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 December 13, 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

Christmas Tree Fire Demonstration by the Division of Fire and Emergency Services (this portion of the meeting will be held outside)

- 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
 - 2021-17 AN ORDINANCE OF THE TOWNSHIP OF WEST WINDSOR AUTHORIZING ACQUISTION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 5, PART OF LOT 8.05 TAX MAP REFERENCED AND CONSISTING OF 3.297 ACRES TO THE TOWNSHIP OF WEST WINDSOR FOR PUBLIC PURPOSES
- 11. Consent Agenda
 - A. Resolutions
 - 2021-R205 Establishing January 3, 2022 as an Official Township Holiday
 - B. Minutes

October 25,	2021	-	Business	Session	-	as	amended
November 8,	2021	-	Business	Session	-	as	amended
November 8,	2021	_	Closed S	ession			

C. Bills & Claims

- 12. Items Removed from Consent Agenda
- 13. Recommendations from Administration and Council/Clerk
 - 2021-R206 Authorizing the Chief Financial Officer to Increase the Professional Services Agreement with John J. Curley LLC by \$5,587.83 for a Total Not to Exceed of \$70,487.83
 - 2021-R207 Authorizing the Business Administrator to Execute Change Order #1 with MNC Concrete LLC for an Increase of \$22,200.00 for the Project Known as 2021 Sidewalk Repair Program for a Revised Contract Amount of \$137,176.00
 - 2021-R208 Authorizing the Business Administrator to Purchase One (1) New Conventional Chassis From Campbell Freightliner LLC Through the Educational Services Commission of New Jersey Co-Op Contract #65MCESCCPS-ESCNJ 20/21-55- \$122,728.10

- 2021-R209 Authorizing the Business Administrator to Purchase One (1) New Cobra Magnum Rear Loader From H.A. DeHart & Son Through the Educational Services Commission of New Jersey Co-op Contract #65MCESCCPS-ESCNJ 20/21-55- \$81,051.85
- 14. Introduction of Ordinances
- 15. Additional Public Comment (three-minute limit per person)
- 16. Council Reports/Discussion/New Business

2021 Best Practices

- 17. Administration Updates
- 18. Closed Session
- 19. Adjournment

WEST WINDSOR TOWNSHIP MERCER COUNTY, NEW JERSEY

ORDINANCE 2021-17

AN ORDINANCE OF THE TOWNSHIP OF WEST WINDSOR AUTHORIZING ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 5, PART OF LOT 8.05 TAX MAP REFERENCED AND CONSISTING OF 3.297 ACRES THE TOWNSHIP OF WEST WINDSOR FOR PUBLIC PURPOSES

WHEREAS, the Council of the Township of West Windsor (the "Township") has determined that a need exists to acquire an approximately 3.297-acre portion of the real property designated as Block 5, Lot 8.05 on the Township's tax maps (3740 Brunswick Avenue) for roadway extension/reconfiguration and other traffic improvement purposes, and such other public purposes as are authorized by law (the "Property"); and

WHEREAS, the Township has determined that said uses are public purposes and will promote the general health and welfare of the community by expanding necessary roadway infrastructure; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5(a)(1) of the Local Land and Buildings Law, N.J.S.A. 40A:12-1 *et seq.*, and N.J.S.A. 40A:12A-8c of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, the Township may provide for the acquisition of any real property, capital improvement, or personal property by purchase, gift, devise, lease, exchange, condemnation or installment purchase agreement; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5(a)(1), the Township must adopt an ordinance before exercising the statutory authority to acquire real property for public purposes.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF WEST WINDSOR, THAT:

Section 1. The aforementioned Recitals are incorporated herein as though set forth at length.

Section 2. The Township is hereby authorized to acquire the approximately 3.297-acre portion of the real property designated as Block 5, Lot 8.05 on the Township's tax maps (3740 Brunswick Avenue), more particularly described and depicted in **Exhibit A** attached hereto.

