MEETING TO BE LIVE STREAMED AT https://www.youtube.com/channel/UC8i0yw7lhozymgo4N68jJdg/live

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

August 30, 2021

VIA Zoom Video Communications

7:00 P.M.

- 1. Call to Order
- 2. Roll Call
- 3. Statement of Adequate Notice Statement of Adequate Notice - January 8, 2021 to The Times and the Princeton Packet and posted on the Township web-site. All Council meetings are open to the public with access via Zoom for those who wish to attend virtually. Please see Township web-site for further details.
- 4. Salute to the Flag
- 5. Ceremonial Matters and/or Topics for Priority Consideration

Proclamation for September 2021 as Shop West Windsor Month

- 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
 - B. Minutes
 - C. Bills & Claims
- 12. Items Removed from Consent Agenda
- 13. Recommendations from Administration and Council/Clerk
 - 2021-R147 Authorizing the Tax Collector to Conduct an Electronic Tax Sale
 - 2021-R148 Authorizing the Business Administrator to Purchase Personal Protective Clothing for Township Firefighters from Municipal Emergency Services Under New Jersey State Contract #NJ-FLEET-00810 - \$60,000.00
 - 2021-R149 Authorizing the Business Administrator to Purchase Office Furniture for the Health Division from Paramount Facility Management Solutions through the Educational Services Commission Cooperative Pricing System ESCNJ20/21-01 -\$18,710.51
 - 2021-R150 Authorizing the Full Release of Bond and Cash Performance Guarantees for Public and Private Improvements Associated with the Corporate Suites Area for the Project Known as Enclave at Princeton Junction (PB14-10CO)
 - 2021-R151 Authorizing the Full Release of Bond and Cash Performance Guarantees for Public Off-Site Improvements for the Project Known as Enclave at Princeton Junction (PB14-100FF)
 - 2021-R152 Authorizing the Full Release of Cash Performance Guarantee for Monuments and Private Property Markers for the Project Known as Enclave at Princeton Junction (PB14-10)

- 2021-R153 Authorizing the Full Release of Bond and Cash Performance Guarantees for Private Site Improvements for the Project Known as Enclave at Princeton Junction (PB14-10AH)
- 2021-R154 Authorizing the Chief Financial Officer to Increase the Contract with GeoTrek Environmental and Surveying LLC for Land Surveyor Services by \$7,500.00 for a Total Not to Exceed of \$10,500.00
- 2021-R155 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with ACT Engineers for the Project Known as Southfield Road Pump Station and South Post Road Pump Station Drainage Areas In the Amount of \$306,460.00 from Development Plan Review Escrow Account
- 2021-R156 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with GeoTrek Environmental and Surveying, LLC for Second Phase of Creation of Digital Tax Maps - \$225,000.00
- 2021-R157 Authorizing the Mayor and Clerk to Execute a Contract with En-Tech of New Jersey Corp for the Project known as D&R Sewer Rehabilitation Program, CIPP Lining Canal Road - \$284,130.00

Introduction of Ordinances

2021-16 AN ORDINANCE ACCEPTING CONVEYANCE OF OPEN SPACE LOT IN WINDSOR PARK ESTATES PHASE III - Block 24.18, Lot 38

PUBLIC HEARING: September 13, 2021

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

- WHEREAS, <u>NJSA 54:5-19.1</u> authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and
- WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and
- WHEREAS, in accordance with NJSA 54:5 et seq, the Township of West Windsor is entitled to recover costs in connection with the tax sale mailing and estimated advertising; and
- WHEREAS, the Township of West Windsor wishes to participate in an electronic tax sale and assess the cost of processing and administering all phases of the tax sale process against only the taxpayers who are delinquent.
- NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Windsor hereby authorizes the Tax Collector to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary; and
- BE IT FURTHER RESOLVED, the Tax Collector is authorized to charge and collect a fee of \$25.00 per direct mailing to be added to the cost of sale not to exceed \$50.00.

Adopted: August 30, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August, 2021.

