

**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**

March 23, 2020

6:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 10, 2020 to The Times and the Princeton Packet. On March 19, 2020 a notice was sent to the Times and the Princeton Packet for the time change to 6:00 p.m.
4. Salute to the Flag
5. Ceremonial Matters and/or Topic for Priority Consideration

Wrap-up of the 2020 Budget

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

11. Consent Agenda

A. Resolutions

2020-R097 Authorizing the Mayor and Clerk to Execute the Release of a Cash Performance Bond for Street Opening Permit 2019-26 for 8 Indian Run Road

2020-R098 Refund Development Plan Review

B. Minutes

2/10/2020 -Business Session - as amended
2/24/2020 -Business Session - as amended
2/24/2020 -Closed Session - as amended

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2020-R084 Authorizing the Second Quarter 2020 Emergency Temporary Appropriations (requires a 2/3 vote of the full membership)

2020-R085 Authorizing the Pre-payment of Bills for 2020 During the State of Emergency if the Township Council is Unable to Meet this Authorization will expire once Executive Order 103 is Lifted by Governor Murphy

2020-R086 Appointment of Timothy M. Lynch as Fire Official and Fire Marshal for West Windsor Township Effective April 1, 2020

2020-R087 Appointment of Timothy M. Lynch as Emergency Management Coordinator for West Windsor Township and the Appointment of Rob Garofalo Chief of Police as Deputy Emergency Management Coordinator Effective April 1, 2020

- 2020-R088 Authorization to Sell Surplus Property by Utilizing the Online Auction Services of GovDeals, Inc.
- 2020-R089 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with ACT Engineering to Conduct a Limited Subsurface Investigation on the Property Located at Block 10, Lot 16, 163 Clarksville Road - \$9,075.00
- 2020-R090 Granting Reservation of Sewer Capacity for the Project Known as VCC Princeton Junction (ZB18-05SP)- Block 12.04, Lot 18
- 2020-R091 Authorizing the Chief Financial Officer to Increase the Professional Services Agreement with Miller, Porter & Muller for Land Use Litigation Counsel by \$25,000
- 2020-R092 Authorizing the Chief Financial Officer to Increase the 2019 Professional Services Agreement with Parker McCay, P.A. by \$3,616.66 For a Total Not to Exceed Amount of \$68,616.66
- 2020-R093 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Center State Engineering to Provide Professional Surveying and Engineering Design Services for the Project Known as Bennington Drive Roadway Reconstruction Project - \$18,000.00
- 2020-R094 Authorizing the Mayor and Clerk to Execute an Amendment to the Agreement With Respect To Windsor Haven, Windsor Ponds, and Village Grande Affordable Units Hot Water Heater and HVAC Equipment Replacement Program to Add The Elements Affordable Units
- 2020-R095 Amending the Spending Plan Amendment to Increase the Funding for the Princeton Baptist Church of Penns Neck from \$250,000.00 to \$295,000.00

2020-R096 Authorizing the Business Administrator to
Purchase One 2020 Ford F450 Cab & Chassis
Crew Cab 4X4 Mason Dump from Cherry Hill
Winner Ford for Public Works Department -
\$57,216.50

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

EMERGENCY TEMPORARY RESOLUTION

WHEREAS, an emergent condition has arisen with respect to the ability of the Township of West Windsor to continue paying its employees and vendors; and

WHEREAS, the Township Council has not yet adopted the 2020 budget; and

WHEREAS, no adequate provision has been made in the 2020 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L.1951 (N.J. S. 40A:4-20) including this resolution total \$9,813,844.17.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

