

**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**

January 24, 2022

VIA Zoom Video Communications

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 7, 2022 to The Times and the Princeton Packet and posted on the Township web-site. All Council meetings are open to the public with access via Zoom for those who wish to attend virtually. Please see Township web-site for further details.
4. Salute to the Flag
5. Ceremonial Matters and/or Topics for Priority Consideration
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

B. Minutes

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2022-R035 Authorizing the Appointment of Ishan Vanjara as a Student Member of the Human Relations Council

2022-R036 Authorizing the Mayor and Clerk to Execute a Developers Agreement with Palladium Realty LLC for PB19-15 Princeton Executive Center

2022-R037 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Ed Schmierer of Mason, Griffin & Pierson as Conflict Attorney

2022-R038 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Piazza and Associates as Affordable Housing Consultant - \$18,000.00

2022-R039 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Ruderman Roth, LLC as Labor Attorney - \$50,000.00

2022-R040 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Phoenix Advisors LLC as Financial Advisor - \$3,800.00

2022-R041 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Suplee, Clooney & Company as Municipal Auditor - \$27,450.00

2022-R042 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with David P. Lonski as Special Tax Counsel for Tax Appeal Defense - \$40,000.00

- 2022-R043 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Parker McCay, P.A. as Township Attorney - \$75,000.00
- 2022-R044 Authorizing the Reduction of Performance Guarantees for Private On-Site Improvements for the Project Known as Princeton Ascend, LLC (PB16-05)
- 2022-R045 Authorizing the Full Release of Performance Guarantees and Site Inspection Escrows for the Project Known as Princeton Junction Commons (PB88-27 AM & ZB19-10)
- 2022-R046 Authorizing the Business Administrator to Execute Change Order #1 with Mecco, Inc. for an Increase of \$19,209.82 for Final Quantities Adjustment and Project Closeout for the Project Known as Southfield Road Roadway Reconstruction for a Revised Contract Amount of \$552,104.27
- 2022-R047 Authorizing the Business Administrator to Execute Change Order #1 with Mecco Inc., for a Decrease of \$4,876.79 for Final Quantities Adjustment and Project Closeout for the Project Known as Village Road East Reconstruction - (\$390,167.99)
- 2022-R048 Authorizing the Mayor and Clerk to Execute a Contract for Emergency Drainage Repair to the 48" Storm Sewer Pipe In the Rear of 8 Jewel Road to Ireland Construction Group, Inc., in the Amount of \$26,920.00
- 2022-R049 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with GeoTrek Environmental and Surveying, LLC for In-House Engineering Services - \$3,000.00
- 2022-R050 Authorizing the Business Administrator to Purchase from CDW-G Microsoft Office Pro Software for the Police Division through New Jersey State Contract T3121 - \$16,172.00

2022-R051 Authorizing the Business Administrator to
Purchase from CDW-G Toughbooks, keyboards and
Accidental Damage Protection for the Division of
Fire and Emergency Services - \$13,650.00

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

RESOLUTION

WHEREAS, a vacancy exists on the Human Relations Council for a student member; and

WHEREAS, Ishan Vanjara has expressed his interest in serving on the Human Relations Council; and

WHEREAS, the term of this appointment is for two years expiring on December 31, 2023; and

WHEREAS, Mayor Hemant Marathe recommends this appointment and seeks the Council's consent to appoint Ishan Vanjara to the Human Relations Council.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor hereby approves (consents to) the following Human Relations Council appointment:

Ishan Vanjara	Term to Expire	12/31/2023
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Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January, 2022

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, on December 9, 2020 the West Windsor Township Planning Board approved the application (PB19-15) Princeton Executive Park (aka Palladium Realty LLC) for preliminary/final major site plan and subdivision approval for a mixed used planned development consisting of 656 multi-family residential units, a 130 room hotel with liquor license, 16,000 of retail space and a 6,915 sf restaurant; and

WHEREAS, a condition of approval is the execution by the Developer of a Developer's Agreement with the Township, as prepared by the Planning Board's Counsel; and

WHEREAS, the Developer's Agreement appended hereto has been prepared and executed; and

WHEREAS, such Developer's Agreement accurately reflects the conditions stated in the Resolution of Memorialization; and

WHEREAS, it would be in the best interest of the Township to execute such Developer's Agreement.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Windsor that the Mayor and Township Clerk are hereby authorized and directed to execute a Developer's Agreement in the form attached hereto.