- WHEREAS, the Township of West Windsor wishes to purchase personal protective clothing for the Township's firefighters through the State of New Jersey's Cooperative Purchasing Program (NJSA 40A:11-12); and
- WHEREAS, Municipal Emergency Services, 66 Firemen's Way, Poughkeepsie, NY 12603, has been awarded the New Jersey State Contract # NJ-Fleet-00810 for said personal protective clothing; and
- WHEREAS, the new personal protective clothing will replace pieces of clothing that have been deemed unsafe and are at least five (5) years in age; and
- WHEREAS, the purchase of the personal protective clothing was included in the 2020 and 2021 capital budgets; and
- WHEREAS, the Chief Financial Officer has certified that sufficient funds are provided in the Capital Budget Accounts 405-2020-14-021 (\$30,000) and 40-2021-14-019 (\$30,000).
- NOW, THEREFORE, BE IT RESOLVED by Township Council of the Township of West Windsor that the Township Business Administrator is hereby authorized to purchase the above, under New Jersey State Contract # NJ-Fleet-00810 from Municipal Emergency Services in a total not to exceed of \$60,000.00.

Adopted: August 30, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August, 2021.

- WHEREAS, the Township of West Windsor has a need to purchase office furniture to equip the interior spaces of the Health Office and Nurses office located within the Senior Center for an efficient and functional operation of municipal operations; and
- WHEREAS, Paramount Facility Management Solutions, 72 Readington Road, Branchburg, NJ 08876 is an authorized vendor under the Educational Services Commission State Approved Co-Operative Pricing System Global Furniture Contract #ESCNJ20/21-01; Furniture and Accessories; and
- WHEREAS, the purchase of the new furniture was included in the approved Strengthening Local Public Health Capacity 2022 grant budget; and
- WHEREAS, the Chief Financial Officer has certified funds are available for said furniture acquisition in the following line item appropriation account:

Strengthening Local Public Health – O&E – 2022 106-60-553 \$18,710.51

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Township Business Administrator is authorized to purchase said office furniture from Paramount Facility Management Solutions for a total not to exceed of \$18,710.51

Adopted: August 30, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August 2021.

- WHEREAS, Toll Brothers, Inc. has made a request for a release of the performance guarantee posted for public and private improvements associated with the corporate suites area of the project known as Enclave at Princeton Junction (PB14-10CO); and
- WHEREAS, the performance guarantee is currently at approximately 30% of its original amount; and
- WHEREAS, the West Windsor Township Consulting Engineer for the project, Van Cleef Engineering Associates, and the Township Landscape Architect have performed inspections and recommends that the performance guarantee for public and private improvements be released in connection with construction associated with the corporate suites area of the project known as Enclave at Princeton Junction (PB14-10CO), as follows:

Performance	Original	Date	Current	Recommended
Guarantee	Amount	Issued	<u>Amount</u>	Action
Bond # 1121883	\$2,644,727.40	1/31/2017	\$793,418.00	FULL RELEASE
Cash	\$293,858.60	1/25/2017	\$88,157.00	FULL RELEASE

- WHEREAS, the Township Engineer has reviewed the reports from the Consulting Engineer and Landscape Architect and recommends that this action be approved by the Township Council, subject to posting of a maintenance guarantee in the amount of \$440,788.00.
- NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantee posted by Toll Brothers, Inc. for public and private improvements associated with the corporate suites area of the project known as Enclave at Princeton Junction (PB14-10CO), be released, as follows:

Performance	Original	Date	Current	Recommended
Guarantee	Amount	Issued	Amount	Action
Bond # 1121883	\$2,644,727.40	1/31/2017	\$793,418.00	FULL RELEASE
Cash	\$293,858.60	1/25/2017	\$88,157.00	FULL RELEASE

BE IT FURTHER RESOLVED, the release of the performance guarantee is conditioned upon the posting of a maintenance guarantee in the amount of \$440,788.00 for a period of one-year from the date of release, and payment of any outstanding fees.

ADOPTED: August 30, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August 2021.

