

**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**

June 25, 2018

7:00 P.M.

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

Proclamation Recognizing Sharon L. Young’s Years of Service as
the Township Clerk

2018-R138 Authorizing the Appointment of Gay M. Huber as
Township Clerk for a Term of Three Years Effective
July 2, 2018

2018-R139 Authorizing the Appointment of Lorraine M. Jones as
Tax Assessor for a Term of Four Years Effective July
1, 2018

**Discussion with Dr. Aderhold Regarding
Class Three Officers**

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-R140 Authorizing the Reappointment of Robin E. Echevarria Esq. as the West Windsor Public Defender with a Term to Expire December 31, 2018

2018-R141 Authorizing the Reappointment of Jeffrey I. Rubin as Municipal Prosecutor with a Term to Expire December 31, 2018

2018-R142 Authorizing the Reappointment of William T. McGovern Esq. as Alternate I/Substitute Prosecutor for a Term to Expire December 31, 2018

2018-R143 Authorizing the Reappointment of Lyle P. Hough Jr. Esq. as an Alternate II/Substitute Township Prosecutor for a Term to Expire December 31, 2018

2018-R144 Authorizing the Reappointment of Alfred B. Vuocolo Jr. Esq. as an Alternate III/Substitute Township Prosecutor for a Term to Expire December 31, 2018

- 2018-R145** Authorizing the Appointment of Craig Hubert Esq. as an Alternate IV/Substitute Township Prosecutor for a Term to Expire December 31, 2018
- 2018-R146** Authorizing the Appointment of Kimm Lacken Esq. as an Alternate V/Substitute Prosecutor for a Term to Expire December 31, 2018
- 2018-R147** Authorizing the Appointment of Diane Mercurio Esq. as an Alternate VI/Substitute Township Prosecutor for a Term to Expire December 31, 2018
- 2018-R148** Authorizing the Reappointment of Joanna M. Perilli Esq. as an Alternate Township Public Defender with a Term to Expire December 31, 2018
- 2018-R149** Approving the Request for a Permit from LEAD Freedom Fest State Fair for a Public Fireworks Display on July 14, 2018 (rain date July 15, 2018) at Mercer County Park Festival Grounds
- 2018-R159** Authorizing the Appointment of Colleen Hudgins as a Resident Representative Member of the Affordable Housing Committee with a term to expire 12/31/2020

B. Minutes

May 21, 2018 – Business Session as amended
May 21, 2018 – Closed Session as amended

C. Bills & Claims

11. Items Removed from Consent Agenda

12. Recommendations from Administration and Council/Clerk

- 2018-R150** Authorizing the Sale of a Hotel/Motel Exception Plenary Retail Consumption License Per the Procedures as Set Forth in NJSA 33:1-19.3 et seq.
- 2018-R151** Authorizing the Sale of a Plenary Retail Consumption License for the Sale of Alcoholic Beverages the Per the Procedures as Set Forth in NJSA 33:1-19.3 et seq.
- 2018-R152** Certification of Compliance with the Promulgation of the Local Finance Board of the State of New Jersey for the 2017 Annual Report of Audit
- 2018-R153** Authorizing the Insertion of the State of New Jersey Alcohol Education, Rehabilitation & Enforcement Fund into the 2018 Municipal Budget - \$1,830.81
- 2018-R154** Authorizing the Insertion of the State of New Jersey Clean Communities Program into the 2018 Municipal Budget - \$56,594.10
- 2018-R155** Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with ACT Engineers Inc. to Provide Professional Survey and Engineering Design Services for the Deerfield Drive Improvement Project - \$24,600.00
- 2018-R156** Authorizing the Business Administrator to Execute Change Order No. 1 with Advanced Control Systems for a Decrease of 5.30% for the Project Closeout of the Emergency Backup Generator for the South Post Road Pump Station – (\$4,350.00)
- 2018-R157** Urging the Legislature to Amend Senate Bills S-746, S-477 and S-1766
- 2018-R158** Renewal of the CHDA Title LLC Alcoholic Beverage License d/b/a The Residence Inn Marriott for the 2018 – 2019 Licensing Term

