avenue</u>	<u>Meridan Avenue</u>
<u>Terrace Boulevard and Rutledge Avenue</u>	<u>Rutledge Avenue</u>
<u>Terrace Boulevard and Scarsdale Avenue</u>	<u>Scarsdale Avenue</u>
Terrace Boulevard and Stratford Avenue	Stratford Avenue
<u>Terrace Boulevard and Wallace Avenue</u>	<u>Wallace Avenue</u>
<u>Terrace Boulevard and Walton Avenue</u>	<u>Walton Avenue</u>
Trenton Avenue and Hinckle Avenue	Trenton Avenue

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

Trenton Avenue and Howell Avenue	Howell Avenue
Trenton Avenue and Walker Avenue	Walker Avenue
Walker Avenue and Central Avenue	Walker Avenue

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

Washington Avenue and Central Avenue	Central Avenue
Weber Avenue and Robbins Avenue	Robbins Avenue
White Oak Way and Glen Mawr Drive	White Oak Way

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

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

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 Steward said that this is pursuant to some resident requests. All these streets dead-end into Terrace; currently, there are no stop signs. To improve safety in the neighborhood, and after a review by the Township Engineer and the Police Department, stop signs are being added.

There were no questions or comments from Council. Mr. Schroth 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. Keyes-Maloney. It was agreed by unanimous voice vote. Mr. Schroth then moved the Ordinance, 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

- The Clerk read (Ordinance #17-09) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 4, ADMINISTRATION OF GOVERNMENT, ARTICLE III, MUNICIPAL CLERK, TO AUTHORIZE AND DELEGATE TO THE MUNICIPAL CLERK THE AUTHORITY TO APPROVE THE GRANTING OF RAFFLE AND BINGO LICENSES TO BE HELD IN THE TOWNSHIP OF EWING**

WHEREAS, N.J.A.C. 13:47-1.1, provides that while a municipal governing body is authorized to approve the granting of raffle and bingo licenses, it may by ordinance delegate the authority to approve the granting of raffle and bingo licenses to another person, including, without limitation, the municipal clerk; and

WHEREAS, the Township wishes to delegate the authority to approve the granting of raffle and bingo licenses to the municipal clerk; and

WHEREAS, applicants for raffle and bingo licenses must be investigated in accord with N.J.S.A. 5:8-27 and N.J.S.A. 5:8-53, and shall be subject to all other legal requirements, duties and obligations.

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 4, Administration of Government

Article III MUNICIPAL CLERK

§ 4-15 POWERS AND DUTIES.

The Municipal Clerk shall:

A. Act as secretary of the municipal corporation and custodian of the Township Seal and of all minutes, books, deeds, bonds, contracts and archival records of the Township.

B. Act as secretary to the Township Council, prepare meeting agendas at the discretion of the Township Council, be present at all meetings of the Township Council, keep a journal of the proceedings of every meeting, retain the original copies of all ordinances and resolutions and record the minutes of every meeting.

C. Serve as the chief administrative officer in all elections held in the Township, subject to the requirements of Title 19 of the Revised Statutes.

D. Serve as chief registrar of voters in the Township, subject to the requirements of Title 19 of the Revised Statutes.

E. Serve as the administrative officer responsible for the acceptance of applications for licenses and permits and the issuance of licenses and permits, except where statute or this Code delegates that responsibility to some other municipal officer.

F. Serve as coordinator and records manager responsible for implementing local archives and records retention programs as mandated pursuant to Title 47 of the Revised Statutes.

G. Until such time as a separate alcoholic beverage control board may be established in the Township pursuant to law, issue such licenses as may be authorized by the Township Council pursuant to Title 33 of the Revised Statutes and Chapter 91, Alcoholic Beverages, of this Code.

H. Account monthly for all fees received by the Office of the Municipal Clerk.

I. Assure that all ordinances and notices of the Township of Ewing are properly posted and advertised.

J. In accordance with N.J.S.A. 40:69A-43(a), prepare and submit to the Business Administrator an annual budget for the Office of the Municipal Clerk, as well as such other periodic budget reports as may be required by the Business Administrator of the administrative departments.

K. Be subject to the same accounting controls, central purchasing practices, personnel procedures and regulations (except as set forth in § 4-17) and central data processing services as are required of the administrative departments.

L. Perform such other duties as are now or hereafter imposed by statute, regulation or by Township resolution or ordinance.