- WHEREAS, Toll Brothers, Inc. has made a request for a release of the performance guarantee posted for public off-site improvements associated with the project known as Enclave at Princeton Junction (PB14-100FF); and
- WHEREAS, the performance guarantee is currently at 30% of its original amount; and
- WHEREAS, the West Windsor Township Consulting Engineer for the project, Van Cleef Engineering Associates, and the Township Landscape Architect have performed inspections and recommends that the performance guarantee for public off-site improvements be released in connection with construction associated with the project known as Enclave at Princeton Junction (PB14-100FF), as follows:

Performance	Original	Date	Current	Recommended
<u>Guarantee</u>	<u>Amount</u>	Issued	<u>Amount</u>	Action
Bond #1121884	\$427,196.70	1/31/17	\$128,159.00	FULL RELEASE
Cash	\$ 47,466.30	1/24/17	\$14,239.00	FULL RELEASE

- WHEREAS, the Township Engineer has reviewed the reports from the Consulting Engineer and Landscape Architect and recommends that this action be approved by the Township Council, subject to posting of a maintenance guarantee in the amount of \$71,200.00.
- NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantee posted by Toll Brothers, Inc. for public off-site improvements associated with the project known as Enclave at Princeton Junction (PB14-100FF), be released, as follows:

Performance	Original	Date	Current	Recommended
Guarantee	Amount	Issued	<u>Amount</u>	Action
Bond #1121884	\$427,196.70	1/31/17	\$128,159.00	FULL RELEASE
Cash	\$ 47,466.30	1/24/17	\$14,239.00	FULL RELEASE

BE IT FURTHER RESOLVED, the release of the performance guarantee is conditioned upon the posting of a maintenance guarantee in the amount of \$71,200.00 for a period of one-year from the date of release, and payment of any outstanding fees.

ADOPTED: August 30, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August 2021.

- WHEREAS, Toll Brothers, Inc. has made a request for a release of the performance guarantee posted for setting of monuments and private property markers in connection with construction associated with the project known as Enclave at Princeton Junction (PB14-10); and
- WHEREAS, the performance guarantee is currently at 100% of its original amount; and
- WHEREAS, Eric Fusco, NJPLS has provided a certification that all monumentation has been set or alternate markings provided in accordance with the requirements of the Final Subdivision Plat "Preliminary and Final Subdivision and Site Plan, Enclave at Princeton Junction," 8 sheets, last revised to January 25, 2017 and recorded in the Mercer County Clerk's Office as map #4115 through #4115G; and
- WHEREAS, the West Windsor Township Consulting Engineer for the project, Van Cleef Engineering Associates, has performed inspections and recommends that the performance guarantee for setting of monuments and private property markers for the project known as Enclave at Princeton Junction (PB14-10) be released, as follows:

Performance	Original	Date	Current	Recommended
Guarantee	Amount	Issued	<u>Amount</u>	Reduction
Cash	\$ 25,740.00	1/24/17	\$ 25,740.00	FULL RELEASE

- WHEREAS, the Township Engineer has reviewed the report from the Consulting Engineer and the certification from Eric Fusco, NJPLS, and recommends that this action be approved by the Township Council.
- NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantee posted by Toll Brothers, Inc. for setting of monuments and private property markers for the project known as Enclave at Princeton Junction (PB14-10), be released, as follows:

Performance	Original	Date	Current	Recommended
Guarantee	Amount	Issued	<u>Amount</u>	Reduction
Cash	\$ 25,740.00	1/24/17	\$ 25,740.00	FULL RELEASE

ADOPTED: August 30, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August 2021.

