

October 16, 2018 – REGULAR SESSION

President Wollert called the meeting to order at 7:47 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

Council President Wollert 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 3rd day of January 2018.

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

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

President Wollert announced that there will be a special event sponsored by Womanspace on December 3, 2018 at the Municipal Building. It is their Communities of Light program. These candles represent hope for all of those who struggle with violence in their homes.

Councilwoman Steward asked when the Veteran’s Day celebration will be held.

The Administrator replied that it will be held on the 12th.

BILLS LIST

1. The Clerk read (Resolution #18R-180) A Resolution Authorizing the Chief Financial Officer to Pay Bills in the Amount of \$605,646.33 and to Pay Supplemental Bills per Resolution #18R-15 in the Amount of \$24,348.98

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

ROLL CALL

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

The above referenced Bills List Resolution and the Bills List are available in the Clerk's Office in the 2018 Resolution Book Number Two.

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 #18R-181/)

1. Approval of Agenda Session Minutes for July 24, 2018; Approval of Regular Session Minutes for July 24, 2018
2. A Resolution Authorizing a Refund, as Recommended by the Director of EMS for Overpayment in the amount of \$140.08 for overpayment of transport service on February 22, 2018 for patient Martin Vincent, Sarah to Aetna, PO Box 14079, Lexington, KY 40512-4079
3. A Resolution Authorizing a Refund as Recommended by the Director of EMS for Overpayment in the amount of \$53.20 for overpayment of transport service on January 27, 2017 for patient Mottley, Lorraine to WPS Tricare for Life, PO Box 7928, Madison, WI 53707-7928
4. A Resolution Authorizing a Refund, as Recommended by the Municipal Clerk in the amount of \$30.40 to Nikol Carey of 61 Sanhican Drive in Trenton, New Jersey 08618 for two dog license payments (License #'s – 1363 & 1364). The aforementioned homeowner applied for the dog licenses at the September 2018 Rabies Clinic and the Clerk's Office inadvertently gave her said licenses not realizing that she lived in Trenton.
5. A Resolution Authorizing Cancellations, as Recommended by the Tax Collector in the amount of \$154,770.00 for October 1st third quarter to November 1, 2018 fourth quarter taxes to One Foot Fence Urban Renewal, LLC., 215 S. La Cienega Blvd. 203, Beverly Hills, CA 90211 for property owner One Foot Fence Urban Renewal, LLC. for Block: 118.01, Lot: 27, also known as 1460 Parkside Avenue due to adoption of Ordinance #18-06 aka Pilot Program.
6. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,091.92 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Stavitsky & Associates, LLC., 350 Passiac Avenue, Fairfield, NJ 07004, for property owner US Bank Trust for Block: 137 Lot: 155 also known as 36 Ardsley Avenue for overpayment. 2018 tax appeal granted.
7. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$10,079.20 for November 1, 2018 4th Quarter Taxes to Turks Holdings, LLC., 1519 Calhoun Street, Ewing, NJ 08638, for property owner Turks Holdings, LLC. for Block: 12 Lot: 1 also known as 1519 Calhoun Street for overpayment due to lower assessment created by demolition of building.
8. A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,173.33 for November 1, 2018 4th Quarter Taxes to Glappa, Michael T., 14 Darwin Road, Somerset, NJ 08873, for property owner Glappa, Michael T. for Block: 442 Lot: 254 also known as 10 Clermont Avenue for overpayment due to house fire on March 13, 2017.

9. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$306.37 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Saint-Jean, Baudelaire, 12 Ewington Avenue, Ewing, NJ 08638, for property owner Saint-Jean, Baudelaire for Block: 121 Lot: 14 also known as 12 Ewington Avenue for overpayment. 2018 tax appeal granted.**
10. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$145.82 for overpayment of November 1, 2018 4th Quarter Taxes to Collins, Michael P., 35 Holland Street, Needham, Mass. 02492, for property owner Collins, Michael P. for Block: 214 Lot: 56 also known as 396 Green Lane.**
11. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$180.99 for overpayment of October 1, 2018 2nd Half Sewer to O'Rourke, Christine, 4 Woodstream Court, Lambertville, NJ 08530, for property owner O'Rourke, Christine for Block: 365 Lot: 2.01 Q: C0924 also known as 102 Kyle Way.**
12. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$361.80 for overpayment of November 1, 2018 4th Quarter Taxes to Duhart, Willie ET & Betty Jenn, 12 Lanning Street, Ewing, NJ 08618, for property owner Duhart, Willie ET & Betty Jenn for Block: 243 Lot: 7 also known as 12 Lanning Street.**
13. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$1,477.77 for November 1, 2018 4th Quarter Taxes to Woolverton, Laure P., 38 Montague Avenue, Ewing, NJ 08628, for property owner Woolverton, Laure P. for Block: 430 Lot: 18 also known as 38 Montague Avenue for overpayment due to house fire.**
14. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$622.93 for overpayment of November 1, 2018 4th Quarter Taxes to Hodak, Joseph G AL, 4 Newfane Avenue, Ewing, NJ 08618, for property owner Hodak, Joseph G AL for Block: 508 Lot: 9 also known as 4 Newfane Avenue.**
15. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$9,171.30 for August 1, 2018 3rd Quarter Taxes to 1st National Bank, 40 S. State Street, Newtown, PA 18940-1953, for property owner Cross Development CC Ewing, LLC. for Block: 13 Lot: 12 also known as 1641 N. Olden Ave. Ext. for overpayment. Paid in error by mortgage company.**
16. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$802.44 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to David Shafkowitz ESQ., 16 Sunset Avenue, Chalfont, PA 18914, for property owner Pennewing Holding, LLC. for Block: 61 Lot: 5 also known as 1026 Pennington Road for overpayment. 2018 tax appeal granted.**
17. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$999.41 for overpayment of November 1, 2018 4th Quarter Taxes to Armenti, Carmine, 8 Scudder Road, Ewing, NJ 08628, for property owner Armenti, Carmine for Block: 568 Lot: 4 also known as 8 Scudder Road.**
18. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$253.11 for overpayment of August 1, 2018 3rd Quarter Taxes to Dresser, Teresa J., 9 Shelton Avenue, Ewing, NJ 08618, for property owner Dresser, Teresa J. for Block: 510 Lot: 14 also known as 9 Shelton Avenue.**
19. **A Resolution Authorizing a Refund, as Recommended by the Tax Collector for Overpayment in the amount of \$604.88 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Sadres, Danielle, 261 Upper Ferry Road, Ewing, NJ 08628, for property owner Sadres, Danielle for Block: 367 Lot: 67 also known as 261 Upper Ferry Road for overpayment. 2018 tax appeal granted.**

20. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector – A Refund in the amount of \$1,828.60 and a Cancellation in the amount of \$3,957.53 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Smaw, Darius & Martha, 304 Ewingville Road, Ewing, NJ 08638 for property owner Smaw, Darius & Martha, for Block: 559, Lot: 29, also known as 304 Ewingville Road due to 100% disabled veteran from July 16, 2018 to December 31, 2018.
21. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector – A Refund in the amount of \$553.36 and a Cancellation in the amount of \$1,998.51 for August 1, 2018 & November 1, 2018 3rd & 4th Quarter Taxes to Roman, Jonathon & Kiperberg, Rachel, 782 Lower Ferry Raod, Ewing, NJ 08628 for property owner Roman, Jonathon & Kiperberg, Rachel, for Block: 414.01, Lot: 15, also known as 782 Lower Ferry Road due to 100% disabled veteran from August 29, 2018 to December 31, 2018.
22. A Resolution Authorizing a Refund and Cancellation, as Recommended by the Tax Collector – A Refund in the amount of \$10,166.86 and a Cancellation in the amount of \$12,673.06 for October 15, 2017 to December 31, 2018 Taxes to Brady, Kevin M., 8 Sandy Lane, Ewing, NJ 08628 for property owner Brady, Kevin M. for Block: 422, Lot: 111, also known as 8 Sandy Lane due to house fire.
23. A Resolution Authorizing Glendale Civic Association to Hold a Halloween Parade/Road Closing on October 31st, 2018

Ms. Keyes-Maloney moved the Resolution, seconded by Mr. Schroth. Ms. Keyes-Maloney announced that she will be abstaining from Item Number One because she was not here for that meeting. There were no additional questions or comments from Council. There were no questions or comments from the Public. President Wollert asked for a roll call.

ROLL CALL

Mr. Schroth	YES
Ms. Keyes-Maloney	YES, except as noted
Mr. Baxter	YES
Ms. Steward	YES
President Wollert	YES

The above referenced Minutes are available in the Clerk's Office in the 2018 Agenda Session and Regular Session Minute Books. The above referenced Consent Agenda Resolutions are available in the Clerk's Office in the 2018 Resolution Book Number Two.

ALCOHOLIC BEVERAGE CONTROL MATTERS

1. The Clerk read (Resolution #18R-182) A RESOLUTION AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF AMEE & SWETA, INC. (1102-44-028-004); A PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE, TO MISHTI CORP t/a PAUL'S LIQUOR STORE

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

ROLL CALL

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

The above referenced Alcoholic Beverage Control Matters Resolution is available in the Clerk's Office in the 2018 Resolution Book Number Two.

ORDINANCE(S) FOR FIRST READING AND INTRODUCTION

1. The Clerk read (**Ordinance #18-29**) AN ORDINANCE OF THE TOWNSHIP OF EWING, IN THE COUNTY OF MERCER, NEW JERSEY PROVIDING FOR THE RE-APPROPRIATION OF \$99,600 IN UNUSED DEBT AUTHORIZATIONS AND OTHER FUNDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR STORM DRAIN AND SEWER REPAIRS

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

ROLL CALL

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

2. The Clerk read (**Ordinance #18-30**) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, CHAPTER 300 SEWERS, ARTICLE III INDUSTRIAL DISCHARGES

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

ROLL CALL

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

3. The Clerk read (**Ordinance #18-31**) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND CHAPTER 225 VEHICLES AND TRAFFIC, ARTICLE VIII § 225-48 SCHEDULE I: NO PARKING ANYTIME

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

ROLL CALL

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

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

1. The Clerk read (**Ordinance #18-26**) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO ADD § 215-39, TITLED: MEDICAL MARIJUANA ALTERNATIVE TREATMENT CENTERS

WHEREAS, the New Jersey Compassionate Use Medical Marijuana Act (the “Act”), N.J.S.A. 24:6I et seq., permits the authorized medical use of marijuana; and

WHEREAS, the Township of Ewing has endorsed by resolution the expansion of the medical marijuana program in the State of New Jersey so as to provide needed relief to the many persons suffering from chronic and/or debilitating illnesses who may benefit from this program; and

WHEREAS, Ewing Township further supports and encourages the safe and appropriate siting of marijuana related and supporting businesses within Ewing Township, including Alternative Treatment Centers, and Medical Marijuana Cultivation and/or Manufacturing facilities to allow qualifying patients greater access to medical marijuana; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Township of Ewing, County of Mercer that the Code of the Township of Ewing be amended and the following § 215-39 hereby added to read as follows:

Chapter 215: LAND DEVELOPMENT.

