# 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

### March 14, 2022

#### VIA Zoom Video Communications

#### 7:00 P.M.

- 1. Call to Order
- 2. Roll Call
- 3. Statement of Adequate Notice January 7, 2022 to The Times and the Princeton Packet and posted on the Township website. 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
- 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
    - 2022-R074 Endorsing the Application for Membership to the New Jersey State Firemen's Association for Sumit Khanna West Windsor Volunteer Fire Company
    - 2022-R075 Endorsing the Application for Membership to the New Jersey State Firemen's Association for Owen L. Birkland of the Princeton Junction Volunteer Fire Company
    - 2022-R076 Endorsing the Application for Membership to the New Jersey State Firemen's Association for David C. Gordan of the Princeton Junction Volunteer Fire Company
  - B. Minutes

February 14, 2022 - Business Session

C. Bills & Claims

- 12. Items Removed from Consent Agenda
- 13. Recommendations from Administration and Council/Clerk
  - 2022-R077 Authorizing the Second Quarter 2022 Emergency Temporary Appropriations (Requires 2/3 vote of the full membership)
  - 2022-R078 Authorizing the Appointment of Mudassir Hassain as Alternate 1 Member of the Board of Recreation Commissioners for a Term to Expire at December 31, 2024
  - 2022-R079 Authorizing the Chief Financial Officer to Increase the Professional Services Contract for the Law Offices of Gerald Muller, P.C. for Affordable Housing Legal Fees - \$50,000.00
  - 2022-R080 Authorizing the Business Administrator to Purchase VMWare Software Maintenance Support from CDW-G for the Police Division - \$1,140.00

- 2022-R081 Authorizing the Chief Financial Officer to Increase the Purchase Order for Campbell Freightliner, LLC for Surcharges Imposed for the Conventional Chassis Approved by Resolution 2021-R208 - \$2,900.00
- 2022-R082 Authorizing the Chief Financial Officer to Increase the Purchase Order for Campbell Freightliner, LLC for Surcharges Imposed for the Conventional Chassis Approved by Resolution 2021-R187 - \$2,900.00
- 2022-R083 Authorizing the Business Administrator to Purchase from Network Cabling Inc., dba Net Q Multimedia Security Systems for the Senior Center and Health and Recreation Division Buildings -\$79,694.30
- 2022-R084 Granting Reservation of Sewer Capacity and Authorizing the Execution of Required Treatment Works Approval Permit Application to the New Jersey Department of Environmental Protection for the Project Known as HSC West Windsor, LLC (PB20-09)3496-3500 U.S. Highway Route 1 North
- 2022-R085 Granting Reservation of Sewer Capacity and Authorizing the Execution of Required Treatment Works Approval Permit Application to the New Jersey Department of Environmental Protection for the Project Known as Southfield Road Pump Station and South Post Road Pump Station Watersheds
- 2022-R086 Authorizing the Mayor and Clerk to Execute a Contract with S&G Paving, Inc. for the 2020 Road Program - \$1,145,319.60
- 2022-R087 Approving the Extension of the Grace Period for Sewer Tax Payments From March 10, 2022 to March 31, 2022 as per Local Finance Notice 2022-09
- 14. Introduction of Ordinances
- 15. Additional Public Comment (three-minute limit per person)
- 16. Council Reports/Discussion/New Business
- 17. Administration Updates
- 18. Closed Session
- 19. Adjournment

- WHEREAS, Sumit Khanna, a member of the West Windsor 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 Sumit Khanna for membership in the New Jersey State Firemen's Association.
- Adopted: March 14, 2022

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 14th day of March, 2022.

- WHEREAS, Owen L. Birkland, 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 Owen L. Birkland for membership in the New Jersey State Firemen's Association.
- Adopted: March 14, 2022

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 14th day of March, 2022.

WHEREAS, David C. Gordon, 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 David C. Gordon for membership in the New Jersey State Firemen's Association.
- Adopted: March 14, 2022

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 14th day of March, 2022.