M. In accordance with N.J.A.C. 13:47-1.1, investigate applicants and approve the granting of raffle and bingo licenses to be held in the Township of Ewing pursuant to the provisions of the

Bingo Licensing Law (N.J.S.A. 5:8-24 et seq.) as well as the Raffles Licensing Law (N.J.S.A. 5:8-50 et seq.).

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

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.

Adopted:

STATEMENT

This Ordinance delegates the authority to approve the granting of raffle and bingo licenses to the municipal clerk as permitted under N.J.A.C. 13:47-1.1.

The Attorney said that regulations allow this authority to be delegated to the Municipal Clerk.

President Steward added that any application will continued to be reviewed by the Legalized Games of Chance Control Commission.

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

NEW BUSINESS

- 1. The Clerk read (Resolution #17R-63) A RESOLUTION INTRODUCING AND APPROVING THE MUNICIPAL BUDGET OF THE TOWNSHIP OF EWING, COUNTY OF MERCER FOR THE CALENDAR YEAR 2017**

The Mayor said that he is here tonight to formally introduce the Budget to Council as required by law. There are some mixed feelings about the Budget. The Township has continued, over the last seven or eight years, to put its house back in order. With Council's help, we have been very frugal. The value of the Township has increased approximately \$13,000,000.00 from 2015 to 2016; still on the uptrend, but it has also incurred more expenses.

The total Operating Budget for 2017 is approximately \$44,000,525.00. The Township received \$9,766,000.00 in State aid. This amount has been flat for the last three years. The Township must raise the rest through taxes. The Mayor stated that taxes will be raised two point four cents for the calendar year 2017. This is approximately thirty dollars for the average homeowner with a house valued at \$125,000.00. The biggest culprit is the Police Department as the Township is again hiring five additional police officers this year and will probably hire five additional officers at the end of the year. There are five hires in this Budget.

Another big part of the Budget is, depending on contract negotiations with the FMBA, that the Township will be hiring a minimum of four people, but could hire up to seven, depending on the work schedule. The Mayor then briefly described the possible work schedules. Technology is another big part of the Budget. Concentrating more on security, The Township is investing in a camera system not only for Township buildings but also at the firehouses and in the Township parks. The Mayor then discussed taxes. The overall tax increase is two point six six percent which is two point four cents to the taxpayer; approximately thirty dollars per year on the average home value of \$125,000.00. For some it will be a little more, for others a little less. The sewer budget is \$8,000,911.00; that is what the Township owes ELSA and it is the reason why the I&I Ordinance was just adopted. ELSA has done a lot of renovations to the sewer plant, but the Township also needs to upgrade its sewer lines. The Mayor then explained that new businesses and new developments, besides paying connection fees, also pay a share of infrastructure costs. However, these payments will not cover the costs for all the upgrades that the Township needs to do. The two biggest projects are a new sewer line from Scotch Road to the Fifth Street Pump Station at a cost of about \$1.8 million dollars and upgrades to the Sullivan Way Pump Station at a cost of about \$4 million dollars. Most of that cost will come from the taxpayer because that part of the Town is mostly built out. The Mayor said that he thinks that the Administration has been very frugal. The Administration met with every department head to get to this Budget. They asked for a lot more money then what we are proposing. Council will have the opportunity to talk with them. The Mayor added that he is happy with being able to keep the Budget as lean as it is and then said that once the General Motors site comes on line then we will be close to breaking even. However, as the Community grows, services must grow and services do not come cheap. As far as the Cap is concerned, the Township is still under it. The CFO has done a good job of maintaining the Budget throughout the year. This Budget is very lean; we could have gone another four cents to get it to the Cap but if you do not need it, why do it. The Mayor stated that this is an acceptable Budget for everyone and then said that he discourages Council from adding anything.

The Council President stated that she is looking for the best date to meet with the department heads.

The Mayor added that the one thing that he is very disappointed in is that State aid has been flat especially as the Township has so much property that is State owned. President Steward said that copies of the Budget will be available in the Clerk's Office.

The Clerk mentioned that the Budget will also be posted in the library.

The CFO added that the user-friendly Budget as well as the full introduced Budget will be posted on the website.

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

ROLL CALL

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

The Council President and the Administrator briefly discussed the budgetary process.

2. The Clerk read (Resolution #17R-64) A RESOLUTION OF EMERGENCY TEMPORARY APPROPRIATION

President Steward said that in the absence of having an approved Budget, the Township needs to continue to operate. This is for one-twelfth of last 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 asked for a roll call.