Section 39: MEDICAL MARIJUANA ALTERNATIVE TREATMENT CENTER

A. Definitions.

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

Act

The New Jersey Compassionate Use Medical Marijuana Act, P.L. 2009, c. 307 (approved January 18, 2010), codified at N.J.S.A. 24:6I-1 et seq.

Alternative Treatment Center (ATC) or Medical Marijuana Alternative Treatment Center

An organization authorized through licensure issued by the NJ State Department of Health and the Board of Medical Examiners to perform activities necessary to provide registered qualifying patients with usable marijuana and related paraphernalia in accordance with the provisions of the Act. *For the purposes of zoning*, an ATC is the interface between provider and patient and is synonymous with a Medical Marijuana Dispensary. Cultivation and manufacturing, unless within the same structure or property as a dispensary, shall be treated as a separate use category though it may be part of the license issued by the State for a single entity.

Marijuana

The definition as provided in section 2 of the New Jersey Controlled Dangerous Substances Act, P.L. 1970, c. 226 (effective January 17, 1971), codified N.J.S.A. 24:21-1 et seq.

Medical Marijuana Cultivation Center or Cultivation Center

A building, structure, or premises used for the cultivation or storage of medical marijuana. Includes the planting, propagating, cultivation, growing, harvesting, labeling or manufacturing, compounding and storing of medicinal marijuana for the limited purpose of this chapter. A cultivation center may be physically separate and off-site from the associated licensee's ATC medical marijuana dispensary. When connected-to, or part of, the same property by which an ATC dispenses from, it is considered part of the ATC.

Medical Marijuana Dispensary or Dispensary

An ATC facility that acquires, possesses, sells, distributes, transmits, gives, dispenses, or otherwise provides medical marijuana to qualifying patients.

Medical Use of Marijuana

The acquisition, possession, transport or use of marijuana or paraphernalia by a registered qualifying patient as authorized by the Act.

Marijuana Licensee

Any person licensed or registered pursuant to the Act.

Medical Marijuana Manufacturing Facility

Facility involved with compounding, making, and processing of medical marijuana in all forms including those that involve food handling.

Medical Marijuana Business

Encompasses all components of the industry as is consistent with the Act. Accordingly, it shall mean any business involved in cultivating, manufacturing, distribution, sales, or testing of Medical Marijuana.

Medical Marijuana Program or “MMP”

The program within the Department of Health, which is responsible for the administration and implementation of activities related to the Act.

Paraphernalia

The definition as provided in N.J.S.A. 2C:36-1.

Permit

The documents issued by the Department of Health pursuant to this chapter granting the legal right to operate as an alternative treatment center for a specified time.

Permitting Authority

The Medicinal Marijuana Program within the Department of Health, which the mailing address is P.O. Box 360, Trenton, NJ 08625-0360.

Usable Marijuana

The dried leaves and flowers of the female marijuana plant, and any mixture or preparation thereof, but does not include the seedlings, stems, stalks, or roots of the plant.

Vertical Integration

The co-location or combination of the following activities related to the production of usable marijuana for qualifying patients within a single corporate entity: cultivation, manufacturing, and dispensing.

B. Limitation on the Number of Alternative Treatment Dispensaries within the Township.

- (1) The number of Alternative Treatment Centers permitted within the Township is based on population. A maximum of one (1) Alternative Treatment Center shall be permitted for every 12,000 people or fraction thereof. Population shall be determined by the most recent data available from the U.S. Census Bureau and the NJ State Department of Labor, Bureau of Statistics.
- (2) The number of standalone Medical Marijuana Cultivation and/or Manufacturing facilities permitted within the Township is based on population. A maximum of one (1) Medical Marijuana Cultivation and/or Manufacturing facility shall be permitted for every 12,000 people or fraction thereof. Population shall be determined by the most recent data available from the U.S. Census Bureau and the NJ State Department of Labor, Bureau of Statistics.
- (3) No Alternative Treatment Center shall be located within one thousand-five hundred (1,500) feet from any other Alternative Treatment Center, which shall be measured from the subject property line to property line.

Standalone Cultivation and Manufacturing uses are not included within this prohibition as long as the secured facility does not contain a Dispensary or have public access. Signage for the facility shall remain innocuous and part of the general directional signage typically found in industrial manufacturing facilities. Façade signs will be limited to those at the point of entry to the facility and may not be more than six (6) square feet.

- (4) In the event more than one (1) Land Use Application for an Alternative Treatment Center, Cultivation or Manufacturing facility of the same classification are submitted to the Township in close proximity to one another, and if the applications comply with all the requirements of this Chapter and the NJ State Department of Health and the Board of Medical Examiners, the Township is not permitted to approve all of the applications because of the limitations set forth in this subsection. The Township shall first review for approval the application that was first submitted and determined to be a complete and

compliant application by the Township Planner, or Zoning Officer.

C. Permitted Locations.

(1) Alternative Treatment Center (Dispensaries). Alternative Treatment Center dispensaries shall be permitted to be located within the following zones in accordance with this Chapter and the Redevelopment Plans where applicable. For all properties, adherence to the site design standards of the Township Land Development Ordinances and Redevelopment Plans through a review by the Zoning Official and Ewing Township Redevelopment Agency, where applicable, is required. Issuance of Zoning Permit and/or Site Plan approval is required. Zones permitted include:

- (a) Subarea 1 (SA-1);
- (b) Subarea 2 (SA-2);
- (c) Subarea 3 (SA-3) along Spruce Street frontage ONLY;
- (d) Subarea 4 (SA-4) along street frontage ONLY;
- (e) Subarea 5 (SA-5) along Olden Avenue frontage ONLY;
- (f) Subarea 6 (SA-6) along Olden Avenue ONLY;
- (g) Subarea 8 (SA-8) along Arctic Parkway ONLY;
- (h) Town Center (TC); and
- (i) Professional Office (PRO) along River Road, Parkside Avenue, and Pennington Road ONLY.

