

**MEETING TO BE BROADCAST ON COMCAST CHANNEL 27
AND VERIZON CHANNELS 41 AND 42**

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

June 24, 2019

7:00 P.M.

1. Call to Order
2. Statement of Adequate Notice - January 11, 2019 to The Times and the Princeton Packet.
3. Salute to the Flag
4. Roll Call
5. Ceremonial Matters and/or Topic for Priority Consideration
6. Public Comment: (30 minutes comment period; 3-minute limit per person)
6. Administration Comments
7. Council Member Comments
8. Chair/Clerk Comments
9. Public Hearings

2019-19 AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 82 "FEES" SECTION 82-4 -
CONSTRUCTION FEES OF THE CODE OF THE
TOWNSHIP OF WEST WINDSOR

2019-20 AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 82 "FEES" SECTION 82-5 - ELECTRICAL
SUBCODE FEES OF THE CODE OF THE TOWNSHIP OF
WEST WINDSOR

10. Consent Agenda

A. Resolutions

2019-R130 Approving the Insertion of a Special Item of Revenue in the 2019 Budget - Clean Communities Program \$63,156.50

2019-R131 Approving the Insertion of a Special Item of Revenue in the 2019 Budget - Alcohol Education Rehabilitation & Enforcement Fund \$3,375.74

2019-R132 Revising the Reservation of Sewer Capacity and Treatment Works Approval Permit Application to the New Jersey Department of Environmental Protection for the Project Known as Bear Brook Homes (PB16-12)

2019-R141 Approving the Request for a Permit from WPST Freedom Festival for a Public Fireworks Display on June 29, 2019 (Rain date June 30, 2019) at Mercer County Park

B. Minutes

C. Bills & Claims

11. Items Removed from Consent Agenda

12. Recommendations from Administration and Council/Clerk

2019-R133 Authorizing the Extension of the Parker McCay Contract through December 31, 2019

2019-R134 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Roberts Engineering Group for the Project Known as Southfield Road Roadway Reconstruction Project - \$42,000.00

2019-R135 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Roberts Engineering Group for Engineering and Surveying Design Services for ADA Accessible Ramps, sidewalks and Pedestrian Safety Improvements Project - \$18,000.00

2019-R136 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Roberts Engineering Group for the Project Known as Resurfacing of Various Roadways - \$24,300.00

2019-R137 Authorizing the Mayor and Clerk to Execute an Amendment #1 for Roberts Engineering Group for the Project Known as Roadway Reconstruction for Village Road West and New Village Road - Phase 2 - \$6,500.00

2019-R138 Authorizing the Chief Financial Officer to Increase the Professional Services Agreement with Van Cleef Engineering Associates for Miscellaneous Engineering Services by \$3,500.00 for a Total Not to Exceed of \$6,500.00

2019-R139 Authorizing the Mayor and Clerk to Execute the Land Development Performance Guarantee Agreement with PSE&G (ZB18-02)

2019-R140 Renewal of 2019-2020 Liquor Licenses

13. Introduction of Ordinances

2019-21 AN ORDINANCE TO RELEASE, VACATE, AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN EDEN WAY RIGHT-OF-WAY

PUBLIC HEARING: July 8, 2019

14. Additional Public Comment (three-minute limit per person)

15. Council Reports/Discussion/New Business

16. Administration Updates

17. Closed Session

18. Adjournment

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 82 “FEES” SECTION 82-4 – CONSTRUCTION FEES OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR

WHEREAS the Township of West Windsor adopted Chapter 82 of the Code of the Township of West Windsor (“Code”) establishing fees; and

WHEREAS, the Township performs a number of public services at substantial cost to the Township taxpayers, and

WHEREAS, various departments/divisions within the Township are authorized to collect and receive fees and to issue permits or licenses as may be required; and

WHEREAS, the Construction Official has reviewed the current fees and requests the following changes be approved by the Township Council.

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

§ 82-4 Construction fees.

[Amended 4-19-1999 by Ord. No. 99-07; 7-26-1999 by Ord. No. 99-15; 3-22-2004 by Ord. No. 2004-08; 12-8-2008 by Ord. No. 2008-48; 4-20-2009 by Ord. No. 2009-09; 3-27-2017 by Ord. No. 2017-09]

A. Construction fees shall be as follows:

Use Group	Fee
E	Volume x .04
A-1	Volume x .04
A-2	Volume x .04
A-3	Volume x .04
A-4	Volume x .04
A-5	Volume x .04
I-1	Volume x .04
I-2	Volume x .04
I-3	Volume x .04
I-4	Volume x .04
R-1	Volume x .04
R-2	Volume x .04

Use Group	Fee
R-3	Volume x .04
R-4	Volume x .04
R-5	Volume x .04
H	Volume x .04
F-1	Volume x .04
F-2	Volume x .04
B	Volume x .04
M	Volume x .04
S-1	Volume x .03
S-2	Volume x .03
U	Volume x .04

- B. Building addition: addition cubic content times unit rate equals building fee.
- C. Alterations, renovations, repairs and minor work: estimated cost per thousand times \$35. The applicant shall submit to the Division of Code Enforcement cost data by a licensed architect or engineer, qualified estimating firm or by contractor bid. The Division of Code Enforcement shall review the estimated construction cost for acceptance.
- D. Additions and renovations, alterations or repairs: combination of rates provided in Subsections **B** and **C**.
- E. Use Group U and miscellaneous uses. Flat fees are as follows:
- (1) Swimming pools, aboveground:
 - (a) Private pool: \$100.
 - (b) Public pool: \$300.
 - (c) Hot tub/spa: \$100.
 - (2) Swimming pools, in-ground:
 - (a) Private pool: \$260.
 - (b) Public pool: \$650.
 - (3) Fences:
 - (a) Group R-5: \$100.