### EMERGENCY TEMPORARY RESOLUTION

- WHEREAS, an emergent condition has arisen with respect to the ability of the Township of West Windsor to continue paying its employees and vendors; and
- WHEREAS, the Township Council has not yet adopted the 2022 budget; and
- WHEREAS, no adequate provision has been made in the 2022 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and
- WHEREAS, the total emergency temporary resolutions adopted in the year 2022 pursuant to the provisions of Chapter 96, P.L.1951 (N.J. S.A. 40A:4-20) including this resolution total \$10,589,915.50;
- NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20:
  - 1. An emergency temporary appropriation be and the same is hereby made for:

**CURRENT FUND TEMPORARY APPROPRIATIONS - 2022** 

		<u>S &amp; W</u>	<u>O.E.</u>	TOTAL
1	Clerk & Governing Body	57,163.75	19,531.25	76,695.00
2	Elections	425.00	12,012.50	12,437.50
3	Council	6,176.25	2,062.50	8,238.75
4	Administration	131,807.50	60,612.50	192,420.00
5	Mayor	10,834.50	0.00	10,834.50
6	Financial Administration	123,473.50	0.00	123,473.50
7	Audit & Accounting Services		11,201.25	11,201.25
8	Data Processing		0.00	0.00
9	Assessment of Taxes	50,883.00	0.00	50,883.00
10	Collection of Taxes	41,269.50	5,437.50	46,707.00
12	Supplemental Fire Safety Program		0.00	0.00
13	Uniform Fire Code	45,879.25	3,177.50	49,056.75
14	Emergency Services	352,790.00	48,362.50	401,152.50
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	1,817,068.00	119,528.75	1,936,596.75
18	Police - ILSA - WWPRSD	75,000.00	46,250.00	121,250.00
20	Animal Control		1,275.00	1,275.00
20	ILSA-East Windsor Township		5,000.00	5,000.00
21	Board of Health	182,887.00	14,237.50	197,124.50

22	Recreation	77,283.25	77,500.00	164 702 26
24	Senior Citizen Program	50,404.75	19,218.25	154,783.25 69,623.00
25	Affordable Housing	250.00	0.00	250.00
29	Community Development	6,662.75	250.00	6,912.75
30	General Engineering	96,024.50	15,532.50	111,557.00
33	Land Use	55,027.00	33,137.50	88,164.50
34	Planning Board	33,027.00	5,056.25	5,056.25
35	S.P.R.A.B.		0.00	0.00
36	Zoning Board		4,100.00	4,100.00
37	Environment Commission		762.50	762.50
38	Construction Official	386,900.00	9,500.00	396,400.00
40	Public Works	338,775.25	57,444.25	396,219.50
41	Snow Removal	0.00	0.00	0.00
42	Sewer System	119,272.75	27,687.50	146,960.25
43	Stony Brook Reg. Sewer Auth.	110,272.70	816,840.00	816,840.00
44	Facilities and Open Space		32,000.00	32,000.00
46	Legal Services & Costs		64,500.00	64,500.00
47	Municipal Prosecutor		7,500.00	7,500.00
48	Public Defender		4,250.00	4,250.00
50	Municipal Court	66,607.50	7,705.75	74,313.25
50 I	LSA - Hopewell Township	,	0.00	0.00
51	Group Insurance		350,291.50	350,291.50
52	Other Insurance - Workers Comp		0.00	0.00
52	Other Insurance - Liability		0.00	0.00
53	Building & Grounds	55,558.00	39,693.75	95,251.75
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		32,250.00	32,250.00
56	Utilities - Water		12,625.00	12,625.00
57	Gasoline		62,500.00	62,500.00
58	Refuse Collection - In Cap		576,106.50	576,106.50
58	Refuse Collection - Out of Cap		0.00	0.00
60	Extended Sick Leave	0.00	0.00	0.00
76	Social Security System		232,744.50	232,744.50

77	Public Employees Retirement System		972,881.00	972,881.00
78	Police & Firemen's Retirement System		2,187,227.00	2,187,227.00
	Defined Contribution Retirement			
79	System		2,500.00	2,500.00
72	Down Payment on Improvements		0.00	0.00
80	Payment of Bond Principal		0.00	0.00
82	Interest on Bonds		0.00	0.00
83	Interest on Notes		0.00	0.00
84	Green Trust Loan Program		0.00	0.00
	Total Temporary Operating Budget	4,148,423.00	6,441,492.50	10,589,915.50

- 2. That said emergency temporary appropriations have been provided for in the 2022 budget under the aforementioned line items.
- 3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Adopted: March 14, 2022

I, Gay M. Huber, Township Clerk of West Windsor Township, County of Mercer, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the West Windsor Township Council at a meeting of said Township Council on the 14th day of March 2022 and said resolution was adopted by not less than a two-thirds vote of the members of the West Windsor Township Council.

