

**MEETING TO BE
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VIA Zoom Video Communications*

**REORGANIZATION AND BUSINESS MEETING
OF THE COUNCIL OF WEST WINDSOR TOWNSHIP
WEST WINDSOR MUNICIPAL BUILDING
271 CLARKSVILLE ROAD
TO THE EXTENT KNOWN**

January 9, 2023

REORGANIZATION AND BUSINESS SESSION

1. Call to Order
2. Statement of Adequate Notice: Published in the Princeton Packet and The Times on January 6, 2023 and posted on the Township web-site on December 30, 2022. All Council meetings are open to the public with access via Zoom for those who wish to attend virtually. Please see the Township web-site for further details.
3. Salute to the Flag
4. **Nomination of Council Officers 2023**
 - Council President
Swearing in of Council President. Gavel is transferred to Council President
 - Council Vice President
Swearing in of Council Vice President
5. Nomination and Swearing in of Affordable Housing Committee Member
Nomination and Swearing in of Planning Board Class III Member
Nomination and Swearing in of Emergency Management Council Member
6. Appointment of Liaisons for Boards and Committees
 - Board of Recreation Commissioners Liaison
 - Environmental Commission Liaison
 - Human Relations Council Liaison
 - Parking Authority Liaison
 - Shade Tree Commission Liaison
 - School Board Liaison
7. Comments by Members of Council

8. Resolutions:

- 2023-R001 Regular Meetings for Calendar Year 2023
- 2023-R002 Legal Newspapers for Calendar Year 2023
- 2023-R003 Establishing Procedural Guidelines for the Council of West Windsor Township
- 2023-R004 Municipal Holidays for Calendar Year 2023
- 2023-R005 Cash Management Plan Authorization for West Windsor Township
- 2023-R006 Establishing the Rate of Interest Charged on Delinquent Taxes and 6% Year End Penalty
- 2023-R007 Authorizing the Cancellation of any Property Tax Refund or Delinquency less than \$10.00
- 2023-R008 Authorizing Temporary Municipal Budget Appropriations for 2023
- 2023-R009 Appointing Janis DiNatale as Affirmative Action Public Agency compliance Officer through December 2023
- 2023-R010 Authorizing the Reappointment of Susan Abbey as a Member of the Zoning Board of Adjustment with a Term to Expire on December 31, 2026
- 2023-R011 Authorizing the Reappointment of Carl Van Dyke as a Member of the Zoning Board of Adjustment with a Term to Expire on December 31, 2026
- 2023-R012 Authorizing the Reappointment of Dan Fabrizo as a Member of the West Windsor Township Parking Authority with a Term to Expire on December 31, 2027
- 2023-R013 Authorizing the Reappointment of Charles Appelget as a Member of the Agricultural Advisory Committee with a Term to Expire on December 31, 2025
- 2023-R014 Authorizing the Reappointment of Jean Jacobsohn as a Member of the Affordable Housing Committee with a Term to Expire on December 31, 2025
- 2023-R015 Authorizing the Reappointment of Jen Ping Wang as a Member of the Affordable Housing Committee with a Term to Expire on December 31, 2025
- 2023-R016 Authorizing the Reappointment of Yan Mei Wang as a Member of the Human Relations Council with a Term to Expire on December 31, 2024
- 2023-R017 Authorizing the Reappointment of Ellen Clancey as a Member of the Shade Tree Commission with a Term to Expire on December 31, 2027

- 2023-R018 Authorizing the Reappointment of Kevin Appelget as an Advisor of the Shade Tree Commission with a Term to Expire on December 31, 2023
- 2023-R019 Authorizing the Reappointment of Siddharth Satish as a Student Member of the Human Relations Council with a term to Expire on December 31, 2024
- 2023-R020 Authorizing the Reappointment of Akshat Agarwal as a Student Member of the Human Relations Council with a term to Expire on December 31, 2024

9. Consent Agenda:

Resolution

- 2023-R024 Endorsing the Application for Membership to the New Jersey State Firemen's Association for Matthew R. Fry of the Princeton Junction Volunteer Fire Company #1

Minutes

October 25, 2022 – Business Session as amended
October 25, 2022 – Closed Session as amended
November 14, 2022 – Business Session as amended
November 28, 2022 – Business Session as amended

Bills List

10. Recommendations from Administration and Council/Clerk

- 2023-R021 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with ACT Engineers, Inc. for Miscellaneous Engineering Services - \$3,000.00
- 2023-R022 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Van Cleef Engineering Associates for Miscellaneous Engineering Services – \$3,000.00
- 2023-R023 Authorizing the Mayor and Clerk to Execute the Renewal of a Shared Services Agreement Between West Windsor Township with Hamilton Township for the Provision of Sexually Transmitted Disease -STD Clinic Services

11. Introduction of Ordinances

2023-01 AN ORDINANCE AMENDING AND SUPPLEMENTING PART II "GENERAL LEGISLATION" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY (1999) CHAPTER 4; "ADMINISTRATION OF GOVERNMENT" SECTION 4-37 "POLICE DIVISION" OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR

PUBLIC HEARING: January 23, 2023

12. Public Comment

13. Closed Session

14. Adjournment

****The Township Council will continue to use Zoom for public interaction at Council Meetings in 2023. This is for the convenience of the public and is not a legal requirement under the Open Public Meetings Act at this time. If technical difficulties occur during a meeting the Township Clerk (or designee) will make the decision as to whether the meeting will continue on Zoom. If it is decided that Zoom must be discontinued this will not affect the Council meeting from continuing under the Open Public Meetings Act because the use of Zoom is for the convenience of the public and not a legal requirement. All Council Meetings will continue to be live streamed on YouTube. The use of YouTube is not a legal requirement under the Open Public Meetings Act and will not constitute the need to stop the Township Council meeting if technical difficulties occur. Per Resolution 2023-03***

RESOLUTION

WHEREAS, by law the Township Council is required to set specific days and times for its regular meetings;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the meeting schedule for January 2023 through December 2023 shall be as follows:

Regular Business Meetings will be held as noted below:

January 9, 23	July 17
February 13, 27**	August 14**, 28
March 13, 27	September 12*, 26*
April 10, 24	October 10*, 24*
May 8**, 22	November 13**, 27
June 12, 26	December 11, 18

Board of Health Meetings**:

February 27, May 8, August 14, November 13

(*) Meeting is scheduled on a Tuesday due to holiday.

Work Sessions and Special Work Sessions will be scheduled as needed.

BE IT FURTHER RESOLVED that unless otherwise noticed all Meetings will begin at 7:00 p.m., Business Session will immediately follow Board of Health Sessions, and all meetings shall be held in the West Windsor Township Municipal Building.

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Section 3d of the Open Public Meetings Act, Chapter 231, P.L. 1975 requires that certain notice of meetings be submitted to two (2) newspapers, one of which shall be the official newspaper.

