

**MEETING TO BE
LIVE STREAMED AT
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VIA Zoom Video Communications***

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**AGENDA FOR A BUSINESS SESSION MEETING
OF THE TOWNSHIP COUNCIL OF WEST WINDSOR TOWNSHIP
WEST WINDSOR MUNICIPAL BUILDING
271 CLARKSVILLE ROAD
TO THE EXTENT KNOWN**

December 18, 2023

6:30 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 13, 2023 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. Closed Session was notice to the Princeton Packet and Trenton Times and posted in the Municipal Building on December 12, 2023.
4. Closed Session - Personnel Discussion
5. Salute to the Flag
6. Ceremonial Matters and/or Topics for Priority Consideration

Recognition of Council Member Michael Ray Stevens

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

10. Chair/Clerk Comments

11. Public Hearings

2023-23 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200; SECTION 200-127, COLLECTION PROCEDURES) PART 3, "SUBDIVISION AND SITE PLAN PROCEDURES," ARTICLE XXIII, "HOUSING TRUST FUND", MODIFYING THE DEVELOPMENT FEE COLLECTION PROCEDURE

2023-24 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 168, SECTION 200-88, OFF-TRACT STREET IMPROVEMENTS PART 3, "SUBDIVISION AND SITE PLAN PROCEDURES," ARTICLE XVIII, "OFF-TRACT IMPROVEMENTS" TO MODIFY THE DEVELOPMENT FEE COLLECTION PROCEDURE

12. Consent Agenda

A. Resolutions

B. Minutes

C. Bills & Claims

13. Items Removed from Consent Agenda

14. Recommendations from Administration and Council/Clerk

2023-R245 Authorizing the Extension of Terms for Members of the West Windsor Parking Authority and Zoning Board of Adjustment

2023-R246 Authorizing the Extension of Terms for Members of the Affordable Housing Committee, Agricultural Advisory Board, Human Relations Council and Shade Tree Commission

2023-R247 Authorizing the Appointment of Tejinder Gill to Fill the Unexpired Term of Alternate 1 Member on the Board of Recreation Commissioners to Expire on January 14, 2025

2023-R248 Authorizing the Appointment of David Munoz as Fire Protection Subcode Official for a Four (4) Year Term Pursuant to N.J.S.A. 52:27D-126

- 2023-R249 Authorizing the Reduction of Performance Guarantees for Public Improvements for the Project Known as PSE&G MTB (ZB18-02)
- 2023-R250 Authorizing the Business Administrator to Purchase Ammunition and Targets for the Police Division from Eagle Point Gun/T.J. Morris & Sons an Authorized Vendor Under New Jersey State Contract - \$15,754.55
- 2023-R251 Authorizing the Business Administrator to Purchase Five(5) Police Vehicles for the Police Division from Charles S. Winner, Inc. dba Winner Ford an Authorized Vendor Under New Jersey State Contract - \$219,051.60
- 2023-R252 Authorizing the Business Administrator to Purchase Emergency Equipment and Installation Services for Five(5) Police Vehicles for the Police Division from Emergency Accessories and Installations (EAI) an Authorized Vendor Under New Jersey State Contract - \$72,473.84
- 2023-R253 Authorizing the Business Administrator to Purchase Toner for Printers for the Police Division from SHI International Corporation an Authorized Vendor Under New Jersey Cooperative Purchasing Alliance-Bergen County - \$8,616.96
- 2023-R254 Authorizing the Business Administrator to Purchase Firefighter Protective Clothing for the Division of Fire and Emergency Services from Municipal Emergency Services an Authorized Vendor Under New Jersey State Contract - \$37,421.400
- 2023-R255 Approval to Submit a Grant Application to the New Jersey Department of Community Affairs for the West Windsor Firefighter PPE Procurement Project and Authorizing the Mayor and Clerk to Execute the Electronic Grant Agreement Through the New Jersey Department of Community Affairs Electronic SAGE System

2023-R256 Authorizing the Place to Place and Person to
Person Transfer of the Plenary Retail Consumption
License 1113-33-018-001 from Market Fair
Holdings, II LLC to Eddie V's Holdings LLC

2023-R257 Budget Transfer from Administration and Public
Works to Group Insurance, Street Lighting,
Electric/Natural Gas, Gasoline & Diesel and Water
in the amount of \$145,000.00 (Not less than 2/3
vote of the full membership)

15. Introduction of Ordinances
16. Additional Public Comment (15 minutes comment period;
three-minute limit per person)
17. Council Reports/Discussion/New Business
18. Administration Updates
19. Closed Session
20. Adjournment

REQUEST FOR COUNCIL ACTION

Date of Request: October 17, 2023

Initiated By: Samuel J. Surtees Division/Department: Comm. Dev./Land Use

ACTION REQUESTED/ EXECUTIVE SUMMARY:

Introduction and subsequent adoption of an ordinance amending Section 200-127 "Housing Trust Fund" to modify the Development Fee Collection Procedure

