

June 13, 2017 – REGULAR SESSION

President Steward called the meeting to order at 8:02 p.m.

The Clerk read 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

The Council President 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
 - Ms. Keyes-Maloney – Present
 - Mr. Schroth – Present
 - Ms. Wollert – Absent
 - President Steward – Present
- Jim McManimon, Administrator
 Wade Koenecke, Attorney
 Kim Macellaro, Municipal Clerk

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 #17R-112**) A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$413,301.00 and to Pay Supplemental Bills per Resolution #17R-14 in the Amount of \$4,032.13

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
- 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-113/)

1. Approval of Agenda Session Minutes for April 11, 2017; Approval of Regular Session Minutes for April 11, 2017
2. A Resolution Authorizing a Refund, as Recommended by the Township Construction Official in the amount of \$1,549.00 to MCIA, P.O. Box 8068, Trenton, NJ 08638 for a permit at 1603 N. Olden Ave., Ewing, NJ 08628. This is a County property and they are exempt from paying DCA fees.

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 asked for a roll call.

ROLL CALL

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

ALCOHOLIC BEVERAGE CONTROL MATTERS

1. The Clerk read (Resolution #17R-114) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2017-2018 EWING MUNICIPAL LIQUOR LICENSES

President Steward explained that this is the renewal of most of the Township's liquor licenses. They had received the appropriate clearances from the State.

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

ROLL CALL

| | | |
|-------------------|---------------------|--|
| Mr. Schroth | YES | |
| Mr. Baxter | YES | |
| Ms. Keyes-Maloney | YES, with exception | |
| President Steward | YES | |

Councilwoman Keyes-Maloney stated that she votes yes except for Trenton Lodge 105 for which she abstains.

2. The Clerk read (Resolution #17R-115) A RESOLUTION AUTHORIZING THE APPROVAL FOR RENEWAL OF 2017-2018 EWING MUNICIPAL LIQUOR LICENSE FOR AMPHORA RESTAURANT, LLC t/a ERINI'S RESTAURANT WITH CONDITIONS

President Steward explained that this is handled separately because conditions were placed on the operation of outside alcohol service at this establishment a few years ago.

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

ROLL CALL

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

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. The Clerk read (Ordinance #17-21) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ADD § 325-5, TITLED DAMAGE TO MAILBOX BY TOWNSHIP

President Steward said that this sets the conditions under which the Township would pay, up to \$50, to replace a mailbox that was damaged by contact with a Township snowplow.

Councilman Baxter asked the Administrator to speak with Public Works and ask them to be more diligent when they are plowing and to also let Public Works know that the Township will now be paying if mailboxes are hit.

The Administrator said that he will and added that there is a snow plowing training session in October.

Councilwoman Keyes-Maloney said that Public Works should keep a log and added that this Ordinance is good because it specifically limits the Township's responsibility to direct impact and not to ancillary situations that could occur.

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

ROLL CALL

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

2. The Clerk read (Ordinance #17-22) A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,530,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,453,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

President Steward explained that this is for capital improvements which include: the emergency generator at the Municipal Building and several recreational improvements through a matching grant from Mercer at Play.

The Administrator added that the recreational improvements include: basketball courts and parking related to the tennis courts at Moody Park as well as a splash park over at the ESCC.

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

ROLL CALL

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

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

- 1. The Clerk read (Ordinance #17-17) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO AUTHORIZE THE PRIVATE SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE, SPECIFICALLY BICYCLES, TO THE BOYS AND GIRLS CLUB OF TRENTON AND MERCER COUNTY, A 501(c)(3) NON-PROFIT ORGANIZATION**

WHEREAS, the Township Council determines that the following personal property owned by the Township, consisting of bicycles no longer needed for municipal purposes by the Township of Ewing:

Bicycles

Approximately 58 bicycles of various types that have been collected and/or provided to the Township over time (see attached list)

WHEREAS, pursuant to N.J.S.A. 40A:12-21.1, the Township Council authorizes the private sale of such personal property for nominal consideration to any organization listed in N.J.S.A. 40A:12-21; and

WHEREAS, The Boys and Girls Club of Trenton and Mercer County is an approved 501(c)(3) not-for-profit charity formed to enable all young people, especially those most in need, to reach their full potential as productive, caring, and responsible citizens; and

WHEREAS, pursuant to N.J.S.A. 40A:12-21(k), The Boys and Girls Club of Trenton and Mercer County meets the definition of an organization to which municipalities may make private sales of personal property for nominal consideration.