- WHEREAS, a vacancy exists on the Board of Recreation Commission for an Alternate I member; and
- WHEREAS, Mayor Hemant Marathe recommends this appointment and seeks the Council's consent to appoint Mudassir Hassain to the Board of Recreation Commission.
- NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following Board of Recreation Commission appointment:

Mudassir Hassain Alternate I Term to Expire 12/31/2024

Adopted: March 14, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 14th day of March, 2022.

- WHEREAS, the Township of West Windsor Planning Board entered into a professional services agreement with the Law Office of Gerald Muller on January 12, 2022 for Planning Board/Land Use Legal Services; and
- WHEREAS, the Law Office of Gerald Muller has the expertise to perform Affordable Housing Legal Services and has done so in the past for the Township; and
- WHEREAS, the Chief Financial Officer has certified that funds are available for said contract in the following line item appropriation account:

Affordable Housing – Legal Fees 106-25-223 \$50,000.00

- WHEREAS, the scope of work authorized in the original contract remains in force and effect; and
- NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Chief Financial Officer is hereby authorized to increase the contract amount to date by \$50,000.00 with the Law Office of Gerald Muller for Affordable Housing Legal Services.

Adopted: March 14, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 14th day of March 2022.

- WHEREAS, the Township of West Windsor, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C.
  5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and
- WHEREAS, the Township of West Windsor has the need on a timely basis to purchase VMWare software for servers connected on the Police Department Network from CDW-Government under NJ State Contract T3121 in the amount of \$1,140.00; and
- WHEREAS, the Chief Financial Officer has certified the availability of funds in the following account:

Police – Office Furniture/Equipment Maintenance 105-18-233 \$1,140.00

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Windsor authorizes the Business Administrator Marlena Schmid to purchase the above from CDW-Government under NJ State Contracts T3121 in a not to exceed amount of \$1,140.00.

Adopted: March 14, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 14th day of March, 2022.

- WHEREAS, on December 13, 2021 the Township Council of the Township of West Windsor adopted Resolution 2021-R208 for the purchase of a new Conventional Chassis from Campbell Freightliner LLC in the amount of \$122,728.10 as set forth in the contract documents; and
- WHEREAS, the Township has received written notification from Campbell Freightliner, LLC that a surcharge is being imposed in the amount of \$2,900.00; and
- WHEREAS, the Chief Financial Officer has certified that funds are available in the following account:

Public Works - Acquisition of Vehicle Account Code 405 2021 14028 \$2,900.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Chief Financial Officer is authorized to increase the purchase order for Campbell Freightliner, LLC in the amount of \$2,900.00 for a total not to exceed of \$125,678.10.

Adopted: March 14, 2022

I hereby certify that the above resolution was adopted by the Township Council of the Township of West Windsor at their meeting held on the 14<sup>th</sup> day of March, 2022.

- WHEREAS, on November 8, 2021 the Township Council of the Township of West Windsor adopted Resolution 2021-R187 for the purchase of a new Conventional Chassis from Campbell Freightliner LLC for the contract amount of \$93,635.33 as set forth in the contract documents; and
- WHEREAS, the Township has received written notification from Campbell Freightliner, LLC that a surcharge is being imposed in the amount of \$2,900.00; and
- WHEREAS, the Chief Financial Officer has certified that funds are available for said vehicle in the following account:

Public Works - Acquisition of Vehicle Account Code 405 2021 14028 \$2,900.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Chief Financial Officer is authorized to increase the purchase order for Campbell Freightliner, LLC in the amount of \$2,900 for a total not to exceed of \$96,535.33.