SOURCE OF FUNDING: NA

CONTRACT AMOUNT: NA

CONTRACT LENGTH: NA

OTHER SUPPORTING INFORMATION ATTACHED:

Ordinance Summary
Memorandum from Samuel J. Surtees
Ordinance

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

[Signature] 10-17-23 [Signature]
Department/Division Head Date

APPROVED FOR AGENDA OF: November 13, 2023

By: [Signature]
Marlena Schmid, Business Administrator

MEETING DATE: 11/7/2023 Ordinance # 2023-23 Resolution # _____

Council Action Taken:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 200; SECTION 200-127, COLLECTION PROCEDURES)PART 3, "SUBDIVISION AND SITE PLAN PROCEDURES," ARTICLE XXIII, "HOUSING TRUST FUND", MODIFYING THE DEVELOPMENT FEE COLLECTION PROCEDURE

WHEREAS, the affordable housing trust fund ordinance provides for the payment by developers of certain development fees consistent with COAH's regulations and the Statewide Non-Residential Development Fee Act (*N.J.S.A.* 40:55D-8.1 through 8.7), which fees are to be used for the purpose of providing very-low, low- and moderate-income housing in accordance with a Court-approved spending plan; and

WHEREAS, Section 200-127H of the ordinance provides that fifty percent of the development fee is collected at the time of issuance of the building permit; and

WHEREAS, it is more difficult, due to administrative processes, to track payment of the development fee if it is tied to issuance of the building permit; and

WHEREAS, a condition of issuance of a zoning permit is that payment of the fifty percent of the development fee is satisfied; and

WHEREAS, tying the payment of the fifty percent of the development fee to the issuance of the zoning permit instead of the building permit would therefore facilitate development projects and resolution compliance without unduly burdening the developer.

BE IT ORDAINED, by Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 3, Subdivision and Site Plan Procedures, Article XXIII, Housing Trust Fund, Section 200-127, Collection Procedures is hereby amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

§ 200-127. Collection procedures.

- A. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority or entity shall notify or direct its staff to notify the ~~Construction Official~~ Zoning Officer responsible for the issuance of a ~~building~~ zoning permit.
- B. For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The ~~Construction Official~~ Zoning Officer shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-

- RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The ~~Construction Official~~ Zoning Officer responsible for the issuance of a ~~building zoning~~ permit shall notify the local Tax Assessor of the anticipated issuance of the first ~~building zoning~~ permit for a development which is subject to a development fee.
 - D. Within 90 days of receipt of such notification, the municipal Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
 - E. The Construction Official responsible for the issuance of a final certificate of occupancy shall notify the Zoning Officer and local Tax Assessor of any and all requests for the scheduling of a final inspection on a property which is subject to a development fee.
 - F. Within 10 business days of a request for the scheduling of a final inspection, the municipal Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; and calculate the development fee; ~~and thereafter~~ The Zoning Officer shall notify the developer of the amount of the fee.
 - G.-Should the Township of West Windsor fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.6).
 - H. Fifty percent of the development fee shall be collected at the time of issuance of the ~~building zoning~~ permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at ~~building zoning~~ permit and that determined at the issuance of the certificate of occupancy. No certificate of occupancy shall be issued to the developer until all remaining developer fees have been paid in full.
 - I. Appeal of development fees.
 - (1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by West Windsor Township. Appeals from a determination of the Board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1, et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - (2) A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the

challenge, collected fees shall be placed in an interest-bearing escrow account by West Windsor Township. Appeals from a determination of the Director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1, et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

Section 2. In the event of any conflict between the provisions and requirements of this section and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern.

Section 3. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral veto by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Brackets mean removal[]; **Bold** and underline mean added

INTRODUCTION:

PLANNING BOARD APPROVAL:

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

REQUEST FOR COUNCIL ACTION

Date of Request: October 17, 2023

Initiated By: Samuel J. Surtees Division/Department: Comm. Dev./Land Use

ACTION REQUESTED/ EXECUTIVE SUMMARY:

Introduction and subsequent adoption of an ordinance amending Section 200-88 "Off-Tract Street Improvements" to modify the Development Fee Collection Procedure

SOURCE OF FUNDING: NA

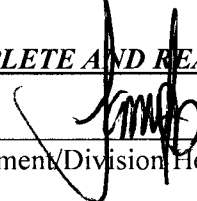

CONTRACT AMOUNT: NA

CONTRACT LENGTH: NA

OTHER SUPPORTING INFORMATION ATTACHED:

Ordinance Summary
Memorandum from Samuel J. Surtees
Ordinance

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

 10-17-23 
Department/Division Head Date

APPROVED FOR AGENDA OF: November 13, 2023

By: 
Marlena Schmid, Business Administrator

MEETING DATE: 11/7 Ordinance # 2023-24 Resolution # _____

Council Action Taken:

2023-24

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 168, SECTION 200-88, OFF-TRACT STREET IMPROVEMENTS PART 3, "SUBDIVISION AND SITE PLAN PROCEDURES," ARTICLE XVIII, "OFF-TRACT IMPROVEMENTS" TO MODIFY THE DEVELOPMENT FEE COLLECTION PROCEDURE

WHEREAS, the West Windsor Township off-tract street improvements regulations requires developers, as a condition of final subdivision approval and final site plan approval, to pay their pro rata share of the cost of providing reasonable and necessary street improvements located outside the property limits of their development that are necessitated or required by construction or improvements within such development; and

WHEREAS, Section 200-88G of the Township Code provides that ten percent of the applicant's pro rata share is payable to the Township upon the issuance of the first building permit; and

WHEREAS, it is more difficult, due to administrative processes, to track and collect the ten percent payment of the pro rata share if it is tied to issuance of the building permit; and

WHEREAS, a condition of issuance of a zoning permit is that payment of the ten percent of the pro rata share is satisfied at that time; and

WHEREAS, it is more efficient and expedient to require the payment of the ten percent of the pro rata share to the issuance of the zoning permit instead of the building permit, which would therefore facilitate development projects achieving Code compliance without unduly burdening the developer.

NOW, THEREFORE, BE IT ORDAINED, by Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999) Land Use, Part 3 Subdivision and Site Plan Procedures, Article XVIII Off-Tract Improvements, Section 200-88 Off-tract street improvements is hereby amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

§ 200-88. Off-tract street improvements.

- G. When payment is due; failure to pay. Ten percent of the applicant's pro rata share shall be payable upon the issuance of the first ~~building~~ zoning permit, and the balance due shall be payable upon the issuance of certificates of occupancy so that at any given time the amount paid as a percentage of the total amount due is at least as great as the floor area covered by the certificates of occupancy as a percentage of the total floor area approved, in the case of nonresidential development, or of the number of dwelling units for which certificates of occupancy have been issued as a percentage of the total number of dwelling units approved, in the case of residential development. In the case of developments being constructed in phases for which separate pro rata share calculations are undertaken pursuant to Subsection B, the payment obligation shall accrue on a phase-by-phase basis. As of the date of each

payment, each payment shall be adjusted by multiplying it by a fraction, the numerator of which is the index as of the date each payment is made and the denominator of which is the index of the date Township Council authorizes execution of this agreement. As used herein, "the index" means the highway bid price index for the State of New Jersey, as published by McGraw Hill Publishing Co., or its successor, in the Dodge Building Cost indexes for United States and Canadian Cities, and shall be the average of the Philadelphia area and the New York Metropolitan area. If, as of any relevant date the index is no longer published or issued, the Federal Highway Administration's bid price index or other such index as accurately reflects the cost of constructing road improvements in New Jersey shall be used in place thereof. If the applicant fails to pay the amounts due and owing, the Township may stop construction until payment is made.

Section 2. In the event of any conflict between the provisions and requirements of this section and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern.

Section 3. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral veto by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Brackets mean removal[]; Bold and underline mean added

Introduction:

Planning Board Approval:

Public Hearing:

Adoption:

Mayor Approval:

Effective Date:

RESOLUTION

COUNCIL APPOINTMENTS TO BOARDS, COMMITTEES, & COMMISSIONS

WHEREAS, the Township Council adopted Ordinance 2023-20 changing the date for elected officials to take office to January 15th of each year due to a change in legislation earlier in 2023.

WHEREAS, the Township Council adopted Ordinance 2023-20 amending Chapter 4 “Administration of Government” to change the annual organization/reorganization meeting date to January 15th or thereafter in accordance with law and extending the terms of members, advisors and/or liaisons of various boards and agencies from December 31st to January 14th of the year of their term.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Council does hereby grant the extension of the terms of the following:

Parking Authority

Michael Twamley	Member	extend term to 1/14/2024
Michael Cerullo	Member	extend term to 1/14/2027
Dan Fabrizio	Member	extend term to 1/14/2028
Andy Lupo	Member	extend term to 1/14/2025
Larry Katz	Member	extend term to 1/14/2026

Zoning Board of Adjustment

Susan Abbey	Member	extend term to 1/14/2027
Carl Van Dyke	Member	extend term to 1/14/2027
Curtis Hoberman	Member	extend term to 1/14/2024
Henry Jacobsohn	Member	extend term to 1/14/2024
John Roeder	Member	extend term to 1/14/2025
Daniel Marks	Member	extend term to 1/14/2025
John Church	Member	extend term to 1/14/2026
Michael Garzio	Alternate I	extend term to 1/14/2024
Eugene Fridkin	Alternate II	extend term to 1/14/2025

Adopted: December 18, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

MAYORAL APPOINTMENTS TO BOARDS, COMMITTEES & COMMISSIONS
(Requiring Advice and Consent of Council)

WHEREAS, the Township Council adopted Ordinance 2023-20 changing the date for elected officials to take office to January 15th of each year due to a change in legislation earlier in 2023.