- WHEREAS, Toll Brothers, Inc. has made a request for a release of the performance guarantee posted for private site improvements in connection with construction associated with the landscape screening of the affordable housing area of the project known as Enclave at Princeton Junction (PB14-10AH); and
- WHEREAS, the performance guarantee is currently at 30% of its original amount; and
- WHEREAS, the West Windsor Township Consulting Engineer for the project, Van Cleef Engineering Associates, and the Township Landscape Architect have performed inspections and recommended that the performance guarantee for private site improvements be released in connection with construction associated with the affordable housing area of the project known as Enclave at Princeton Junction (PB14-10AH), as follows:

Performance	Original	Date	Current	Recommended
Guarantee	Amount	Issued	<u>Amount</u>	Reduction
Bond #1121885	\$240,055.20	1/31/17	\$72,017.00	FULL RELEASE
Cash	\$ 26,672.80	1/24/17	\$ 8,002.00	FULL RELEASE

- WHEREAS, the Township Engineer has reviewed the reports from the Consulting Engineer and Landscape Architect and recommends that this action be approved by the Township Council, subject to posting of a maintenance guarantee in the amount of \$40,000.00.
- NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantee posted by Toll Brothers, Inc. for private site improvements in connection with construction associated with the affordable housing area of the project known as Enclave at Princeton Junction (PB14-10AH), be released, as follows:

Performance	Original	Date	Current	Recommended
Guarantee	Amount	Issued	<u>Amount</u>	Reduction
Bond #1121885	\$240,055.20	1/31/17	\$72,017.00	FULL RELEASE
Cash	\$ 26,672.80	1/24/17	\$ 8,002.00	FULL RELEASE

BE IT FURTHER RESOLVED, the release of the performance guarantee is conditioned upon the posting of a maintenance guarantee in the amount of \$40,000.00 for a period of one-year from the date of release, and payment of any outstanding fees.

ADOPTED: August 30, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August 2021.

- WHEREAS, the Township of West Windsor enter into a services agreement with GeoTrek Environmental and Surveying, LLC for professional services on a consultant basis for Professional Land Surveyor Services performed for miscellaneous engineering projects as assigned; and
- WHEREAS, A Certification of Funds for the original contract was received from the Chief Financial Officer and funds for said contract were available in the following line item appropriation account:

Engineering-Consultant Services	105-30-210	\$ 3,000.00
Account Title	Account Number	Amount to date

- WHEREAS, the scope of work authorized in the original contract remains in force and effect; and
- WHEREAS, there is a need for a contract increase for services in accordance with the original contract; and
- WHEREAS, the Chief Financial Officer has certified that funds are available for said contract in the following line item appropriation accounts:

Engineering-Consultant Services	<u>105-30-210</u>	\$7,500.00
Account Title	Account Number	Amount

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 with GeoTrek Environmental and Surveying, LLC by \$7,500.00 for a revised total contract amount of \$10,500.00.

Adopted: August 30, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August 2021.

- WHEREAS, the Township of West Windsor has a need to acquire professional construction administration and observation services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and
- WHEREAS, ACT Engineers has submitted a proposal dated May 28, 2021 indicating they will provide professional surveying and engineering design services associated with the preparation of permit and bid documents for the sanitary sewer capacity increase for Southfield Road Pump Station and South Post Road Pump Station Drainage areas for \$306,460.00; and
- WHEREAS, ACT Engineers has indicated a performance period for the professional surveying and engineering design services of five (5) calendar months from the date of project initiation; and
- WHEREAS, the Township wishes to enter into an agreement with ACT Engineers for the aforesaid services; 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:

Development Plan Review Escrow 121234 \$306,460.00

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 ACT Engineers, with a performance period of five (5) calendar months from the date of project initiation for professional surveying and engineering design services, for an amount not to exceed \$306,460.00.
- (2) The Agreement so authorized shall require the Provider to provide professional engineering and land surveying services pursuant to its proposal dated May 28, 2021. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and ACT Engineers and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: August 30, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August 2021.