Adopted: March 14, 2022

I hereby certify that the above resolution was adopted by the Township Council of the Township of West Windsor at their meeting held on the 14<sup>th</sup> day of March, 2022.

- WHEREAS, the Township Administration continues to proceed with security measures for all municipal facilities including new keyless card access entry technology, motion detectors, panic alarms, security cameras and emergency notification equipment; and
- WHEREAS, the West Windsor Township Senior Center requires networked technology including, but not limited to, Electronic Card Access System Devices and Emergency Notification System Devices along with replacement of antiquated network cabling throughout the entire facility; and
- WHEREAS, the West Windsor Township Health Building requires networked Emergency Notification System Devices; and
- WHEREAS, Network Cabling Inc. dba Net Q Multimedia Company has been awarded the New Jersey State Contract T2989-88739 for Communications Wiring Services along with New Jersey State Contract T1778 for Cable and Associated Products; and
- WHEREAS, the total cost of the equipment and installation services for the overall project are \$79,694.30 and the Chief Financial Officer has approved funding for the above from the following capital accounts:

Improvements to Municipal Complex	405-2019-33-001	\$14,431.66
Municipal Post Office Building	405-2018-15-003	\$ 830.61
Security System Upgrade Project	405-2020-14-004	\$ 9,115.35
Senior Center General Improvements	405-2019-18-017	\$22,914.85
Network/Computers/Printers/Scanners	405-2020-14-001	\$32,401.83

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes the Business Administrator to purchase the above from Network Cabling Inc. dba Net Q Multimedia Company under New Jersey State Contracts T2989-88739 and T1778.

Adopted: March 14, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 14th day of March 2022.

- WHEREAS, Dynamic Engineering has submitted a request for a reservation of sewer capacity in the public sewer system for the HSC West Windsor, LLC (PB20-09) located at Block 8, Lots 17, 24 and 30; and
- WHEREAS, the facilities within the project approved by the Planning Board are estimated to generate 11,060 gallons per day (gpd) total wastewater flow upon construction and occupation of Phase I; and
- WHEREAS, the proposed flow and the extension of the collection system on the properties as part of the project require a Treatment Works Approval permit from the New Jersey Department of Environmental Protection; and
- WHEREAS, the Township Engineer has certified that there is sufficient capacity in the existing downstream sanitary sewer system to accommodate the increase in average daily flow of 11,060 gpd of wastewater that is estimated to be generated by the proposed improvements, once completed and occupied.
- NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that a reservation of sewer capacity in the total amount of 11,060 gallons per day, is hereby granted for the HSC West Windsor, LLC (PB20-09) located at Block 8, Lots 17, 24 and 30; and
- BE IT FURTHER RESOLVED that this allocation of Township sewer capacity shall be in effect for a period of one (1) year; and
- BE IT FURTHER RESOLVED that the Township Engineer be and hereby is authorized to execute the endorsement of the New Jersey Department of Environmental Protection Treatment Works Approval Permit application, as required to implement this Resolution, upon submission of final design/construction plans and specifications acceptable to the Township Engineer.

Adopted: March 14, 2022

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 14th day of March 2022.

Gay M. Huber Township Clerk Township of West Windsor

- WHEREAS, the Township of West Windsor has a need to increase capacity of the municipal wastewater collection system in the Southfield Road Pump Station and South Post Road Pump Station watersheds in order to accommodate wastewater flow from recently approved and proposed future development projects, including several required as part of the Township's Fair Share Plan approved by the court; and
- WHEREAS, the Sewer Capacity Analysis performed by the Township's consultant, ACT Engineers, has determined that the projected development flow based on current zoning will require the Southfield Road Pump Station to have a minimum pump capacity of 596 GPM and South Post Road Pump Station upgraded to a minimum pump capacity of 1419 GPM; and
- WHEREAS, the improvements required to achieve these capacities at each pump station and within the municipal collection system require a Treatment Works Approval Permit application be submitted to the New Jersey Department of Environmental Protection; and
- WHEREAS, individual property owners within these watersheds remain required to individually pursue requests for reservation of capacity and all other regulatory and statutory approvals, independent of the Township's activities to increase sewer capacity.
- NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor endorses the increase of capacity within the municipal collection system.
- BE IT FURTHER RESOLVED, that the Township Engineer be and hereby is authorized to execute the endorsement of the New Jersey Department of Environmental Protection Treatment Works Approval Permit application, as required to implement this Resolution, upon submission of final design/construction plans and specifications acceptable to the Township Engineer.