WHEREAS, the Township Council adopted Ordinance 2023-20 amending Chapter 4 “Administration of Government” to change the annual organization/reorganization meeting date to January 15th or thereafter in accordance with law and extending the terms of members, advisors and/or liaisons of various boards and agencies from December 31st to January 14th of the year of their term.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Council does hereby grant consent to extension of the terms of the following enumerated appointments as recommended by the Mayor:

Affordable Housing Committee

Thomas Calabria	Member	extend term to 1/14/2024
Jean Jacobsohn	Member	extend term to 1/14/2026
Jen Ping Wang	Member	extend term to 1/14/2026
Jyotika Bahree	Member	extend term to 1/14/2025
Alison Miller	Alternate 1	extend term to 1/14/2024

Agricultural Advisory Board

Charles Appelget	Member	extend term to 1/14/2026
Doug Tindall	Member	extend term to 1/14/2025
Steve Jany	Member	extend term to 1/14/2024

Human Relations Council

Melinda Rubenstein	Member	extend term to 1/14/2024
Ephraim Buhks	Member	extend term to 1/14/2024
Richard Carlson	Member	extend term to 1/14/2024
Jyotima Prasad	Member	extend term to 1/14/2024
Melisa Hagar	Member	extend term to 1/14/2024

Shade Tree Commission

Farryl Lovett Mixson	Member	extend term to 1/14/2026
Dana Garcia	Member	extend term to 1/14/2027
Ellen Clancey	Member	extend term to 1/14/2028
Helen Rancan	Member	extend term to 1/14/2025
Priya Venkataraman	Member	extend term to 1/14/2024
Kevin Appelget	Advisor	extend term to 1/14/2024

Adopted: December 18, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, a vacancy exists on the Board of Recreation Commission as an Alternate 1 Member; and

WHEREAS, Tejinder Gill has expressed her interest in serving on the Board of Recreation Commission; and

WHEREAS, the term of this appointment expires on January 14, 2025; and

WHEREAS, Mayor Hemant Marathe recommends the appointment and seeks the Council's consent to appoint Tejinder Gill 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 appointment to the Board of Recreation Commission:

Tejinder Gill	Alternate 1 Member	Term to expire 1/14/2025
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Adopted: December 18, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December 2023.

Gay M. Huber
Township Clerk
West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: 12/7/2023

Initiated By: Jason Harris/Francis Guzik/Kerry Giammetta

Division/Department: Code Enforcement/ Community Development/Administration

ACTION REQUESTED/ EXECUTIVE SUMMARY:

Approval for the resolution to appoint David Munoz as Fire Subcode Official for a four-year term pursuant to N.J. S.A. 52:27D-126 due to vacancy of the Fire SubCode position

SOURCE OF FUNDING: Salary and Wage

CONTRACT AMOUNT: Salary and Wage Ordinance

CONTRACT LENGTH: 4 years

OTHER SUPPORTING INFORMATION ATTACHED:

N.J. S.A. 52:27D-126

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Kerry Giammetta 12/7/2023
Department/Division Head Date

APPROVED FOR AGENDA OF: _____

By: Marlena Schmid 12/12/2023
Marlena Schmid, Business Administrator

MEETING DATE: 12/18 **Ordinance #** _____ **Resolution #** 2023-7248

Council Action Taken:

RESOLUTION

WHEREAS, a vacancy exists in the appointment of the position of Fire Subcode Official; and

WHEREAS, the New Jersey Uniform Construction Code requires a municipality to appoint a Fire Subcode Official pursuant to N.J. S.A. 52:27D-126 to enforce the Uniform Construction code; and

WHEREAS, David Munoz has the education, experience and licensing required to hold the position of Fire Subcode Official; and

WHEREAS, David Munoz has performed the position of Fire Subcode Official for West Windsor Township since September 11, 2023; and

WHEREAS, the Construction Code Official, Jason Harris, recommends the appointment of David Munoz as Fire Subcode Official for the Township of West Windsor.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, County of Mercer, and State of New Jersey, that David Munoz be and is hereby appointed the Fire Subcode Official for the Township of West Windsor for a term of four (4) years effective September 11, 2023.