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

Section 1.

The following personal property owned by the Township of Ewing, consisting of bicycles, which is no longer needed for municipal purposes by the Township of Ewing:

Bicycles

Approximately 58 bicycles of various types that have been collected and/or provided to the Township over time (see attached list)

shall be sold pursuant to N.J.S.A. 40A:12-21.1 and N.J.S.A. 40A:12-21(k) to The Boys and Girls Club of Trenton and Mercer County for a nominal consideration of \$1.00.

Section 2.

This Ordinance shall take effect as provided by law.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to authorize the private sale of bicycles no longer needed for municipal purposes by the Township of Ewing.

The Council President explained that the Police Department has completed their investigations; these bicycles no longer need to be kept by the Department. The Boys and Girls Club rehabs the bikes and sells them at low cost.

There were no questions or comments from Council. Mr. Schroth 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. 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
President Steward YES

2. The Clerk read (Ordinance #17-18) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO ADD § 225-10.6, TO PROHIBIT PARKING IN FRONT OF A PUBLIC OR PRIVATE DRIVEWAY

President Steward stated that this is in response to some residents' concerns about parking in front of driveways.

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

President Steward stated that, as discussed previously, there has been discussion to amend this Ordinance to prohibit parking not only in front of a driveway but also to prohibit parking within five feet of a driveway. Mr. Schroth made a motion to amend the Ordinance as such, seconded by Ms. Keyes-Maloney. President Steward asked for a roll call.

ROLL CALL

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

The Clerk announced that this will be re-advertised as amended and then the Public Hearing on the amended Ordinance will be held.

3. The Clerk read (Ordinance #17-19) BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,520,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Ewing, in the County of Mercer, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,600,000, and further including the aggregate sum of \$80,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down

payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,520,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

| <u>Purpose</u> | <u>Appropriation & Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds & Notes</u> | <u>Period of Usefulness</u> |
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| a) <u>Emergency Medical Services:</u> | | | |
| (i) Acquisition of an ambulance, including all related costs and expenditures incidental thereto. | \$104,125 | \$98,919 | 5 years |
| (ii) Acquisition of radios, including all related costs and expenditures incidental thereto. | \$13,000 | \$12,350 | 10 years |
| (iii) Acquisition of various equipment, including a stretcher, a chest compressor, turn out gear and a vest, including all related costs and expenditures incidental thereto. | \$77,250 | \$73,387 | 15 years |
| TOTAL: | \$194,375 | \$184,656 | |

b) Department of Public Works:

(i) Acquisition of a Case loader with attachments, including all related costs and expenditures incidental thereto.