13. Introduction of Ordinances
14. Additional Public Comment (three-minute limit per person)
15. Council Reports/Discussion/New Business
16. Administration Updates
17. Closed Session (Room C if needed)
18. Adjournment

Distribution of June 11, 2018 Closed Session Minutes

RESOLUTION

WHEREAS, with the retirement of Sharon L. Young, as of June 29th, 2018, there exists a vacancy for the position of Township Clerk for West Windsor Township; and

WHEREAS, on April 23, 2004, Ms. Gay M. Huber passed the State of New Jersey Municipal Clerks' Exam and was awarded her Registered Municipal Clerk License #C-1309; and

WHEREAS, Ms. Huber has been serving as the Deputy Township Clerk since October 18, 2004; and

WHEREAS, on the this occasion the Township Council would like to recognize Ms. Huber as well qualified for the position of Township Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, that in accordance with N.J.S.A. 40A9-133 et. seq., Gay M. Huber is hereby confirmed as the Township Clerk of the Township of West Windsor effective July 2, 2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young,
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, in accordance with N.J.S.A. 40A:9-148 et. seq, every municipal tax assessor shall hold her office for the term of four (4) years from the first day of July; and

WHEREAS, the Township of West Windsor retained the services of Lorraine M. Jones on July 22, 2013 to serve as the Township's Principal Assistant Assessor; and

WHEREAS, on July 31, 2017, pursuant to Resolution 2017-R193, Lorraine M. Jones was appointed Deputy Tax Assessor; and

WHEREAS, Lorraine M. Jones is fully certified and has demonstrated strong, professional accomplishments while serving as Deputy Tax Assessor; and

WHEREAS, the Mayor, Business Administrator and Chief Financial Officer recommend that Lorraine M. Jones be appointed to Tax Assessor for a four (4) year term effective July 1, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, and State of New Jersey that effective July 1, 2018, Lorraine M. Jones be and is hereby appointed the Tax Assessor for West Windsor Township for a term of four (4) years effective July 1, 2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of July, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Section 4-54 of the West Windsor Township Code provides for the appointment of a Township Public Defender by the Mayor with the advice and consent of the Council for a term of up to one year until the appointment and qualification of a successor; and

WHEREAS, Robin E. Echevarria, Esquire has expressed her interest in being re-appointed to the Public Defender position. She has displayed the highest ethical standards along with her very competent performance as a Public Defender in West Windsor Township; and

WHEREAS, Mayor Hemant Marathe recommends the re-appointment of Robin E. Echevarria, Esquire, 50 Princeton-Hightstown Road, Suite F-1, Princeton Junction, NJ 08550, as Public Defender for West Windsor Township.

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 accounts:

2018 Municipal Public Defender /Consultant Services	Current Fund
105-48-210	\$17,000

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it consents to the re-appointment of Robin E. Echevarria, Esquire as the West Windsor Township Public Defender with a term expiring 12/31/2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Section 4-53 of the West Windsor Township Code provides for the appointment of a Township Prosecutor by the Mayor with the advice and consent of the Council for a term of up to one year until the appointment and qualification of a successor; and

WHEREAS, based upon the competent performance of Jeffrey I. Rubin, it is the Mayor's recommendation that Mr. Rubin be re-appointed as Municipal Prosecutor for an additional year from January 1, 2018 through December 31, 2018; 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 accounts:

2018 Municipal Prosecutor/Consultant Services	Current Fund
105-47-210	\$30,000

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following re-appointment of Jeffrey I. Rubin, Esq., Box 538, Pennington, NJ 08534, as Municipal Prosecutor.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 2B:25-4a mandates that a municipal prosecutor be appointed by the governing body of each municipality; and

WHEREAS, N.J.S.A. 2B:25-4e provides that a municipality may appoint additional prosecutors as necessary to administer justice in a timely and effective manner in its municipal court; and