(2) Joint Alternative Treatment Center (Dispensaries)/Cultivation and Manufacturing Facilities. Joint Alternative Treatment Center (Dispensaries) and Cultivation and Manufacturing Facilities shall be permitted to be located within the following zones in accordance with this Chapter and the Redevelopment Plans where applicable. For all properties, adherence to the site design standards of the Township Land Development Ordinances and Redevelopment Plans through a review by the Zoning Official and Ewing Township Redevelopment Agency where applicable is required. Issuance of Zoning Permit and/or Site Plan approval is required. Zones permitted include:

- (a) Subarea 1 (SA-1);
- (b) Subarea 2 (SA-2);
- (c) Subarea 3 (SA-3);
- (d) Subarea 4 (SA-4);
- (e) Subarea 5 (SA-5);
- (f) Subarea 6 (SA-6);
- (g) Town Center (TC), existing industrial/warehousing sites ONLY; and
- (h) Industrial Park-1 (IP1).

Additionally, Joint Alternative Treatment Center (Dispensaries) and Cultivation and Manufacturing Facilities must be located along major road frontages including but not limited to: North Olden Avenue, Prospect Street, Spruce Street, Arctic Parkway, Pennington Road, Parkside Avenue, Upper Ferry Road, Scotch Road, and Calhoun Street/ Princeton Avenue. The retail component must be located on the frontage.

(3) Standalone Cultivation and Manufacturing Facilities. Standalone Cultivation and Manufacturing Facilities shall be permitted to be located within the following zones in accordance with this Chapter and the Redevelopment Plans where applicable. For all properties, adherence to the site design standards of the Township Land Development

Ordinances and Redevelopment Plans through a review by the Zoning Official and Ewing Township Redevelopment Agency where applicable is required. Issuance of Zoning Permit and/or Site Plan approval is required. Zones permitted include:

- (a) Subarea 3 (SA-3);
- (b) Subarea 5 (SA-5);
- (c) Subarea 6 (SA-6);
- (d) Subarea 7 (SA-7);
- (e) Industrial Park-1 (IP-1); and
- (f) Industrial Park-3 (IP-3)

Additionally, Standalone Cultivation and Manufacturing Facilities are not permitted along major frontages of North Olden Avenue, Prospect Street, Spruce Street, Arctic Parkway, Pennington Road, Parkside Avenue, Calhoun Street/Princeton Avenue within these zones unless accompanied by a retail dispensary or other active retail along the street frontage.

D. Distance between Alternative Treatment Center Dispensaries and Schools. ATC's shall not be located within a Drug Free School Zone (within 1,000 feet of a school property). Cultivation and Manufacturing facilities are not subject to this provision provided that the site is:

- (1) Not located directly on a major street frontage or immediately adjacent to the site.
- (2) Secured in accordance with all applicable provisions as defined in the Act and outlined in Section J below.
- (3) No marketing or advertisement of the site.
- (4) No signage other than directional or discrete building identification shall be permitted; unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited; light pollution, glare or brightness resulting from glow lamps must be 0.5 candles or less at the property line, and noise beyond the decibel level permitted by Township noise ordinances from ventilation fans shall be prohibited.

E. Restrictions on Mobile Facilities and Delivery of Marijuana Products to Patients. No such services shall be permitted unless expressly permitted by the NJ State Department of Health and the Board of Medical Examiners pursuant to the type of licensure the facility processes.

F. Operation. ATC dispensaries shall limit their hours of operation from 8:00 a.m. to 10:00 p.m., Monday – Sunday, or as otherwise provided in the Special Use Permit.

G. Operation of Multiple Businesses at a Single Location. A person may operate any Medical Marijuana Business permitted by this Section as long as it is in full compliance with the requirements of the NJ State Department of Health and the Board of Medical Examiners and Township Land Development Ordinances. Multiple licenses are not permitted.

H. Specific Requirements for Alternative Treatment Centers.

- (1) The cultivation of Medical Marijuana plants shall not be permitted on exterior portions of a lot. The cultivation, production or possession of marijuana plants within a building or unit must not be perceptible from the exterior of the building or unit from a street or residential use. Such use shall adhere to the bulk standards of the underlying zoning.
- (2) Samples of Medical Marijuana products offered for sale may be displayed on shelves, counters and display cases. All bulk marijuana products shall be locked within a separate vault or safe (no other items in this safe), securely fastened to a wall or floor, as approved by the Ewing Township Police Department.
- (3) An Alternative Treatment Center may sell “marijuana paraphernalia” as that term is defined in Chapter 215 of the Land Development Ordinance to *Patients only* and shall be exempt from the prohibitions contained in said Chapter.

- (4) You must have an active MMP Identification Card from the NJ Department of Health in order to enter any alternative treatment Center.
- (5) No person without a MMP card is permitted to pick-up a prescription.
- (6) Alternative Treatment Centers must limit signage to text on external signage, labeling, and brochures. Use of graphics shall be limited to the logo for the business so long as it does NOT include a cannabis plant leaf and outward glorification of marijuana consumption.
- (7) All Township sign regulations must be complied with.
- (8) Alternative Treatment Center signage shall not display on the exterior of the facility or windows advertisements for medicinal marijuana or a brand name except for purposes of identifying the building by the permitted name.
- (9) Parking shall be provided as provided for in § 215-36. Except that:
 - (a) ATC dispensary. Same as Professional Office.
 - (b) Cultivation. Same as Research and Laboratory Use.