Adopted: March 14, 2022

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 14th day of March 2022.

Gay M. Huber Township Clerk Township of West Windsor

- WHEREAS, the Township of West Windsor has determined the need to repair or reconstruct various roads, including Hickory Corner (Dutch Neck) Road (portion), Mather Avenue (portion), Edith Court, Lenape Lane, Kingsley Court, Jason Court, Kehoe Court, Saratoga Drive (portion), Hamilton Drive, Hudson Court, Stark Court, and Schuyler Drive, and drainage improvements at the corner of Village Road and Edinburg Road; and
- WHEREAS, said bid was advertised to the public bid and the following bids were received and opened on Wednesday, February 16, 2022; and
- WHEREAS, the Township has received thirteen (13) bids from the following bidders:

<u>No.</u>	Company	Bid Value	
1	S&G Paving, Inc.	\$1,145,319.60	
2	PM Construction	\$1,149,965.25	
3	Lucas Brothers	\$1,163,163.00	
4	<b>DeSantis</b> Construction	\$1,230,966.87	
5	Top Line	\$1,309,518.39	
6	Lima Charlie	\$1,348,348.00	
7	Meco, Inc.	\$1,365,410.16	
8	Z Brothers	\$1,404,000.00	
9	Earle Asphalt Company	\$1,440,913.13	
10	S. Brothers	\$1,466,564.97	
11	Black Rock	\$1,515,000.00	
12	American Asphalt	\$1,814,886.63	
13	Marindino	\$1,995,917.00	
	(note – chart sorted by total bid value)		

- WHEREAS, the Township Engineering staff have reviewed the bids and have determined that the lowest responsible and responsive bid was submitted by S&G Paving Inc.; and
- WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following line item appropriation accounts:

Roadway Improvements	405-2019-18 011	\$ 717,732.50
Roadway Improvements	405-2020-14 013	<u>\$ 427,587.10</u>
Account Title	Account Number	Amount

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the contract for the 2020 Road Program for the base bid and add alternate bid be awarded to S&G Paving, Inc., 224C Forsgate Drive, Jamesburg, NJ 08831 in the amount of \$1,145,319.60, and the Mayor and Clerk are authorized to execute said contract.

Adopted: March 14, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at meeting held on the 14<sup>th</sup> day of March 2022.

- WHEREAS, on December 21, 2022 Senate Bill 4081 was signed instituting a grace period for any the unpaid sewer charges until March 15, 2022; and
- WHEREAS, Local Finance Notice 2022-09 requires Municipalities to offer a residential rate payer the opportunity to enter into an installment plan for satisfying the unpaid balance; and
- WHEREAS, the Tax Collector is required to notify each residential rate payer with arrearages accruing during March 9, 2020 to March 15, 2022 be provided with individual written notification of the installment plan opportunity; and
- WHEREAS, the Tax Collector is requesting that the time period, provided by the statue (NJSA 54:4-67) for interest to be collected (within ten days after the date upon which same becomes payable) be extended to allow for the mailing of payment plan opportunity; and
- WHEREAS, the Tax Collector is requesting that unpaid sewer rent charges shall be charged interest after March 31, 2022 back to the original due dates.
- NOW THEREFORE, BE IT RESOLVED by the Township Council of Township of West Windsor that the date to charge interest on the payment of unpaid sewer rent charges be extended from March 15<sup>th</sup> to March 31<sup>st</sup>; and
- BE IT FURTHER RESOLVED that in accordance with N.J.S.A. 54:4-67, interest calculated on payments received after March 31, 2022 will revert back to the original due date of when each sewer rent charge was billed.

Adopted: March 14, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 14th day of March, 2022