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| | \$120,000 | \$114,000 | 5 years |
| (ii) Acquisition of various equipment, including a sander, a zero turn mower and a shop tire machine, including all related costs and expenditures incidental thereto. | <u>\$28,000</u> | <u>\$26,600</u> | 15 years |
| TOTAL: | <u>\$148,000</u> | <u>\$140,600</u> | |
| c) <u>Division 30 Fire Fighters:</u> | | | |
| (i) Acquisition of pagers, including all related costs and expenditures incidental thereto. | \$1,400 | \$1,330 | 5 years |
| (ii) Acquisition of turn out gear, including all related costs and expenditures incidental thereto. | <u>\$14,000</u> | <u>\$13,300</u> | 15 years |
| TOTAL: | <u>\$15,400</u> | <u>\$14,630</u> | |
| d) <u>Municipal Court:</u> | | | |
| Acquisition and installation of a Lektrieva filing system, including all work and materials necessary and incidental thereto and further including all related costs and expenditures incidental thereto. | <u>\$120,000</u> | <u>\$114,000</u> | 15 years |
| e) <u>Prospect Heights Fire Company:</u> | | | |
| (i) Acquisition of an iPad, computers and a server and the acquisition and installation of mounting equipment for a vehicle, including all work and materials necessary and incidental thereto and further including all related costs and expenditures incidental thereto. | \$9,000 | \$8,550 | 5 years |
| (ii) Acquisition of portable radios, including all related costs and expenditures incidental thereto. | \$14,850 | \$14,107 | 10 years |
| (ii) Acquisition of various equipment, including PPV dual powered fans, turn out gear, a hose and RIT safety bags, including all related costs and expenditures incidental thereto. | <u>\$24,500</u> | <u>\$23,275</u> | 15 years |
| TOTAL: | <u>\$48,350</u> | <u>\$45,932</u> | |

f) West Trenton Fire Company:

(i) Acquisition of various equipment, including pagers, personal alert safety systems and an incident command system, including all related costs and expenditures incidental thereto.

\$13,670 \$12,987 10 years

(ii) Acquisition of a diesel gas tank, including all related costs and expenditures incidental thereto.

\$15,000 \$14,250 15 years

TOTAL: \$28,670 \$27,237

g) Pennington Road Fire Company:

Acquisition of various equipment, including a PPV fan, turn out gear, a hose and a StrongArm tool and air conditioning repairs at Town Hall, including all work and materials necessary and incidental thereto and further including all related costs and expenditures incidental thereto.

\$21,600 \$115,520 15 years

h) Municipal Complex:

Air conditioning repairs, including all work and materials necessary and incidental thereto and further including all related costs and expenditures incidental thereto.

\$100,000 \$95,000 15 years

i) Road Repairs:

(i) Road repairs, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary and incidental thereto.

\$239,605 \$227,625 10 years

(ii) Storm drain repairs, including all work and materials necessary and incidental thereto

\$69,000 \$65,550 40 years

TOTAL: \$308,605 \$293,175

j) Police Department:

(i) Acquisition of various

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| vehicles, including a Chevy Tahoe and a command post vehicle up-fit, including all related costs and expenditures incidental thereto. | \$77,000 | \$73,150 | 5 years |
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| (ii) Acquisition of a breathalyzer, including all related costs and expenditures incidental thereto. | \$ <u>20,000</u> | \$ <u>19,000</u> | 15 years |
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| TOTAL: | \$ <u>97,000</u> | \$ <u>92,150</u> | |
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j) Information Technology:

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| (i) Acquisition of computers, including all related costs and expenditures incidental thereto. | \$35,000 | \$33,250 | 5 years |
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| (ii) Acquisition of portable and mobile radios and the acquisition and installation of a Township-wide camera system, including all work and materials necessary and incidental thereto and further including all related costs and expenditures incidental thereto. | \$ <u>483,000</u> | \$ <u>458,850</u> | 10 years |
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| TOTAL: | \$ <u>518,000</u> | \$ <u>492,100</u> | |
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| GRAND TOTAL: | \$ <u>1,600,000</u> | \$ <u>1,520,000</u> | |
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The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be

conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.94 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the

Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,520,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$160,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the

requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Council President said that is to fund this year's capital improvements.

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

ROLL CALL

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

- 4. The Clerk read (Ordinance #17-20) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, AMENDING AND REVISING § 225-64, SCHEDULE XVII: BUS STOPS**

BE IT ORDAINED by the Township Council of the Township of Ewing that **Chapter 225, VEHICLES AND TRAFFIC, § 225-64. Schedule XVII: Bus Stops** of the Code of the Township of Ewing is hereby amended as follows:

Section 1: Chapter 225, VEHICLES AND TRAFFIC, § 225-64. Schedule XVII: Bus Stops of the Code of the Township of Ewing is hereby amended as follows:

§ 225-64. Schedule XVII: Bus Stops

Along State Roadways

Pennington Road, southbound, on the westerly side thereof at:

- A. Bull Run Road (far side)
Beginning at the southerly curblineline of Bull Run Road and extending 100 feet southerly therefrom
- B. Rockleigh Drive (far side)
Beginning at the southerly curblineline of Rockleigh Drive and extending 100 feet southerly therefrom

- C. Fran Avenue (far side)
Beginning at the southerly curbline of Fran Avenue and extending 100 feet southerly therefrom
- D. Hilltop Road (near side)
Beginning at the northerly curbline of Hilltop Road and extending 105 feet northerly therefrom
- E. Upper Ferry Road (far side)
Beginning at the southerly curbline of Upper Ferry Road and extending 100 feet southerly therefrom
- F. Carlton Avenue (near side)
Beginning at the northerly curbline of Carlton Avenue and extending 105 feet northerly therefrom
- G. Carlton Avenue and Main Boulevard (mid-block)
Beginning 438 feet south of the southerly curbline of Carlton Avenue and extending 135 feet southerly therefrom
- H. Lanning Avenue (near side)
Beginning at the northerly curbline of Lanning Avenue and extending 105 feet northerly therefrom
- I. Theresa Street (far side)
Beginning at the southerly curbline of Theresa Street and extending 100 feet southerly therefrom
- J. Brenwal Avenue (near side)
Beginning at the northerly curbline of Brenwal Avenue and extending 105 feet northerly therefrom
- K. ~~Central Avenue (near side)~~ Atlantic Avenue — (far side)(prolongation)
~~Beginning at the northerly curbline of Central Avenue and extending 105 feet northerly therefrom~~Beginning at the prolongation of the southerly curbline of Atlantic Avenue and extending 100 feet southerly therefrom
- L. Harrop Place (near side)
Beginning at the northerly curbline of Harrop Place and extending 105 feet northerly therefrom
- M. Pennroad Avenue (far side)
Beginning at the prolongation of the southerly curbline of Pennroad Avenue and extending 100 feet southerly therefrom
- N. Bradway Avenue (near side)
Beginning at the northerly curbline of Bradway Avenue and extending 105 feet northerly therefrom
- O. Parkside Avenue (near side)
Beginning at the northerly curbline of Parkside Avenue and extending 105 feet northerly therefrom
- P. Clermont Avenue (near side)
Beginning at the northerly curbline of Clermont Avenue and extending 105 feet northerly therefrom
- Q. Clover Avenue (far side)
Beginning at the prolongation of the southerly curbline of Clover Avenue and extending 100 feet southerly therefrom

Section 2. The Mayor and Council of the Township of Ewing will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

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.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to amend the bus stops along state roadways.

The Council President said that this moves a bus stop on Route 31 from just south of Central Avenue to Atlantic for the safety of the residents in that area.

There were no 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. Schroth then moved the Ordinance, seconded by Mr. Baxter. The Council President called for a roll call.

ROLL CALL

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

NEW BUSINESS

At the request of the Council President, the Clerk read Items One and Two together.

- 1. The Clerk read (Resolution #17R-116) A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87**
- 2. The Clerk read (Resolution #17R-117) A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87**

President Steward said that these two Resolutions approve grant applications for Federal City Road, "Drive Sober or Get Pulled Over," and Clean Communities.

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

ROLL CALL

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

- 3. The Clerk read (Resolution #17R-118) A RESOLUTION AUTHORIZING AN ACCELERATED TAX LIEN SALE FOR CY2017 PURSUANT TO N.J.S.A. 54:5-19**

The Council President said that the Township has done this for several years to increase tax collection and to lower the reserve for uncollected taxes.

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

ROLL CALL

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

4. The Clerk read (Resolution #17R-119) 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 Steward explained that one requirement of the Township’s participation in the Joint Insurance Fund is appointing a risk management consultant. Brown & Brown has been the Township’s consultant for the last several years so this is renewing the contract.