I. Security and Reporting. Security systems must be in place, along with a 24/7 recording system that records for a minimum 30-day archive. This system shall be shared with local law enforcement via web browser. Outside areas of the premises and the perimeter shall be well lit. Township law enforcement shall be provided the name and phone number of a staff person to notify during suspicious activity during or after operating hours. Security staff is required on the premises during all hours of operation. Additionally,

- (1) The premises must only be accessed by authorized personnel and free of loitering.
- (2) All cultivation of marijuana shall take place in an enclosed, locked facility.
- (3) Security personnel must be present during times of operation.

J. Specific Requirements for a Medical Marijuana Cultivation Premises. If co-located with a Medical Marijuana Cultivation Premises, the area of the proposed Licensed Marijuana Premises utilized for cultivation shall be physically separated from the area of the premises open to the public or to patients. Walls, barriers, locks, signage and other means shall be employed to prevent the public or patients from entering the area of the Licensed Marijuana Premises utilized for cultivation of marijuana.

K. No Products to be Visible from Public Places. Marijuana plants, products, accessories, and associated paraphernalia contained in any Medical Marijuana Business shall not be visible from a public sidewalk, public street or right-of-way, or any other public place. On-site storage of usable marijuana shall comply with 21 CFR 1301.72.

L. No Beer or Alcohol on Premises. No fermented malt beverages and no alcoholic beverages, shall be kept, served or consumed on the premises of a Medical Marijuana Business.

M. Storage of Products. All products and accessories shall be stored completely indoors and on-site.

N. Consumption of Marijuana Prohibited. No consumption or smoking of any Medical Marijuana products shall be allowed or permitted on the premises or adjacent grounds of a Medical Marijuana Business.

O. Storage of Currency. All currency over \$1,000.00 shall be stored within a separate vault or safe (no marijuana in safe), securely fastened to a wall or floor, as approved by the Ewing Township Police Department.

P. Prevention of Emissions and Disposal of Materials.

- (1) Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting the business premises shall be provided at all times. In the event that any debris, dust, fluids or other substances shall exit the business premises, the

property owner and operator shall be jointly and severally responsible for the full cleanup immediately.

- (2) Businesses shall properly dispose of all materials and other substances in a safe and sanitary manner in accordance with State regulations.
- (3) As applicable, Medical Marijuana Businesses shall be equipped with ventilation systems with carbon filters sufficient in type and capacity to eliminate marijuana odors emanating from the interior to the exterior of the premises discernible by reasonable persons. The ventilation system must be inspected and approved by the Construction Official.
- (4) If carbon dioxide will be used in any cultivation area, sufficient physical barriers or a negative air pressure system shall be in place to prevent carbon dioxide from moving into the ambient air, into other units in the same building or into an adjacent building in a concentration that would be harmful to any person, including persons with respiratory disease and shall be inspected and approved by the Construction Official and the Fire Marshall.
- (5) All State regulations concerning ventilation systems shall be followed.

Q. Compliance with Other Codes. Any Medical Marijuana Business and the adjacent grounds of the Medical Marijuana Business shall comply with all zoning, health, building, fire, and other codes and ordinances of the Township as shown by completed inspections and approvals by the Township Planner, Construction Division, Fire Safety Division, and the Ewing Township Health Department, if applicable.

R. No Harm to Public Health, Safety or Welfare. The Licensed Marijuana Premises and adjacent grounds of a Medical Marijuana Business shall be operated in a manner that does not cause any substantial harm to the public health, safety and welfare.

S. Additional Requirements. At the time a Site Plan Approval is granted, amended, or a major change to a Medical Marijuana Business is approved, the Township may impose on the applicant any condition related to the proposed use that is reasonably necessary to protect the public health, safety or welfare, including but not limited to the following:

- (1) Additional security requirements;
- (2) Limits and requirements on parking and traffic flows;
- (3) Requirements for walls, doors, windows, locks and fences on the Licensed Marijuana Premises and adjacent grounds;
- (4) Limits on Medical Marijuana Products that may be sold;
- (5) Requirements and limits on ventilation and lighting;
- (6) Limits on noise inside the licensed premises or on the adjacent grounds;
- (7) Prohibitions on certain conduct in the Medical Marijuana Business;
- (8) Limits on hours of operation.

T. Penalty for Violation. Any violation of the provisions of this subsection or the conditions of the Zoning Permit granted, by a Medical Marijuana Business shall be punishable by a civil fine of up to one thousand dollars (\$1,000.00). Each day that a violation is committed, exists or continues shall be deemed a separate and distinct offense. In addition, any violation of the provisions of this subsection, or any conditions imposed by the Zoning Permit may result in the revocation of the Zoning Permit.

Adopted.

Mr. Schroth made a motion to open the Public Hearing, seconded by Mr. Baxter. It was agreed by unanimous voice vote.

Caroline Steward (30 Gilmore Road) asked what does this Ordinance entail.

Mr. Latini (Township Planner) provided an overview.

The Attorney added, for the record, that the Ordinance, after First Reading, had been referred to the Planning Board for Master Plan consistency review. By a letter dated October 8, 2018 from the Attorney for the Planning Board, the Planning Board did approve the Ordinance with one change which was de minimis. The Attorney read the revised language.

Mr. Latini stated that he needs to make a correction on that. The change mentioned in that letter is not the conversation that took place. He had asked for a revised letter from the Planning Board Attorney.

The Clerk added that the Clerk's Office never received the redrafted letter.

Mr. Latini said that the change still pertains to the same line, read the new language and then explained the need for the revision.