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. The Princeton Packet, and The Times, are designated as official newspapers through December of 2023.
2. These papers are hereby designated to receive all notices of meetings as required by law.
3. This resolution shall take effect immediately and be in effect until December 31, 2023.

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township Council of the Township of West Windsor is desirous of establishing procedural guidelines to facilitate an appropriate and efficient handling of its business;

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. The attached guidelines entitled "Chapter A205, Council Procedural Guidelines" of the Code of the Township of West Windsor are hereby adopted as amended for the period January 1, 2023 until December 31, 2023.
2. A copy of this document shall be distributed to all department heads and posted in the municipal office.

Adopted: January 9, 2023

I hereby certify the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

Chapter A205. COUNCIL PROCEDURAL GUIDELINES

GENERAL REFERENCES

Administration of government — See Ch. 4.

§ A205-1 **Rule 1: Meetings.**

A. Regular business meetings.

(1) Regular business meetings will be held as noted below (generally on 2nd and 4th Monday's [alternating Mondays] unless a Monday is a holiday):

January [10, 24] 9, 23

February [14, 28^{**}] 13, 27^{**}

March [14, 28] 13, 27

April [11, 25] 10, 24

May [9^{**}, 23] 8^{**}, 22

June [13, 27] 12, 26

July [11] 17

August [8^{**}, 22] 14^{**}, 28

September [12, 27*] 12*, 26*

October [11*, 25*] 10*, 24*

November [14^{**}, 28] 13^{**}, 27

December [12, 19] 11, 18

* Meeting will be scheduled on a Tuesday due to Monday holiday.

** Start time adjusted. Business session will begin immediately after the adjournment of the Board of Health meeting

(2) Unless otherwise noticed, all regular business meetings begin at 7:00 p.m. and will be held in the Council Meeting Room A of the West Windsor Township Municipal Building.

B. Work sessions. Work sessions will be scheduled as needed.

C. Special sessions. Special sessions will be scheduled as needed.

D. Budget work sessions: Budget work sessions will be scheduled as needed. [Unless otherwise noticed, all budget work session meetings begin at 7:00 p.m. and will be held in Council Meeting Room A of the West Windsor Township Municipal Building.]

E. Board of Health meetings: February [28] 27, May [9] 8, August [8] 14, November [14] 13. Unless otherwise noticed, all Board of Health meetings will begin at 7:00 p.m. before the start of the business session and will be held in the Council Meeting Room A of the West Windsor Township Municipal Building.

F. Closed sessions. For meetings where the public is excluded, provision will be made for

public comment before or after the closed portion takes place. When a closed session is part of another meeting, a separate public comment session is not required.

- G. If a Council Member is attending a Council meeting via Zoom (or similar program) they must stay physically present on camera with active microphone and speakers during the entire meeting to comply with the Open Public Meetings Act. (If technical difficulties occur during a meeting the Township Clerk (or designee) will make the decision as to whether the meeting continues or if a break will be necessary until the technical difficulties can be corrected. If difficulties cannot be resolved within a reasonable period of time the Township Clerk (or designee) may deem that the Council Member has left the meeting and proceed.)

§ A205-2 Rule 2: Calling meetings to order.

The Council President or Vice President shall preside at all meetings. In the absence of both the Council President and Vice President, the members of Council in attendance shall select one member to serve as presiding officer for that meeting. The meeting will be called to order at 7:00 p.m. No meeting shall be called to order unless there is a quorum.

§ A205-3 Rule 3: Order of business.

A. The order of business for regular business meetings shall be as follows:

- (1) Call to order.
- (2) Roll call.
- (3) Statement of adequate notice.
- (4) Salute to the flag.
- (5) Ceremonial matters or topic for priority consideration.
- (6) Public comment (thirty-minute comment period; three-minute limit per person).
- (7) Administration comments
- (8) Council member comments
- (9) Chair/Clerk comments.
- (10) Public hearings.
- (11) Consent agenda:

- (a) Resolutions.
- (b) Minutes.
- (c) Bills and claims.
- (12) Items removed from consent agenda.
- (13) Recommendations from Administration and Council/Clerk.
- (14) Introduction of ordinances.
- (15) Additional public comment (**fifteen minute comment period**; three-minute limit per person).
- (16) Council reports/discussion/New Business
- (17) Administration updates.
- (18) Closed session (if needed).
- (19) Adjournment.

§ A205-4 **Rule 4: Agenda.**

- A. The business meeting agenda shall be set by 12:00 noon on the Monday prior to the upcoming Monday business meeting. A Request For Council Action form must be submitted reflecting the nature of the action sought, and, if other than a business transaction, the nature of the item and the anticipated length of time necessary for consideration must be outlined.
- B. Council actions may be initiated by members of the Council, the Mayor, the department heads and the Clerk's office. All actions other than those initiated by the Council members and/or the Clerk must be approved by the Mayor or the Business Administrator prior to consideration by the Council President for placement on the agenda.
- C. The Council President shall review with the Clerk all items received and will determine the ultimate composition of the agenda. A draft agenda will be distributed to the Council President at the end of the workday Friday ([preceding] **after** the **previous** business meeting), and a final agenda will be distributed to Council upon the President's approval.

- D. The final agenda and any supporting materials will be delivered to the Council no later than the Wednesday preceding the applicable business meeting. The final agenda shall be posted to the West Windsor website on the Thursday preceding the applicable business meeting.
- E. Any matter not submitted to the Clerk's office in a timely manner as set forth above may be considered and acted on by the Council members present, if they agree by majority vote to consider the matter.
- F. Special Business Session agendas as needed will be set by the Council President to include form and format.

§ A205-5 **Rule 5: Work sessions.**

- A. Work sessions will be utilized for the discussion of policy or similar matters and will be scheduled and/or retained as the Council sees fit. There will be a public comment period, the timing and duration of which shall be at the discretion of the Council; comments are limited to three minutes per person. Action may be taken if it is noticed to be considered.
- B. Scheduled work sessions may also be used for those matters that, of necessity, must be considered in closed sessions, and therefore provide for closed session meetings on other than regularly scheduled business session evenings.
- C. Order of Business for Work Sessions will be as follows:
 - (1) Call to order.
 - (2) Roll call.
 - (3) Statement of adequate notice.
 - (4) Salute to the flag.*
 - (5) Public comment (thirty-minute comment period; three-minute limit per person).
 - (6) For discussion:
 - (a) Mayor/Administration.
 - (b) Council Member/Clerk.
 - (7) Additional public comment (**fifteen minute comment period**; three-minute limit per person).

(8) Closed session (if needed).

(9) Adjournment.

(*If just a stand-alone work session)

§ A205-6 Rule 6: Duties of presiding officer.