Adopted: December 18, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Public Service Electric & Gas Co. has made a request for a release of the performance guarantees associated with public on-site improvements within the project known as PSE&G MTB Project (ZB18-02); and

WHEREAS, the performance guarantees are currently at 100% of their original amounts; and

WHEREAS, the West Windsor Township Consulting Engineer for the project, Turek Associates, and the Township Landscape Architect have performed inspections and recommended that the performance guarantees for public improvements be reduced to 30% of the original values in connection with the project known as PSE&G MTB Project (ZB18-02), as follows:

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Reduced Amount</u>
Bond K1576885A	\$ 221,775.30	5/13/19	\$ 221,775.30	\$ 66,532.00
Cash – Performance	\$ 24,641.70	5/17/19	\$ 24,641.70	\$ 7,393.00
Cash – Safety & Stab	\$ 8,026.58	4/26/19	\$ 8,026.58	\$ 2,408.00

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.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantees posted by Public Service Electric & Gas Co. for public improvements within the project known as PSE&G MTB Project (ZB18-02), be reduced, as follows:

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Reduced Amount</u>
Bond K1576885A	\$ 221,775.30	5/13/19	\$ 221,775.30	\$ 66,532.00
Cash – Performance	\$ 24,641.70	5/17/19	\$ 24,641.70	\$ 7,393.00
Cash – Safety & Stab	\$ 8,026.58	4/26/19	\$ 8,026.58	\$ 2,408.00

BE IT FURTHER RESOLVED, the making of such estimates of the bond reduction based thereon shall not be taken or construed as an approval of any work so estimated, even if any individual line item(s) shows 100% completion. Final acceptance does not occur until the release of all applicable bonds and guarantees.

ADOPTED: December 18, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December 2023.

Gay M. Huber
Township Clerk
West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: 12/04/2023

Initiated By: Chief Robert Garofalo Division/Department: Police

ACTION REQUESTED/ EXECUTIVE SUMMARY:

These purchases will support the police departments firearms program. All officers are mandated to qualify with their weapons twice annually. Officers also attend training that requires the use of their firearm.

SOURCE OF FUNDING:

Operating Account #105-18-317
Operating Account #106-18-599

CONTRACT AMOUNT:

\$15,754.55

CONTRACT LENGTH:

N/A

OTHER SUPPORTING INFORMATION ATTACHED:

Quote with state contact numbers #17-FLEET-00721, #T0106

S:\AGENDA INBOX (file name) _____

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Chief Robert Garofalo

12/04/2023

Department/Division Head

Date

APPROVED FOR AGENDA OF: _____

By: _____

Marlena Schmid, Business Administrator

12/12/2023

**** PLEASE NOTE ** DEADLINE FOR SUBMISSION TO THE CLERK'S OFFICE FOR REVIEW AND APPROVAL BY THE BUSINESS ADMINISTRATOR IS 10:00 A.M. ON THE FRIDAY ONE WEEK PRECEDING THE COUNCIL MEETING.**

MEETING DATE: 12/18 Ordinance # _____ Resolution # 2023-R260

Council Action Taken:

RESOLUTION

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 Police Division needs to purchase ammunition and targets for officers' firearms from Eagle Point Gun/T.J. Morris & Sons, 1707 Third Street, Thorofare, New Jersey 08086 an authorized vendor under NJ State Contract #17-Fleet-00721 in the amount of \$15,754.55; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following accounts:

Gun Ammunition 105-18-317	\$9,958.15
Gun Ammunition 106-18-599	\$5,796.40

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Windsor hereby authorizes the Business Administrator Marlena Schmid to purchase the above from Eagle Point Gun/T. J. Morris & Sons, 1707 Third Street, Thorofare, New Jersey 08086 under NJ State Contract #17-FLEET-00721 for a total amount not to exceed \$15,754.55.

Adopted: December 18, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December 2023.

Gay M. Huber
Township Clerk
West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: 12/05/2023

Initiated By: Chief Robert Garofalo Division/Department: Police

ACTION REQUESTED/ EXECUTIVE SUMMARY:

The new vehicles will replace five vehicles from the aging fleet. Four of the vehicles will be for the unmarked fleet with a base price of \$41,893.00 with selected options totaling \$43,934.40. One will be for the patrol fleet with a base price of \$41,893.00 with selected options totaling \$43,314.00.

SOURCE OF FUNDING:

Police Vehicles Capital	#405-2023-09-034	\$104,178.40
Police Vehicles Operating	#105-18-424	\$114,873.20

CONTRACT AMOUNT:

\$219,051.60

CONTRACT LENGTH:

5 years

OTHER SUPPORTING INFORMATION ATTACHED:

Quotes with state contact numbers #20-FLEET-01189

S:\AGENDA INBOX (file name) _____

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Chief Robert Garofalo	12/05/2023
Department/Division Head	Date

APPROVED FOR AGENDA OF: _____

By: Marlena Schmid 12/12/2023
Marlena Schmid, Business Administrator

**** PLEASE NOTE ** DEADLINE FOR SUBMISSION TO THE CLERK'S OFFICE FOR REVIEW AND APPROVAL BY THE BUSINESS ADMINISTRATOR IS 10:00 A.M. ON THE FRIDAY ONE WEEK PRECEDING THE COUNCIL MEETING.**

MEETING DATE: 12/18 Ordinance # _____ Resolution # 2023-R261

Council Action Taken:

RESOLUTION

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 Police Division needs to purchase five (5) 2024 Ford Police Utility Interceptor vehicles and selected options and Charles S. Winner, Inc., dba Winner Ford, 250 Berlin Road, Cherry Hill, New Jersey is an authorized vendor under New Jersey State Contract #20-FLEET-01189; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following accounts:

Police Vehicles Capital	405-2023-09-034	\$104,178.40
Police Vehicle Operating	105-18-424	\$114,873.20

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Business Administrator Marlana Schmid is hereby authorized to purchase five (5) 2024 Ford Police Interceptor Utility Vehicles and selected options per the November 30, 2023 pricing sheets from Charles S. Winner, Inc., dba Winner Ford under New Jersey State Contract #20-FLEET-01189 in the amount of \$219,051.60.