| CURRENT FUND TEMPORARY APPROPRIATIONS - 2020 | | | |
|---|------------------|-------------|--------------|
| | <u>S & W</u> | <u>O.E.</u> | <u>TOTAL</u> |
| 1 Clerk & Governing Body | 46,809.75 | 16,689.75 | 63,499.50 |
| 2 Elections | 425.00 | 4,512.50 | 4,937.50 |
| 3 Council | 6,176.25 | 1,312.50 | 7,488.75 |
| 4 Administration | 112,188.75 | 62,862.50 | 175,051.25 |
| 5 Mayor | 10,560.50 | 0.00 | 10,560.50 |
| 6 Financial Administration | 129,832.25 | 0.00 | 129,832.25 |
| 7 Audit & Accounting Services | | 11,201.25 | 11,201.25 |
| 8 Data Processing | | 0.00 | 0.00 |
| 9 Assessment of Taxes | 48,303.00 | 0.00 | 48,303.00 |
| 10 Collection of Taxes | 38,863.25 | 5,437.50 | 44,300.75 |
| 12 Supplemental Fire Safety Program | | 6,723.00 | 6,723.00 |
| 13 Uniform Fire Code | 58,696.75 | 714.50 | 59,411.25 |
| 14 Emergency Services | 344,136.25 | 39,808.50 | 383,944.75 |
| 15 Princeton Jct. Vol. Fire Co. | | 13,750.00 | 13,750.00 |
| 16 West Windsor Vol. Fire Co. #1 | | 13,750.00 | 13,750.00 |
| 18 Police | 1,713,785.25 | 103,713.75 | 1,817,499.00 |
| 18 Police - ILSA - WWPRSD | 75,000.00 | 46,250.00 | 121,250.00 |
| 20 Animal Control | | 1,275.00 | 1,275.00 |
| 20 ILSA-East Windsor Township | | 5,000.00 | 5,000.00 |
| 21 Board of Health | 168,077.50 | 14,237.50 | 182,315.00 |
| 22 Recreation | 26,128.50 | 0.00 | 26,128.50 |
| 24 Senior Citizen Program | 46,338.50 | 19,218.25 | 65,556.75 |
| 25 Affordable Housing | 250.00 | 10,000.00 | 10,250.00 |

| | | | |
|---|--------------|--------------|--------------|
| 29 Community Development | 6,662.75 | 250.00 | 6,912.75 |
| 30 General Engineering | 80,001.50 | 15,532.50 | 95,534.00 |
| 33 Land Use | 52,422.00 | 31,856.25 | 84,278.25 |
| 34 Planning Board | | 5,337.50 | 5,337.50 |
| 35 S.P.R.A.B. | | 0.00 | 0.00 |
| 36 Zoning Board | | 4,100.00 | 4,100.00 |
| 37 Environment Commission | | 762.50 | 762.50 |
| 38 Construction Official | 365,447.00 | 9,500.00 | 374,947.00 |
| 40 Public Works | 342,800.00 | 57,444.25 | 400,244.25 |
| 41 Snow Removal | 0.00 | 0.00 | 0.00 |
| 42 Sewer System | 120,686.25 | 27,687.50 | 148,373.75 |
| 43 Stony Brook Reg. Sewer Auth. | | 811,471.00 | 811,471.00 |
| 44 Facilities and Open Space | | 23,000.00 | 23,000.00 |
| 46 Legal Services & Costs | | 62,500.00 | 62,500.00 |
| 47 Municipal Prosecutor | | 7,500.00 | 7,500.00 |
| 48 Public Defender | | 4,250.00 | 4,250.00 |
| 50 Municipal Court | 64,163.75 | 7,705.75 | 71,869.50 |
| 50 ILSA - Hopewell Township | | 0.00 | 0.00 |
| 51 Group Insurance | | 345,781.21 | 345,781.21 |
| 52 Other Insurance - Workers Comp | | 0.00 | 0.00 |
| 52 Other Insurance - Liability | | 0.00 | 0.00 |
| 53 Building & Grounds | 51,402.25 | 38,193.75 | 89,596.00 |
| 54 Fire Hydrant Service | | 185,500.00 | 185,500.00 |
| 55 Postage | | 10,000.00 | 10,000.00 |
| 56 Utilities - Street Lighting | | 106,000.00 | 106,000.00 |
| 56 Utilities - Electric/Natural Gas | | 106,500.00 | 106,500.00 |
| 56 Utilities - Telephone and Telegraph | | 29,250.00 | 29,250.00 |
| 56 Utilities - Water | | 6,875.00 | 6,875.00 |
| 57 Gasoline | | 62,500.00 | 62,500.00 |
| 58 Refuse Collection - In Cap | | 521,775.00 | 521,775.00 |
| 58 Refuse Collection - Out of Cap | | 119,087.50 | 119,087.50 |
| 60 Extended Sick Leave | 0.00 | 0.00 | 0.00 |
| 76 Social Security System | | 155,587.96 | 155,587.96 |
| 77 Public Employees Retirement System | | 876,898.00 | 876,898.00 |
| 78 Police & Firemen's Retirement System | | 1,892,885.00 | 1,892,885.00 |
| 79 Defined Contribution Retirement System | | 2,500.00 | 2,500.00 |
| 72 Down Payment on Improvements | | 0.00 | 0.00 |
| 80 Payment of Bond Principal | | 0.00 | 0.00 |
| 82 Interest on Bonds | | 0.00 | 0.00 |
| 83 Interest on Notes | | 0.00 | 0.00 |
| 84 Green Trust Loan Program | | 0.00 | 0.00 |
| Total Temporary Operating Budget | 3,909,157.00 | 5,904,687.17 | 9,813,844.17 |