WHEREAS, the Mercer County Prosecutor has requested that all municipalities in the county approve and appoint alternate prosecutors to serve in the event the appointed municipal prosecutor cannot be in court during regularly scheduled court session; and

WHEREAS, Section 4-53 provides for the appointment of a Township Prosecutor by the Mayor with the advice and consent of the Council for a term of one (1) year and until the appointment and qualifications of a successor; and

WHEREAS, the Mayor has proposed the one (1) year re-appointment of William T. McGovern, Esquire, P.O. Box 634, West Windsor, New Jersey 08550, as Alternate I / Substitute Township Prosecutor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it consents to the re-appointment of William T. McGovern, Esquire as Alternate I / Substitute Township Prosecutor for a term expiring 12/31/2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 2B:25-4a mandates that a municipal prosecutor be appointed by the governing body of each municipality; and

WHEREAS, N.J.S.A. 2B:25-4e provides that a municipality may appoint additional prosecutors as necessary to administer justice in a timely and effective manner in its municipal court; and

WHEREAS, the Mercer County Prosecutor has requested that all municipalities in the county approve and appoint alternate prosecutors to serve in the event the appointed municipal prosecutor cannot be in court during regularly scheduled court session; and

WHEREAS, Section 4-53 provides for the appointment of a Township Prosecutor by the Mayor with the advice and consent of the Council for a term of one (1) year and until the appointment and qualifications of a successor; and

WHEREAS, the Mayor has proposed the one (1) year appointment of Lyle P. Hough, Esquire 79 Morgan Avenue, Yardley, PA as Alternate II/Substitute Township Prosecutor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it consents to the re-appointment of Lyle P. Hough, Esquire as Alternate II / Substitute Township Prosecutor for a term expiring 12/31/2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 2B:25-4a mandates that a municipal prosecutor be appointed by the governing body of each municipality; and

WHEREAS, N.J.S.A. 2B:25-4e provides that a municipality may appoint additional prosecutors as necessary to administer justice in a timely and effective manner in its municipal court; and

WHEREAS, the Mercer County Prosecutor has requested that all municipalities in the county approve and appoint alternate prosecutors to serve in the event the appointed municipal prosecutor cannot be in court during regularly scheduled court session; and

WHEREAS, Section 4-53 provides for the appointment of a Township Prosecutor by the Mayor with the advice and consent of the Council for a term of one (1) year and until the appointment and qualifications of a successor; and

WHEREAS, the Mayor has proposed the one (1) year re-appointment of Alfred B. Vuocolo, Jr., 1083 Lawrence Road, Lawrenceville, New Jersey 08648, as Alternate III / Substitute Township Prosecutor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it consents to the re-appointment of Alfred B. Vuocolo, Jr., as Alternate III / Substitute Township Prosecutor for a term expiring 12/31/2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day June of, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 2B:25-4a mandates that a municipal prosecutor be appointed by the governing body of each municipality; and

WHEREAS, N.J.S.A. 2B:25-4e provides that a municipality may appoint additional prosecutors as necessary to administer justice in a timely and effective manner in its municipal court; and

WHEREAS, the Mercer County Prosecutor has requested that all municipalities in the county approve and appoint alternate prosecutors to serve in the event the appointed municipal prosecutor cannot be in court during regularly scheduled court session; and

WHEREAS, Section 4-53 provides for the appointment of a Township Prosecutor by the Mayor with the advice and consent of the Council for a term of one (1) year and until the appointment and qualifications of a successor; and

WHEREAS, the Mayor has proposed the one (1) year appointment of Craig Hubert, Esq., as Alternate 5/ Substitute Township Prosecutor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it consents to the appointment of Craig Hubert, Esq., as Alternate 5 / Substitute Township Prosecutor for a term expiring 12/31/2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 2B:25-4a mandates that a municipal prosecutor be appointed by the governing body of each municipality; and