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 |
| President Steward | YES |

5. The Clerk read (Resolution #17R-120) A RESOLUTION AUTHORIZING PROCEEDINGS AGAINST THE LANDLORD OF 1694 PENNINGTON ROAD PURSUANT TO EWING CODE 284-10 ET SEQ.

President Steward said that this is a second recent application of the Township’s “Animal House” Ordinance. When properties have several infractions against them, the Township can institute these proceeding to hopefully encourage the landlord to address those concerns with their tenants.

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

ROLL CALL

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

6. The Clerk read (Resolution #17R-121) A RESOLUTION AUTHORIZING THE PURCHASE OF ACOM – ADVANCED COMMUNICIATION SYSTEM FOR USE BY THE POLICE DEPARTMENT FOR THE TOWNSHIP OF EWING FROM ZETRON, INC. OF 12034-134TH CT NE, REDMOND, WA 98052 USING AUTHORIZED DISTRIBUTOR GTBM, INC. OF EAST RUTHERFORD, NJ 07073 THROUGH STATE CONTRACT T-0109 (expires 04/30/2018)

President Steward said that this is for the upgrade of technology in the Police Department’s communication room. It is provided for in the 2015 Capital Budget.

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

ROLL CALL

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

7. The Clerk read (**Resolution #17R-122**) **A RESOLUTION OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, AUTHORIZING AND DIRECTING THE PLANNING BOARD TO UNDERTAKE AN INVESTIGATION TO DETERMINE WHETHER CERTAIN PROPERTY CONSTITUTES AN AREA IN NEED OF REDEVELOPMENT**

The Council President stated that this is a one acre corner of a larger property commonly known as the Naval site and where currently the Township operates the brush drop-off. This asks the Planning Board to assess whether it makes sense to also include this property in the Redevelopment Area. It, previously, had not been included because the Township once owned this property.

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
President Steward YES

8. The Clerk read (**Resolution #17R-123**) **A RESOLUTION MANDATING THE UTILIZATION OF NATIONAL INCIDENT MANAGEMENT SYSTEM STANDARD PROCEDURES**

The Council President explained that this is not so much a change in practice as it is a change in codifying that practice. The Township adopted these standards several years ago. It will improve the Township's standing with grant applications.

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
President Steward YES

The Clerk stated that Item Nine was pulled.

9. **RESOLUTION URGING THE STATE LEGISLATURE TO EXTEND THE 2% CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS**
10. The Clerk read (**Resolution #17R-124**) **A RESOLUTION AUTHORIZING THE DISCHARGE OF FIREWORKS AT THE ANNUAL FOURTH OF JULY CELEBRATION**

The Council President said that this is happening on the first of July with a rain date of July 2nd.

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

ROLL CALL

Mr. Schroth YES

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

11. The Clerk read (Resolution #17R-125) A RESOLUTION REJECTING ALL BIDS RECEIVED IN RESPONSE TO THE TOWNSHIP'S REQUEST FOR BIDS FOR FY 2016 NJDOT TRUST FUND RESURFACING OF FEDERAL CITY ROAD

The Council President stated that the recommendation from the Administration is to reject these bids. This was for a portion of Federal City Road whereas now the Township is applying for a grant to resurface the second portion. The idea here is to bid it out as one project in an effort to reduce costs and in terms of logistics to manage it as one project instead of two.

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

ROLL CALL

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

12. The Clerk read (Resolution #17R-126) A RESOLUTION APPROVING CHANGE ORDER NO. 1 FINAL DECREASE TO R. MOSLOWSKI EXCAVATING, INC. FOR VAN SAUN DRAINAGE REPAIR

The Council President said that this repair had been completed and it came in about \$13,000 under.

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
President Steward YES

The Clerk read Items Thirteen through Seventeen.