The presiding officer shall have general supervision of the meeting. Members and others given the privilege of the floor shall address the presiding officer. If a Council Member and/or Mayor is specifically mentioned during public comment, the Presiding Officer will allow that Council Member and/or Mayor to address the comment immediately thereafter.

§ A205-7 Rule 7: Introduction and passage of ordinances and resolutions.

A. General provisions.

- (1) Every legislative act of the Council shall be by resolution or ordinance.
- (2) All proposed ordinances and resolutions shall be presented to the Council in fully prepared form. No ordinance, except general appropriation ordinances, shall be passed containing more than one subject, which shall be expressed in its title.
- (3) Resolutions and ordinances shall be numbered sequentially at the time of placement on the business agenda. Two separate numbering systems shall be used for the two forms of action.
- (4) A majority of the whole number of members of the Council shall constitute a quorum. Recusals are not to be counted towards a quorum, Abstentions are counted toward a quorum. No ordinance shall be adopted by the Council without the affirmative vote of a majority of the full membership of the Council (N.J.S.A. 40:69A-180). In the case of the adoption of a bond ordinance, the affirmative vote of 2/3 of the full governing body (generally four "yes" votes) is required. No resolution shall be adopted without the affirmative vote of a majority of the quorum.
- (5) All votes shall be taken by roll call, and the yeas and nays shall be entered on the minutes. The presiding officer shall vote last on all questions.
- (6) Resolutions shall take effect after final passage by the Council. Ordinances shall take effect after final passage, publication and the conclusion (running) of any waiting periods as required by law.
- (7) The Township Clerk shall record all ordinances and resolutions adopted by the Council.
- (8) Resolutions and ordinances shall each be maintained in separate ledgers that are kept on an

annual basis and that are permanent records of the West Windsor Township.

B. Procedure for ordinances:

- (1) An ordinance may be presented at any regular meeting, and also at special meetings, when such special call is for general business or such ordinance is mentioned in the call for a special meeting.
- (2) The action of the Council on ordinances shall be noted in the minutes.
- (3) All ordinances shall be prepared, adopted and published in the manner required by law. Following the second reading and public hearing, an ordinance passed by the Council shall, within three days, be delivered by the Clerk to the Mayor for approval or veto, and the Mayor shall, within 10 days after receiving any ordinance, either approve the ordinance by signing it or return it to the Council by delivering it to the Clerk, together with a statement setting forth the Mayor's objections thereto or to any part thereof. Pursuant to N.J.S.A. 40:69A-41, no ordinance or any item or part thereof shall take effect without the Mayor's approval, unless the Mayor fails to return an ordinance to the Council within 10 days after it has been presented to the Mayor or unless the Council, upon reconsideration thereof on or after the third day following its return by the Mayor, shall, by a vote of 2/3 of the members, resolve to override the Mayor's veto.
- (4) Passage over veto. Whenever an ordinance has been reconsidered by the Council following a veto by the Mayor, the Clerk shall append to such ordinance a certification of the action of the Council upon such reconsideration in substantially the following form:

I HEREBY CERTIFY that the above ordinance adopted by the Council on the ____ day of _____, _____, was delivered to the Mayor on the ____ day of _____, _____ and was returned to me on the ____ day of _____, _____, together with the Mayor's statement of the reasons for which the Mayor was constrained to withhold approval of such ordinance, item or part thereof. On reconsideration thereof on the ____ day of _____, _____, (the Council duly resolved by the affirmative vote of 2/3 of its members to enact such ordinance, item or part thereof notwithstanding the Mayor's veto.) or (the Mayor's veto was sustained.)

Clerk

- (5) Ordinances not returned by Mayor. Whenever an ordinance shall take effect without the Mayor's signature by reason of the Mayor's failure to return it to the Council by filing it with the Clerk within 10 days after it has been presented to the Mayor, the Clerk shall append to such ordinance a certificate in substantially the following form:

I HEREBY CERTIFY that the above ordinance was adopted by the Council on the ____ day of _____, _____, and was presented to the Mayor duly certified on the ____ day of _____, _____,

and upon the Mayor's failure to sign it or return and file it with the Clerk within 10 days thereafter, said ordinance took effect in like manner as if the Mayor had signed it.

Clerk

Dated:

(6) All ordinances shall be sent to the codifier for inclusion in the codification.

C. Effective date. No rule or regulation made by a department, officer, agency or authority of the Township, except such as relates to the organization or internal management of the government or a part thereof, shall take effect until it is filed either with the Township Clerk or in such other manner as may be provided by ordinance.

§ A205-8 Rule 8: Disclosure of interest.

A member who has a personal or private interest in any question or measure proposed or pending before the Council which might constitute a conflict contrary to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1, shall disclose such interest and either refrain from voting or shall request a ruling from the Attorney as to whether a member should vote thereon or take any part in the discussion of the same.

§ A205-9 Rule 9: Appointments.

A. Appointments to citizens' groups, boards, committees and other. According to the Administrative Code, responsibility for the appointment of various boards, committees and commissions shall be as noted below:

Board, Committee or Commission	Appointing Authority
Affordable Housing Committee	Mayor, with advice and consent of <u>Township</u> Council
<u>Township</u> Council member	<u>Township</u> Council
Agricultural Advisory Committee	Mayor, with advice and consent of <u>Township</u> Council
Board of Recreation Commissioners Alternate 1 and 2	Mayor Mayor, with advice and consent of <u>Township</u> Council
Township Council Liaison	Township Council
Cable TV Advisory Board Mayor, or Mayor's designee Two <u>Township</u> Council members Member of public Member of public	Mayor <u>Township</u> Council Mayor <u>Township</u> Council
Emergency Management Council Township Council Member	Mayor <u>Township</u> Council
Environmental Commission	Mayor

Board, Committee or Commission
Township Council Liaison

Appointing Authority
Township Council

Human Relations Council
Township Council Liaison

Mayor, with advice and consent of
Township Council
Township Council

Parking Authority
Township Council Liaison

Township Council
Township Council

Planning Board
Planning Board Class III member

Mayor
Township Council

Shade Tree Commission
Township Council Liaison

Mayor, with advice and consent of
Township Council
Township Council

Stony Brook Regional Sewerage Authority
representative

Mayor, with advice and consent of
Township Council

Zoning Board of Adjustment

Township Council

§ A205-10 **Rule 10: Minutes of meetings.**

- A. Written minutes. Written minutes approved by Council shall be the official record of all meetings of the Council.
- B. Draft minutes. Minutes which have been prepared but which have not been approved by the Council shall be considered draft minutes, subject to correction by the Council. The draft minutes of each meeting shall be submitted to the Council for approval.
- C. Open session minutes. Once open session minutes have been approved by the Council, they shall be signed by the Clerk and presiding officer at such meeting (N.J.S.A. 40:69A-180), and certified duplicate copies of the same shall be available to the public at the rates fixed by law.
- D. Closed session minutes. Closed session minutes shall be made available at such time as the issues discussed therein are resolved and their disclosure would not subvert any particular exception for convening a closed session.