(b) All other groups: \$35 per \$1,000.

(4) Retaining walls:

(a) Group R-5: \$100.

(b) All other groups: \$35 per \$1,000.

F. Signs.

(1) Facade skins shall be \$4 per square foot.

(2) Freestanding signs shall be \$4 per square foot for the first 100 square feet, \$3 per square foot for the next 400 square feet and \$2 per square foot thereafter.

(3) Ground signs or wall signs shall be \$3 per square foot for the first 100 square feet, \$2.10 per square foot for the next 400 square feet and \$1.40 per square foot thereafter.

G. The fee for tents, in excess of 16,800 square feet or more than 140 feet in any direction, shall be \$325.

H. Demolition. Flat rate depending on building class when occupied shall be as follows:

(1) Class I: \$650.

(2) Class II: \$520.

(3) Class III: \$260.

I. Underground storage tank removal: residential: \$100. All other groups: \$325.

J. Limited certificates of approval.

(1) Limitations.

(a) Equipment herein below listed shall be granted a certificate of approval by the appropriate subcode official or other approved agency for the duration specified herein:

[1] Cross-connections/backflow preventers, 12 months: \$50.

(b) Such equipment shall be periodically reinspected or tested in accordance with the provisions of the regulations prior to expiration of such certificate of approval and any violations corrected before a new certificate may be issued.

(c) No such system or assembly shall continue in operation unless a valid certificate of approval has been reissued. It shall be a violation of the regulations for an owner to fail to provide for such periodic inspection and testing.

(2) Revocation. The enforcing agency may revoke a certificate of approval whenever a condition of a certificate has been violated.

(3) Time limit. The provisions of the regulations do not preclude periodic certification pursuant to other applicable laws and ordinances.

K. Certificate of occupancy.

- (1) The fee shall be in the amount of 10% of the new construction permit fee. The minimum fee shall be \$165.
- (2) For one- and two-family dwellings, the minimum fee shall be \$100.
- (3) The fee for a certificate of continued occupancy shall be \$400.
- (4) The fee for a certificate of occupancy granted to a change of use group shall be \$400.
- (5) The fee for the first issuance and renewal of a temporary certificate of occupancy shall be \$35.

L. Fire protection and hazardous equipment.

- (1) Said fees shall be based upon the number of heads or detectors being installed.

Number of Heads, Detectors

or Other Initiating Devices

Fee

1 to 20

Residential

\$100

Commercial

\$165

21 to 100

\$234

101 to 200

\$448

201 to 400

\$1,160

401 to 1,000

\$1,605

Over 1,000

\$2,048

- (2) Independent pre-engineered systems (per system): \$165.
- (3) Gas- or oil-fired appliance which is not connected to the plumbing system (per appliance):
 - (a) Use group R-5: \$100.
 - (b) All other groups: \$165.
- (4) Smoke control systems, flammable combustible liquid tank or fire alarm control panel replacement (per system): \$165.
- (5) Kitchen exhaust system (per system):
 - (a) Use group R-5: \$100.
 - (b) All other groups: \$165.
- (6) Supervisory devices: \$100.

- (7) Signaling devices: \$165.
- (8) Engineered suppressions pre-action systems, or dry pipe/alarm valves: \$165.
- M. Standpipe, hydrant or fire pump (each): \$325.
- N. Underground water service for protection:
 - (1) One foot to 500 feet of pipe: \$400.
 - (2) Each additional 100 feet of pipe: \$100.
- O. Roofing and siding.
 - (1) Roofing: \$100 Group R-5; **(Townhouse and Duplex structures only)**; all other groups \$35 per \$1,000.
 - (2) Siding: \$100 Group R-5; **(Polypropylene siding only)**; all other groups \$35 per \$1,000.
- P. Administrative fees for asbestos hazard abatement.
 - (1) An administrative fee of \$118 for each construction permit issued for an asbestos hazard abatement project.
 - (2) An administrative fee of \$24 for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project.
- Q. Lead abatement.
 - (1) The fee for a permit for lead hazard abatement work shall be \$196.
 - (2) The fee for a lead abatement clearance certificate shall be \$39.
- R. The fee of \$65 per hour or part thereof shall be charged for all plan review revisions. Said fee shall be remitted to the Township of West Windsor at the time of revision. No revision shall be released until payment is received by the Township.
- S. The change of contractor fee shall be **\$100 for group R-5, all other use groups** \$165 per contractor [other than Group R-5].
- T. Variation.
 - (1) Group R-5: \$150.
 - (2) All other groups: \$500.
 - (3) Resubmissions, residential: \$65.
 - (4) Resubmissions, all others: \$200.
- U. Plumbing.
 - [(1) Plumbing fees shall be as follows:]