Section 3. The property acquisition authorized herein may be achieved by any of the following methods: (i) consummation of a purchase and sale contract by negotiations with the property owners pursuant to N.J.S.A. 40A:12-5(a)(1) and N.J.S.A. 20:3-6 of the Eminent Domain Act, (ii) by a gift, grant, or contribution by the property owners pursuant to N.J.S.A. 40A:12-

5(a)(1), or (iii) by condemnation of any such property, pursuant to the Eminent Domain Act (N.J.S.A. 20:3-1 et seq.).

Section 4. The Township Attorney and/or other special legal counsel, and the Township's Land Use Manager, are hereby authorized and directed to perform or carry out or cause to be performed or carried out, any studies, surveys, tests, soundings, borings, appraisals, title searches and title report reviews, as may be necessary to determine the value of the Property, the location and quality of the Property and any environmental matters associated with the Property and to undertake any action necessary or appropriate to acquire the aforementioned Property. Any such actions taken prior to the date hereof are hereby ratified.

Section 5. The Mayor and Township Clerk are hereby authorized to undertake any actions and execute and deliver any paper, form, instrument or document necessary or appropriate to acquire said parcel by any of the methods set forth herein, including such documents relating to an action in condemnation.

Section 6. The ordinance shall take effect after action or inaction by the Mayor or an override of the mayoral veto by the Township Council, whichever is applicable, upon publication, according to law.

INTRODUCTION: November 22, 2021 PUBLIC HEARING: ADOPTED: MAYOR'S APPROVAL: EFFECTIVE DATE: **Exhibit A Description and Depiction of Property to be Acquired**

DENG PRINCETON JUNCTION ENGINEERING, P.C. PROFESSIONAL ENGINEERS AND LAND SURVEYORS

D. GEOFFREY BROWN, P.E., L.S., & P.P. FRANK J. FALCONE, L.S. & P.P. MARTIN D. KATZ, L.S. KEVIN M. BRAKEL, P.E.

NORTH POST ROAD P.O. BOX 610 PRINCETON JUNCTION, NJ 08550

609.799.1906 Fax; 609.799.1524 Email: pjepc@pjepc.com

Deed Description

Project Name: Land Acquisition A of SRI Property Date: March 4, 2020 Block- 5. Lot- 8.05 West Windsor Township, Mercer County, New Jersey

The portion of land to be conveyed to West Windsor Township being part of Lot 8.05, Block 5 and located on the northeasterly side of Washington Road

Beginning at a point having a NJSP NAD83 Datum coordinates of North 542,145.301, East 457,201.566 in the said northeasterly line of Washington Road (variable width right of way said point also the southerly corner of Lot 8.03 Block 5, thence

1. Along the southeasterly line of said Lot 8.03 North 45°10'30" East a distance of 25.01 feet to a point, thence

Through Lot 8.05 the following ten (10) courses:

- 2. South 42°55'05" East a distance of 10.93' to point of tangency, thence
- 3. Along a curve to the left with a radius of 100.00 feet an arc length of 8.05 feet, a chord bearing South 45°13'25" East, 8.05 feet to a point of tangency, thence
- 4. South 47°31'46" East a distance of 87.12 feet to a point of curvature, thence
- 5. Along a curve to the left a radius of 638.66 feet and an arc length of 182.72 feet a chord of South 55°43'32" East 182.10 feet to a point of compound curvature, thence
- 6. Along a curve to the left with a radius of 561.00 feet an arc length of 89.79 feet a chord South 68°30'24" East 89.69 feet to a point of tangency, thence
- 7. South 73°05'30" East 199.19 feet to a point of curvature, thence
- 8. Along a curve the left with a radius of 35.00 feet 'an arc length of 26.98 feet a chord North 84°49'19" East 26.32 feet to a point of reverse curvature, thence
- 9. Along a curve to the right with a radius of 110.00 feet an arc length of 177.74 feet, a chord bearing of South 70°58'28" East 159.03 feet to a point of reverse curvature, thence
- 10. Along a curve to the left with a radius of 35.00 feet an arc length of 24.49 feet a chord South 44°43'32" East, 23.99 feet to a point of reverse curvature, thence