§ A205-11 **Rule 11: Broadcasting; recording; tapes.**

- A. All open public meetings of the Township Council shall be broadcast for public view as noted on the Township Council Agenda page on the Township web-site. **The Township Council will continue to use Zoom for public interaction at Council Meetings in 2023.**

This is for the convenience of the public and is not a legal requirement under the Open Public Meetings Act at this time. If technical difficulties occur during a meeting the Township Clerk (or designee) will make the decision as to whether the meeting will continue on Zoom. If it is decided that Zoom must be discontinued this will not affect the Council meeting from continuing under the Open Public Meetings Act because the use of Zoom is for the convenience of the public and not a legal requirement. All Council Meetings will continue to be live streamed on YouTube. The use of YouTube is not a legal requirement under the Open Public Meetings Act and will not constitute the need to stop the Township Council meeting if technical difficulties occur.

- B. All open public meetings of the Township Council shall be recorded.
- C. Recordings of meetings. The recordings of open meetings of the Township Council are maintained for 10 years in the Clerk's Office.
- D. Public use of digital recordings, tapes or CDs of open meetings will be in accordance with the Open Public Records Act.
- E. Reproduction of open meeting recordings. Reproduction of digital recordings, tapes or CDs of open sessions may be arranged, with the requesting party paying a fee for this service.

§ A205-12 Rule 12: Robert's Rules of Order Newly Revised.

Robert's Rules of Order shall be the prevailing authority in matters of parliamentary procedure, except to the extent of anything herein to the contrary.

§ A205-13 Rule 13: Appointments to vacant positions of Mayor and Council.

- A. If the vacancy occurs in the office of Mayor or Council after September 1 of the next-to-the-last year and up to the expiration of the term of the officer whose office has become vacant, the office may be filled for its unexpired term by a vote of the governing body as hereinafter provided.
- B. If the vacancy in the office of Mayor or Council occurs at any other time, the vacancy shall be filled for its unexpired term at the next general election, to be held not less than 60 days following the occurrence of the vacancy. The Township Council may fill the vacancy in the interim until such general election, by appointment as hereinafter provided.
- C. If the Mayor or a Council member is elected to another position that would preclude them from finishing their term as either Mayor or a Council Member in the November General Election and their term does not expire at the end of that year, the process shall be as follows: applications for the position shall be submitted no later than 30 days from the date of the election of that year and each candidate may be interviewed in the same process as for any other vacancy at the first Business Meeting held in January of the next year, or at

another meeting within 30 days of the office becoming vacant.

- D. If the governing body elects to fill a vacancy in the office of Mayor or Council, the vacancy shall be filled by Council within 30 calendar days following its occurrence, without regard to political party. If the vacancy is not filled within 30 days, then the office shall remain vacant for the remainder of the term or until the election and qualification of a successor, as the case may be.
- E. While a member of the governing body is free to advocate the candidacy of an applicant to fill a vacancy, that member must disclose any affiliation with that applicant and must treat all other applicants in a fair, equal and ethical manner. Township Council members will consider all applications for a vacant position and will be free to talk to all applicants about their candidacy on an individual basis. No third-party investigation of an applicant shall be conducted without the knowledge of every member of Council and the applicant and with the approval of the majority of the Council, in which case the inquiry shall be conducted by the Township Clerk.
- F. Determination of eligibility and application process.
 - (1) Any citizen of the United States who is 18 years of age or older and who has been a resident of the Township for at least one year and has not been convicted of a crime of the third degree, or touching upon a public office or an indictable offense involving dishonesty, as provided by N.J.S.A. 2C:51-2, and who desires to be considered for appointment to the vacancy, shall be provided an informational package, copies of which can be obtained at the Township Clerk's office, and shall complete an application provided therein.
 - (2) All potential applicants must submit an application to the Clerk's Office within 10 days following the date on which the vacancy occurs.
 - (3) The application and any supporting documents that are furnished by an applicant will be considered a public record and available for public inspection.
- G. Selection of a replacement for a vacancy not caused by an election.
 - (1) At a public meeting, which shall occur between 10 and 30 days after the vacancy, each candidate will be permitted to provide a public presentation for up to five minutes and respond to any questions by members of Council.
 - (2) Public comment period. Public comments will be permitted at this public meeting only after the applicants have made their presentations and answered questions from Council. The public comment period conducted at this public meeting shall be limited to three minutes per person.

(3) After public presentations are provided by the candidates, but within 30 calendar days following the occurrence of the vacancy, each remaining member of Council will be permitted to nominate one of the candidates. No second is necessary for any nomination. After the nominations are made, then the Council will be free to deliberate about the nominees. After deliberations in public are concluded, then each remaining member of Council may submit a ballot to the Clerk selecting one of the nominees to fill the vacant position.

H. Appointment process.

(1) To fill a vacancy in the office of Mayor shall be by a majority vote of the entire membership of the Council.

(2) An appointment to fill a vacancy on Council shall be by a majority vote of the remaining members of Council. In the case of a tie vote, the Mayor may vote to break the tie.

I. Tie votes. A tie vote will occur when there are two votes for each of two separate candidates. If there are fewer than four remaining members of Council, a tie vote will occur when there is one vote for each of two separate candidates. Following a tie vote, Council may further deliberate and revote. In the event a tie vote still exists, the Mayor may exercise the right to vote to fill a vacancy, without further voting. An abstention shall not count as a vote either for or against any particular candidate.

J. The candidate appointed by Council to fill a vacancy pursuant to this procedure shall be sworn in and be seated after the vote is taken but within 30 days following the occurrence of the vacancy.

§ A205-14 Rule 14: Township e-mail.

Council members should use only Township-issued e-mail addresses for Township business.

§ A205-15 Rule 15: Training.

Council members are required to attend on an annual basis at least one instructional course covering the responsibilities and obligations of elected officials (for example: ethics, municipal finance, labor relations, risk management, shared services, purchasing, land use administration, personnel, technology, etc.) through a course approved for continuing education credit by the New Jersey Division of Local Government Services, or an in-house education provided by a professional, vendor, or staff member (provided they have significant expertise in their profession and routinely prepare public presentations). A copy of the certificate received for any class attended should be provided to the Township Clerk as proof of attendance.

If a Council Member is unable to attend a conference or training they must notify the Clerk so a refund or credit can be requested.