- [(a) The fee shall be \$35 per fixture, appliance, appurtenance, vent or stack. For the purpose of computing this fee, the following shall be included but not limited to water closets, urinals, bidets, lavatories, sinks, garbage disposals, showers, floor drains, washing machines, dishwashers, hose bibs, drinking fountains, water coolers, roof drains, leaders, gutters, nontestable backflow devices, air admittance valves, vents, stacks, water hammer arrestors, water softeners, water filters, indirect connections, expansion tanks, trap primers, mixing valves for lavatories, and residential solar systems. This list is not inclusive.]
- [(b) The fee shall be \$135 per special device. For the purpose of computing this fee, "special" shall include, but not be limited to, sewer ejectors, grease interceptors, oil interceptors, testable backflow devices, pumps, reduced pressure backflow devices, commercial-industrial grade water heaters, commercial rooftop air-conditioning units, commercial refrigeration piping/systems, and commercial solar systems. This list is not inclusive.]
- [(c) The fee shall be \$100 for each sewer, water, and septic utility connection.]
- [(d) The fee shall be \$60 for residential water heaters and swimming pool heaters.]
- [(e) Notwithstanding the individual fees set forth above, the total plumbing subcode fee for single-family residences shall be \$100 and the minimum total fee for all other structures shall be \$150.]
- [(f) Notwithstanding the individual fees set forth above, the total plumbing subcode fee for a single-family residence shall be \$100 and the minimum total fee for all other structures shall be \$165.]
- [(g) LPG tanks (permanent) R-5 shall be \$100; all other structures: \$165.]
- [(2) All plumbing installation shall be installed by a New Jersey State licensed master plumber; except in the case of single-family residences, a homeowner shall be allowed to perform plumbing work on the homeowner's own dwelling.]

(1) Fees shall be \$35 for each fixture, appliance, appurtenance, vent or stack, but may not be all inclusive:

Water closets, urinals, bidets, lavatories, sinks, garbage disposals, bathtubs, showers, floor drains, washing machines, dishwashers, hose bibs, drinking fountains, roof drains, leaders, non-testable backflow preventers, air admittance valves, vents, stacks, water hammer arrestors, water filters, indirect connections, expansion tanks, trap primers, mixing valves for lavatories, swimming pool piping. Gas pipe connections, oil pipe connections, fuel oil connections, Air conditioning units, condensate pumps and line sets.

(2) Fees shall be \$60 for each of the following items, but may not be all inclusive:
Water heater, water softener, swimming pool heaters, chimney liners, air distribution systems Solar systems

(3) Fees shall be \$85 for each of the following items, but may not be all inclusive:
Hot air furnaces, Hot water boiler, Fuel oil equipment, Hydronic systems, Solar heating systems, Split systems

(4) Fees shall be \$100 for each of the following items, but may not be all inclusive:
Water Service connections, Sewer Connections, Generators, Permanent LPG tanks

(5) Fees shall be \$135 for each of the following items, but may not be all inclusive:
Sewer ejectors, grease interceptors, oil interceptors, testable backflow device, pumps, commercial-industrial water heaters, commercial roof top air conditioning units, commercial refrigeration piping/systems, commercial solar system

(6) Yearly backflow testing fee shall be \$50

(7) Notwithstanding the individual fee set forth above, the total plumbing subcode fee for a single-family residences shall be \$100 and the minimum total fee for all other structures shall be \$165

All plumbing installation shall be installed by a New Jersey State Licensed Master Plumber; except in the case of single-family residences, a homeowner shall be allowed to perform his/her own plumbing work on their own dwelling unit.

V. Mechanical fees.

[(1) Mechanical fees shall be as follows:]

[(a) The fee shall be \$85 for each hot air furnace, hot water boiler, fuel boiler, steam boiler, and oil tank. This list is not all inclusive.]

[(b) The fee shall be \$35 for each gas pipe connection and temporary LPG tank.]

[(c) The fee shall be \$35 for residential air-conditioning units, coils, condensate pumps, refrigerant lines, and chimney liners.]

[(d) The fee shall be \$65 for single-family hydronic piping.]

[(2) All mechanical installations shall be installed by a New Jersey state licensed master HVACR contractor, except in the case of a single-family residence which is owned and occupied by the homeowner, in which the homeowner shall be allowed to perform mechanical work on the homeowner's dwelling. Refrigeration, piping and chimney verification forms may not be done by the homeowner.]

[(1) Fees shall be as follows for R3 and R5 under the responsibility of the Plumbing Subcode Official :]

[a. The fee should be \$85 for each of the following items, but may not be all inclusive; Hot air furnace, Hot water boiler, Fuel oil Equipment, Steam boiler, Oil tank, Solar heating systems, Hydronic systems and Split Systems.]

[b. The fee should be \$60 for each of the following items, but may not be all inclusive:
Water heater, Chimney Liner and Air distribution systems]

[c. The fee should be \$35 for each of the following items, but may not be all inclusive; Each gas pipe connection, Each temporary LPG tank, Each fuel oil connection, Air conditioning unit, coils, condensate pumps, refrigerant lines, Fireplace Inserts, and combustion air.]