WHEREAS, N.J.S.A. 2B:25-4e provides that a municipality may appoint additional prosecutors as necessary to administer justice in a timely and effective manner in its municipal court; and

WHEREAS, the Mercer County Prosecutor has requested that all municipalities in the county approve and appoint alternate prosecutors to serve in the event the appointed municipal prosecutor cannot be in court during regularly scheduled court session; and

WHEREAS, Section 4-53 provides for the appointment of a Township Prosecutor by the Mayor with the advice and consent of the Council for a term of one (1) year and until the appointment and qualifications of a successor; and

WHEREAS, the Mayor has proposed the one (1) year appointment of Kimm Lacken, Esq., as Alternate 5/ Substitute Township Prosecutor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it consents to the appointment of Kimm Lacken, Esq., as Alternate 5 / Substitute Township Prosecutor for a term expiring 12/31/2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 2B:25-4a mandates that a municipal prosecutor be appointed by the governing body of each municipality; and

WHEREAS, N.J.S.A. 2B:25-4e provides that a municipality may appoint additional prosecutors as necessary to administer justice in a timely and effective manner in its municipal court; and

WHEREAS, the Mercer County Prosecutor has requested that all municipalities in the county approve and appoint alternate prosecutors to serve in the event the appointed municipal prosecutor cannot be in court during regularly scheduled court session; and

WHEREAS, Section 4-53 provides for the appointment of a Township Prosecutor by the Mayor with the advice and consent of the Council for a term of one (1) year and until the appointment and qualifications of a successor; and

WHEREAS, the Mayor has proposed the one (1) year appointment of Diane Mercurio, Esq., as Alternate 6 / Substitute Township Prosecutor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it consents to the appointment of Diane Mercurio, Esq., as Alternate 6 / Substitute Township Prosecutor for a term expiring 12/31/2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Section 4-54 of the West Windsor Township Code provides for the appointment of a Township Public Defender by the Mayor with the advice and consent of the Council for a term of one year and until the appointment and qualification of a successor; and

WHEREAS, a municipality may appoint an alternate Public Defender as necessary, to administer justice in a timely and effective manner in its municipal court; and

WHEREAS, Mayor Hemant Marathe recommends the re-appointment of Joanna M. Perilli, Esquire, 37 Robbinsville-Allentown Road, Suite 200, Robbinsville, NJ 08691, as an Alternate Township Public Defender for West Windsor Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it consents to the re-appointment of Joanna M. Perilli, Esq. as a West Windsor Township Alternate Public Defender with a term expiring 12/31/2018.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, LEAD Freedom Fest State Fair desires to conduct a public firework display located at Mercer County Park on July 14, 2018, with a rain date of July 15, 2018; and
- WHEREAS, said fireworks display shall be conducted by D & M Fireworks LLC, a U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms licensed Importer of Fireworks, license number 8-PA-011-51-5E-02057; and
- WHEREAS, the New Jersey Uniform Fire Code N.J.A.C. 5:70-3, F-3301.2.4.3 requires that the governing body approve said fireworks display by resolution prior to granting of a permit by the Fire Marshal; and
- WHEREAS, the minimum insurance coverage required by N.J.A.C. 5:70, F-3301.2.4.2 is \$500,000 and D & M Fireworks LLC carries \$4,000,000 insurance coverage; and
- WHEREAS, the Fire Marshal has communicated with the Chief of Police, and the Fire Chief of West Windsor Fire Company who will provide police, and fire protection for said fireworks display and have given their approval; and
- WHEREAS, West Windsor Fire and Emergency Services will provide emergency medical services; and
- WHEREAS, the Fire Marshal has reviewed the application for permit, insurance requirements and other applicable regulations and has found all to be in order; and
- WHEREAS, the Fire Marshal recommends the approval of said resolution;
- NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of West Windsor that this resolution is adopted and that a permit may be granted by the West Windsor Township Fire Marshal, upon his approval, for a fireworks display.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at its meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A.33:1-12.20 provides, in part, that a municipality may issue through the public bidding process a Hotel/Motel Exception Plenary Consumption License to an applicant who operates a hotel/motel containing at least 100 guest sleeping rooms or who is constructing a new hotel/motel containing at least 100 guest sleeping rooms; and