RESOLUTION

BE IT RESOLVED by the Township Council of the Township of West Windsor that the following days be designated as official holidays for Township employees from January 1, 2023 through December 31, 2023:

<u>2023 Holidays</u>	<u>Date of Office Closing</u>
New Year's Day	January 2, 2023*
Martin Luther King Day	January 16, 2023
Presidents Day	February 20, 2023
Good Friday	April 7, 2023
Memorial Day	May 29, 2023
Independence Day	July 4, 2023
Labor Day	September 4, 2023
Columbus Day	October 9, 2023
Veterans Day	November 10, 2023
Thanksgiving Day	November 23, 2023
Day after Thanksgiving	November 24, 2023
In Lieu of Christmas Eve	December 25, 2023**
Day after Christmas Day	December 26, 2023

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

*As approved by Resolution 2022-R262

**Holiday falls on a Sunday

TOWNSHIP OF WEST WINDSOR
CASH MANAGEMENT PLAN

WHEREAS, P.L. 1983, Chapter 8, Local Fiscal Affairs Law; N.J.S. 40A: 5-14, has been amended to require that each municipality designate a Cash Management Plan for the deposit of each local unit's monies;

NOW, THEREFORE, BE IT RESOLVED, that the following Cash Management Plan of the Township of West Windsor be and hereby is adopted:

A: DESIGNATION OF OFFICIAL DEPOSITORIES:

The following financial institutions are designated official depositories:

1st Constitution Bank
Bank of America
Bank of New York Mellon NJ
Bank of Princeton
Bergen Commercial Bank
Central Jersey Bank
Columbia Bank
Cut Water Assets Management
Fidelity Investments Institutional Services Co., Inc.
First Choice Bank
Fulton Bank
Grand Bank
Hudson City Savings Bank
Investors Savings Bank
JP Morgan Chase Bank
Kearny Federal Savings
Lakeland Bank
Merrill Lynch Bank & Trust Company
MBIA Municipal Investors Service Corporation
Morgan Stanley Smith Barney Trust FSB
M & T Bank
NJ/ARM New Jersey Asset & Rebate Management
North Fork Bank
Ocean First Bank
Peapack-Gladstone Bank
PFM Assets Management, LLC
PNC Bank
Roma Bank
Santander Bank
State of New Jersey Cash Management Account
Sun National Bank
TD Bank, National Association
The Bank of Princeton

TriState Capital Bank
Valley National Bank
Wells Fargo Bank

Designated official depositories are required to submit to the Chief Financial Officer of the Township of West Windsor a copy of the State of New Jersey, Department of Banking, Government Unit Deposit Protection Act Notification of eligibility, which must be filed semiannually in the Department of Banking as of June 30th and December 31st of each year. Said Notices must be available for annual audit.

Designated official depositories are required to submit to the Chief Financial Officer a copy of institution's "Annual Report" on an annual basis.

B. DEPOSIT OF FUNDS:

All funds shall be deposited within forty-eight (48) hours of receipt in accordance to maximize interest earnings.

Operating funds shall be deposited into interest bearing accounts to maximize interest earnings.

Capital and Debt service funds shall be deposited into interest bearing accounts.

Trust funds shall be deposited into interest bearing accounts in accordance with State statutes regulating the deposit of developer's escrow deposits.

C. DESIGNATION OF ALLOWABLE INVESTMENT INSTRUMENTS:

The Township may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, chapter 236 (C.17:9-44) and other instruments pursuant to Section 8 of P.L. 1977, c. 396 (C.40A:5-15.1) approved by the Director of the Division of Local Government Services as specified below:

United States Treasury Bills (T-Bills)
Township of West Windsor or Other Municipal Bonds or Notes
Commercial Bank Deposit and Certificates of Deposit (CD's)
Repurchase Agreements
Investments in Savings and Loan Association
United States Government Agency and Instrumentality
Obligations
MBIA – Class Fund
State of New Jersey Cash Management Fund
School District Obligations

D. DEFINITION OF ACCEPTABLE COLLATERAL AND PROTECTION OF TOWNSHIP ASSETS:

All designated depositories must conform to all applicable State statutes concerning depositories of Public Funds.

All depositories shall obtain the highest amount possible F.D.I.C. and/or F.S.L.I.C. coverage of all Township assets (Demand and Certificate of Deposit).

Collateral will be required for all deposits and investments of the Township, except for those in the State Cash Management Fund, collateral must have a market value of not less than 100 percent of all deposits and investments.

For pledges by depositories on Township Funds, the following securities will be considered acceptable for pledges:

- a. Any security backed by the U.S. Government
- b. Any direct obligation of any taxing authority within the Township of West Windsor
- c. Real Estate Mortgage Loans for Real Estate property located within the Township of West Windsor market area. Pledges of Real Estate Mortgage Loans shall be maintained at a market value of 115 percent of deposits.
- d. All pledges of Collateral must be indicated on an advice copy of the investment instrument which shall be forwarded to the Chief Financial Officer/Treasurer.

E. COMPENSATING BALANCE AGREEMENTS:

Where compensating balances are used to offset bank expenses, an agreement between the bank and the Township shall be executed, specifying the charge for each service.

F. REPORTING PROCEDURES:

Pursuant to NJSA 40A:5-14(e), The Chief Financial Officer shall prepare a monthly report to the governing body summarizing all investments made or redeemed since the last meeting. The report shall set forth each organization holding local unit funds, the amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fees incurred, and market value of all investments as of the report date and other information that may be required by the governing body.

G. DIVERSIFICATION REQUIREMENTS:

The Chief Financial Officer/Treasurer shall closely examine investments to guard against the effects of a financial institution going into default. This may be accomplished through the practice of spreading the investments around in various designated official depositories.

H. MAXIMUM MATURITY POLICY:

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State Governments.

I. INVESTMENT PROCEDURES:

Bids for Certificates of Deposit will be solicited from at least three (3) designated depositories only if the amount is \$100,000 or greater.

Telephone bids will be solicited from designated depositories by the Chief Financial Officer/Treasurer or designated staff member.

The depository shall specify the principal amount of investment bid, interest rate and number of days used to calculate the interest to be paid upon maturity.

Interest paid shall be from the date the bid was awarded to the date of maturity.

All bidders may request the results of the bid after the bid is formally awarded.

A check or wire transfer of funds will be made available to the winning bidder on the same business day the bid is awarded.

Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturities and rates. A bid form of the Township may be used.

J. RETURN ON INVESTMENT:

Where the return on a proposed investment does not exceed the cost of making said investment by a minimum amount the Chief Financial Officer/Treasurer will not make the investment. The Chief Financial Officer/Treasurer shall have the discretion to award an investment to the bank wherein the funds reside, should that bank's quoted rate be less than other quoted rates received in the event that the differential in interest rates is less than 25 basis points, and providing that the term of the investment is less than fifteen (15) days.

K. CONTROLS:

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designated for telephone orders, wire transfers and securities safekeeping. Only specifically designated personnel shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository. The Chief Financial Officer/Treasurer shall review each day's activity.

L. BONDING:

Staff members of the Township of West Windsor shall be covered by a Public Employee's Faithful Performance Bond with the Mid Jersey Municipal Joint Insurance Fund.