Ms. Steward said she was trying to figure out how far away from schools these businesses had to be. The Town is only five square miles and there are six schools. There are not very many places these businesses can go. Ms. Steward added that there are currently only six in the State. The number of dispensaries is not correlated with the number of patients who have access. The real gatekeeper is the number of physicians who can write these prescriptions. You can have all the marijuana plants that you want; if you only have three physicians who can prescribe marijuana and they have six month waiting lists, it is quite an ordeal for patients. Basing this on population, does not make much sense. Ms. Steward added that there are many Towns in the State that are opposed to this. It is also curious that a Town which was so concerned about where to put tattoo parlors is rather anxious to pick up these marijuana growing facilities. Ms. Steward stated that she is not against it – she just thinks it is fascinating that the Town is making these rules for something that may not come to be.

Councilwoman Steward replied that this is a good example – the Town is trying to get ahead of it.

Councilwoman Keyes-Maloney added that it is her understanding that the Department of Health plans to issue six in this most recent round. There may be additional licenses. They are keeping a close eye on the supply and what the patient requests are which are still substantial. The number of physicians is slowly increasing. Given the effects of having this in the Town, we should be responsible in ensuring that these businesses are being placed in appropriate locations and that is what this Ordinance attempts to do. Councilwoman Keyes-Maloney stated that she does not have a problem with medicinal use so long as public safety issues are addressed and these businesses are placed in an appropriate location.

Ms. Steward said that a friend, who is a pharmacist, said that this country made a big mistake by not putting the FDA in charge. He visited one of these places and since most insurance does not cover it, it ends up being a cash business. There are other issues related to large amounts of cash.

Councilwoman Keyes-Maloney added that that is also changing as the banking industry is evolving and coming up with ways to address it and some insurance companies are looking at it in limited scope circumstances.

Ms. Steward reiterated that there are only three that can prescribe marijuana.

Ms. Keyes-Maloney said that the FDA is also looking at modifying how it is classified; classifying it as a Class 1 for medicinal purposes. If something is going to happen, focus really needs to be on where the Town wants to have it.

Councilwoman Keyes-Maloney and Ms. Steward briefly discussed how these buildings look like any other. You do not even know that they are there.

Ms. Steward mentioned the opioid crisis and said that we need to be cautious and learn from past mistakes. Opioids are medicinal as well. Sometimes, it is a slippery slope.

Christa Cleeton (6 Carrigg Avenue) applauded Council and the Planning Board for doing this. It is good to get ahead of it and said that she wants community members to support it.

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

ROLL CALL

Ms. Steward	YES
Mr. Schroth	YES
Mr. Baxter	YES
Ms. Keyes-Maloney	YES
President Wollert	NO

2. The Clerk read (Ordinance #18-27) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND § 110: BRUSH, GRASS AND WEEDS, AND § 407: NUISANCES, PUBLIC HEALTH

WHEREAS, a review of the Revised General Ordinances of the Township of Ewing in the County of Mercer revealed inconsistencies in the prohibited length of grass and weeds, and a concern as to the duration permitted to abate any such violation under § 110: Brush, Grass and Weeds and § 407: Nuisances, Public Health during the high growth times; and

NOW, THEREFORE, 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: Section 110-1, entitled “Duties of Owners and Tenants” of the Revised General Municipal Ordinances of the Township of Ewing is hereby revised to modify the language of subsection (C) with the following:

C. When the Board of Health, Health Official, Construction Official, Police Chief or their designees determine that it is necessary and expedient for the preservation of the public health, safety, general welfare or to eliminate a fire hazard to remove such brush, weeds, dead or dying trees, stumps, roots, trash, garbage and debris, that official may order the owner or tenant to remove the hazard within 10 days. Whenever an owner or tenant of lands fails to keep such lands free of grass or weeds in excess of six inches, an official may order the owner or tenant to remove or abate within ~~five~~ three days of being notified thereof. Notice shall be deemed received within three days of the date of such notice.

Section 2: Section 110-3, entitled “Cost of removal” of the Revised General Municipal Ordinances of the Township of Ewing is hereby revised to modify the language of the subchapter with the following:

Notice requiring compliance with the above provisions shall be sent by the Board of Health, Health Official of the Township of Ewing, by the Construction Official or by the Chief of Police or their designate, as the case may be, by registered mail to the last known address of the owner or tenant of the land in question. Such notice shall state the acts to be performed by such owner or tenant, as well as the administrative fee and penalty for failure to comply with such notice. If the owner or tenant to whom notice is sent neglects or refuses to comply with such notice within 10 days of receipt of the same, the Board of Health, Health Official of the Township of Ewing, the Construction Official or the Chief of Police or their designate, as the case may be, shall arrange to perform the acts required by the notice at the cost of the Township. Whenever an owner or tenant of lands neglects or refuses to remove or abate grass or weeds in excess of six inches as prescribed in such notice within the time specified therein but not less than ~~five~~ three days of receipt of the same, the official shall arrange to perform the acts required by the notice at the cost of the Township. The official shall certify the cost thereof and the administrative fee assessed to the Township Council, which shall examine the certificate and, if found correct, shall cause the costs as shown thereon and any administrative fee assessed to be charged against said lands. Such costs and administrative fee 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 and in the same manner as taxes.

Section 3: Section 407-2, entitled “Definitions” of the Revised General Municipal Ordinances of the Township of Ewing is hereby revised to modify the following definition:

WEEDS

The growth, existence or presence of any noxious weeds of any height, or the growth, existence or presence of any other weeds or plant growth in excess of ~~40~~

6 inches. "Weeds" shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers, landscaped areas and gardens.