Adopted: December 18, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December 2023.

Gay M. Huber
Township Clerk
West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: 12/05/2023

Initiated By: Chief Robert Garofalo Division/Department: Police

ACTION REQUESTED/ EXECUTIVE SUMMARY:

The emergency equipment will be purchased and installed on the new police vehicles. The cost of the equipment and installation on the detective vehicles is \$12,875.02 totaling \$51,500.08 and \$20,973.76 for the patrol vehicle.

SOURCE OF FUNDING:

Acquisition of Equipment - Non-Vehicular	#405-2023-09-035	\$50,000.00
Police Vehicles Operating	#105-18-424	\$22,473.84

CONTRACT AMOUNT:

\$72,473.84

CONTRACT LENGTH:

5 years

OTHER SUPPORTING INFORMATION ATTACHED:

Quotes with New Jersey State Contract #17-FLEET-00761, #17-FLEET-00719, #17-FLEET-00768

S:\AGENDA INBOX (file name)

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Chief Robert Garofalo 12/05/2023

Department/Division Head Date

APPROVED FOR AGENDA OF:

By: Marlena Schmid 12/12/2023
Marlena Schmid, Business Administrator

**** PLEASE NOTE ** DEADLINE FOR SUBMISSION TO THE CLERK'S OFFICE FOR REVIEW AND APPROVAL BY THE BUSINESS ADMINISTRATOR IS 10:00 A.M. ON THE FRIDAY ONE WEEK PRECEDING THE COUNCIL MEETING.**

MEETING DATE: 12/15/2023 Ordinance # _____ Resolution # 2023-R262

Council Action Taken:

RESOLUTION

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 Police Division has the need to purchase emergency equipment and installation services for five (5) 2024 Ford Police Utility Interceptor vehicles; and

WHEREAS, Emergency Accessories and Installations (EAI) , 770 Cuthbert Blvd, Cherry Hill, New Jersey is an authorized vendor under New Jersey State Contract #17-FLEET-00761, #17-FLEET-00719, #17-FLEET-00768 in the amount of \$47,231,10; and

WHEREAS emergency equipment and installation services for our police vehicles not under New Jersey State contract totals \$25,242.74; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following accounts:

Acquisition of Equipment – Non-Vehicular	405-2023-09-035	\$50,000.00
Police Vehicle Operating	105-18-424	\$22,473.84

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Business Administrator Marlena Schmid is hereby authorized to purchase emergency equipment and installation services from Emergency Accessories and Installations (EAI), 770 Cuthbert Blvd, Cherry Hill, New Jersey is an authorized vendor under New Jersey and Installations (EAI) under New Jersey State Contract #17-FLEET-00761, #17-FLEET-00719, #17-FLEET-00768 in the amount of 47,231.10 and the above equipment not on New Jersey State contract totaling \$25,242.74 for a total not to exceed \$72,473.84.

Adopted: December 18, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December 2023.

Gay M. Huber
Township Clerk
West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: 12/04/2023

Initiated By: Chief Robert Garofalo Division/Department: Police

ACTION REQUESTED/ EXECUTIVE SUMMARY:

This purchases will support the Administrative Operations of the Police Department by replenishing our ink/toner supply for computer operations.

SOURCE OF FUNDING:

105-18-233

CONTRACT AMOUNT:

\$8,616.96

CONTRACT LENGTH:

N/A

OTHER SUPPORTING INFORMATION ATTACHED:

Special report with statement of need. Quote with state contact numbers

S:\AGENDA INBOX (file name) _____

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Chief Robert Garofalo	12/04/2023
_____	_____
Department/Division Head	Date

APPROVED FOR AGENDA OF: _____

By: Marlena Schmid 12/13/2023
Marlena Schmid, Business Administrator

**** PLEASE NOTE ** DEADLINE FOR SUBMISSION TO THE CLERK'S OFFICE FOR REVIEW AND APPROVAL BY THE BUSINESS ADMINISTRATOR IS 10:00 A.M. ON THE FRIDAY ONE WEEK PRECEDING THE COUNCIL MEETING.**

MEETING DATE: 12/18 Ordinance # _____ Resolution # 2023-R253

Council Action Taken:

RESOLUTION

WHEREAS, the Township of West Windsor Police Division needs toner for various printers; and