ROLL CALL

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

3. The Clerk read (Resolution #17R-65) A RESOLUTION AWARDDING A CONTRACT TO SPARKLING POOL SERVICES INC. TO MANAGE, OPERATE AND MAINTAIN TWO (2) PUBLIC SWIMMING POOLS LOCATED IN THE TOWNSHIP OF EWING FOR THE 2017 SUMMER SWIM SEASON FOR AN AMOUNT NOT TO EXCEED \$90,600.00

President Steward explained that this had gone out to bid two times. At the last meeting, Council authorized the Township to negotiate with the sole bidder. Outstanding issues were resolved and a price to operate the two pools was agreed upon.

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

ROLL CALL

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

At the request of the Council President, the Clerk read Items Four and Five as a block.

4. The Clerk read (Resolution #17R-66) A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO GOLDEN CROWN CONTRACTORS FOR THE NEW OVERHEAD DOOR INSTALLATION AT THE EWING SENIOR AND COMMUNITY CENTER
5. The Clerk read (Resolution #17R-67) A RESOLUTION APPROVING CHANGE ORDER NO. 2 AND 3 TO GOLDEN CROWN CONTRACTORS FOR THE NEW OVERHEAD DOOR INSTALLATION AT THE EWING SENIOR AND COMMUNITY CENTER

President Steward said that there are three change orders for this project with one being a credit.

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

ROLL CALL

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

6. The Clerk read (Resolution #17R-68) A RESOLUTION GRANTING CHARLES MATTHEW NEMES PERMISSION TO RECEIVE HIS SERVICE FIREARM (GLOCK 21, .45 CAL. SEMI-AUTOMATIC PISTOL SERIAL NUMBER RYA-933) UPON HIS RETIREMENT FROM THE EWING TOWNSHIP POLICE DEPARTMENT JUNE 1, 2017

President Steward said that, as is Township practice, we are granting this retiring Officer his service firearm.

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

ROLL CALL

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

7. The Clerk read (Resolution #17R-69) A RESOLUTION AUTHORIZING THE TOWNSHIP OF EWING TO ENTER AN ADOPTION AGREEMENT WITH OFFICER CHARLES “MATT” NEMES FOR THE ADOPTION OF A RETIRING POLICE CANINE

The Administrator explained that the dog will “age” out this year and has been Officer Nemes’ partner since the Township added a canine unit.

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

8. The Clerk read (Resolution #17R-70) A RESOLUTION RECOGNIZING MAY 4 AS THE NATIONAL DAY OF PRAYER AND ESTABLISHING MAY 7 AS DAY OF UNITY IN EWING TOWNSHIP

President Steward said that this was brought to our attention again this year by the Mercer Interfaith Organization. They organize this annual event to rally for peace and to demonstrate our unity as a Community.

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

ROLL CALL

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

The Clerk stated that Item Nine is being walked-on.

9. The Attorney read (Resolution #17R-71) A RESOLUTION OF STATEMENT TO ACCOMPANY THE ADOPTION OF AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO AMEND CHAPTER 300, SEWERS, ARTICLE II SEWER RATES AND CHARGES, TO AMEND THE INFILTRATION/INFLOW SEWER USE CHARGE FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS TO MAKE ORDINANCE EFFECTIVE IMMEDIATELY UPON EXECUTION BY THE MAYOR PURSUANT TO N.J.S.A. 40:69A-36(I) AND 40:74-4 TO ACCOMMODATE THE EMERGENT NEED TO ISSUE SEWERS BILLS PRIOR TO APRIL 1, 2017

Ms. Wollert made a motion to walk-on this Resolution, seconded by Ms. Keyes-Maloney. President Steward asked for a roll call.

ROLL CALL

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

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

10. The Clerk read (Resolution #17R-72) A RESOLUTION ESTABLISHING THE SEWER RATES AND CHARGES FOR EWING TOWNSHIP FOR CALENDAR YEAR 2017

At the request of the Council President, the CFO reviewed what the rates will be.

Mr. Schroth made a motion to walk-on this 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

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)

The Mayor wanted to clarify an earlier remark and said that once this canine is retired, it will not be replaced. The K-9 unit will stay at four dogs. The Mayor also thanked Council for “taking care” of the sewer situation as the Township bills are due now.

ADJOURNMENT

There being no further business President Steward called for a motion to adjourn. Ms. Keyes-Maloney so moved seconded by Ms. Wollert. It was agreed by unanimous voice vote. The meeting was adjourned at 8:46 p.m.

Sarah Steward, President

Kim J. Macellaro, Municipal Clerk