WHEREAS, there exists in the Township of West Windsor an opportunity to sell one new Hotel/Motel Exception Plenary Consumption License for the sale of alcoholic beverages; and

WHEREAS, it is the desire of the Township of West Windsor to accept bids for said new license as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

1. That the Township of West Windsor hereby determines that it will sell at public sale one new Hotel/Motel Exception Plenary Consumption License for the sale of alcoholic beverages, in accordance with the procedures set forth at *N.J.S.A. 33:1-19.3 et seq.*
2. That the Township Clerk shall publish a notice of the proposed issuance of an alcoholic beverage license, indicating that applications therefore will be accepted by the Township at the time, date and place specified in the notice, after which no further applications will be accepted.
3. That said notice shall be published in a newspaper circulating generally in the municipality at least two times, at least one week apart, the second of which shall be at least 30 days prior to the date of sale.
4. That the minimum bid price for the new alcoholic beverage consumption license shall be \$25,000 plus \$50 per sleeping room.
5. That bids must be made upon the Proposal Form available in the Office of the Township Clerk. The name and address of the bidder shall appear on the outside of the sealed envelope. All bidders must be qualified to have an interest in new Hotel/Motel Exception Plenary Consumption License under the standards set forth in the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, and any applicable municipal ABC Ordinances.

6. That the bid must contain a deposit in the form of a certified check for 20% of the bid price. The highest bidder shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within 72 hours of the adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposited monies shall be forfeited to the Township.
7. That the Township reserves the right to reject any and all bids if the highest bid is not accepted.
8. That the municipality shall only award the license to the person who is the highest qualified bidder with the understanding that the license will actually be situated subsequently through the place-to-place transfer application process and must be in use within two years of award of the license.
9. That the successful applicant must comply with all ordinances of West Windsor Township in locating the license.
10. The sale may be postponed or canceled at any time prior to the opening of the bids.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young,
Township Clerk
West Windsor Township

PUBLIC NOTICE

NOTICE TO ACCEPT BIDS FOR PLENARY RETAIL HOTEL/MOTEL
EXCEPTION CONSUMPTION LICENSE

The Township Council of West Windsor has adopted Resolution 2018-R150 authorizing the issuance of a new Hotel/Motel Exception Plenary Consumption license. The license will be sold at a public sale to the highest qualified bidder. The minimum acceptable bid is \$25,000 plus \$50 per sleeping room and the Township reserves the right to reject all bids where the highest bid is not accepted.

Bids shall be accepted only from those bidders who qualify to have an interest in a retail alcoholic license under the standards set forth in the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, and any applicable municipal ABC ordinance. Interested bidders may obtain copies of the forms necessary to qualify to be a bidder from the West Windsor Township Clerk. All prospective bidders must complete the forms and all paperwork associated and be determined to be a qualified bidder to have their bids considered. All bids shall be sealed and proof of qualification must be included separately with the bid.

Application, bid, and associated materials shall be accepted until 3:00 p.m. on Monday, August 6, 2018 at the West Windsor Township Municipal Building, 271 Clarksville Road, West Windsor Township, Mercer County, New Jersey. Bids of applicants who do not preliminarily qualify will be returned unopened. On Monday, August 20, 2018 at 10:00 a.m., the Township Clerk shall publicly announce those applicants who preliminarily meet the qualifications for bidding as fixed by law, Rules and Regulations and Resolution. On August 27, 2018 at 10 a.m. the sealed bids of the preliminarily qualified bidders shall be opened.