WHEREAS, SHI International Corp., 390 Davidson Avenue, Somerset, New Jersey 08873 is an authorized vendor under the New Jersey Cooperative Purchasing Alliance Contract CK04 Bergen County Bid #22-24; and

WHEREAS, computer equipment and peripherals and this purchase is permitted under N.J.S.A. 40A:11-11(5) which allows local contracting units to participate in cooperative pricing systems; and

WHEREAS, the total cost of the toner is \$8,818.96 per the pricing proposal dated November 21, 2023 and as of December 11, 2023 the Township's total aggregate spending with SHI International Corp. is as follows:

Purchase Order No.	59217	\$ 1,250.57
Purchase Order No.	59313	\$ 5,312.22
Resolution No.	2023-R101	\$ 68,385.00
Resolution No.	2023-R103	\$ 18,236.00
Resolution No.	2023-R104	\$ 4,249.13
Resolution No.	2023-R105	\$ 27,591.53
Resolution No.	2023-R122	\$ 14,532.03
Resolution No.	2023-R139	\$ 125,838.67
Resolution No.	2023-R151	\$ 866.36
Resolution No.	2023-R167	\$ 4,868.10
Resolution No.	2023-R173	\$ 3,186.14
Resolution No.	2023-R204	\$ 1,970.58
Resolution No.	2023-R219	\$16,654.14
		<u>\$292,940.47</u>

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following account:

Police-Office Furniture/Equipment 105-18-233 \$8,616.96

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Business Administrator Marlena Schmid is hereby authorized to purchase the above from SHI International Corp., 390 Davidson Avenue, Somerset, New Jersey 08873 under the New Jersey Cooperative Purchasing Alliance Contract CK04 with Bergen County Bid 22-24 for Computer Equipment and Peripherals for a total not to exceed of \$301,557.43.

Adopted: December 11, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 11th day of December, 2023.

 Gay M. Huber
 Township Clerk
 West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: 11/30/2023

Initiated By: Lynch

Division/Department: Fire & Emergency Services

ACTION REQUESTED/ EXECUTIVE SUMMARY: Authorization to purchase firefighting personal protective equipment through NJ State Contract 17-Fleet-00810 through Municipal Emergency Services.

SOURCE OF FUNDING:

Acquisition of Equipment 405-2022-08-021 \$9,921.40

Firefighter PPE Grant 106-60-560 \$27,500.00

CONTRACT AMOUNT: \$37,421.40

CONTRACT LENGTH: N/A

OTHER SUPPORTING INFORMATION ATTACHED:

Certification of Funds

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW



Department/Division Head

12/13/23

Date

APPROVED FOR AGENDA OF: _____

By:  12/12/2023

Marlena Schmid, Business Administrator

MEETING DATE: 12/18 Ordinance # _____ Resolution # 2023-R254

Council Action Taken:

RESOLUTION

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 Division of Fire and Emergency Services needs to purchase firefighters protective clothing for the Township's firefighters; and

WHEREAS, Municipal Emergency Services, 66 Firemen's Way, Poughkeepsie, New York has been awarded New Jersey State Contract # NJ-FLEET-00810; and

WHEREAS, the total cost of this purchase is \$37,421.40.00, and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following accounts:

Firefighter PPE Grant	105-60-560	\$27,500.00
Acquisition of Equipment	405-2022-08-021	\$9,921.40

NOW, THEREFORE, BE IT RESOLVED by Township Council of the Township of West Windsor that the Township Business Administrator is hereby authorized to purchase firefighters protective clothing from Municipal Emergency Services, 66 Firemen's Way, Poughkeepsie, New York, under New Jersey State Contract # NJ-Fleet-00810 for a total not to exceed of \$37,421.40.

Adopted: December 18, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: December 7, 2023

Initiated By: Timothy Lynch Division/Department: Fire & Emergency Services

ACTION REQUESTED/ EXECUTIVE SUMMARY:

Adoption of a Resolution giving approval to submit an electronic grant application and execute a grant agreement with the New Jersey Department of Community Affairs (NJDCAs) under the American Rescue Plan Firefighter Grant category for the Procurement of new firefighter Personal Protective Equipment. West Windsor Township would like to submit an electronic State Aid Grant application for funding within the 2024 State budget for the purchase and procurement of new firefighter protective equipment. The NJDCAs requires municipalities to submit resolutions via the online system known as DCASAGE, which resolutions endorse the application.

SOURCE OF FUNDING: N/A

CONTRACT AMOUNT: N/A

CONTRACT LENGTH: N/A

OTHER SUPPORTING INFORMATION ATTACHED:

Resolution

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

 12/7/2023
Department/Division Head Date

APPROVED FOR AGENDA OF:

By: 
Mariena Schmid, Business Administrator

MEETING DATE: 12/18 Ordinance # Resolution # 2023-R055

Council Action Taken:

RESOLUTION

Approval To Submit A Grant Application And Execute A Grant Agreement With
The New Jersey Department Of Community Affairs For The
West Windsor Firefighter PPE Procurement Project.