[(2) All mechanical installations shall be installed by a New Jersey State licensed master HVACR contractor, except in the case of a single family residence which is owned and occupied by the homeowner, in which the homeowner shall be allowed to perform their own work on their own dwelling. EXCEPT for refrigeration piping and chimney verification forms may not be done by the homeowner.]

(1) Fees shall be as follows for R3 and R5 under the responsibility of the Plumbing Subcode Official:

a. The fee shall be \$85 for each of the following items, but may not be all inclusive;

Hot air furnace, Hot water boiler, Fuel oil Equipment, Steam boiler, Oil tank, Solar heating systems, Hydronic systems and Split Systems.

b. The fee shall be \$60 for each of the following items, but may not be all inclusive:

Water heater, Chimney Liner and Air distribution systems

c. The fee shall be \$35 for each of the following items, but may not be all inclusive;

Each gas pipe connection, Each temporary LPG tank, Each fuel oil connection, Air conditioning unit, coils, condensate pumps, refrigerant lines, Fireplace Inserts, and combustion air.

(2) All mechanical installations shall be installed by a New Jersey State licensed master HVACR contractor, except in the case of a single family residence which is owned and occupied by the homeowner, in which the homeowner shall be allowed to perform their own work on their own dwelling. EXCEPT for refrigeration piping and chimney verification forms may not be done by the homeowner.

W. Technical section. The minimum fee for a technical section shall be as follows:

(1) Group R-5 use: \$100.

(2) All other groups: \$165.

X. Plan review. The plan review fee shall be 5% of the total of the building, electric, plumbing and fire fees.

Y. State of New Jersey training. In order to provide for the training and certification and technical support programs required by the State Uniform Construction Code Act, the enforcing agency, including the Division of Code Enforcement when acting as the local agency, shall collect a surcharge fee to be based upon the volume of new construction within the municipality. The fee shall be in the amount of \$0.00371 per cubic foot volume of new construction and additions. The fee for all other construction shall be \$1.90 per \$1,000 of cost. The minimum permit surcharge shall be \$1. (Elevators, lead and asbestos per state fee schedule)

Z. Annual construction permit. The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based upon the number of maintenance workers who are employed by the facility and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building, fire protection, electrical and plumbing. Fees shall be as follows: per state fee schedule.

AA. Contractor registration: The fee shall be \$125 **for a 3 year term (Commercial contractor's license only).**

BB. Waiver of construction permit fees.

(1) No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained herein.

(2) A disabled person, or a parent or sibling of a disabled person, shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvement which promotes accessibility to his or her own living unit.

(3) "Disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include but not be limited to any resident of this state who is disabled pursuant to the federal Social Security Act (42 U.S.C. § 416), or the federal Railroad Retirement Act of 1974 (45 U.S.C. § 231 et seq.) or is rated as having a 60% disability or higher pursuant to any

federal law administered by the United States Veterans' Act. For purposes of this subsection, "blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20° shall be considered as having a central visual acuity of 20/200 or less.

CC. Penalties. Penalties may be levied by an enforcing agency as follows:

- (1) Up to \$1,000 per violation for failure or refusal to comply with any lawful order, unless the failure or refusal to comply is done with the knowledge that it will endanger the life or safety of any person, in which case the penalty shall be up to \$2,000 per violation;
- (2) Up to \$2,000 per violation for failure to obtain a required permit prior to commencing construction or for allowing a building to be occupied without a certificate of occupancy;
- (3) Up to \$2,000 per violation for failure to comply with a stop construction order;
- (4) Up to \$2,000 per violation for willfully making a false or misleading written statement, or willfully omitting any required information or statement in any application or request for approval;
- (5) Up to \$500 per violation for any violation not covered under Subsection **CC(1)** through **(4)** above.
- (6) For purposes of this subsection, in an occupied building, a code violation involving fire safety, structural soundness or the malfunctioning of mechanical equipment that would pose a life safety hazard shall be deemed to endanger the life or safety of a person. In an unoccupied building, a code violation of a requirement intended to protect members of the public who are walking by the property shall be deemed to endanger the life or safety of a person.
- (7) All monies collected shall be collected under penalty provisions of the UCC. All penalties collected shall be retained by the Department of Code Enforcement and shall be placed in a special trust fund to be applied to the cost to the department for training, technical support programs, certification, new equipment and transportation. An independent fund shall be set up and retained by the Director of Finance to be the trustee of this account.

INTRODUCTION:

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 82 “FEES” SECTION 82-5 – ELECTRICAL SUBCODE FEES OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR

WHEREAS the Township of West Windsor adopted Chapter 82 of the Code of the Township of West Windsor (“Code”) establishing fees; and

WHEREAS, the Township performs a number of public services at substantial cost to the Township taxpayers, and

WHEREAS, various departments/divisions within the Township are authorized to collect and receive fees and to issue permits or licenses as may be required; and

WHEREAS, the Construction Official has reviewed the current fees and requests the following changes be approved by the Township Council.