All bids must contain a deposit in the form of a certified check for 20% of the bid price. By resolution of the Township Council, the highest, preliminarily qualified bidder will be accepted; and within 72 hours of the adoption of said resolution, the balance of the bid amount shall be paid to the Township by cash or certified check (which monies shall be kept in an interest-bearing account with interest payable to the Township), until such time as the place-to-place licensing process is complete. (Completion of said process includes payment of the State application fee, the annual municipal retail license fee; satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license, the receipt of favorable State and/or Federal criminal background checks; as well as compliance with the publication, hearing and resolutions requirements under *N.J.A.C. 13:2-2.1 et seq.*

A new license must be issued within six months after the closing date established for acceptance of applications and must be in use within two years of the award of the license. If the applicant defaults or otherwise breaches its promise to purchase, then all monies held by the Township shall be paid to and become the property of the Township.

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2018-R150

The successful applicant must comply with all ordinances of West Windsor Township in locating the license.

Gay M. Huber, Township Clerk, RMC, CMC
Township of West Windsor
271 Clarksville Road, P.O. Box 38, Princeton Junction, New Jersey 08550

RESOLUTION

WHEREAS, there exists in the Township of West Windsor the authority to issue a new plenary retail consumption license for the sale of alcoholic beverages; and

WHEREAS, the Township Council has determined to sell at a public sale one new plenary retail consumption license; and

WHEREAS, pursuant to *N.J.S.A. 33:1-19.3*, it is the desire of the Township of West Windsor to accept bids for said new license as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

1. That the Township of West Windsor hereby determined that it will sell at public sale one new plenary retail consumption license for the sale of alcoholic beverages, in accordance with the procedures set forth at *N.J.S.A. 33:1-19.3 et seq.*
2. That the Township Clerk shall publish a notice of the proposed issuance of an alcoholic beverage license, indicating that applications therefore will be accepted by the Township at the time, date and place specified in the notice, after which no further applications will be accepted.
3. That said notice shall be published in a newspaper circulating generally in the municipality at least two times, at least one week apart, the second of which shall be at least 30 days prior to the date of sale.
4. That the minimum bid price for the new alcoholic beverage consumption license shall be \$1,250,000.
5. That bids must be made upon the Proposal Form available in the Office of the Township Clerk. The name and address of the bidder shall appear on the outside of the sealed envelope. All bidders must be qualified to have an interest in a retail alcoholic license under the standards set forth in the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, and any applicable municipal ABC Ordinances.
6. That the bid must contain a deposit in the form of a certified check for 20% of the bid price. The highest bidder shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within 72 hours of the adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposited monies shall be forfeited to the Township.

7. That the Township reserves the right to reject any and all bids if the highest bid is not accepted.
8. That the municipality shall only award the license to the person who is the highest qualified bidder with the understanding that the license will actually be situated subsequently through the place-to-place transfer application process and must be in use within two years of award of the license.
9. That the successful applicant must comply with all ordinances of West Windsor Township in locating the license.
10. The sale may be postponed or canceled at any time prior to the opening of the bids.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June 2018.

Sharon L. Young
Township Clerk
West Windsor Township

PUBLIC NOTICE

NOTICE TO ACCEPT BIDS FOR PLENARY RETAIL CONSUMPTION LICENSE

The Township Council of West Windsor has adopted Resolution 2018-R151 authorizing the issuance of a new plenary retail consumption license. The consumption license will be sold at a public sale to the highest qualified bidder. The minimum acceptable bid is \$1,250,000 and the Township reserves the right to reject all bids where the highest bid is not accepted.

Bids shall be accepted only from those bidders who qualify to have an interest in a retail alcoholic license under the standards set forth in the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, and any applicable municipal ABC ordinance. Interested bidders may obtain copies of the forms necessary to qualify to be a bidder from the West Windsor Township Clerk. All prospective bidders must complete the forms and all paperwork associated and be determined to be a qualified bidder to have their bids considered. All bids shall be sealed and proof of qualification must be included separately with the bid.

Application, bid, and associated materials shall be accepted until 3:00 p.m. on Monday, August 6, 2018 at the West Windsor Township Municipal Building, 271 Clarksville Road, West Windsor Township, Mercer County, New Jersey. Bids of applicants who do not preliminarily qualify will be returned unopened. On Monday, August 20, 2018 at 10:00 a.m., the Township Clerk shall publicly announce those applicants who preliminarily meet the qualifications for bidding as fixed by law, Rules and Regulations and Resolution. On August 27, 2018 at 10 a.m. the sealed bids of the preliminarily qualified bidders shall be opened.

All bids must contain a deposit in the form of a certified check for 20% of the bid price. By resolution of the Township Council, the highest, preliminarily qualified bidder will be accepted; and within 72 hours of the adoption of said resolution, the balance of the bid amount shall be paid to the Township by cash or certified check (which monies shall be kept in an interest-bearing account with interest payable to the Township), until such time as the place-to-place licensing process is complete. (Completion of said process includes payment of the State application fee, the annual municipal retail license fee; satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license, the receipt of favorable State and/or Federal criminal background checks; as well as compliance with the publication, hearing and resolutions requirements under *N.J.A.C. 13:2-2.1 et seq.*

A new license must be issued within six months after the closing date established for acceptance of applications and must be in use within two years of the award of the license. If the applicant defaults or otherwise breaches its promise to purchase, then all monies held by the Township shall be paid to and become the property of the Township.

The successful applicant must comply with all ordinances of West Windsor Township in locating the license.

Gay M. Huber, Township Clerk, RMC, CMC
Township of West Windsor
271 Clarksville Road, P.O. Box 38, Princeton Junction, New Jersey 08550

**PUBLIC NOTICE TO ACCEPT BIDS FOR A PLENARY RETAIL
CONSUMPTION LIQUOR LICENSE
ROUTE ONE – WEST WINDSOR AREA**

West Windsor Township a thriving community on the Route One Corridor (near Princeton), is offering for sale a new plenary retail consumption license. Bids, which must be submitted by July 15, 2011, will be opened on August 5, 2011. The minimum bid has been set at \$1,000,000. Bids shall be accepted only from those bidders who qualify under New Jersey Statutes and ABC regulations to hold an ABC license in New Jersey. If interested, contact the Township Clerk's Office (609) 799-2400 to obtain further information and a bid package.

Advertise as a block ad.

TOWNSHIP OF WEST WINDSOR
COUNTY OF MERCER

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, That the governing body of the Township of West Windsor, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF
REVENUE IN THE BUDGET OF THE TOWNSHIP OF WEST WINDSOR
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Alcohol Education, Rehabilitation &
Enforcement Fund - 104605 \$1,830.81

BE IT FURTHER RESOLVED that a like sum of \$1,830.81 and the same is hereby appropriated under the following captions:

Alcohol Education, Rehabilitation &
Enforcement Fund – 10664520 \$1,830.81

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF
REVENUE IN THE BUDGET OF THE TOWNSHIP OF WEST WINDSOR
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Clean Communities Program - 104604	\$56,594.10
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BE IT FURTHER RESOLVED that a like sum of \$56,594.10 and the same is hereby appropriated under the following captions:

Clean Communities Program – 10665523	\$56,594.10
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Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire professional survey and engineering design services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, ACT Engineers, Inc. has submitted a proposal dated June 7, 2018 indicating they will provide professional survey and engineering design services for the Deerfield Drive Improvement Project for Twenty Four Thousand Six Hundred Dollars (\$24,600.00); and

WHEREAS, ACT Engineers, Inc. has indicated a performance period of 45 calendar days from the date of project initiation; and

WHEREAS, the Township wishes to enter into an agreement with ACT Engineers, Inc. for the aforesaid services; and

WHEREAS, the total amount of the contract is Twenty Four Thousand Six Hundred Dollars (\$24,600.00); 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 accounts:

Roadway Improvements	405-2017-21008	\$24,600.00
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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 a professional services agreement with ACT Engineers, Inc., with a performance period of 45 calendar days from the date of project initiation, for professional survey and engineering design services, for an amount not to exceed Twenty Four Thousand Six Hundred Dollars (\$24,600.00).
- (2) The Agreement so authorized shall require the Provider to provide professional construction administration and observation services pursuant to its proposal dated June 7, 2018. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.

- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and ACT Engineers, Inc. and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: June 25, 2018

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Township awarded a construction contract in the amount of \$82,060.00 on September 18, 2017 (Resolution 2017-R238) to Advanced Control Systems for the project known as The Emergency Backup Generator for the South Post Road Pump Station; and

WHEREAS, A Certification of Funds for the original contract was received from the Chief Financial Officer and funds for said contract were available in the following line item appropriation accounts:

<u>Sanitary / Storm Sewer Improvements</u>	<u>405-2014-13 021</u>	<u>\$82,060.00</u>
Account Title	Account Number	Amount

WHEREAS, Final Change Order No. 1 accounts for a decrease of \$4,350.00 (5.30%) in the original contract amount for project closeout and has been agreed to by the Contractor for the purpose of reimbursing the Township Public Works Department Sewer Division Operating Budget for costs incurred during the construction project for rental fees of a temporary onsite emergency generator; and

WHEREAS, the Consulting Engineer has inspected the project and recommends the change order; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that Final Change Order No. 1 for project closeout is hereby approved, adjusting the original contract amount of \$82,060.00 to a final contract amount of \$77,710.00.

NOW BE IT FURTHER RESOLVED, that the Township Business Administrator is hereby authorized to execute Contract Change Order No. 1 for project closeout.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the Township Council of the Township of West Windsor at their meeting held on the 25th day of June 2018.

Sharon L. Young
 Township Clerk,
 West Windsor Township

A Resolution Urging the Legislature to Amend S-716, S-477 and S-1766

WHEREAS, while it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written, without responsible amendments, will prove to be very expensive to municipalities and taxpayers, and

WHEREAS, while it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

WHEREAS, under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

WHEREAS, without appropriate amendments, the combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal Tax code.

NOW THEREFORE BE IT RESOLVED by Mayor Hemant Marathe and the Township Council of West Windsor that:

- S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evidence establishes that Firefighters develop at a higher rate than the general public, and
- S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
- S-716 also be amended so that the standard to rebut the presumption remains at the current “preponderance of the evidence”, and
- S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
- S-1766 be amended to remove public entities from “emotional distress” compensation for wrongful death claims subject to Title 59, and

A copy of this resolution be forwarded to the Governor, the legislative delegation in the 15th District, the Governor, the Senate President and the Speaker of the Assembly.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, 2018-2019 application for renewal of this liquor license have been submitted electronically to the Division of Alcoholic Beverages; and

WHEREAS, the appropriate fees have been received; and

WHEREAS, the Police Division has indicated that it finds no reason to object to the renewal listed below; and

WHEREAS, the Health Department has inspected the premise and finds it to be in satisfactory condition; and

WHEREAS, no objection to this renewal has been filed with the Clerk's office; and

WHEREAS, the Alcoholic Beverage Retail Licensee Clearance Certificates for Renewal has been issued;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the renewal of the Alcoholic Beverage License for the following is hereby approved:

PLENARY RETAIL CONSUMPTION LICENSE

1113-36-017-001 CHDA Title LLC d/b/a The Residence Inn Marriott

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, there was a vacancy for a resident representative member of the Affordable Housing Committee; and

WHEREAS, Colleen Hudgins has expressed her interest in being considered for the appointment as a resident representative member on the Affordable Housing Committee; and

WHEREAS, it is recommended that Colleen Hudgins be appointed to fill this vacancy with a term to expire December 31, 2020; and

WHEREAS, Mayor Hemant Marathe recommends this appointment and seeks the Council's consent to appoint Colleen Hudgins to the Affordable Housing Committee as a resident representative member.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following Affordable Housing Committee appointment:

Colleen Hudgins Volunteer Resident Member Term Expires 12/31/2020

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June, 2018.

Sharon L. Young
Township Clerk
West Windsor Township