WHEREAS, the Township of West Windsor has identified the need to purchase new firefighting personal protective equipment (PPE) for the career and volunteer firefighters of West Windsor Township; and

WHEREAS, the current supply of firefighter PPE is insufficient for the number of firefighters in West Windsor; and

WHEREAS, the National Fire Protection Association (NFPA) recommends firefighter PPE have a services life no longer than ten years; and

WHEREAS, there is an insufficient number of firefighter PPE ensembles in West Windsor to equip all available firefighters.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, formally approves the grant application for the West Windsor PPE Procurement Project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “West Windsor Firefighter PPE Procurement Project” to the New Jersey Department of Community Affairs on behalf of West Windsor Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of West Windsor Township via the electronic SAGE system administered by the New Jersey Department of Community Affairs and that their electronic signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

Adopted: December 18, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)
Gay M. Huber

(Presiding Officer)
Hemant Marathe, Mayor

RESOLUTION

WHEREAS, the Township of West Windsor has received a Retail Liquor License Application from Eddie V's Holdings, LLC for a Place to Place and Person to Person Transfer of Liquor License 1113-33-018-001 from Market Fair Holdings II LLC; and

WHEREAS, the West Windsor Police Department has conducted a background investigation and approved the Place to Place and Person to Person Transfer of the Plenary Retail Consumption License; and

WHEREAS, in accordance with N.J.A.C. 13:2-7.4, the applicant has provided the Township Clerk's Office the proof of publication of the notice of the application in the Princeton Packet on October 20, 2023 and October 27, 2023; and

WHEREAS, no objections to the application have been received; and

WHEREAS, the Alcoholic Beverage Retail License Clearance Certificate to transfer has been received by the Township Clerk; and

WHEREAS, pursuant to N.J.A.C. 13:2-7.7, the Township Council makes the following findings and certifies that:

1. The submitted application form is complete in all respects; and
2. The applicant is qualified to be licensed according to standards established by Title 33 of the Jersey State Statutes, regulations promulgated thereunder as well as pertinent local ordinances and conditions consistent with Title 33; and
3. New Jersey Division of Alcoholic Beverage Control has reviewed the application and finds no reason not to permit the transfer.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Place to Place and Person to Person Transfer of the Plenary Retail Consumption License 1113-33-018-001 to Eddie V's Holdings, LLC location at 3535 U.S. Highway #1, Suite 100 C, West Windsor, New Jersey 08540 is hereby approved.

Adopted: December 18, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: December 12, 2023

Initiated By: John V. Mauder Division/Department: Finance

ACTION REQUESTED/ EXECUTIVE SUMMARY: Budget transfer resolution to provide for the transfer of funds within the 2023 Municipal Budget.

The governing body may, by resolution setting forth the facts, adopted by **not less than 2/3 vote of the full membership** thereof, transfer the amount of such excess to those appropriations deemed to be insufficient.

SOURCE OF FUNDING: 2023 Municipal Budget

CONTRACT AMOUNT: N/A

CONTRACT LENGTH: N/A

OTHER SUPPORTING INFORMATION ATTACHED:

Memo from

S:\AGENDA INBOX: 2023 Budget Transfer

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

John V. Mauder
Department/Division Head

12/12/23
Date

APPROVED FOR AGENDA OF: December 18, 2023

By: Marlena A. Schmid 12/12/2023
Marlena A. Schmid, Business Administrator

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MEETING DATE: 12/18 Ordinance # _____ Resolution # 2023-R257

Council Action Taken:

TRANSFER RESOLUTION 2023 APPROPRIATIONS

WHEREAS, N.J.S.A. 40 A:4-58 provides for appropriation transfers during the last two months of any fiscal year: and

WHEREAS, it has been determined appropriations require additional funding to fulfill the purpose of said appropriations.

NOW, THEREFORE BE IT RESOLVED by the Township Council of West Windsor that the following transfers be made within the 2023 Current Fund Budget for the Township of West Windsor.

<u>TRANSFER FROM ACCOUNT NAME & NUMBER & NUMBER</u>	<u>AMOUNT</u>	<u>TRANSFER TO ACCOUNT NAME</u>
Administration S & W 105-04-100	\$40,000.00	Group Insurance S & W 105-51-100
Administration S & W 105-04-100	\$ 15,000.00	Street Lighting O & E 105-56-277
Administration S & W 105-04-100	\$ 5,000.00	Electric/Natural Gas O & E 105-56-215
Public Works S & W 105-40-100	\$ 30,000.00	Electric/Natural Gas O & E 105-56-215
Public Works S & W 105-40-100	\$ 50,000.00	Gasoline & Diesel O & E 105-57-200
Public Works S & W 105-40-100	\$ 5,000.00	Water O & E 105-56-281
TOTAL	\$ 145,000.00	

Adopted: December 18, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 18th day of December 2023.

Gay M. Huber
Township Clerk
West Windsor Township