13. The Clerk read (Resolution #17R-127) A RESOLUTION AUTHORIZING A MAINTENANCE BOND RELEASE FOR GIANCARLI MINOR SUBDIVISION, 110 TRENTON AVENUE/486 WALKER AVENUE (BLOCK 408/LOT 23.01 & 23.02) - EWING ENGINEERS REMINGTON, VERNICK & ARANGO RV&A #1102-I-052

14. The Clerk read (Resolution #17R-128) A RESOLUTION AUTHORIZING A MAINTENANCE GUARANTEE RELEASE FOR PRINCETON SOUTH DEVELOPMENT, LLC, 500 CHARLES EWING BOULEVARD (BLOCK 225.04/LOT 1.01) - EWING ENGINEERS REMINGTON, VERNICK & ARANGO RV&A #1102-I-019

15. The Clerk read (Resolution #17R-129) A RESOLUTION AUTHORIZING A MAINTENANCE BOND RELEASE FOR PRINCETON SOUTH DEVELOPMENT, LLC, 701-801 CHARLES EWING BOULEVARD (BLOCK 225.01/LOT 1.03) - EWING ENGINEERS REMINGTON, VERNICK & ARANGO RV&A #1102-I-004

16. The Clerk read (Resolution #17R-130) A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE FOR GF PRINCETON, LLC SITE PLAN –

**PARKING LOT EXPANSION, 370 SCOTCH ROAD (BLOCK 371/LOT 3.04) -
EWING ENGINEERS REMINGTON, VERNICK & ARANGO RV&A #1102-I-066**

17. The Clerk read (**Resolution #17R-131**) A RESOLUTION AUTHORIZING A PERFORMANCE GUARANTEE RELEASE FOR VAN SAUN DRAINAGE REPAIR EWING TOWNSHIP ENGINEERS REMINGTON & VERNICK AND AFFILIATES #1102-T-039 AND ACCEPTANCE OF MAINTENANCE BOND NO. RU100768

President Steward said that all of these are for performance or maintenance releases. All have been completed to the satisfaction of the Township Engineer who is recommending that the previously stated bonds are released.

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

ROLL CALL

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

The Clerk said that the walk-on item this evening is:

18. The Clerk read (**Resolution #17R-132**) A RESOLUTION OF EWING TOWNSHIP AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

President Steward stated that this auction was conducted earlier today for electricity and gas supply services for Township owned properties and responsibilities. It resulted in some savings for the Town. It is a three-year contract.

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

ROLL CALL

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

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

The Administrator announced that the EASEL proposal is being reviewed tomorrow morning. If it needs to be re-advertised for a second opportunity, it is twenty days.

The Administrator then informed Council that the County has been undertaking a study of the airport. Ewing was not invited to participate in their Public Hearings. The Township was notified by residents who went to those meetings. Residents are concerned about this. Some residents made accusations that the Township knew more about what was going on at the Airport than what the residents were told. The Administrator stated the Township did not know any more and then added that he spoke with the County who told him that the Township was not included because the Township really does not have a say in this process. At this point, the Township has been told that the County wants to build a new terminal with a potential of buying homes. Some trees will also be cut down. The Administrator added that residents came in wanting to know why the Township was not at the table.

Councilwoman Keyes-Maloney added that residents in other jurisdictions have similar concerns and also reached out to their respective municipalities. The County has heard from a number of people about the need to share information.

The Administrator then described the nature of these Public Meetings and discussed the process the County must follow. The twenty year build out plan is on the County's website. The Administrator stated that, as Administrator, he is not taking a position. The Administrator encouraged Council to refer questions to Lucy Walter and Darren Watson as he has. Both live in Ewing and will give different viewpoints.

The Council President asked if they have indicated what the next step in the process is.

The Administrator replied that a plan has is to first be presented to the County administrators and then to the Freeholders. They are applying for federal grants to build the new terminal. With that, comes the ability to house more planes, and bring in another airline. Most of the concerns are coming from West Trenton and from across the River.

There were no additional questions, comments, or concerns.

There being no further business President Steward called for a motion to adjourn. Ms. Keyes-Maloney so moved seconded by Mr. Baxter. It was agreed by unanimous voice vote. The meeting was adjourned at 8:34 p.m.

Sarah Steward, Council President

Kim J. Macellaro, Municipal Clerk