Project: Land Acquisition A of SRI Property Being Part of Lot 8.05, Block 5 March 4, 2020 Page 2

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- 11. Along a curve to the right with a radius of 700.00 feet an arc length of 214.92 feet a chord South 55°58'16" East 214.08 feet to a point in a southeasterly line of Hightstown Road, variable width right of way, thence
- 12. Along a southeasterly of Hightstown Road South 48°38'00" West 66.91 feet to a point in a southerly line of Hightstown Road, thence

Along the southerly line of Hightstown Road the following two (2) courses

- 13. Along a curve to the left with a radius of 262.00 feet an arc length of 182.67 feet a chord of North 89°54'47" West 178.99 feet to a point of reverse curvature, thence
- 14. Along a curve to the right with a radius of 292.00 feet an arc length of 284.14 feet a chord of North 82°02'55" West 273.06 feet to point in the northeasterly line of Washington Road, thence

Along the northeasterly line of Washington Road the following two (2) courses:

- 15. North 41°09'30" West a distance of 522.65 feet to a point, thence
- 16. North 44°49'30" West a distance of 66.54 feet to the **Point of Beginning**

Containing 3.067 acres of land.

As shown on a plan entitled "Plan of Land Acquisition Detail of Lot 8.05, Block 5 for Township Of West Windsor, West Windsor Township, Mercer County, New Jersey" Scale 1"= 60', dated 2/27/2020 being Sheet 2 of 2 prepared by Princeton Junction Engineering, P.C.

Description prepared by Frank J Falcone, Professional Land Surveyor No. 32112

Frank J Falcone, PLS

DENG PRINCETON JUNCTION ENGINEERING, P.C. PROFESSIONAL ENGINEERS AND LAND SURVEYORS

D. GEOFFREY BROWN, P.E., L.S., & P.P. FRANK J. FALCONE, L.S. & P.P. MARTIN D. KATZ, L.S. KEVIN M. BRAKEL, P.E.

NORTH POST ROAD P.O. BOX 610 PRINCETON JUNCTION, NJ 08550 609.799.1906 FAX: 609.799.1524 EMAL: PJEPC @PJEPC.COM

Deed Description

Project Name: Land Acquisition B of SRI Property Date: March 4, 2020 Block- 5. Lot- 8.05 West Windsor Township, Mercer County, New Jersey

The portion of land to be conveyed to West Windsor Township being part of Lot 8.05, Block 5 and located on the northeasterly side of Hightstown Road

Beginning at a point having a NJSP NAD83 Datum coordinates of North 541,370.645, East 458,296.595 in the said northeasterly line of Hightstown Road (variable width right of way) said point also being 163.03 feet northwesterly from the northwesterly corner of Lot 78, Block 5, thence

- 1. Along the northeasterly line of said Hightstown Road North 32°58'00" West a distance of 229.29 feet to a point of curvature, thence
- 2. Along a curve to the left with a radius of 262.00 feet an arc length of 53.73 feet, a chord bearing North 38°50'30" West, 53.64 feet to a point in a southeasterly line of Hightstown Road, thence
- 3. Along a southeasterly line of Hightstown Road North 48°38'00" East a distance of 37.95 feet to a point, thence

Through Lot 8.05 Block 5 the following three (3) courses:

- 4. Along a curve to the right a radius of 700.00 feet and an arc length of 63.45 feet a chord of South 35°33'48" East 63.43 feet to a point of tangency, thence
- 5. South 32°58'00" East 224.83 feet to a point, thence
- 6. South 57°02'00" West a distance of 34.92 feet to the Point of Beginning

Containing 0.230 acres of land.

As shown on a plan entitled "Plan of Land Acquisition Detail of Lot 8.05, Block 5 for Township of West Windsor, West Windsor Township, Mercer County, New Jersey" Scale 1"= 60', dated 2/27/2020, being Sheet 2 of 2 prepared by Princeton Junction Engineering, P.C.