SWIMMING POOL UTILITY TEMPORARY APPROPRIATIONS - 2020

| | <u>S & W</u> | <u>O.E.</u> | <u>TOTAL</u> |
|--------------------|------------------|-------------|--------------|
| Salary and Wages | 55,500.00 | | 55,500.00 |
| Other Expenses | | 40,970.00 | 40,970.00 |
| Statutory Expenses | | 4,245.75 | 4,245.75 |
| | 55,500.00 | 45,215.75 | 100,715.75 |

2. That said emergency temporary appropriations have been provided for in the 2020 budget under the aforementioned line items.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Adopted: March 23, 2020

I, Gay M. Huber, Township Clerk of West Windsor Township, County of Mercer, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the West Windsor Township Council at a meeting of said Township Council on the 23rd day of March 2020 and said resolution was adopted by not less than a two-thirds vote of the members of the West Windsor Township Council.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

AUTHORIZING PRE-PAYMENT OF CERTAIN BILLS FOR 2020

WHEREAS, due to the COVID-19 outbreak in New Jersey the Township Council of West Windsor wants to ensure that all payment of obligations including, utilities, payroll, debt service, governmental fees and other statutory payments, insurance, and for the advertising, printing and mailing costs of the Township continued to be paid in accordance with State Statute; and

WHEREAS, this issue is compounded by the provisions of P.L. 2018, c. 127, which among other things, requires the Township to complete certain payments within 60 days of invoice; and

WHEREAS, pursuant to Local Finance Notice 2019-02, municipalities may exercise their authority based upon N.J.S.A. 40A:5-17 “to permit the Chief Financial Officer to pay bills between governing body meetings and submit a list of bills paid to the governing body at its next meeting for inclusion in the official minutes”; and

WHEREAS, the Township's Chief Financial Officer and Township Attorney recommend that the governing body adopt a resolution providing for the pre-payment of these items, so that they may be paid in a timely manner without penalty during this outbreak; and

WHEREAS, these payments will only occur if the Township Council of West Windsor is unable to meet during this outbreak.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey that the Chief Financial Officer be and is hereby authorized and directed to make pre-payment of the following items prior to the same appearing on the next meeting's list of bills and claims, for calendar year 2020, provided the municipality certifies to receipt of the goods or services in accordance with N.J.S.A. 40A:5-16(b) as applicable, and the Chief Financial Officer certifies to the availability of funds for each pre-payment:

1. Utilities (electric, gas, water, sewer and telephone, cellular telephone, gasoline, diesel fuel, internet providers, etc.).
2. Debt service as evidenced by pre-authorized bonds and/or notes.
3. Health, dental and other insurance premiums and/or claims.
4. Governmental fees and other statutory payments (school, county, sewage authority, state and county fees).

5. Bills pertaining to the advertising, printing and mailing costs of the Township.
6. Third party fees collected through pre-authorized credit/debit card processing.

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7. Bills for construction projects that are subject to the 30-day prompt payment law (N.J.S.A. 2A:30A-1 et seq.)
8. Bills for goods and services subject to the 60-day prompt payment law (P.L. 2018, c. 127)
9. Purchase of Investments
10. Other items with written authorization of the Township Administrator

BE IT FURTHER RESOLVED that this resolution is in effect until Governor Murphy's State of Emergency as ordered by his March 9, 2020 Executive Order 103 in New Jersey is lifted.

Adopted: March 23, 2020

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of March, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor is in need of a Township Fire Official with a New Jersey Fire Official Certification to replace James Yates who is retiring; and

WHEREAS; this resolution hereby appoints Timothy M. Lynch, Chief of the Division of Fire & Emergency Services as the full time Township Fire Official and Fire Marshal, West Windsor Township Ordinance 4-34.F and N.J.A.C. 5:71; and

WHEREAS, Timothy M. Lynch is employed by the Township of West Windsor for the position of Fire Official, commencing April 1, 2020; and

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby appoints Timothy M. Lynch, Chief of the Division of Fire & Emergency Services, to serve as Township Fire Official and Fire Marshal effective April 1, 2020 for a period of three years; and

BE IT FURTHER RESOLVED that a copy of the resolution shall be forwarded to the State of New Jersey, Division of Fire Safety.

Adopted: March 23, 2020

I certify this to be a true copy of a resolution adopted by the Township Council of the Township of West Windsor at their meeting held on March 23, 2020.

Gay Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the State of New Jersey Office of Emergency Management requires that each municipality appoint an Emergency Management Coordinator and,

WHEREAS, the Timothy M. Lynch, Chief of the Division of Fire & Emergency Services has been designated by the Mayor to serve as the Emergency Management Coordinator for the Township of West Windsor and,

WHEREAS, the Robert Garofalo, Chief of Police, who serves as the Deputy Director of Public Safety, has been designated by the Mayor to serve as the Deputy Emergency Management Coordinator and,

WHEREAS, it is the intention of the Township Council of the Township of West Windsor to comply with requirement set forth by the State of New Jersey Office of Emergency Management and to forward a resolution naming appointees to the Office for its records.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby appoints Timothy M. Lynch, Chief of the Division of Fire & Emergency Services, to serve as Emergency Management Coordinator and Robert Garofalo, Chief of Police, to serve as Deputy Emergency Management Coordinator effective April 1, 2020 for a period of three years; and

BE IT FURTHER RESOLVED that a copy of the resolution shall be forwarded to the State of New Jersey Office of Emergency Management.

Adopted: March 23, 2020

I certify this to be a true copy of a resolution adopted by the Township Council of the Township of West Windsor at their meeting held on March 23, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of West Windsor intends to utilize the online auction services of GovDeals, Inc. located at www.govdeals.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor in the County of Mercer, State of New Jersey, that the Township is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.govdeals.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between GovDeals, Inc. and the Township of West Windsor will be available at www.govdeals.com and in the Township Clerk's office; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized and directed to take action for appropriate publication of this notice in the legal newspapers of the Township for two consecutive weeks, at least seven days prior to such sale (in accordance with the requirements of 40A:12-13).

Adopted: March 23, 2020

I hereby certify that the above resolution was adopted by the West Windsor Council at their meeting on the 23rd day of March 2020.

Gay M. Huber
Township Clerk
West Windsor Township

Schedule A
Township of West Windsor
Surplus Property for Online Auction
www.govdeals.com

1989 GMC Compactor Truck
Vin# 4VZHCIM05KN616242

1989 T-6 Carmate Trailer
Serial# CM72UST 1P9U612S3LL01611

1991 Chevy Box Van
Vin# 1GCHP23K6M3311306

1993 Kawasaki Mule Model 2510
Serial# KAF620-AI

1995 Ford F800
Vin# 1FDYF80E5SVA30978

1995 Ford F800
Vin# 1FDYF80E75VA30979

1995 Lexus LS
Vin# JT8UF22E7S0031235

1996 Jeep Cherokee
Vin# 1J4FJ285OTL229574

1996 Jeep Cherokee with Plow
Vin# 1J4FJ28S3TL234431

1997 Toro Workman Model – 07200
Serial# 70119

1997 Ford F800
Vin# 1FDYF80EOVVA40385

1998 Ford Van
Vin# 1FTRE1422WHA89512

1999 Dodge Mason Dump

Vin# 3B6MF3653XM5919557

2001 Kawasaki Motorcycle
Vin# JKAZXDP161A053896

2002 Ford F550
Vin# 1FDAF57F42EA81256

2005 Dodge Durango
Vin# 1D4HB38N65F616775

2005 Ambulance
Vin# 1GDE4V1235F513492

2006 FO-4 Interceptor
Vin# 2W9MPH61965044276

2006 Jeep Liberty
Vin# 1J4GL48K16W285388

2006 Jeep Liberty
Vin# 1J4GL48K56W166632

2006 Jeep Liberty
Vin# 1J4GL48K76W166633

2011 Ford Crown Victoria
Vin# 2FABP7BV7BX112603

2015 Ford Explorer
Vin# 1FM5K8ARXFG25885

2009 E2020XT – 16' Hiway Stainless Steel
Salt Spreader with Calcium Tank

(2) MB-1MB-2 All Trailer LED Orange Message Boards
Vin# 4SEPN16168M4SE479
Vin# 4SEPN16119M4SE634

Valve Body – Certified Power Inc.
Part# SG0456436
Serial# 1B473137

Ground Master 325D Toro Cozy Cab Model 30-95
Serial# 90324

Swenson Stainless Steel Salt Spreader 10'

(2) Hiway E2020XT Stainless Steel Salt Spreaders 10'

8' Meyers Snow Plow

Deweze ATM72 –ATM72 – D009

P-63 Club Car AGO125-029001

P-31 Toro 325D 30157

P-26 Scag 5490743

Aluminum Load Rite Trailer

ONLINE AUCTION

The Township of West Windsor is utilizing the online auction services of GovDeals, Inc. located at www.govdeals.com to dispose of surplus items no longer needed for public use.

A complete list of all items to be auctioned is available at the Township Clerk's Office during the hours of 9:00 a.m. - 5:00 p.m. Monday to Friday.

**Gay M. Huber, Clerk
West Windsor Township**

RESOLUTION

WHEREAS, the Township of West Windsor is in need of retaining the services of an environmental engineering firm to conduct a limited subsurface investigation on Open Space property located at 163 Clarksville Road; Block 10, Lot 16 (Open space parcels #62) known as the Loretta Applegate property; and

WHEREAS, ACT Engineering is qualified to conduct said limited subsurface investigation; and

WHEREAS, ACT Engineering submitted a proposal dated February 27, 2020 (\$9,075.00) outlining the services they would perform; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said contract in the following account:

Open Space Land Acquisition (Applegate) # 405-2019-28-001

NOW, THEREFORE, be it resolved by the Township Council of the Township of West Windsor that the Mayor and Township Clerk are hereby authorized and instructed to execute the Professional Services Contract for ACT Engineering for a total not to exceed \$9,075.00.

Adopted: March 23, 2020

I hereby certify that this is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 23rd of March, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Maser Consulting has submitted a request for a reservation of sewer capacity in the public sewer system for the mixed-use project known as VCC Princeton Junction (ZB18-05SP) located at Block 12.04, Lot 18; and

WHEREAS, the development project is estimated to generate an additional 3,720 gallons per day (gpd) over the prior use, for a total site wastewater flow of 4,430 gpd; and

WHEREAS, the proposed extension of the collection system on to the property as part of the project does not require a Treatment Works Approval Permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the Township Engineer has certified that there is sufficient capacity in the existing downstream sanitary sewer system to accommodate the increase in average daily flow of 3,720 gpd of wastewater that is estimated to be generated by the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that a reservation of sewer capacity in the total amount of 4,430 gallons per day, is hereby granted for the mixed-use project known as VCC Princeton Junction (ZB18-05SP) located at Block 12.04, Lot 18; and