M. COMPLIANCE:

The Cash Management Plan of the Township of West Windsor shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

N. The Official charged with the custody of the monies of the Township of West Windsor shall deposit them as designated by the Cash Management Plan and shall thereafter be relieved of any liability or loss of such monies due to the insolvency or closing of any depository designated in the Cash Management Plan pursuant to N.J.S. 40A:5-2.

O. Where a conflict exists between this Cash Management Plan and State statute, the applicable State statute shall apply.

P. AFFORDABLE HOUSING DEVELOPMENT FEES

All development fees collected pursuant to the West Windsor Township Affordable Housing Development Fee Ordinance will be placed in an account established pursuant to the Cash Management Plan and known as the Affordable Housing Trust Fund. No money shall be expended from the account unless the expenditure conforms to the Development Fee Ordinance, a Spending Plan approved by the Council on Affordable Housing, and the conditions set forth in N.J.A.C. 5:94-6.16(a). The depository holding the Affordable Housing Trust Fund will sign a statement so as to recognize the necessity of compliance with the conditions placed upon the Township's Chief Financial Officer by this paragraph.

If and when COAH deems it necessary to access the account or freeze expenditures from said account, the depository by signing this agreement agrees to comply with such instructions from COAH upon receiving official notice from its Executive Director.

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of West Windsor Township to establish by resolution the rate of interest to be charged for the nonpayment of taxes, sewer rent, assessments and other municipal charges on any installment which is not made within the tenth (10th) calendar day following the date upon which the same became due and payable; and

WHEREAS, Chapter 75, P.L. 1991, permits the governing body of West Windsor Township to establish a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year; and

WHEREAS, West Windsor Township wishes to continue the policies currently in effect with respect to delinquencies;

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

1. Pursuant to N.J.S.A. 54:4-67, West Windsor Township hereby reaffirms that the following interest shall be charged for the non-payment of taxes, sewer rent and assessments on any installment which is not made before or within the tenth (10th) calendar day following the date upon which same became payable: Eight (8%) percent annum on the first \$1,500.00 and 18% per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment,. The term "delinquent" as used herein shall mean the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.
2. In accordance with Chapter 75 of the Laws of 1991, any taxpayer with a delinquency in excess of Ten Thousand (\$10,000.00) Dollars who fails to pay that delinquency prior to the end of any calendar year, shall be assessed a penalty for that year of six (6%) percent of the amount of the delinquency, in addition to the interest provided for in Paragraph 1.
3. The provisions of Paragraph 1 and 2 herein shall remain in effect unless and until superseded by West Windsor Township resolution or ordinance.

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, pursuant to NJSA 40A:5-17, the governing body of a municipality may adopt a resolution authorizing a municipal employee chosen by the governing body to process, without further action on the part of the governing body, the cancellation of any property tax refund or delinquency of less than \$10.00; and

WHEREAS, it is the recommendation that Kelly A. Montecinos, Tax Collector be designated to perform the above; and

WHEREAS, these refunds or delinquencies will pertain to Tax Collection, Sewer Rent, and Sewer Assessment; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Tax Collector be authorized to process, without further action on the part of the governing body, the cancellation of any property tax refund or delinquency of less than \$10.00.

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION
TEMPORARY BUDGET

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2023 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2023; and

WHEREAS, the total appropriations in the 2022 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$39,135,794 ; and

WHEREAS, 26.25% of the total appropriations in the 2022 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2022 budget is the sum of \$10,273,146

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

CURRENT FUND TEMPORARY APPROPRIATIONS - 2023

	<u>S & W</u>	<u>O.E.</u>	<u>TOTAL</u>
1 Clerk & Governing Body	52,746.00	20,781.25	73,527.25
2 Elections	425.00	7,887.50	8,312.50
3 Council	9,375.00	1,687.50	11,062.50
4 Administration	122,434.50	59,237.50	181,672.00
5 Mayor	13,248.75	4,000.00	17,248.75
6 Financial Administration	116,449.50	4,000.00	120,449.50
7 Audit & Accounting Services		11,201.25	11,201.25
8 Data Processing		23,000.00	23,000.00
9 Assessment of Taxes	49,415.25	21,893.50	71,308.75
10 Collection of Taxes	39,649.50	5,437.50	45,087.00
12 Supplemental Fire Services Program		8,964.00	8,964.00
13 Uniform Fire Code	44,650.50	3,091.00	47,741.50
14 Emergency Services	363,451.00	47,837.50	411,288.50
15 Princeton Jct. Vol. Fire Co.		18,750.00	18,750.00
16 West Windsor Vol. Fire Co. #1		18,750.00	18,750.00
18 Police	1,760,937.75	109,128.75	1,870,066.50
18 ILSA - Class III Officers	75,000.00	46,250.00	121,250.00
20 Animal Control		1,275.00	1,275.00
20 ILSA-East Windsor Twp.		5,000.00	5,000.00
21 Board of Health	116,233.75	14,237.50	130,471.25
22 Recreation	89,212.00	38,750.00	127,962.00
24 Senior Citizen Program	48,379.00	19,218.25	67,597.25
25 Affordable Housing	1,000.00	50,000.00	51,000.00
29 Community Development	6,662.75	250.00	6,912.75
30 Engineering Services & Costs	84,274.50	15,532.50	99,807.00
33 Land Use	53,968.50	32,137.50	86,106.00
34 Planning Board		5,056.25	5,056.25
36 Zoning Board		4,100.00	4,100.00

	<u>S & W</u>	<u>O.E.</u>	<u>TOTAL</u>
37 Environment Commission		762.50	762.50
38 Construction Official	372,801.75	9,500.00	382,301.75
40 Public Works	328,803.25	57,444.25	386,247.50
41 Snow Removal	59,000.00	163,000.00	222,000.00
42 Sewer System	118,410.75	27,687.50	146,098.25
43 Stony Brook Reg. Sewer Auth.		850,000.00	850,000.00
44 Facilities and Open Space		175,000.00	175,000.00
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	65,415.25	7,705.75	73,121.00
51 Group Insurance		1,846,080.50	1,846,080.50
52 Other Insurance - Workers Comp		486,397.00	486,397.00
52 Other Insurance - Liability		433,973.00	433,973.00
53 Building & Grounds	54,437.50	38,943.75	93,381.25
54 Fire Hydrant Service		180,250.00	180,250.00
55 Postage		10,000.00	10,000.00
56 Utilities - Street Lighting		106,000.00	106,000.00
56 Utilities - Electric/Natural Gas		107,250.00	107,250.00
56 Utilities - Telephone and Telegraph		31,250.00	31,250.00
56 Utilities - Water		11,250.00	11,250.00
57 Gasoline		62,500.00	62,500.00
58 Refuse Collection		563,065.75	563,065.75
60 Extended Sick Leave	49,500.00		49,500.00
76 Social Security System		335,000.00	335,000.00
79 Defined Contribution Retirement System		2,500.00	2,500.00
Subtotal @ 26.25% of 2022 Appropriations	4,095,881.75	6,177,264.25	10,273,146.00
Capital Improvement Fund:			
80 Payment of Bond Principal		3,515,000.00	3,515,000.00
82 Interest on Bonds		538,625.00	538,625.00
Total Temporary Operating Budget	4,095,881.75	10,230,889.25	14,326,771.00