Section 4: Section 407-3, entitled "Nuisances defined and prohibited" of the Revised General Municipal Ordinances of the Township of Ewing is hereby revised to modify the language of subsections (3), (4), (5), and (6) with the following:

(3) The growth, existence or presence of ragweed of ~~10~~ 6 inches in height or greater, or in such a quantity so as to cause damage or injury to adjacent properties or be a public health concern, on any plot of land, lot, highway, street, sidewalk, right-of-way or any other public or private place within 200 feet of an occupied dwelling.

(4) The growth, existence or presence of poison ivy, of ~~10~~ 6 inches in height or greater, or in such a quantity so as to cause damage or injury to adjacent properties or, or be a public health concern, within 20 feet of an adjoining property line of an occupied residential or commercial property, sidewalk or right-of-way.

(5) The growth, existence or presence of any weeds or noxious weeds, of ~~10~~ 6 inches in height or greater, or in such a quantity so as to cause damage or injury to adjacent properties or be a public health concern, on any residential or commercial property, with the exception of state, county or local designated conservation areas or other restricted use areas.

(6) All residential and commercial lawn areas are to be maintained and mowed and may not to exceed 6 inches in height. Areas allowed to return to natural conditions must be approved by the Health Department as provided herein.

Section 5: Section 407-7, entitled "Abatement of nuisances" of the Revised General Municipal Ordinances of the Township of Ewing is hereby revised to modify the language of subsection (A) with the following:

A. Whenever a nuisance pursuant to § 407-3 is found, a violation notice shall be given to the owner and tenant/occupant, if applicable, in writing, by personal delivery or by certified and regular mail, to remove or abate the same within such time as shall be specified therein but not less than ~~five~~ three days from the date of service thereof. Notwithstanding the foregoing, whenever a nuisance is declared pursuant to § 407-3A(6) for failure to maintain a commercial or residential lawn, the Township may require removal or abatement within ~~five~~ three days from the date of receipt of service thereof. Notice to the owner and tenant/occupant of the violation and the time to abate shall be deemed complete as of the date of the violation notice if served personally on the property owner. Notice to the owner of the violation and the time to abate shall be deemed complete three days after the date on the violation notice, if served by certified and regular first-class mail.

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. Steward. There were no questions or comments from Council. President Wollert asked for a roll call.

ROLL CALL

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

3. The Clerk read (Ordinance #18-28) AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER, TO AMEND SECTION 225-59, SCHEDULE XII: STOP INTERSECTIONS, CONVERTING THE INTERSECTION OF GREENLAND AND DOUGLAS AVENUES TO FOUR-WAY STOP-CONTROLLED INTERSECTION BY INSTALLING NEW STOP SIGNS AND STOP BARS ON GREENLAND AND DOUGLAS AVENUES

WHEREAS, the Township, in the interest of public safety and driver expectancy, requested a site inspection of the existing conditions on Greenland Avenue, to address traffic safety concerns; and

WHEREAS, presently, Greenland Avenue is approximately 2,400 feet long and has a twenty-five (25) miles per hour (MPH) speed limit and intersects with the following roadways: Chelsea Avenue and Douglas Avenue; and

WHEREAS, Remington & Vernick Engineers (“Engineers”) performed the site inspection and noted that at the intersections of Greenland and Chelsea Avenues and Greenland and Douglas Avenues, STOP signs had previously been installed on Chelsea and Douglas Avenues; and

WHEREAS, it was the recommendation of the Engineers that the Township convert the intersection of Greenland and Douglas Avenues to four-way STOP-controlled intersections by installing new STOP signs, stop bars, and “STOP” pavement markings at the intersection of Greenland and Douglas Avenues; and

WHEREAS, the STOP sign detail, stop bar layout detail, and “STOP” pavement marking detail to be installed at the intersection of Greenland and Douglas Avenues shall conform to the specifications as noted on the attached sketch as drafted by Engineers; and

WHEREAS, the Township is authorized to implement such traffic regulations under N.J.S.A. 39:4-8(b)(1), without requiring the approval of the Commissioner of Transportation for the State of New Jersey.

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 to read as follows:

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
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

Intersection**Stop Sign On**

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

Albemarle Avenue

[Added Ord. No. 05-44; amended Ord. No. 06-04]

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

Hinckle Avenue

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

Hillman Avenue
 Homestead Avenue

Greenland Avenue and Chelsea Avenue

Chelsea Avenue

Greenland Avenue and Douglas Avenue

Greenland Avenue and Douglas Avenue

Homecrest Avenue and Chelsea Avenue

Homecrest Avenue, and Chelsea Avenue

Homecrest Avenue and Douglas Avenue

Homecrest Avenue, and Douglas Avenue

Keswick Avenue and Dearborn Avenue

Dearborn Avenue

Lake Boulevard and Linwood Avenue
 Lafayette Avenue and Summit Avenue
 Langford Lane and Franklyn Road — Clamer Road

Lake Boulevard
 Summit Avenue
 Langford Lane

Latona Avenue and Radnor Avenue
 Levin Properties (Laneco)

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

Lochatong Road

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

Alexander Drive
 Pershing Avenue
 Pingree Avenue

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

Pingree Avenue and Berwyn Avenue

Pingree Avenue and Latona Avenue
 [Added 2-13-2001 Ord. No. 01-03]

Pingree Avenue

Intersection

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

Pingree Avenue and Westmoreland Drive
[Added 2-13-2001Ord. 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 Ord. No. 05-44; repealed Ord. No. 06-04]

Rosedale Avenue and Hendrickson Avenue
[Added Ord. No. 05-44; repealed Ord. No. 06-04]