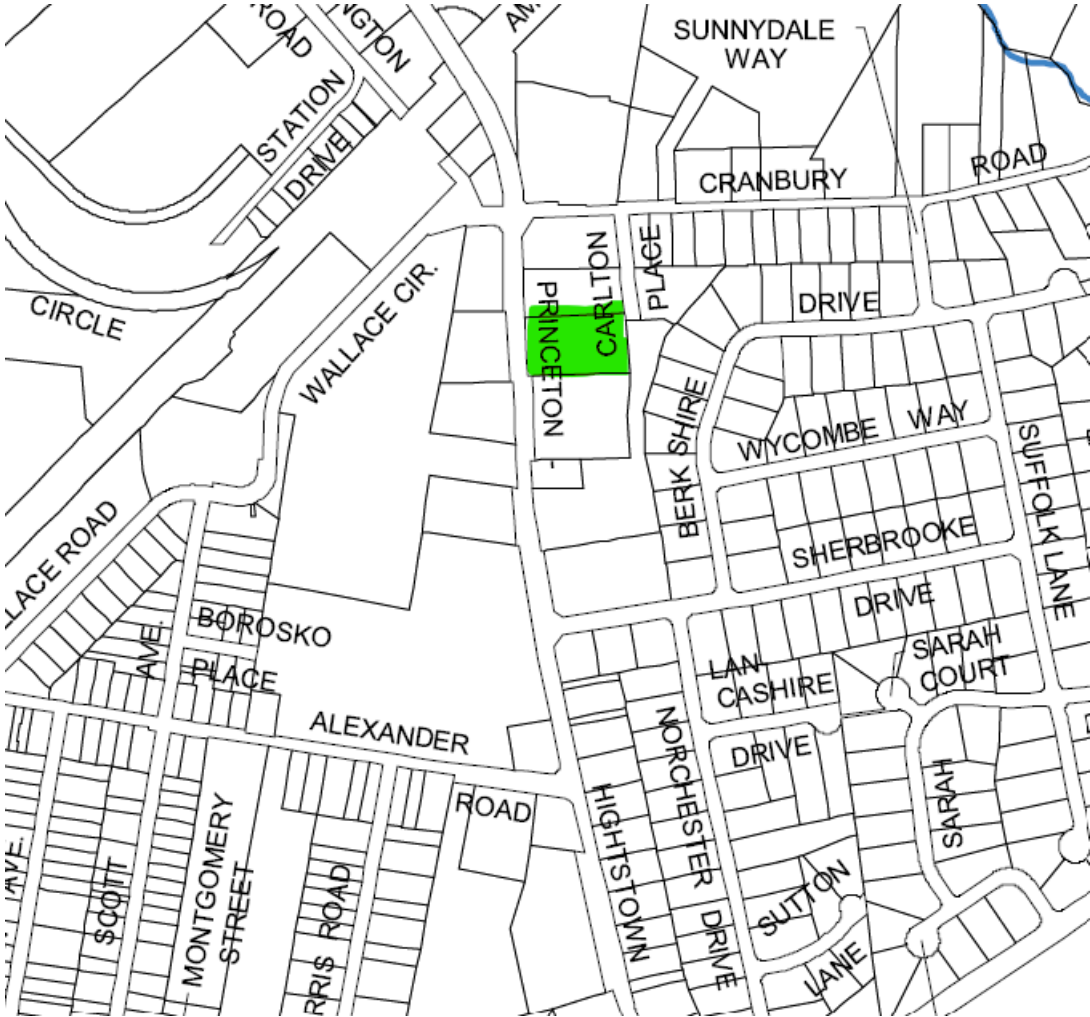
BE IT FURTHER RESOLVED that this allocation of Township sewer capacity shall be in effect for a period of one (1) year; and

Adopted: March 23, 2020

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 23rd day of March 2020.

Gay M. Huber
Township Clerk
Township of West Windsor

PROJECT LOCATION MAP



RESOLUTION

WHEREAS, the Township has a need to retain counsel to handle land use litigation brought by or against it and Township Council and Township officials and employees; and

WHEREAS, Miller, Porter & Muller has the expertise to perform such services and has done so in the past for the Township; and

WHEREAS, it is in the best interest of the Township to increase the current Professional Services Agreement with Miller, Porter & Muller, P.C. to provide such services; and

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

Legal – Litigation Account 105-46-228 \$25,000.00

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of March, 2020 by the West Windsor Township Council as follows:

- (1) Authorizes the Chief Financial Officer to increase the Professional Services Agreement with Miller, Porter & Muller, P.C. by \$25,000.00
- (2) 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.

Adopted: March 23, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of March, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor Council entered into a professional services agreement with Parker McCay P.A. Resolution 2017-R045 on January 30, 2017 for Township Attorney Services; and

WHEREAS, the consultant shall continue to represent the Township in all matters assigned to it until a new agreement becomes effective; and

WHEREAS, the scope of work authorized in the original contract remains in force and effect; and

WHEREAS, the Township of West Windsor Council entered into a professional services agreement with Parker McCay P.A. Resolution 2019-R071 on March 18, 2019 for Township Attorney Services for an amount of \$65,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available for the period January 1, 2019 through December 31, 2019 for said contract in the following line item appropriation accounts for 2019:

| | | |
|--------------------------------------|-------------|-------------------|
| Legal – Legal Fees | 105-46-223A | \$ 941.66 |
| Legal – Legal Fees- Township Council | 105-46-224A | <u>\$2,675.00</u> |
| Total | | \$3,616.66 |

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Chief Financial Officer is hereby authorized to increase the contract amount to date by \$3,616.66 with Parker McCay P.A. to a revised contract amount of \$68,616.66 for the period January 1, 2019 through December 31, 2019.

Adopted: March 23, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of March 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire professional surveying 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, Center State Engineering has submitted a proposal dated February 21, 2020 indicating they will provide professional surveying and engineering design services for the Bennington Drive Roadway Reconstruction Project for Eighteen Thousand Dollars (\$18,000.00); and

WHEREAS, Center State Engineering has indicated a performance period for the professional surveying and engineering design services of ninety (90) days from the date of project initiation; and

WHEREAS, the Township wishes to enter into an agreement with Center State Engineering for the aforesaid services; and

WHEREAS, the total amount of the contract is Eighteen Thousand Dollars (\$18,000.00); 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 | 405-2018-15 012 | \$18,000.00 |
|----------------------|-----------------|-------------|

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 Center State Engineering, with a performance period of ninety (90) days from the date of project initiation for professional surveying and engineering design services, for an amount not to exceed Eighteen Thousand Dollars (\$18,000.00).
- (2) The Agreement so authorized shall require the Provider to provide professional surveying and engineering design services pursuant to its proposal dated February 21, 2020. 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 Center State Engineering and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: March 23, 2020

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of March 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, on June 11, 2012 Piazza and Associates and the Township entered into an Agreement with respect to funding, up to a specified limit, replacement of hot water heaters and HVAC equipment for affordable units in Windsor Haven, Windsor Ponds, and The Village Grande; and

WHEREAS, paragraph 12 of such Agreement provides that the term of such Agreement shall be one year from the date of execution of it unless renewed. While the Agreement has not been formerly renewed, it has been treated by the Township and Piazza as remaining in effect, and it would be appropriate eliminating the termination date and replacing with the right of either party to terminate the Agreement on notice; and

WHEREAS, the HVAC equipment and hot water heaters in The Elements are now reaching the end of their useful life; and

WHEREAS, it would be appropriate to add the six affordable units in The Elements to the program;

WHEREAS, the contract attached hereto so provides; and

WHEREAS, execution of the contract would be in the public interest.

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of March 2020 by the Township Council of the Township of West Windsor that the Mayor and Clerk are authorized and directed to execute the contract amendment attached hereto or one substantially similar thereto.

ADOPTED: March 23, 2020

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 23rd day of March, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Princeton Baptist Church of Penn’s Neck (“the Church”) and the Township of West Windsor have entered into an agreement previously approved by the Township Council of the Township of West Windsor whereby the Church will renovate two dwelling units in its parsonage building (the “Building”) on Block 40, Lot 4.01 on the official tax maps of the Township of West Windsor, County of Mercer, State of New Jersey, for the purpose of establishing group homes creditable for affordable housing purposes, with both units to be operated by area not-for-profit service organizations (the “Project”); and

WHEREAS, the Township has approved the inclusion of the Project in its affordable housing plan and has dedicated funds in the amount of \$295,000 for use by the Church for the renovation of the Building for the Project; and

WHEREAS, approval of an amendment to the Spending Plan is necessary to reflect the increase in the amount of the contract for the Project from \$250,000 to \$295,000.

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of March 2020 by the Township Council of the Township of West Windsor that the Amendment to the Spending Plan attached hereto is hereby approved.

ADOPTED: March 23, 2020

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 23rd day of March, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor needs to purchase One (1) 2020 Ford F450 Cab & Chassis Crew Cab 4x4 Mason Dump for the Department of Public Works; and

WHEREAS, Cherry Hill Winner Ford, 250 Berlin Road, Cherry Hill, NJ 08034 has been awarded New Jersey State Contract #A88215, T2102; and

WHEREAS, Factory Options that are not part of the State Contract and need to be built into the vehicle are as follows:

| | |
|--|---------------|
| Comm Code: 072-04-073538, Line # 00023 | |
| 2020 Ford F450 Cab & Chassis Crew Cab 4x4 Mason Dump | \$ 36,116.00 |
| Regular Cab 4X4 | \$ (2,300.00) |
| Comm Code: 072-04-73541, Line # 00026 | |
| 9' 3-4CU YD Dump | \$ 6,975.00 |
| Comm Code: 072-04-073542, line # 00027 | |
| Boss 9' Plow | \$ 4,475.00 |

Discounted Items

| | |
|--|-------------|
| LT225/70Rx19.5G BSW Max Traction (4x4) | \$ 215.00 |
| Spare Tire & Jack | \$ 350.00 |
| Limited Slip Rear Axle | \$ 360.00 |
| Tow Command Package | \$ 270.00 |
| Snow Plow Prep Package | \$ 250.00 |
| XL Decor Package | \$ 220.00 |
| Cap Steps (Crew Cab) | \$ 445.00 |
| Power Equipment Group (Crew Cab) | \$ 1,125.00 |
| PTO Provision | \$ 280.00 |
| TOTAL OPTIONS LESS DISCOUNT | \$ 3,163.50 |