OPEN SPACE TRUST FUND - TEMPORARY APPROPRIATIONS - 2023

	<u>S & W</u>	<u>O.E.</u>	<u>TOTAL</u>
Green Trust Loan Program		80,216.32	80,216.32
Total Temporary Open Space Trust Budget	0.00	80,216.32	80,216.32

Adopted: January , 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at its meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, it is necessary for the Township to appoint an Affirmative Action Public Agency Compliance Officer (PACO); and

WHEREAS, the Township Council must appoint the Affirmative Action Public Agency Compliance Officer by resolution.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, that the reappointment of Janis DiNatale, Purchasing Assistant, as Affirmative Action Public Agency Compliance Officer for 2023 be and is hereby authorized.

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Susan Abbey, as a member on the West Windsor Township Zoning Board of Adjustment expired on December 31, 2022; and

WHEREAS, Susan Abbey has expressed an interest in continuing to serve on the Zoning Board of Adjustment; and

WHEREAS, it is recommended that Susan Abbey be re-appointed to serve a four-year appointment with a term to begin January 1, 2023 and expire on December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the following reappointment be made to the West Windsor Township Zoning Board of Adjustment:

Susan Abbey	Member	Term to expire on 12/31/26
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Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Carl Van Dyke, as a member on the West Windsor Township Zoning Board of Adjustment expired on December 31, 2022; and

WHEREAS, Carl Van Dyke has expressed an interest in continuing to serve on the Zoning Board of Adjustment; and

WHEREAS, it is recommended that Carl Van Dyke be re-appointed to serve a four-year appointment with a term to begin January 1, 2023 and expire on December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the following reappointment be made to the West Windsor Township Zoning Board of Adjustment:

Carl Van Dyke	Member	Term to expire on 12/31/26
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Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Dan Fabrizo, as a Member of the West Windsor Township Parking Authority expired on December 31, 2022; and

WHEREAS, Dan Fabrizo has expressed an interest in continuing to serve on the Parking Authority; and

WHEREAS, it is recommended that Dan Fabrizo be re-appointed to serve a five-year appointment with a term to begin January 1, 2023 and expire on December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the following reappointment be made to the West Windsor Township Parking Authority:

Dan Fabrizo	Member	Term to expire on 12/31/27
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Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Charles Appelget, as a Member on the Agricultural Advisory Committee, expired on December 31, 2022; and

WHEREAS, Charles Appelget has expressed an interest in continuing to serve on the Agricultural Advisory Committee; and

WHEREAS, it is recommended that Charles Appelget be re-appointed to serve a three-year term to begin January 1, 2023 and expire on December 31, 2025; and

WHEREAS, Mayor Hemant Marathe recommends this re-appointment and seeks the Council's consent to re-appoint Charles Appelget to the Agricultural Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following Agricultural Advisory Committee re-appointment:

Charles Appelget	Member	Term to Expire 12/31/2025
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Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, the term of Jean Jacobsohn as a Member on the Affordable Housing Committee expired on December 31, 2022; and
- WHEREAS, Jean Jacobsohn has expressed her interest in being considered for re-appointment as a Member on the Affordable Housing Committee; and
- WHEREAS, it is recommended that Jean Jacobsohn be re-appointed to serve a three-year term to begin on January 1, 2023 and expire on December 31, 2025; and
- WHEREAS, Mayor Hemant Marathe recommends this appointment and seeks the Council's consent to re-appoint Jean Jacobsohn to the Affordable Housing Committee.

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:

Jean Jacobsohn Member Term Expires 12/31/2025

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Jen Ping Wang as a Member on the West Windsor Affordable Housing Committee expired on December 31, 2022; and

WHEREAS, Jen Ping Wang has expressed her interest in continuing to serve on the Affordable Housing Committee as a Member; and

WHEREAS, it is recommended that Jen Ping Wang be re-appointed to serve a three-year term to begin on January 1, 2023 and expire on December 31, 2025; and

WHEREAS, Mayor Hemant Marathe recommends this appointment and seeks the Council's consent to re-appoint Jen Ping Wang to the Affordable Housing Committee.

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:

Jen Ping Wang Member Term Expires 12/31/2025

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Yan Mei Wang as a member on the Human Relations Council expired on December 31, 2022; and

WHEREAS, Yan Mei Wang has expressed an interest in being re-appointed on the Human Relations Council; and

WHEREAS, it is recommended that Yan Mei Wang be reappointed as a member of the Human Relations Council beginning January 1, 2023 through December 31, 2024; and

WHEREAS, Mayor Hemant Marathe recommends this appointment and seeks the Council's consent to reappoint Yan Mei Wang to the Human Relations Council.

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

Yan Mei Wang	Member	Term to Expire	12/31/2024
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Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Ellen Clancey as a member on the West Windsor Township Shade Tree Commission expired on December 31, 2022; and

WHEREAS, Ellen Clancey has expressed her interest in continuing to serving on the Shade Tree Commission; and

WHEREAS, it is recommended that Ellen Clancey be reappointed to serve as a member beginning January 1, 2023 through December 31, 2027; and

WHEREAS, Mayor Hemant Marathe recommends this re-appointment and seeks the Council's consent to Ellen Clancey as a member on the Shade Tree Commission.

NOW, THEREFORE BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following re-appointment to the Shade Tree Commission:

Ellen Clancey Member Term to Expire: December 31, 2027

Adopted: January 9, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Kevin Appelget as an Advisor on the West Windsor Township Shade Tree Commission expired on December 31, 2022; and

WHEREAS, Kevin Appelget has expressed his interest in continuing to serve on the Shade Tree Commission as an Advisor; and

WHEREAS, it is recommended that Kevin Appelget be re-appointed to serve as an Advisor beginning January 1, 2023 through December 31, 2023; and

WHEREAS, Mayor Hemant Marathe recommends this appointment and seeks the Council's consent to re-appoint Kevin Appelget as an Advisor of the Shade Tree Commission.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following Shade Tree Commission appointment:

Kevin Appelget	Advisor	Term to Expire	12/31/2023
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Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Siddharth Satish expired on December 31, 2022 as a Student Member of the Human Relations Council; and

WHEREAS, Siddharth Satish has expressed an interest in continuing to serve on the Human Relations Council; and

WHEREAS, it is recommended that Siddharth Satish be reappointed as a Student Member on the Human Relations Council with a term beginning on January 1, 2023 through December 31, 2024; and

WHEREAS, Mayor Hemant Marathe recommends this re-appointment and seeks the Council's consent to reappoint Siddharth Satish to the Human Relations Council.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following Human Relations Council re-appointment:

Siddharth Satish Student Member Term to Expire 12/31/2024

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Akshat Agarwal expired on December 31, 2022 as a Student Member of the Human Relations Council; and

WHEREAS, Akshat Agarwal has expressed an interest in continuing to serve on the Human Relations Council; and

WHEREAS, it is recommended that Akshat Agarwal be reappointed as a Student Member on the Human Relations Council with a term to begin on January 1, 2023 and to expire on December 31, 2024; and

WHEREAS, Mayor Hemant Marathe recommends this appointment and seeks the Council's consent to reappoint Akshat Agarwal to the Human Relations Council.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following Human Relations Council re-appointment:

Akshat Agarwal Student Member Term to Expire 12/31/2022

Adopted: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Matthew R. Fry, a member of the Princeton Junction Volunteer Fire Company, has applied for membership in the New Jersey State Firemen's Association; and

WHEREAS, his application is complete in all ways;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it hereby authorizes the municipal endorsement of the application of Matthew R. Fry for membership in the New Jersey State Firemen's Association.

Adopted: January 9, 2023

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 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor requires professional engineering services on a consultant basis for inspection and certification of construction performed by developers, conformance reviews, and miscellaneous engineering projects as assigned; and

WHEREAS, the Township wishes to enter into a Professional Services Agreement with ACT Engineers, Inc. for the aforesaid services; and

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

<u>Engineering-Consultant Services</u>	<u>105-30-210</u>	<u>\$3,000.00</u>
Account Title	Account Number	Amount

WHEREAS, the maximum amount of the contract is subject to the final adoption of the 2023 Local Municipal Budget and funds are available through various developers' escrow accounts and account 105-30-210 "Engineering Costs & Services: Consultants; and

WHEREAS, additional services may be required for various capital projects as assigned and may be certified to if sufficient funds are available as certified by the Township's Chief Financial Officer.

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. to cover the period January 9, 2023 through December 31, 2023.
- (2) The Agreement so authorized shall require the Provider to provide professional engineering services, including development inspection services pursuant to its proposal dated December 19, 2022. The contract is awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-1-5(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: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor requires professional engineering services on a consultant basis for inspection and certification of construction performed by developers, conformance reviews, and miscellaneous engineering projects as assigned; and

WHEREAS, the Township wishes to enter into a Professional Services Agreement with Van Cleef Engineering Associates for the aforesaid services; and

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

<u>Engineering-Consultant Services</u>	<u>105-30-210</u>	<u>\$3,000.00</u>
Account Title	Account Number	Amount

WHEREAS, the maximum amount of the contract is subject to the final adoption of the 2023 Local Municipal Budget and funds are available through various developers' escrow accounts and account 105-30-210 "Engineering Costs & Services: Consultants; and

WHEREAS, additional services may be required for various capital projects as assigned and may be certified to if sufficient funds are available as certified by the Township's Chief Financial Officer:

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 Van Cleef Engineering Associates to cover the period January 9, 2023 through December 31, 2023.
- (2) The Agreement so authorized shall require the Provider to provide professional engineering services, including development inspection services pursuant to its proposal dated December 2, 2022. The contract is awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-1-5(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: January 9, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Township is in need of provision of certain local public health services (services related to STD's); and

WHEREAS, West Windsor Township is desirous of entering into a Shared Services Agreement for the provision of certain public health services (services related to STD's) from Hamilton Township; and

WHEREAS, a Shared Services Agreement has been drafted pursuant to N.J.S.A. 40A:65-1 et. seq. effectuating the intent of the parties and is annexed hereto.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Clerk are hereby authorized to execute the Shared Services Agreement with Hamilton Township for the provision of certain public health services related to STD's and preventative clinical services for children.

Adopted: January 9, 2023

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

ORDINANCE 2023-01

AN ORDINANCE AMENDING AND SUPPLEMENTING PART II “GENERAL LEGISLATION” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY (1999) CHAPTER 4; “ADMINISTRATION OF GOVERNMENT” SECTION 4-37 “POLICE DIVISION” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR

WHEREAS, it is recommended by the New Jersey Attorney General that all municipalities in New Jersey have certain ordinances in effect regarding police division structure; and

WHEREAS, it is prudent that the Township’s ordinance regarding the structure of the police division be current and appropriate.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, that the following amendment be made:

§ 4-37 Police Division.

- A. The Police Division of the Township is hereby established with such number of subordinate police officers and sworn police positions as designated by the Mayor and authorized by the Council. The Police Division shall be headed by a Chief of Police or ranking sworn officer, who shall be appointed by the Director of Public Safety and whose duties and responsibilities shall be those governed by law, Township Code, where applicable, and the rules and regulations of the West Windsor Police Division.
- B. Each regular police officer shall hold office and continue in said employment during good behavior and efficiency after having properly completed a one-year probationary period, pursuant to law, and no police officer shall be removed from office or employment for any causes other than incapacity, misconduct, neglect of duty, conduct unbecoming a police officer or disobedience of the rules and regulations established and hereafter established for the Division or absence from duty without just cause.
- C. Any permanent member of the Police Division may be suspended, removed/discharged, fined or reduced in rank from or in office for just cause upon due notice and written charges filed with the Director of Public Safety or designee and served upon the member so charged with notice of a hearing thereon. The Director of Public Safety or designee shall have the power to suspend without pay the member so charged, pending determination of such charges. The hearing shall be held not less than 10 nor more than 30 days from the date of service of the complaint. Said hearing shall take place pursuant to the rules and regulations of the Police Division.
- D. The Mayor of the Township shall serve as Public Safety Director and as the appropriate authority responsible for adopting and promulgating the rules and regulations of the Police Division.
- E. The Police Division shall consist of no more than one Chief of Police, four Lieutenants, [eight] **ten** Sergeants, [36] **thirty-four** patrol officers, **one Class III Sergeant** and [10]**ten** special law enforcement officers Class III (SLEOIII).

- F. To maintain effective staffing levels within the Police Department, the Chief of Police, with written consent from the Director of Public Safety, may fill the position of a retiring officer on terminal leave with a police recruit who will concurrently enter the Police Academy. The police recruit shall be assigned to the Police Academy and shall not be included in the total Police Division count listed in Subsection E because they do not possess a New Jersey Police Training Commission Certification and therefore cannot function in the capacity of a sworn police officer. All employees of the Department shall be subject to the rules and regulations of the Department, but only sworn officers shall be considered as police officers.

This Ordinance shall take effect twenty (20) days after action or inaction by the Mayor as provided by law or an override of a mayoral veto by Council, whichever is applicable. Publication shall be in accordance with law.

INTRODUCTION:

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

Explanation – Matter underlined **thus** is new matter.