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

Chapter 82. Fees

§ 82-5 Electrical subcode fees.

[Amended 3-22-2004 by Ord. No. 2004-08; 12-8-2008 by Ord. No. 2008-48; 3-27-2017 by Ord. No. 2017-09]

Electrical subcode fees shall be as follows:

A. Electrical fixtures and devices.

(1) Fees.

(a) From 1 to 40 receptacles, fixtures or switches: \$90.

(b) Increments of 25 additional items: \$65.

(c) Residential garbage disposals: \$25.

(d) Residential heaters, boilers, etc.: \$25.

(e) Floor heat: \$25

(f) Heated towel bars: \$25

([e]g) Residential sump pumps: \$25.

([f]h) Residential dishwashers: \$25.

([g]i) Sewer ejector pump: \$25.

([h]j) Signs:

[1] First sign: \$165.

[2] Each additional sign: \$80.

([i]k) Closed-circuit TV and intercom:

[1] Up to five: \$165.

[2] Five to 25 cameras or intercoms additional: \$195.

[3] Twenty-six or more additional cameras or intercoms: \$260.

B. Card reader mag locks:

(1) First door: \$165.

(2) Each additional door: \$30.

C. Motors, **Variable Frequency Drives (VFD's) and Control Systems.**

(1) Greater than 1/2 hp or less than or equal to 10 hp: \$25.

(2) Greater than 10 hp or less than or equal to 50 hp: \$125.

(3) Greater than 50 hp or less than or equal to 100 hp: \$200.

(4) Greater than 100 hp: \$500.

D. Electrical devices: transformers and generators.

(1) Greater than 1 kw or less than or equal to 10 kw: \$75.

(2) Greater than 10 kw or less than or equal to 45 kw: \$100.

(3) Greater than 45 kw or less than or equal to 112.5 kw: \$300.

(4) Greater than 112.5 kw: \$500.

E. Service equipment. Term includes service panel, service entrance and subpanels.

(1) Each equipment piece priced as follows:

(a) Greater than 0 amp, less than or equal to 200 amps: \$80.

(b) Greater than 200 amps, less than or equal to 1,000 amps: \$350.

(c) Greater than 1,000 amps: \$1,000.

(d) Service equipment: fees for transfer switches equal to service as above.

F. Temporary pole/construction service: \$125.

G. Pools.

(1) Residential: permanently installed pools, in-ground or aboveground, including hot tub/spa, fountains (each): \$125.

(2) Public: for fees, apply Subsections A, C and E.

- (a) If applicable, underwater light (each): \$30.
- (b) If applicable, panel board (each): \$80.
- (c) Annual pool inspection: \$130.
- H. Light standards exceeding eight feet in height (each): \$75.
- I. Light standards less than eight feet in height: refer to item Subsection A.
- J. Smoke detectors, [and] heat detectors, **fire and burglar alarm expansion modules:**

(1) Group R-5 flat rate: \$55.

(2) All other groups:

(a) One to 20: \$200 each.

(b) Each 25 additional: \$100.

(3) Electrical operated fire dampers (each): \$25.

K. Commercial alarm control unit: \$150.

(1) Note: price does not include devices; refer to item Subsection A.

(a) For smoke and heat detectors; refer to item Subsection J.

(2) Communications EF, MDF, IDF, TL: \$125.

L. Commercial lighting control panels (each): \$80.

M. Commercial building automation systems and satellite systems (each) \$165.

[L]N. Penalties. Penalties may be levied by an enforcing agency as follows:

- (1) Up to \$1,000 per violation for failure or refusal to comply with any lawful order, unless the failure or refusal to comply is done with the knowledge that it will endanger the life or safety of any person, in which case the penalty shall be up to \$2,000 per violation;
- (2) Up to \$2,000 per violation for failure to obtain a required permit prior to commencing construction or for allowing a building to be occupied without a certificate of occupancy;
- (3) Up to \$2,000 per violation for failure to comply with a stop construction order;
- (4) Up to \$2,000 per violation for willfully making a false or misleading written statement, or willfully omitting any required information or statement in any application or request for approval;
- (5) Up to \$500 per violation for any violation not covered under Subsection [L]N(1) through (4) above.
- (6) For purposes of this subsection, in an occupied building, a code violation involving fire safety, structural soundness or the malfunctioning of mechanical equipment that would pose a life safety hazard shall be deemed to endanger the life or safety of a person. In an unoccupied building, a code violation of a requirement intended to protect members of the public who are walking by the property shall be deemed to endanger the life or safety of a person.

- (7) All monies collected shall be collected under penalty provisions of the UCC. All penalties collected shall be retained by the Department of Code Enforcement and shall be placed in a special trust fund to be applied to the cost to the department for training, technical support programs, certification, new equipment and transportation. An independent fund shall be set up and retained by the Director of Finance to be the Trustee of this account.

INTRODUCTION:

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

ORDINANCE NO. 2019 -21

TOWNSHIP OF WEST WINDSOR
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE TO RELEASE, VACATE, AND EXTINGUISH ANY
AND ALL PUBLIC RIGHTS IN EDEN WAY RIGHT-OF-WAY

WHEREAS, the Township Council of the Township of West Windsor, Mercer County, New Jersey has determined, pursuant to a recommendation from the Township Engineer, that there is no detriment to the public good in vacating Eden Way in its entirety as hereinafter described; and

WHEREAS, based on the Township Engineer's recommendation, the Township Council has determined that said Eden Way is no longer needed for street purposes, and the public interest will be served by abandoning, vacating, releasing, and extinguishing any and all public rights that the Township may have in the following described Rights of Way;

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

1. The public rights and interest in Eden Way as shown on Exhibit "A" and described in Exhibit "B" are hereby vacated, abandoned, extinguished, and released as follows:
 - (a) The vacated Eden Way is hereby defined as the existing Right-of-Way between Harrison Street (County Route 629) to the west and US Route 1 to the east, bounded to the north by Lot 2.01 in Block 2 and to the south by Lot 1.01 in Block 3, and is as described in Exhibit "B";
 - (b) PSE&G, as owner of adjoining Block 3, Lot 14.02, would annex a half width portion of Eden Way identified as Parcel A;
 - (c) The Trustees of Princeton University, as owner of adjoining lots Block 2, Lot 2.01 and Block 3, Lot 1.01 would annex the balance of the Eden Way Right-of-Way to Block 3, Lot 1.01, identified as Parcel B;
 - (d) The aforesaid Eden Way is hereby vacated and shall be annexed to the lots owned by the adjoining property owners, being Parcel A, Block 3, Lot 14.02 to PSE&G; and Parcel B, Block 3, Lot 1.01 to The Trustees of Princeton University;
 - (e) The Mayor is authorized to execute Deeds of Road Vacation to effectuate the vacation and annexation of the Eden Way Right-of-Way into Block 3, Lot 14.02 (Parcel A) and Block 3, Lot 1.01 (Parcel B), respectively.
2. It is noted for the record that it is the underlying property owner's intention to consolidate Block 2, Lot 2.01 into a one tax parcel currently known as Lot 1.01 in Block 3.
3. All rights and privileges now possessed by any public utility or CATV company to maintain, repair and/or replace their existing facilities in, adjacent, over or under the said Eden Way, are hereby expressly reserved and excepted from this vacation.

4. All ordinances or parts of ordinances which are inconsistent with this ordinance are repealed as to their inconsistencies only.
5. This ordinance shall become effective twenty (20) days after action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Township Council, whichever is applicable. Publication shall be in accordance with law.

INTRODUCTION: June 24, 2019

PUBLIC HEARING:

ADOPTION:

PUBLIC APPROVAL:

EFFECTIVE DATE:

RESOLUTION

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE TOWNSHIP OF WEST WINDSOR PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Clean Communities Program - 104604	\$63,156.50
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BE IT FURTHER RESOLVED that a like sum of \$63,156.50 and the same is hereby appropriated under the following captions:

Clean Communities Program – 10665523	\$63,156.50
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Adopted: June 24, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF
REVENUE IN THE BUDGET OF THE TOWNSHIP OF WEST WINDSOR
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Alcohol Education, Rehabilitation &
Enforcement Fund - 104605 \$3,375.74

BE IT FURTHER RESOLVED that a like sum of \$3,375.74 and the same is hereby appropriated under the following captions:

Alcohol Education, Rehabilitation &
Enforcement Fund – 10664520 \$3,375.74

Adopted: June 24, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Bear Brook Homes, LLC, through their professional consultant, submitted a request for a reservation of sewer capacity in the public sewer system for the project known as Bear Brook Homes (PB16-12) located at Block 9, Lots 55 & 56, which request was approved on the 19th day of February 2019; and

WHEREAS, an extension of the sanitary sewer collection system is also proposed, which requires a Treatment Works Approval Permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the development project as approved in Resolution 2019-R048 was estimated to generate a total wastewater flow of 2,700 gpd based on calculations submitted by the Applicant's Engineer on February 7, 2019; and

WHEREAS, the development project is now estimated to generate a total wastewater flow of 2,925 gpd based on revised calculations submitted May 20, 2019 by the Applicant's Engineer; 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 to a total of 2,925 gallons of wastewater that is estimated to be generated by the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the reservation of sewer capacity for the project known as Bear Brook Homes (PB16-12) located at Block 9, Lots 55 & 56 is hereby revised from 2,700 gpd to 2,925 gpd; 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: June 24, 2019

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, the Township of West Windsor Council entered into a professional services agreement with Parker McCay P.A. Resolution 2017-R045 on January 30, 2017 for Township Attorney Services pursuant to the West Windsor Township Code Book, Chapter 4-52A; and

WHEREAS, on March 18, 2019 Resolution 2019-R071 was approved for Parker McCay for Township Attorney Services for the period January 1, 2019 through June 30, 2019; and

WHEREAS, Mayor Marathe has requested that the contract for these services be extended to December 31, 2019; and

WHEREAS, Parker McCay P.A. shall continue to represent the Township in all legal matters assigned to it; and

WHEREAS, the scope of services authorized in the original professional services agreement remains in force and effect; and

WHEREAS, the Chief Financial Officer previously certified that funds are available and sufficient funds remain at this time in the following line item appropriation accounts for 2019:

Legal – Legal Fees	105-46-223	\$35,000
Legal – Legal Fees- Township Council	105-46-224	\$10,000
Legal – Litigation	105-46-228	<u>\$20,000</u>
Total		\$65,000

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that Parker McCay P.A. continue to be retained for legal services as the Township Attorney through December 31, 2019.

Adopted: June 24, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire professional surveying and engineering design services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Roberts Engineering Group has submitted a proposal dated June 5, 2019 indicating they will provide professional surveying and engineering design services for the Southfield Road Roadway Reconstruction Project for Forty Two Thousand Dollars (\$42,000.00); and

WHEREAS, Roberts Engineering Group has indicated a performance period for the professional surveying and engineering design services of one hundred twenty (120) days from the date of project initiation; and

WHEREAS, the Township wishes to enter into an agreement with Roberts Engineering Group for the aforesaid services; and

WHEREAS, the total amount of the contract is Forty Two Thousand Dollars (\$42,000.00); 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	405-2018-15 012	\$42,000.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a professional services agreement with Roberts Engineering Group, with a performance period of one hundred twenty (120) days from the date of project initiation for professional surveying and engineering design services, for an amount not to exceed Forty Two Thousand Dollars (\$42,000.00).
- (2) The Agreement so authorized shall require the Provider to provide professional surveying and engineering design services pursuant to its proposal dated June 5, 2019. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and Roberts Engineering Group and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: June 24, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire professional surveying and engineering design services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Roberts Engineering Group has submitted a proposal dated June 5, 2019 indicating they will provide professional surveying and engineering design services for the ADA Accessible Ramps, Sidewalks and Pedestrian Safety Improvements Project for Eighteen Thousand Dollars (\$18,000.00); and

WHEREAS, Roberts Engineering Group has indicated a performance period for the professional surveying and engineering design services of ninety (90) days from the date of project initiation; and

WHEREAS, the Township wishes to enter into an agreement with Roberts Engineering Group for the aforesaid services; and

WHEREAS, the total amount of the contract is Eighteen Thousand Dollars (\$18,000.00); 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	405-2013-09 004	\$18,000.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a professional services agreement with Roberts Engineering Group, with a performance period of ninety (90) days from the date of project initiation for professional surveying and engineering design services, for an amount not to exceed Eighteen Thousand Dollars (\$18,000.00).
- (2) The Agreement so authorized shall require the Provider to provide professional surveying and engineering design services pursuant to its proposal dated June 5, 2019. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and Roberts Engineering Group and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: June 24, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire professional construction administration and inspection services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Roberts Engineering Group has submitted a proposal dated May 31, 2019 indicating they will provide professional construction administration and inspection services for the Resurfacing Portions of Deerfield Drive, Carnegie Center Drive and Millbrook Drive Project for Twenty Four Thousand Three Hundred Dollars (\$24,300.00); and

WHEREAS, Roberts Engineering Group has indicated a performance period for the construction administration and inspection services concurrent with the construction project; and

WHEREAS, the Township wishes to enter into an agreement with Roberts Engineering Group for the aforesaid services; and

WHEREAS, the total amount of the contract is Twenty Four Thousand Three Hundred Dollars (\$24,300.00); 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	405-2018-15-012	\$24,300.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a professional services agreement with Roberts Engineering Group, with a performance period concurrent with the construction project from the date of project initiation for construction administration and inspection services, for an amount not to exceed Twenty Four Thousand Three Hundred Dollars (\$24,300.00).
- (2) The Agreement so authorized shall require the Provider to provide professional construction administration and inspection services pursuant to its proposal dated May 31, 2019. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and Roberts Engineering Group and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: June 24, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, the Township of West Windsor required professional construction administration and observation services for the Village Road West and New Village Road – Phase 2 Project; and
- WHEREAS, Roberts Engineering Group was awarded the contract on October 1, 2018 for the total amount of Twenty One Thousand Dollars (\$21,000.00); and
- WHEREAS, there is a need for additional supplementary work of additional roadway maintenance repairs, as outlined in their May 1, 2019 letter; and
- WHEREAS, the amount of additional services is Six Thousand Five Hundred Dollars (\$6,500.00) for a total revised contract amount of Twenty Seven Thousand Five Hundred Dollars (\$27,500.00); 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 | 405-2018-15-012 | \$6,500.00 |
|----------------------|-----------------|------------|
- WHEREAS, said Amendment #1 to the Agreement for Professional Services has been reviewed by the Township Engineer and recommended to be executed; and
- WHEREAS, services to be performed may be retained by the Township without public advertising for bids pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because the aforesaid services are professional in nature; and
- WHEREAS, the Local Public Contracts Law requires a resolution authorizing the award of a contract for the services without competitive bidding be publicly advertised;

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

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township Amendment #1 to the Agreement for professional services with Roberts Engineering Group of Hamilton, NJ.
- (2) This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law.
- (3) All other terms and conditions of the Agreement with Roberts Engineering Group, dated October 1, 2018 remain in full force and effect.
- (4) An Executed copy of the revised Agreement between the Township and Roberts Engineering Group and a copy of this Resolution shall be on file and available for public inspection in the office of the Township Clerk

Adopted: June 24, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor entered into a professional services agreement with Van Cleef Engineering Associates on January 22, 2019 (Resolution 2019-R030) for professional engineering services on a consultant basis for inspection and certification of construction performed by developers, conformance reviews, and miscellaneous engineering projects as assigned; and

WHEREAS, A Certification of Funds for the original contract was received from the Chief Financial Officer and funds for said contract were available in the following line item appropriation account:

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

WHEREAS, the scope of work authorized in the original contract remains in force and effect; and

WHEREAS, there is a need for a contract increase for services in accordance with the original contract; and

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

<u>Engineering-Consultant Services</u>	<u>105-30-210</u>	<u>\$3,500.00</u>
Account Title	Account Number	Amount

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Chief Financial Officer is hereby authorized to increase the contract amount to date of \$3,000.00 with Van Cleef Engineering Associates to a revised contract amount of \$6,500.00.

Adopted: June 24, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June 2019.

Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

WHEREAS, Public Service Electric & Gas, Company received preliminary and final site plan and variance approval from the West Windsor Township Zoning Board of Adjustment (ZB18-02) for the construction of on-site and off-site improvements for Block 14, Lots 7; Block 20, Lot 2; Block 19, Lot 5; Block 21.04, Lot 2; Block 17.08, Lot 8; Block 17.14, Lot 24; Block 49, Lot 86; Block 61, Lot 78; Block 17.17, Lot 8; Block 16.12, Lot 19; Block 24.14, Lot 21; Block 25, Lot 8; Block 23, Lot 18; and

WHEREAS, in accordance with the West Windsor Township Code, the Township wishes to enter into an agreement with the Developer to ensure the installation of certain public and quasi-public improvements, on-site and off-tract, including, but not limited to, the payment for the costs of construction and inspection therefore as estimated by the Township Zoning Board Engineer and more particularly as shown on the approved plans and set forth in the Site Improvement Bond Estimate attached hereto as Exhibit A and made a part hereof; and

WHEREAS, the Developer has posted a Performance Surety Bond issued by Westchester Fire Insurance, Co., Bond No.K1576885A, in the amount of \$221,775.30 with a cash bond in the amount of \$24,641.70 to serve as performance guarantees to secure the installation of on-site and off-site improvements in accordance the approved plans; and

WHEREAS, the Developer has signed a Land Development Performance Guarantee Agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESLVED on this 24th day of June, 2019 that the Mayor and the Clerk are authorized and directed to execute the Land Development Performance Guarantee Agreement attached hereto.

BE IT FURTHER RESOLVED that the agreement shall be recorded with the Mercer County Clerk's Office upon execution by the Mayor and Clerk.

Adopted: June 24, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June, 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, 2019-2020 applications for renewal of liquor licenses have been submitted electronically to the Division of Alcoholic Beverages; and

WHEREAS, the appropriate fees have been received; and

WHEREAS, the Police Division has indicated that it finds no reason to object to the renewals listed below; and

WHEREAS, the Health Department has inspected the premises and finds them to be in satisfactory condition; and

WHEREAS, no objection to any of these renewals has been filed with the Clerk's office; and

WHEREAS, the Alcoholic Beverage Retail Licensee Clearance Certificates for Renewal have been issued;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the renewal of the Alcoholic Beverage Licenses for the following are hereby approved:

HOTEL/MOTEL LICENSE

1113-36-017-001 CHDA Title LLC (Residence Inn by Marriott)
1113-36-015-003 Carnegie HP F&B LLC (Hyatt Place)

Adopted: June 24, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June, 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, WPST Freedom Festival desires to conduct a public firework display located at Mercer County Park on June 29, 2019; and

WHEREAS, said fireworks display shall be conducted by D & M Fireworks LLC, a U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms licensed Importer of Fireworks, license number 8-PA-011-51-5E-02057; and

WHEREAS, the New Jersey Uniform Fire Code N.J.A.C. 5:70-3, F-3301.2.4.3 requires that the governing body approve said fireworks display by resolution prior to granting of a permit by the Fire Marshal; and

WHEREAS, the Township Fire Marshal has designated the fireworks display must commence by 9:30 p.m. and conclude no later than 10:00 p.m.; and

WHEREAS, the minimum insurance coverage required by N.J.A.C. 5:70, F-3301.2.4.2 is \$500,000 and D & M Fireworks LLC carries \$4,000,000 insurance coverage; and

WHEREAS, the Fire Marshal has communicated with the Chief of Police, and the Fire Chief of West Windsor Volunteer Fire Company who will provide police, and fire protection for said fireworks display and they have given their approval; and

WHEREAS, West Windsor Fire and Emergency Services will provide emergency medical services; and

WHEREAS, the Fire Marshal has reviewed the application for permit, insurance requirements and other applicable regulations and has found all to be in order and recommends the approval of said resolution.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of West Windsor that this resolution is adopted and that a permit may be granted by the West Windsor Township Fire Marshal, upon his approval, for a fireworks display.

Adopted:

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of June, 2019.

Gay M. Huber
Township Clerk
West Windsor Township