Non Discounted Items

| | |
|---|-------------|
| Boss Deflector | \$ 295.00 |
| Upgrade Hoist to 10 ton Capacity | \$ 995.00 |
| Manual Tarp | \$ 395.00 |
| PTO Powered Hoist | \$ 3,295.00 |
| Steel Stone Shields in front of Rear Wheels | \$ 175.00 |
| 18"x18"x36" Aluminum Tool Box Mounted Under Dump Body | \$ 675.00 |

| | |
|---|-------------|
| Full Plate Combo Hitch w/2" Ball | \$ 595.00 |
| Grille Mounted Jump Start Kit | \$ 475.00 |
| DOT 6, 4 LED Strobes in Cab Shield, 2 at Rear of Body | \$ 1,695.00 |
| Backup Alarm | \$ 97.00 |
| Molded HD Vinyl Floor Mats, Front | \$ 95.00 |

WHEREAS, Alexander Drummond, Director of Public Works recommends the Township purchase One (1) 2020 Ford F450 Cab & Chassis Crew Cab 4x4 Mason Dump; and

WHEREAS, funding for the acquisition of said vehicle with options for the Department of Public Works is available through the approved 2018/2019 Capital Budget; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said vehicle in the following account:

Public Works - Acquisition of Vehicle **405 2018 15 026 \$52,395.09**
Public Works – Acquisition of Vehicle **405 2019 18 027 \$ 4,821.41**

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of West Windsor that the Business Administrator is authorized to purchase one (1) 2020 Ford F450 Cab & Chassis Crew Cab 4x4 Mason Dump under the New Jersey State Contract #: A88215, T2102 and factory options not under State Contract for a total of \$57,216.50 from Cherry Hill Winner Ford, 250 Berlin Road, Cherry Hill, NJ 08034.

Adopted: March 23, 2020

I hereby certify that the above resolution was adopted by the Township Council of the Township of West Windsor at their meeting held on 23rd day of March 2020.

Gay Huber,
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor presently holds a Cash Performance Bond in the amount of \$500.00 from Mr. Jason Barbrow for Street Opening Permit No. 2019-26 covering work to be performed at 8 Indian Run Road, in West Windsor Township; and

WHEREAS, the project has been completed and inspected, and the Township Engineer recommends full release of the performance guarantee;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Windsor that the Cash Performance Bond presently in effect on Street Opening Permit No. 2019-26 be released in accordance with the recommendation of the Township Engineer; and

BE IT FURTHER RESOLVED that the Township Treasurer is hereby authorized to release the following performance bond presently held in Trust:

| <u>Performance Guarantee</u> | <u>Original Amount</u> | <u>Date Issued</u> |
|------------------------------|------------------------|--------------------|
| Cash | \$500.00 | 11/22/2019 |

Adopted: March 23, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd of March 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the following applicant(s) filed application(s) with West Windsor Township Planning/Zoning Board; and

WHEREAS, in conjunction with such application(s), the following applicant(s) deposited with the Township of West Windsor escrow deposits pursuant to Section 82-3D(1) of the Revised General Ordinances of the Township of West Windsor; and

WHEREAS, professional services undertaken on behalf of the Township in conjunction with said application(s) have been withdrawn and the costs thereof have been listed below; and

WHEREAS, this remains a partial balance in the applicant's escrow account, which applicant is entitled to be refunded.

| Date of Deposit | Project No. | Developers | Total Escrow | Total Disb... | Balance of Escrow |
|-----------------|-------------|---------------------|--------------------|-----------------------|--------------------|
| 07-Aug-18 | PB 18-07 | DDR Nassau – Kohl's | \$ 45,866.08 | \$ (44,689.11) | \$ 1,176.97 |
| | | | <u>\$45,866.08</u> | <u>\$ (44,689.11)</u> | <u>\$ 1,176.97</u> |

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Treasurer is hereby authorized and directed to refund to the applicant(s) the portion of the escrow deposits which the applicant(s) is entitled to be refunded as set forth above.

Adopted: March 23, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of March, 2020.

Gay M. Huber
Township Clerk
West Windsor Township