PRINCETON JUNCTION ENGINEERING, P.C.

Project: Land Acquisition B of SRI Property Being Part of Lot 8.05, Block 5 March 4, 2020 Page 2

Description prepared by Frank J Falcone, Professional Land Surveyor No. 32112

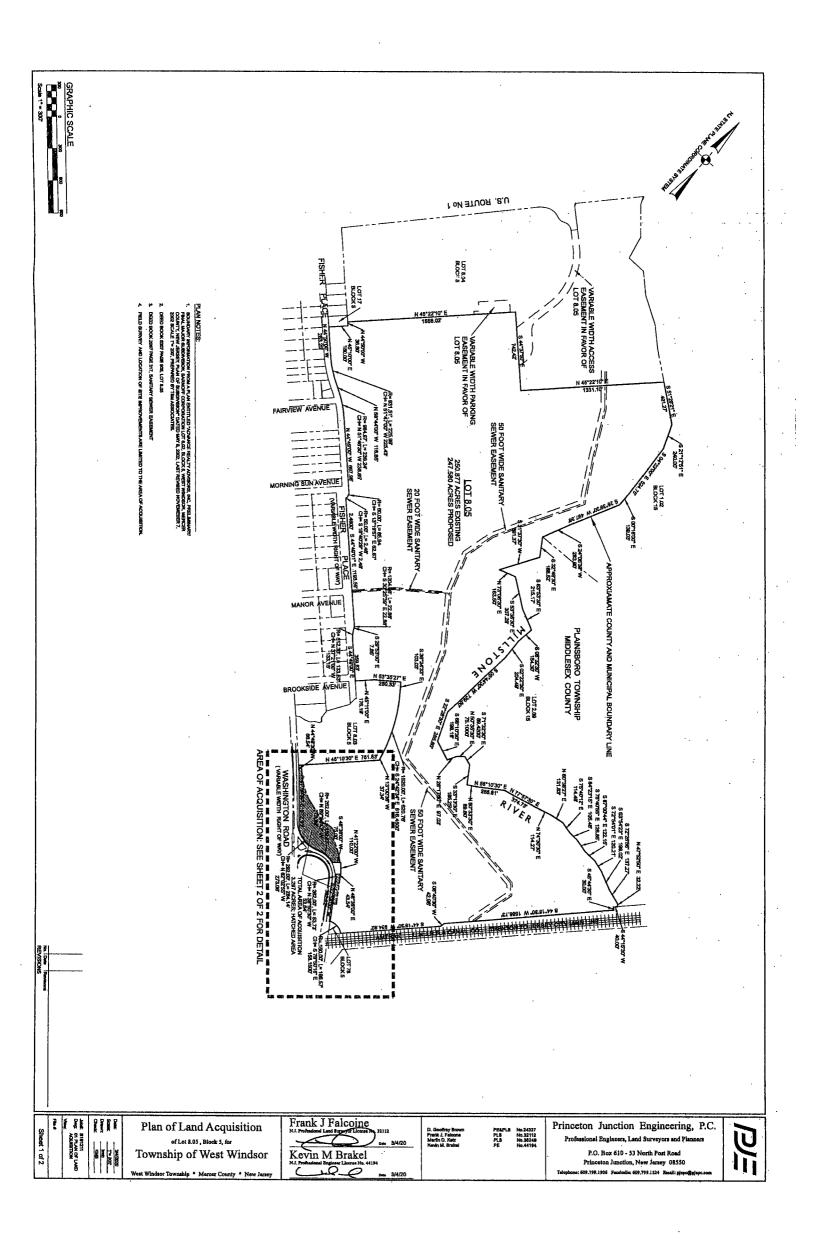
Frank J Falcone, PLS

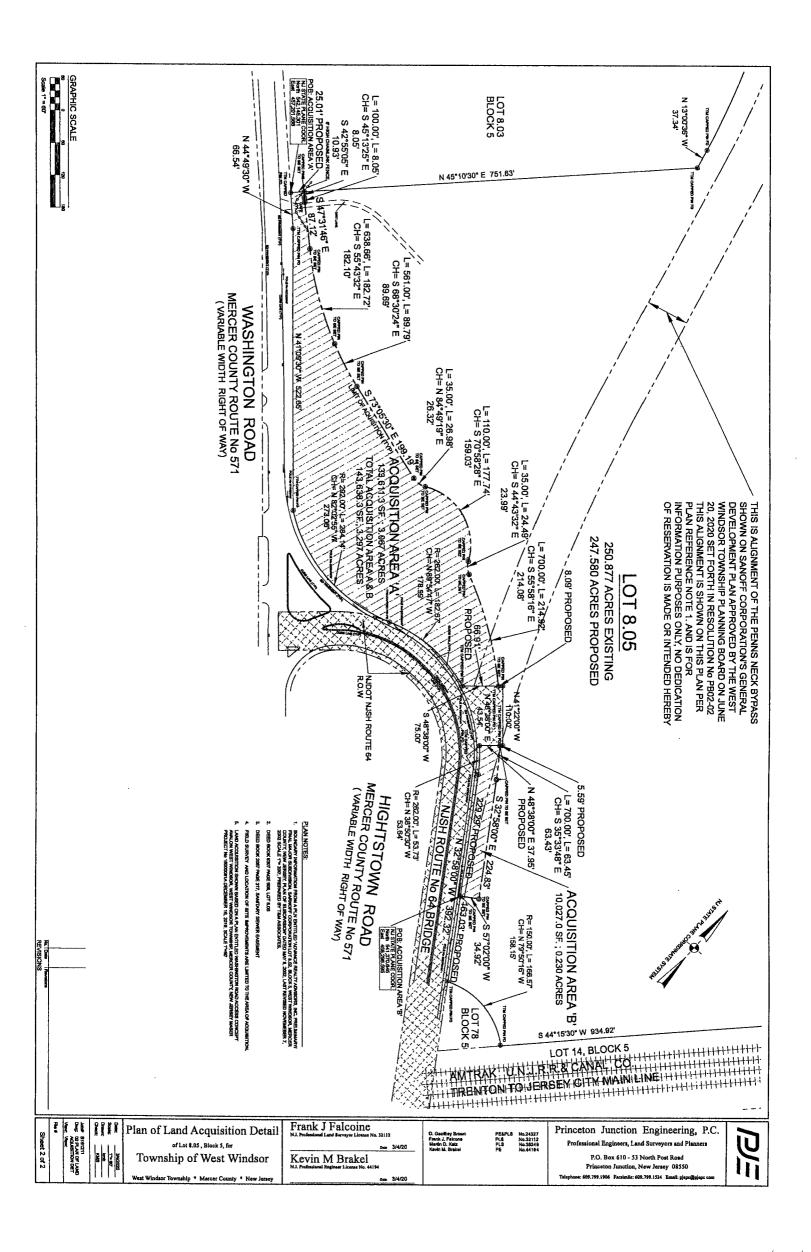
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Land Acquisition B of SRI Property Lot 8.05 Block 5 WW Township





- WHEREAS, the Township Council's Reorganization meeting is scheduled for January 3, 2022 at which time the Township Council will designate the official holidays for Township employees for 2022; and
- WHEREAS, the official holiday for New Year's Day falls on January 3, 2022.
- NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Windsor that the following day be designated as an official holiday for Township employees:

2022 Holidays

Date of Office Closing

New Year's Day

January 3, 2022

Adopted:

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of December 2021.

