

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

October 13, 2020

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - October 2, 2020 to The Times and the Princeton Packet.
4. Salute to the Flag
5. Ceremonial Matters and/or Topics for Priority Consideration
2021 Budget Priorities
6. Public Comment: (30 minutes comment period; 3-minute limit per person)
7. Administration Comments
8. Council Member Comments
9. Chair/Clerk Comments
10. Public Hearings

11. Consent Agenda

A. Resolutions

2020-R209 Endorsing the Application for Membership to the New Jersey Firemen's Association for Gregory K. Table of West Windsor Township Division of Fire and Emergency Services

B. Minutes

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2020-R210 Approving the Procedures and Requirements for Remote Meetings for the Township Council Per Local Finance Notice 2020-21 Issued on September 24, 2020

2020-R211 Authorizing the Mayor and Clerk to Sign the Application to Join the Houston-Galveston Area Council (HGAC) Cooperative Purchasing Program

2020-R212 Authorizing the Chief Financial Officer to Increase the Professional Services Agreement with Miller, Porter & Muller for Litigation Services by \$40,000.00 for a Not To Exceed of \$65,000.00

2020-R213 Authorizing the Business Administrator to Purchase Replacement Hardware, Support, Installation and Configuration Services from CDW Government an Authorized New Jersey State Contract Vendor - \$88,278.65

2020-R214 Authorizing the Business Administrator to Purchase Scanning Services from Dell an Authorized New Jersey State Contract Vendor - \$16,200.00

2020-R215 Authorizing the Mayor and Clerk to Execute an Agreement Permitting Connection to the Existing Sewer Line in Robbinsville Township for John Gres - 98 Line Road

2020-R216 Authorizing the Reduction of Performance Guarantees for Private Site Improvements for the Project Known as Enclave at Princeton Junction PB14-10TH

2020-R217 Authorizing the Mayor and Clerk to Execute a Contract with Top Line Construction for the Repair and Reconstruction of Bennington Drive between Southfield Road and Rabbit Hill Road - \$578,618.71

14. Introduction of Ordinances

2020-22 AN ORDINANCE AMENDING CHAPTER 200 LAND USE OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR BY ADDING A RESIDENTIAL RETIREMENT COMMUNITY ZONE - RRC

PUBLIC HEARING: November 9, 2020

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

16. Council Reports/Discussion/New Business

17. Administration Updates

18. Closed Session

19. Adjournment

ORDINANCE 2020-22

**AN ORDINANCE TO AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 200 OF THE CODE
OF THE TOWNSHIP OF WEST WINDSOR (1999) BY CREATING THE
RESIDENTIAL RETIREMENT COMMUNITY ZONE (RRC) DISTRICT**

BE IT ORDAINED by the 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 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 142, Establishment of zoning districts, is amended by adding the following horizontal line after the PRRC-1 horizontal line:

RRC Residential Retirement Community Retirement community/affordable housing

Section 2. Section 200-143, Zoning Map, of said Code is amended to read as follows:

§ 200-143. Zoning Map.

The boundaries of said zoning districts are hereby established as shown on the Zoning Map, Township of West Windsor, dated August 17, 2020, and revised through _____, 20__, which, with all explanatory matter thereon, is hereby adopted and made a part of this Part 4. An official copy of said Map, indicating the latest amendments, shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision dated shown thereon. The Zoning Map shall be the official reference as to the current zoning classification of land within the boundaries of the Township of West Windsor.

Section 3. Article XXVI of said Code is amended by adding the following NEW section and by renumbering existing Section 200-194.2 as Section 200-194.3 and renumbering existing Section 200-194.3 as Section 200-194.4.

§ 200-194.2. Residential Retirement Community.

- A. Purpose. The purpose of the Residential Retirement Community (RRC) District is to provide for dwelling opportunities for the elderly population, which is growing both locally and in the State of New Jersey. Dwelling units in the RRC District are intended for mature adults, 55 years of age or older.

B. Permitted Uses. In an RRC District, no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for a Residential Retirement Community subject to the requirements set down herein, provided that the following minimum requirements shall be met:

- (1) Minimum Tract Area: 40 acres
- (2) Age restrictions. Through its corporations, associations or owners, said land shall be restricted by bylaws, rules, regulations and restrictions of record to use by permanent residents 55 years of age or older, with the following exceptions:
 - (a) A member of a couple under the age of 55 years who is residing with his/her partner who is 55 years of age or older.
 - (b) One adult under 55 years of age will be admitted as a permanent resident if it is established that the presence of such person is essential to the physical care of one or more of the adult occupants 55 years of age or older.
- (3) Public water and sewer service. All uses within the Residential Retirement Community shall be serviced by public water and sewer systems.
- (4) Affordable housing required. A minimum of 25% of the total dwelling units shall be low- and moderate-income residential units meeting the requirements of Article XXXI, § 200-237, of this Part 4. Units provided shall be architecturally and aesthetically integrated into the development.
- (5) Maximum permissible density. Maximum gross density in a Residential Retirement Community is 2.0 dwelling units per acre, with the total number of units not to exceed 88 dwelling units.
- (6) Permitted residential uses. The following residential uses are the principal permitted uses in a Residential Retirement Community, provided they meet the standards of Subsection C of this section. Townhouse and stacked townhouse requirements herein shall supersede any conflicting requirements in the West Windsor Land Use Ordinance. For the purposes of the RRC District, a townhouse building shall contain at least three connected dwelling units. Townhouse and stacked townhouse units shall be permitted within the same building, provided that no building shall exceed a total of ten (10) units.

- (a) Townhouse.
 - (b) Stacked townhouse.
- (7) Permitted accessory uses. The following accessory uses and buildings are permitted, incidental to a Residential Retirement Community:
- (a) Recreational facilities and structures for the sole use of the residents and their guests, including but not limited to a clubhouse building, pavilion structure, swimming pool, and sport courts.
 - (b) Accessory uses and buildings customarily associated with residential uses in conformance with § 200-226.

C. Bulk and area standards for the RRC District.

- (1) Standards applicable to the total development tract area:
- (a) Minimum building and parking setbacks from the ultimate right of way of Old Trenton Road: 70 Feet, except where the side of a residential building faces Old Trenton Road, this setback may be reduced to no less than 60 feet.
 - (b) Minimum building and parking setbacks from all other tract boundaries and from the ultimate right of way of frontage roads (other than Old Trenton Road): 40 Feet
 - (c) Maximum Improvement coverage for total RRC tract area: 40%
 - (d) Preservation of Greenbelt. There shall be no disturbance to the Greenbelt as designated on the Conservation Element of the Master Plan. The Greenbelt area shall be preserved through a conservation easement.
 - (e) Common open space. 50% of the Residential Retirement Community shall be set aside in common open space. All environmentally constrained land, as defined by § 200-238A(1), all preserved floodplain and associated buffer land, all of the Greenbelt as designated on the Conservation Element of the Master Plan, and all active recreational open space shall be included in the areas set aside as common open space. Stormwater management areas shall be included in the common open space calculation

when they are designed as open space features such as naturalized ponds and rain gardens.

(f) Maximum building height. No dwelling unit or nonresidential use shall exceed three stories and 38 feet.

(2) Standards applicable to residential uses:

(a) Townhouse and Stacked Townhouse in condominium arrangement:

[1] Minimum front building setback from curb of internal roadways: 25 feet.

[2] Minimum side building setback from curb of internal roadways and parking: 12 feet.

[3] Minimum building separation, side to side: 20 feet.

[4] Minimum building separation, side to rear or rear to rear: 40 feet.

[5] Minimum building separation, front-to-front: 50 feet.

[6] Minimum building separation, front-to-side: 50 feet.

(b) Patios, decks, unenclosed porches with roofs, bay windows, chimneys, and similar architectural features are permitted to protrude up to 5 feet into all required building separation areas, provided structures maintain the minimum separation to meet applicable building and fire codes.

(3) Standards applicable to nonresidential uses: Recreational facilities shall be subject to the same height and setback requirements as residential uses.

D. Design requirements for a Residential Retirement Community:

(1) A comprehensive site plan shall be prepared for the entire Residential Retirement Community.

(2) A Residential Retirement Community shall provide active recreational open space and facilities for the exclusive use of its inhabitants. A minimum of 250 square feet of active recreational open space per each residential unit approved in a Residential Retirement Community shall be set aside in the form of neighborhood greens, parks, trails, and recreation facilities. The required active recreational

open space area shall include a clubhouse with at least 2,000 square feet of building area and a swimming pool. Walking trails, regardless of surface material, can be counted toward active recreational open space area at a rate of twelve (12) square feet for per one (1) linear foot of trail centerline. Walking trails shall include seating areas at a minimum rate of one bench per five hundred (500) linear feet of trail; bench locations may be clustered together or spaced out along the trail, provided the minimum total number of benches is met.

- (3) There shall be provided a safe, convenient and continuous system of internal walks connecting residences, neighborhoods, community facilities, and adjacent properties accessible to all occupants. Projects within the Residential Retirement Community district shall provide sidewalks on at least one side of all proposed streets and at least 1,000 linear feet of trails.
 - (4) Bike lanes shall not be required in the Residential Retirement Community District, provided sidewalks and walking trails are installed per the above requirements of this section.
 - (5) The entire Residential Retirement Community shall be designed and constructed to provide utility services, including stormwater drainage, electric, telephone, and, where desired, CATV cables, all of which shall be installed underground.
- E. Off-street parking shall be provided in accordance with N.J.A.C. 5:21, Residential Site Improvement Standards (RSIS). Townhouse units shall meet the requirements for 3-bedroom townhouses in RSIS and stacked townhouses shall meet the requirements for 2-bedroom garden apartments in RSIS. In addition, off-street parking shall be provided for the clubhouse at a rate of one space for every 8 housing units approved.
- F. Application procedure and development standards. The procedural requirements and standards for Residential Retirement Community developments are those required for all major development applications as specified in Part 1, Site Plan Review, and Part 3, Subdivision and Site Plan Procedures, of this chapter, except where otherwise provided in this section.
- G. 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 4. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral vote by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Introduction: October 13, 2020

Planning Board: October 28, 2020

Public Hearing: November 9, 2020

Adoption:

Mayor Approval:

Effective Date:

RESOLUTION

WHEREAS, Gregory K. Table a member of West Windsor Township Division of Fire and Emergency Services, has applied for membership in the New Jersey State Firemen's Association; and

WHEREAS, his application is complete in all ways.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that it hereby authorizes the municipal endorsement of the application of Gregory K. Table for membership in the New Jersey State Firemen's Association.

Adopted: October 13, 2020

I hereby certify that this is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 13th day of October, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the COVID-19 pandemic has forced local government entities throughout the State of New Jersey to hold public meetings remotely; and

WHEREAS, Section 8 of P.L. 2020, c. 34 authorized the Director of the Division of Local Government Services (“Director”) to promulgate regulations establishing standard protocols for remote meetings held by a “local public body” during a Governor-declared emergency (“Regulations”); and

WHEREAS, the Director promulgated the Regulations, which are codified as N.J.A.C. 5:39-1.1 through 1.7; and

WHEREAS, the Township of West Windsor Council is a “local public body” as defined in the Regulations and is therefore subject to the requirements thereof; and

WHEREAS, N.J.A.C. 5:39-1.4(h) requires a local public body to adopt a resolution establishing standard procedures and requirements for public comment made during a remote public meeting as well as for public comments submitted in writing ahead of the remote public meeting; and

WHEREAS, in order to fulfill the requirements set forth in N.J.A.C. 5:39-1.4(h) the procedures and requirements appearing below are hereby established by the Council.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, hereby establishes the following procedures and requirements to satisfy the requirement set forth in N.J.A.C. 5:39-1.4(h):

- 1) Members of the public wishing to make a comment during a remote meeting shall be permitted to do so using the audio and/or video technology under which the remote meeting is being held.
- 2) Members of the public may also submit written comments to the Township Council, through the Township Clerk, by either e-mail to gghuber@westwindsortwp.com or written letter to Township Clerk, Township of West Windsor, P.O. Box 38, West Windsor, NJ 08550. Written comments must be received no later than 11:00 a.m. the day of the Township Council meeting to be read at that meeting and include name and address.
- 3) Public comments shall be received and/or read into the record during times designated during the meeting for public participation. Written comments will still need to adhere to the 3 minute limit for public comment.

- 4) The Township Council reserves the right to pass over duplicative written comments; however, each duplicative comment shall be noted for the record with the content summarized.
- 5) A member of the public wishing to speak during a remote meeting shall state their name and address for the record prior to making their comment. Comments will still need to adhere to the 3 minute limit for public comment.
- 6) Members of the public commenting during a remote meeting shall not act in any manner to disrupt the meeting. If such a member of the public becomes disruptive during the meeting, the individual chairing the meeting shall mute, or direct the muting of, the disruptive member and warn that any continued disruption may result in the member being prevented from speaking during the meeting or be removed from the remote meeting. Disruptive conduct includes, but is not limited to, sustained inappropriate behaviors such as shouting, interruption, and the use of profanity.
- 7) Any member who continues to be disruptive after receiving a warning may be muted while other members of the public are allowed to proceed with their comments. If time permits, the disruptive individual shall be allowed to speak after all other members of the public are provided an opportunity to comment. Should the individual remain disruptive, the individual may be muted or kept on mute for the remainder of the remote meeting or removed from the meeting.
- 8) This resolution shall be updated annually at the Township Council's Reorganization meeting and/or as necessary throughout the year.

Adopted: October 13, 2020

I hereby certify that this is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 13th day of October, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has the opportunity to utilize cooperative purchasing to obtain discount pricing and,

WHEREAS, the Houston-Galveston Area Council (HGAC) is a political subdivision of the State of Texas which operates a cooperative purchasing program available to municipalities, counties, state agencies, councils of government, school districts, and other types of governments if allowed by the state law and,

WHEREAS, with the adoption of New Jersey Public Law 2011, Chapter 139, the State of New Jersey has authorized municipalities and other units of local government to utilize national cooperative purchasing programs and,

WHEREAS, the State of New Jersey has Local Finance Notices to provide guidance to municipalities and units of local government on the procedures to effectively utilize national cooperative purchasing programs and,

WHEREAS, the Business Administrator, utilizing the New Jersey Division of Local Government Services Local Finance Notices and documentation received from the HGAC, has verified that the HGAC is a valid actual cooperative purchasing program as defined for use by P.L. 2011, Chapter 139, and that advertised competitive sealed bidding is utilized by HGAC for its procurements, which satisfies requirements listed in the Local Finance Notices.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, that an application to utilize the HGAC National Cooperative Purchasing Program as defined and regulated by New Jersey is hereby authorized and that the Mayor and Clerk are authorized to sign the application.

Adopted: October 13, 2020

I certify this to be a true copy of a resolution adopted by the Township Council of the Township of West Windsor at their meeting held on the 13th day of October 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor Council entered into a professional services agreement with Miller, Porter & Muller Resolution 2020-R091 on March 23, 2020 for Land Use Litigation Services; 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:

Legal – Litigation	105-46-228	\$25,000.00
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WHEREAS, the scope of work authorized in the original contract remains in force and effect; and

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

Legal – Litigation	105-46-228	\$40,000.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Chief Financial Officer is hereby authorized to increase the contract amount to date by \$40,000.00 with Miller, Porter & Muller to a revised contract amount of \$65,000.00.

Adopted: October 13,, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of October 2020.

Gay M. Huber
Township Clerk
West Windsor Township

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 has the need on a timely basis to purchase technological goods or services utilizing State contracts; and

WHEREAS, the Township is in need of Computer equipment including a replacement plotter/scanner to be utilized by the Engineering division, redundant hardware to support the Township’s Voice Over IP telephone system, replacement workstations and scanners to be utilized within the Municipal network as well as installation and configuration services; and

WHEREAS, CDW Government is an authorized vendor under New Jersey State Contract M0483-89974; Computer Equipment, Peripherals and Related Services, New Jersey State Contract M7000-87720; Data Communications Equipment & New Jersey State approved Co-op #65 MCESCCPS, Bid #ESCNJ 18/19-03-Technology Supplies & Services, and

WHEREAS, As of October 1, 2020 the Township’s total aggregate spending with CDW Government under NJ State Contract M0483-89974; Computer Equipment, Peripherals and Related Services was as follows:

PO# 53925	CDW-Government	1/23/20	\$ 630.00	
PO# 53972	CDW-Government	1/24/20	\$12,000.00	
PO# 54468	CDW Government	3/10/20	\$ 8922.76	
2020-R074	CDW-Government	3/13/20	<u>\$ 6,000.00</u>	COF 2020-27
			<u>\$27,552.76</u>	

WHEREAS, As of October 1, 2020 the Township’s total aggregate spending with CDW Government under New Jersey State Contract M7000-87720; Data Communications Equipment was as follows:

2020-R030	CDW-Government	1/27/20	<u>\$86,240.00</u>	COF 2019-121
			<u>\$86,240.00</u>	

WHEREAS, As of October 1, 2020 the Township’s total aggregate spending with CDW Government under NJ State Approved Co-op #65MCESCCPS, Bid #ESCNJ 18/19-03-Technology Supplies & Services was as follows:

2020-R064	CDW-Government	2/24/20	\$19,866.34	COF 2020-22
2020-R105	CDW-Government	4/20/20	\$12,980.00	COF 2020-39
2020-R131	CDW-Government	6/24/20	<u>\$43,060.00</u>	COF 2020-55
			<u>\$75,906.34</u>	

WHEREAS, the total cost of the hardware and installation and configuration services necessary is \$88,278.65; and

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

4 05 2019 18 001	Network\Computers\Printers\Scanners	\$ 20,475.50
4 05 2020 14 009	Acquisition of Equipment	\$ 16,801.57
4 05 2020 14 001	Network\Computers\Printers\Scanners	\$ 51,001.58

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of West Windsor that the Business Administrator Marlena Schmid is hereby authorized to purchase the above from CDW-Government under New Jersey State Contract M0483-89974; Computer Equipment, Peripherals and Related Services, New Jersey State Contract M7000-87720; Data Communications Equipment & New Jersey State approved Co-op #65 MCESCCPS, Bid #ESC NJ 18/19-03-Technology Supplies & Services.

Adopted: October 13, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of October, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

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 has the need on a timely basis to purchase technological goods or services utilizing State contracts; and

WHEREAS, Dell is an authorized vendor under NJ State Contract M0003-89850 and CDW Government is an authorized vendor under NJ State Contract M0003-89849 and SHI International is an authorized vendor under NJ State Contract M0003-89851, and

WHEREAS, the following resolutions and purchase orders were approved and certification of funds were authorized as follows:

PO 53960	SHI International	1/2/2020	\$ 4,323.90
PO 54480	CDW-Government	3/10/2020	\$ 1,140.00
PO 54586	CDW-Government	4/6/2020	\$ 7,325.00
PO 54720	SHI International	5/29/2020	\$ 4,323.90
2020-R184	CDW-Government	8/31/2020	\$ 8,738.00
			<u>\$ 25,850.80</u>

WHEREAS, the Township wants to continue with its scanning program of Engineering documents into the laserfiche system; and

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

Clerk-Consulting Fees 105-01-210 \$16,200.00

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes the Business Administrator Marlena Schmid to purchase the above from Dell under NJ State Contracts M0003-89850.

Adopted: October 13, 2020

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of October 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, John Gres is the owner of the property located on the corner of Line Road and Cubberly Road, known as Block 30, Lot 46.03 (#98 Line Road) on the Township of West Windsor tax map; and

WHEREAS, John Gres is constructing a new single-family home on the property and desires said property to be serviced by connection to public sewers located in adjacent Robbinsville Township, due to lack of existing sewers within West Windsor Township in this vicinity; and

WHEREAS, John Gres believes said property can be economically sewerred by connection into said Robbinsville collection system, which has available capacity for said property; and

WHEREAS, John Gres will be responsible for all costs associated with said connection;

WHEREAS, the sewer service connection requires the execution of an Agreement between West Windsor Township, Robbinsville Township, and John Gres (the Property Owner); and

WHEREAS, the Agreement appended hereto has been prepared by counsel for Robbinsville Township to reflect the terms for the provision of sewer service to the property, including payments; and

WHEREAS, the Agreement has been reviewed by the Township Engineer and is recommended for approval.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of West Windsor Township that the property known as Block 30, Lot 46.03 (#98 Line Road) in West Windsor Township is hereby permitted to connect to the existing sewer line located in Robbinsville Township in accordance with the terms of an Agreement between West Windsor Township, Robbinsville Township, and John Gres (the Property Owner); and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute the Agreement in the form attached hereto.

ADOPTED: October 13, 2020

I hereby certify this is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 13th day of October, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Toll Brothers, Inc. has made a request for a reduction of the performance guarantee posted for private site improvements in connection with construction associated with the townhouse area of the project known as Enclave at Princeton Junction (PB14-10TH); and

WHEREAS, the performance guarantee is currently at 39.4% of its original amount; and

WHEREAS, the West Windsor Township Consulting Engineer for the project, Van Cleef Engineering Associates, and the Township Landscape Architect have performed inspections and recommended that the performance guarantee for private site improvements be reduced to 30% of the original amounts in connection with construction associated with the townhouse area of the project known as Enclave at Princeton Junction (PB14-10TH), as follows:

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Reduction
Bond #1121882	\$1,724,374.80	1/31/17	\$679,106.00	\$517,312.00
Cash	\$ 191,597.20	1/24/17	\$75,456.00	\$57,479.00

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 guarantee posted by Toll Brothers, Inc. for private site improvements in connection with construction associated with the townhouse area of the project known as Enclave at Princeton Junction (PB14-10TH), be reduced, as follows:

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Reduction
Bond #1121882	\$1,724,374.80	1/31/17	\$679,106.00	\$517,312.00
Cash	\$ 191,597.20	1/24/17	\$75,456.00	\$57,479.00

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: October 13, 2020

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of October 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has determined the need to repair and reconstruct Bennington Drive between Southfield Road and Rabbit Hill Road; and

WHEREAS, said contract was put out to public bid and the following bids were received and opened on Wednesday, September 9, 2020; and

WHEREAS, the Township has received Eight (8) bids from the following bidders:

CONTRACTOR	BASE BID	ADD	
		ALTERNATE	TOTAL
Defino Contracting*	\$513,000.00	\$12,362.50	\$525,362.50*
Top Line Construction	\$566,039.01	\$12,579.70	\$578,618.71
Earle Asphalt Company	\$565,113.13	\$50,894.00	\$616,007.13
Meco, Inc.	\$625,695.25	\$11,470.00	\$637,165.25
Lucas Brothers	\$652,652.00	\$21,372.50	\$674,024.50
Capital Paving & Contracting	\$674,611.45	\$22,096.00	\$696,707.45
Black Rock Enterprises	\$654,291.50	\$80,708.50	\$735,000.00
Diamond Construction	\$986,560.80	\$83,534.10	\$1,070,094.90

*Bid found nonresponsive.

Chart sorted by Total Bid value

WHEREAS, the Township Engineering staff have reviewed the bids and have determined that the bid submitted by Defino Contracting was nonresponsive, and that the lowest responsible and responsive bid was submitted by Top Line Construction based on the Total Bid (Base plus Add Alternate); 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:

<u>Roadway Improvements</u>	<u>405-2019-18-011</u>	<u>\$ 20,618.71</u>
<u>DOT Grant-Reconstruction of Bennington Avenue</u>	<u>405-2020-14-014</u>	<u>\$558,000.00</u>
Account Title	Account Number	Amount

NOW, THEREFORE, BE IT RESOLVED by the Township of West Windsor that the contract for the Annual Roadway Improvement Project for the Base Bid and Add Alternate Bid be awarded to **Top Line Construction, 22 Fifth Street, Somerville, New Jersey 08876**, and the Mayor and Clerk are authorized to execute said contract; and

BE IT FURTHER RESOLVED, that the bid submitted by Defino Contracting is rejected for being nonresponsive; and

Adopted: October 13, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 13th day of October, 2020.

Gay Huber
Township Clerk
West Windsor Township

West Windsor Township
Township Council Meeting of October 13, 2020
Electronic Participation Instructions
Start Time 7:00 p.m.

The West Windsor Township encourages residents to participate in the upcoming Township Council meeting through one of the below methods using your phone or computer.

You may call in starting 10 to 15 minutes before the meeting begins. You will not hear anything on the other end of the line until the meeting starts at the designate time. You will be muted so you can hear us but we won't be able to hear you.

By Phone:


Call into Phone Number: **978-990-5000**
Enter Access Code: **560396#**

By Computer:

- Go to website: <https://www.freeconferencecall.com/wall/ghuber2/host>
- Access Code: 560396
- Click on "Join Online Meeting"
- Enter your name and email address
- Click "Join"
- Enable your computer Audio by clicking on the phone icon at the top of your screen
- Click on Mic & Speakers
- Click Yes on the popup box that says "let www.freeconferencecall.com use your microphone?"
- It may take a few minutes to hear the audio

Public Participation

When it's Public Comment Time in the meeting the following will occur:

- The computer will be changed to Q&A Mode. You will hear this announcement.
- Phone callers will dial *6 to get in line to make a comment
- If you are using a computer, you will need a microphone to verbally make a public comment, or to write a message to us, click the Chat icon 
- Wait until you hear an automated message saying "Ask your question now" you will need to state your name and address before your comments make your public comment. You will be unmuted so that everyone can hear you.

Email Prior to Meeting Public Comments to be read at meeting

You can e-mail the Township Clerk at ghuber@westwindsortwp.com by 11:00 a.m. the day of the meeting and your comments will be read into the record. Please include your name and address.