Sherbrook Road and Kilmer Drive
South driveway of Ground Round Restaurant and Route 31
Star Drive and Westwood Drive
[Added 10-9-2001Ord. 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 Stratford Avenue
Trenton Avenue and Hinckle Avenue
[Amended 2-13-2001 by Ord. No. 01-03]
Trenton Avenue and Howell Avenue
Trenton Avenue and Walker Avenue
Walker Avenue and Central Avenue
[Amended 2-13-2001 by Ord. No. 01-03]
Washington Avenue and Central Avenue
Weber Avenue and Robbins Avenue
White Oak Way and Glen Mawr Drive
[Added 2-13-2001 by Ord. No. 01-03]
Whitebeach Drive and Glen Mawr Drive
[Added 2-13-2001 by Ord. No. 01-03]

Stop Sign On

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
Stratford Avenue
Trenton Avenue

Howell Avenue
Walker Avenue
Walker Avenue

Central Avenue
Robbins Avenue
White Oak Way

Whitebeach Drive

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

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

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

Adopted:

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

ROLL CALL

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

President Wollert stated that she is going to take New Business Item Number Nine (adding honorary name of Reverend Jackson) first. There is a representative of the Church here tonight. (The Clerk renumbered the resolutions.)

NEW BUSINESS

1. The Clerk read (**Resolution #18R-183**) A RESOLUTION AUTHORIZING THE ADDITIONAL HONORARY NAME OF “REV. DR. VINCENT H. JACKSON WAY” TO BE ADDED TO THE STREET SIGNS AT THE CORNER OF SOMERSET STREET AND OREGON AVENUE AND AT THE CORNER OF OREGON AVENUE AND SUSSEX STREET

Mr. Baxter moved the Resolution, seconded by Mr. Schroth. President Wollert asked for a roll call.

ROLL CALL

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

Mrs. Scurry (St. John’s Baptist Church) thanked the Council President, Vice President Baxter, the Administrator and the Mayor for their efforts in approving this honorary presentation that is going to be given to the Pastor. He has been the Pastor of St. John’s Baptist Church for the past forty years. The Church is a pillar in the Community. St. John’s has an outstanding outreach ministry and makes a difference in the lives of many, many people. St. John’s just celebrated the Pastor’s fortieth anniversary about a week ago and the Pastor said to Mrs. Scurry that he is on cloud nine about this honor. Mrs. Scurry said that the Church is so grateful and if there is anything that they can do in terms of assisting with outreach ministries, please let them know. Mrs. Scurry added that she will be in touch with the Administrator about when they would like the sign to be put up because St. John’s would like to plan a celebration.

There were no additional comments from members of the Public.

2. The Clerk read (**Resolution #18R-184**) A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

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

ROLL CALL

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

3. The Clerk read (**Resolution #18R-185**) A RESOLUTION TO INCREASE THE CHANGE FUND IN THE TAX COLLECTORS OFFICE

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

ROLL CALL

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

4. The Clerk read (Resolution #18R-186) A RESOLUTION AWARDDING MARLIN CONSTRUCTION SERVICES, INC. A CONTRACT IN THE AMOUNT OF \$202,125.34 FOR 2018 MISCELLANEOUS DRAINAGE REPAIRS

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

ROLL CALL

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

The Clerk read New Business Items Five and Six as a block.

5. The Clerk read (Resolution #18R-187) A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF PINGREE AVENUE PROJECT
6. The Clerk read (Resolution #18R-188) A RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SCENIC DRIVE PROJECT

There was a brief discussion as to whether these could be moved as a block because of application requirements to NJDOT. It was decided that these could be moved as a block because there would still be separate resolutions.

Councilwoman Keyes-Maloney said that she needs to abstain on Pingree Avenue because she would directly benefit.

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

ROLL CALL

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

7. The Clerk read (Resolution #18R-189) A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) DODGE JOURNEY FWD SE VEHICLES FOR USE IN AND BY THE CONSTRUCTION OFFICE WITHIN THE TOWNSHIP OF EWING FROM HERTRICH FLEET SERVICES AS PER STATE CONTRACT T-0099

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

ROLL CALL

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

8. The Clerk read (**Resolution #18R-190**) A RESOLUTION AUTHORIZING A PERFORMANCE BOND RELEASE FOR HOPEWELL REAL ESTATE, LLC, 160 EWINGVILLE ROAD (BLOCK 105/LOT 22) – ZBA-17-008 – EWING ENGINEERS REMINGTON & VERNICK R&V #1102-I-091

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

ROLL CALL

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

9. The Clerk read (**Resolution #18R-191**) A RESOLUTION APPROVING TORIANO D. PERRY AS A CAREER FIREFIGHTER FOR THE EWING TOWNSHIP FIRE DIVISION 30

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

ROLL CALL

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

The above referenced New Business Resolutions are available in the Clerk's Office in the 2018 Resolution Book Number Two.

CLOSED SESSION

(None for this Meeting)

ADJOURNMENT

The Council President asked a member of the Public if she wished to make a comment.

Sylvia Travis (5 Wiscassett Avenue) said that she spoke with the Administrator two years ago about speed humps in Fleetwood Village. Three were installed. Ms. Travis wondered if more were going to be installed on the side of Lower Ferry Road because it is a through street and there are still speeders. Ms. Travis also mentioned the possibility of stop signs or radar because she knows that Police and Fire do not like speed humps. Ms. Travis asked for something to be done as there are a lot of kids in the neighborhood.

The Administrator asked if this is for coming off Lower Ferry on Duke Street and replied that he will ask the Township Engineer to look at it again. The Administrator asked Ms. Travis to email him so he can have a formal request to have it looked at again.

There were no additional comments from the Public.

There being no further business President Wollert called for a motion to adjourn. Mr. Schroth so moved seconded by Mr. Baxter. It was agreed by unanimous voice vote. The meeting was adjourned at 8:27 p.m.

Kathleen Wollert, President

Kim J. Macellaro, Municipal Clerk