- WHEREAS, the Township of West Windsor has a need to acquire professional Land Surveying services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and
- WHEREAS, GeoTrek Environmental and Surveying, LLC has submitted a proposal dated August 16, 2021 indicating they will provide professional Land Surveying services for the second phase of digital tax map creation for \$225,000.00; and
- WHEREAS, GeoTrek Environmental and Surveying, LLC has provided a scope of services and schedule to complete the second portion of the creation of the digital tax maps; and
- WHEREAS, the Township wishes to enter into an agreement with GeoTrek Environmental and Surveying, LLC for the aforesaid services; 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:

Digital Tax Maps Conversion	405-2021-14 009	<u>\$225,000.00</u>
Account Title	Account Number	Amount

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 GeoTrek Environmental and Surveying, LLC, with a performance period to complete the first portion of the digital tax map project, for an amount not to exceed \$225,000.00.
- (2) The Agreement so authorized shall require the Provider to provide professional surveying services pursuant to its proposal dated August 16, 2021. 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 GeoTrek Environmental and Surveying, LLC and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: August 30, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August 2021.

- WHEREAS, the Township of West Windsor has determined the need to install a protective liner inside the 48" diameter concrete sanitary sewer line from the intersection of Canal Road with Alexander Road; and
- WHEREAS, said contract was put out to public bid and the following bids were received and opened on Thursday, July 20, 2021; and
- WHEREAS, the Township has received four (4) bids from the following bidders:

CONTRACTOR	TOTAL
Standard Pipe Services, LLC	\$201,620.00
En-tech Corp.	\$284,130.00
National Water Main Cleaning Co.	\$349,455.00
Michels Pipe Services	\$413,041.00

Chart sorted by Total Bid value

- WHEREAS, the Standard Pipe Services, LLC company has requested to withdraw their bid and said request has been determined to be properly filed and detailed by the Township Attorney; and
- WHEREAS, the Township Engineering staff recommends the withdrawal of the bid by Standard Pipe Services, LLC be approved; and
- WHEREAS, the Township Engineering staff have reviewed the bids and have determined that En-tech of New Jersey Corp submitted the lowest responsible and responsive bid; 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:

Sanitary Sewer Line Upgrades	405-2008-26-002	\$284,130.00
Account Title	Account Number	Amount

- NOW, THEREFORE, BE IT RESOLVED by the Township of West Windsor that the bid withdraw request by Standard Pipe Services, LLC is accepted; and
- BE IT FURTHER RESOLVED, that the contract for the D&R Sewer Rehabilitation Program, CIPP Lining Canal Road project be awarded to En-tech of New Jersey Corp, in the amount of \$284,130.00, and the Mayor and Clerk are authorized to execute said contract.

Adopted: August 30, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 30th day of August, 2021.

ORDINANCE 2021-16

TOWNSHIP OF WEST WINDSOR MECER COUNTY, NEW JERSEY

AN ORDINANCE ACCEPTING CONVEYANCE OF OPEN SPACE BLOCK 24.18; LOT 38 IN WINDSOR PARK ESTATES PHASE III

- WHEREAS, the West Windsor Township Planning Board approved a subdivision application for Windsor Park Estates Phase III for Sharbell Development Corporation, such subdivision being perfected by a "Final Subdivision Plan for Windsor Park Estates Phase III for Sharbell Development Corp," recorded in the Mercer County Clerk's Office on May 18, 1989 as Map No. 2974; and
- WHEREAS, the plat provided for dedication of an open space lot, namely, Lot 38 in Block 24.18, to the Township; and
- WHEREAS, the Township has used and continues to use such open space lot with improvements consisting of a detention basin and playground since the late 1980s; and
- WHEREAS, at the time of the conveyance, the Township policy was to accept storm water detention lots and tot lots via note on the filed plat indicating ownership by the Township but not through a deed of dedication; and
- WHEREAS, this policy was changed in the early 2000s; and
- WHEREAS, a deed of dedication has been executed by the title holder conveying such lot to the Township; and
- WHEREAS, it is in the best interest of the Township to formally accept ownership of such lot by deed as well as by note on the filed plan.

SECTION I: The Township is authorized to accept said deed of dedication.

SECTION II: This ordinance shall take effect upon its passage and publication and filing with the Mercer County Planning Board and as otherwise provided by law.

INTRODUCTION: August 30, 2021 PUBLIC HEARING: ADOPTION: MAYOR'S APPROVAL: EFFECTIVE DATE: