

**MEETING TO BE BROADCAST ON COMCAST CHANNEL 27
AND VERIZON CHANNELS 41 AND 42**

**AGENDA FOR THE REGULAR BUSINESS MEETING
OF THE COUNCIL OF WEST WINDSOR TOWNSHIP
271 CLARKSVILLE ROAD
TO THE EXTENT KNOWN**

May 7, 2018

The Business Session will begin promptly after the close of the adequately noticed Board of Health Meeting

1. Call to Order
2. Statement of Adequate Notice – January 5, 2018 to The Times and the Princeton Packet.
3. Salute to the Flag
4. Ceremonial Matters and/or Topic for Priority Consideration

Swearing in of Firefighter Chris Oravsky

**Proclamation Proclaiming the Week of May 6th
as Municipal Clerks' Week**

Proclamation in Observation of Building Safety Month

5. Public Comment: (30 minutes comment period; 3-minute limit per person)
6. Administration Comments
7. Council Member Comments
8. Chair/Clerk Comments
9. Public Hearings

10. Consent Agenda

A. Resolutions

2018-R120 Authorizing the Mayor and Clerk to Execute an Easement Modification Agreement for 80 Cranbury Road - Solanski

B. Minutes

March 26, 2018 – Business Session as amended

C. Bills & Claims

11. Items Removed from Consent Agenda

12. Recommendations from Administration and Council/Clerk

2018-R121 Granting the Request from Artis Senior Living for a Reduction in Cash Performance Guarantees for On-Tract Public Improvements and On-Site Private Improvements for the Project known as Artis Senior Living – ZB13-08SP

2018-R122 Authorizing the Mayor and Clerk to Execute Contract Amendment #1 with Van Cleef Engineering Associates for Supplemental Work for the Project known as Meadow Road Repair - \$1,500.00

2018-R123 Authorizing Utilization of the Rock Salt Bid to the Mercer County Cooperative Contract Pricing System CK09MERCER2017-23 with Morton Salt Inc. for the Division of Public Works for Calendar Years 2018-2019 - \$180,000.00

2018-R124 Authorizing the Person to Person Transfer of Liquor License #1113-33-013-004 from BHTT Entertainment LLC to Brick House Acquisition NJ LLC d/b/a Brick House Tavern & Tap

13. Introduction of Ordinances
14. Additional Public Comment (three-minute limit per person)
15. Council Reports/Discussion/New Business
 - Ordinance Eliminating the Site Plan Review Advisory Board and Creating a Technical Review Committee
16. Administration Updates
17. Closed Session (Room C if needed)
18. Adjournment

Minutes: April 9, 2018

RESOLUTION

WHEREAS, Hariom Solanki, owner of property located at 80 Cranbury Road, West Windsor Township, New Jersey, also known as Block 12.05 Lot 70, in West Windsor, New Jersey 08550 have made a request for a waiver to permit the construction of a fence with gate along and over a sewer easement along the side and rear yard of their property; and

WHEREAS, the Township Engineer has reviewed and approved this request subject to compliance with the terms of the Easement Modification Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of West Windsor Township that the waiver requested by Hariom Solanki be hereby granted subject to the acceptance of the recommendations of the Township Engineer and the execution of the annexed Easement Modification Agreement; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute said agreement in a form substantially similar to that attached hereto, which shall be filed in the Mercer County Clerk's Office by the Township Attorney.

Adopted: May 7, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of May 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Artis Senior Living has made a request for a reduction of the current performance guarantees posted for private and public improvements in connection with construction associated with the project known as Artis Senior Living (ZB13-08SP); and

WHEREAS, the performance guarantees are currently at 100% of their original amounts; and

WHEREAS, the West Windsor Township Consulting Engineer for the project and the Township Landscape Architect, have issued reports outlining the remaining work in connection with construction associated with the project known as Artis Senior Living (ZB13-08SP); and

WHEREAS, the Township Engineer has reviewed the reports and recommends that the performance guarantees be reduced to 30% of the original amounts by the Township Council, as follows:

On-Site Private Improvements

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Retainage
Cash	\$234,546.98	11/05/2015	\$234,546.98	\$ 70,364.09

On-Tract Public Improvements

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Retainage
Cash	\$40,297.20	11/05/2015	\$40,297.20	\$ 12,089.16

*Represents allowable 30% of the Original Amount permitted to be retained as per NJSA 40:55D-53e.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantees posted by Artis Senior Living for private and public improvements in connection with construction associated with the project known as Artis Senior Living (ZB13-08SP), be reduced, as follows:

On-Site Private Improvements

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Retainage
Cash	\$234,546.98	11/05/2015	\$234,546.98	\$ 70,364.09

On-Tract Improvements

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Retainage
Cash	\$40,297.20	11/05/2015	\$40,297.20	\$ 12,089.16

*Represents allowable 30% of the Original Amount permitted to be retained as per NJSA 40:55D-53e.

BE IT FURTHER RESOLVED, the making of such estimates of the bond reduction based thereon shall not be taken or construed as an approval of any work so estimated, even if any individual line item(s) shows 100% completion. Final acceptance does not occur until the release of all applicable bonds and guarantees.

ADOPTED: May 7, 2018

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 7th day of May 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor required professional engineering design services on a consultant basis in conjunction with the project known as the Meadow Road Repairs Project; and

WHEREAS, Van Cleef Engineering Associates was awarded a contract on March 27, 2017 (Resolution 2017-R101) for the total contract amount of Fifteen Thousand Nine Hundred Ninety Nine Dollars (\$15,999.00); and

WHEREAS, there is a need for additional professional engineering services associated with the Meadow Road Repairs Project; and

WHEREAS, the amount for the additional professional engineering services for the Meadow Road Repairs Project detailed in the April 4, 2018 letter from Van Cleef Engineering is One Thousand Five Hundred Dollars (\$1,500.00) for a total revised contract amount of Seventeen Thousand Four Hundred Ninety Nine Dollars (\$17,499.00); and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following line item appropriation account:

Roadway Improvements	405-2017-21 008	\$1,500.00
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WHEREAS, said Amendment #1 to the Agreement for Professional Services has been reviewed by the Township Engineer and recommended to be executed; and

WHEREAS, services to be performed may be retained by the Township without public advertising for bids pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because the aforesaid services are professional in nature; and

WHEREAS, the Local Public Contracts Law requires a resolution authorizing the award of a contract for the services without competitive bidding be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- 1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township, Amendment #1 to the Agreement for Professional Engineering Design Services with Van Cleef Engineering Associates of Hamilton, NJ.
- 2) This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law.

- 3) All other terms and conditions of the Agreement with Van Cleef Engineering Associates, dated March 27, 2017 remain in full force and effect.
- 4) An Executed copy of the revised Agreement between the Township and Van Cleef Engineering Associates and a copy of this Resolution shall be on file and available for public inspection in the office of the Township Clerk

Adopted: May 7, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 7th day of May 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the County of Mercer, acting as Lead Agent for the Mercer County Cooperative Contract Purchasing System CK09MERCER2017-23, legally advertised for supply of rock salt, and on November 29, 2017 received sealed bids; and

WHEREAS, the Chief Financial Officer has certified that funds will be available in the following account for 2018 and 2019 subject to the adoption of the Municipal Budget:

Snow Removal – Salt and Sand 2018	105-41-340	\$ 59,298.21
Snow Removal – Salt and Sand 2019	105-41-340	\$ 50,000.00
Storm Recovery Trust Fund	121407	\$ 70,701.79
	Total	\$180,000.00

WHEREAS, the Township Council finds that it would be in the interest of the Township to authorize the utilization of the Mercer County Cooperative Contract Purchasing System Contract No. CK09MERCER2017-23 for the aforesaid goods.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that Morton Salt 123 N. Wacker Drive, Chicago Illinois with a port/pickup location of 1121 Bordentown Road, Morrisville, PA be utilized as the authorized vendor for untreated and treated rock salt for 2018 and 2019 in accordance with the submitted bid pricing, which is attached hereto and made a part hereof.

Adopted: May 7, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 7th day of May, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has received a Retail Liquor License Application from Landry's for a Person to Person Transfer of Liquor License no. 1113-33-013-004 to Brick House Acquisition NJ LLC; and

WHEREAS, the applicant wants to transfer the Plenary Retail Consumption License from BHTT Entertainment LLC to Brick House Acquisition NJ LLC; and

WHEREAS, the New Jersey Division of Alcoholic Beverage had conducted a consolidate background investigation and approved the Person to Person Transfer of the Plenary Retail Consumption License; and

WHEREAS, in accordance with N.J.A.C. 13:2-7.4, the applicant has provided to the Township Clerk's Office the proof of publication of the notice of the application in the Princeton Packet on March 23, 2018 and March 30, 2018; and

WHEREAS, no objections to the application have been received; and

WHEREAS, the Alcoholic Beverage Retail Licensee Clearance Certificate to transfer has been received by the Township and;

WHEREAS, pursuant to N.J.A.C. 13:2-7.7, the Township Council makes the following findings and certifies that:

1. The submitted application form is complete in all respects;
2. The applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder as well as pertinent local ordinances and conditions consistent with Title 33;
3. NJABC has reviewed the application and find no reason not to permit the transfer.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of West Windsor Township that the Person to Person transfer of the Plenary Retail Consumption License No. 1113-33-013-004 to Brick House Acquisition NJ LLC d/b/a/ Brick House Tavern & Tap is hereby approved.

Adopted: May 7, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 7th day of May, 2018.

Sharon L. Young
Township Clerk
West Windsor Township