- WHEREAS, the Township is in the process of acquiring certain real estate and requires a legal expert to assist in the acquisition of same; and
- WHEREAS, the Township has retained Mr. Curley by Resolution 2017-R100 on March 27, 2017 and by resolution 2018-R051on January 29, 2018 and by resolution 2018-R170 on July 30, 2018 and by resolution 2019-R102 on April 29, 2019, and by resolution 2020-R192 on September 14, 2020 and by resolution 2020-R227 on November 9, 2020, as an expert in eminent domain and redevelopment law; and
- WHEREAS, it is necessary for the Township to increase Mr. John Curley's contract from \$64,900.00 to \$70,487.83; and
- WHEREAS, the Chief Financial Officer has certified that funds are available for said contract increase in the following account:

Open Space Acquisition Consultant Fees 405-2020-07-001 \$ 4,700.00 405-2019-17-006 \$ 887.83

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Chief Financial Officer is authorized to amend the purchase order for John J. Curley, LLC from \$64,900.00 to \$70,487.83.

ADOPTED: December 13, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of December 2021.

- WHEREAS, West Windsor Township awarded a contract on October 12, 2021 to MNC Concrete LLC, for the project known as "2021 Sidewalk Repair Program" for the contract amount of \$ 114,976.00 as set forth in the contract documents; and
- WHEREAS, Change Order No. 1 which accounts for an increase of \$22,200.00 for additional quantities adjustment due to field conditions has been submitted; and
- WHEREAS, the Township Landscape Architect has inspected the project and recommends the change order; 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:

Bicycle and Pedestrian Improvements	<u>405-2021-14-010</u>	<u>\$ 22,200.00</u>
Account Title	Account Number	Amount

- NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that Change Order No. 1 for additional quantities is hereby approved, adjusting the quantities for a revised contract amount of \$ 137,176.00
- BE IT FURTHER RESOLVED that the Township Business Administrator is hereby authorized to execute Contract Change Order No. 1 for additional quantities.

Adopted: December 13, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of December 2021.

- WHEREAS, the Township of West Windsor needs to purchase One (1) New Conventional Chassis for brush and leaf collection to replace a 2009 Compactor Truck (#14) in the Department of Public Works; and
- WHEREAS, West Windsor Township is a member of the Educational Services Commission of New Jersey Cooperative Purchasing System (65MCESCCPS-ESCNJ 20/21-55) and the Conventional Chassis is available from Campbell Freightliner LLC, 1015 Cranbury South River South Brunswick, NJ 08831; and
- WHEREAS, funding of said equipment including an extended vehicle warranty is available through the approved 2021 Capital Budget and the Chief Financial Officer has certified funds are available in the following account:

Public Works - Acquisition of Vehicle

Account Code 405 2021 14028 \$122,728.10

- NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Business Administrator is authorized to purchase one (1) New Conventional Chassis under The Educational Services Commission of New Jersey Cooperating Purchasing System (65MCESCCPS-ESCNJ 20/21-55) for a total of \$122,728.10 from Campbell Freightliner LLC, 1015 Cranbury South River South Brunswick, NJ 08831.
- Adopted: December 13, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of December 2021.

- WHEREAS, the Township of West Windsor needs to purchase One (1) Cobra Magnum Rear Loader for brush and leaf collection to replace a 2009 Compactor Truck (#14) in the Department of Public Works; and
- WHEREAS, West Windsor Township is a member of The Educational Services Commission of New Jersey Cooperative Purchasing System (65MCESCCPS-ESCNJ 20/21-55) and the Cobra Magnum Rear Loader is available from H.A. DeHart & Son, 311 Crown Point Rd., Thorofare, NJ 08086; and
- WHEREAS, funding for the equipment is available through the approved 2021 Capital Budget and the Chief Financial Officer has certified funds are available in the following account:

Public Works - Acquisition of Vehicle

Account Code 405 2021 14028 \$81,051.85

 NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Business Administrator is authorized to purchase one (1) New Cobra Magnum Rear Loader under The Educational Services Commission of New Jersey Cooperative Purchasing System (65MCESCCPS-ESCNJ 20/21-55) for a total of \$81,051.85 from H.A. DeHart & Son, 311 Crown Point Rd., Thorofare, NJ 08086.

Adopted: December 13, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on 13th day of December 2021.