Adopted: January 24, 2022

I hereby certify this is a true copy of a resolution adopted by the Township Council of West Windsor at their meeting held on the 24th day of January, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township may need Conflict Attorney services when the Township Attorney’s Office is conflicted; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) permits an award of contract for “professional services” without competitive bids, and the services contemplated to be rendered by the Conflict Attorney qualify as “Professional Services” under this law; and

WHEREAS, the Township wishes to enter into a professional services agreement with Edwin W. Schmierer, Esq., and Mason, Griffin & Pierson for the performance of the aforesaid services; and

WHEREAS, the Chief Financial Officer has certified that funds are available for the professional services agreement in the following line item:

Legal-Legal Fees	105-46-223	\$7,500.00
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NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that:

1. The Mayor and Clerk are hereby authorized to execute, on behalf of the Township, a professional services agreement, with Edwin W. Schmierer, Esq. and Mason, Griffin & Pierson for the performance of conflict attorney services as needed for an amount not to exceed of \$7,500.00 for the period of January 1, 2022 through December 31, 2022.
2. A notice of this action shall be printed in the legal newspaper used by the Township in accordance with law.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, the Township needs a consultant to assist in compliance with obligations and a desire to provide quality affordable housing in West Windsor Township; and
- WHEREAS, it is in the Township's best interests to continue to consult with Piazza & Associates to perform such affordable housing services for ongoing and new projects; 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:11-1 et seq. because the aforementioned services are professional in nature; and
- WHEREAS, the Local Public Contracts Law requires a resolution authorizing the award of contract for professional services without competitive bidding being publicly advertised; and
- WHEREAS, the professional services agreement appropriately sets forth the obligation of the parties with respect to such services; 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 account:

Affordable Housing Trust Fund	121201	\$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 Piazza & Associates to cover the period January 1, 2022 through December 31, 2022.
2. The Agreement so authorized shall require the Provider to provide professional consulting services as outlined in the professional services agreement that shall be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-1 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.

Adopted January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Council at their meeting held on the 24th day of January, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire a labor attorney and related legal services; and

WHEREAS, the term of the contract is January 1, 2022 through December 31, 2022; and

WHEREAS, Ruderman Roth, LLC, will provide labor attorney and related legal services including but not limited to collective bargaining negotiations, grievances, administrative proceedings, arbitration, litigation and other projects authorized by the Business Administrator and/or Director of Law; and

WHEREAS, the Township Chief Financial Officer has certified that funding for the labor attorney and related legal services is available in the following account:

Legal Consulting Services – 105-46-210 \$50,000.00.

NOW THEREFORE, BE IT RESOLVED that 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 the professional services agreement with Ruderman Roth, LLC, to cover the period January 1, 2022 through December 31, 2022.
2. The Agreement so authorized shall require the Provider to provide professional consulting services as outlined in the professional services agreement that shall be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-1 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.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, there exists a need for specialized financial advisory services in connection with the issuance of bonds or notes of the Township of West Windsor (the “Township”) in the County of Mercer, State of New Jersey, including the planning and development of a financing strategy and structure, coordinating the financing process, providing consulting services through the actual execution of the financing and providing follow-up reporting and analyses after the transaction is complete; and

WHEREAS, such specialized financial advisory services can be provided by Phoenix Advisors, LLC, a financial advisory group of Bordentown, New Jersey, so recognized by the financial community; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following account:

Roadway Improvements 405-2020-14-014 \$3,800.00

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 an Agreement with Phoenix Advisors, LLC. The financial advisory group of Phoenix Advisors, LLC of Bordentown, New Jersey, is hereby retained through December 31, 2022 to provide the specialized financial advisory services necessary in connection with the issuance of bonds or notes by the Township.
- (2) The Professional Services Agreement is awarded without competitive bidding as a “Professional Service” in accordance with the Local Public Contracts Law; N.J.S.A. 40A:11-5(1) (a), because it is for services performed by persons authorized by law to practice a recognized profession.
- (3) A notice of this action shall be printed once in a Township legal newspaper.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire Professional Auditing Services; and

WHEREAS, the Township's Business Administrator, Chief Financial Officer and Mayor recommend the reappointment of Warren M. Korecky., CPA, RMA, a partner in the firm of Suplee, Clooney and Company, to fulfill the requirements of the State of New Jersey for the performance of an annual audit; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following account:

2021 Audit and Accounting Service Other Expenses 105-07-203A \$27,450.00

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

1. The Mayor and Township Clerk are hereby authorized to execute Professional Services Agreement with Warren M. Korecky as the Township Auditor through December 31, 2022.
2. The Professional Services Agreement so authorized shall require the provider to perform Professional Auditing Services. The Contract shall be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1) (a) (i) 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.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th the day of January, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire additional legal services pursuant to the defense of assessment; and

WHEREAS, the Township wishes to enter into a Professional Services Agreement with David P. Lonski, Esquire for the aforesaid services; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said Professional Services Agreement in the appropriation account:

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:

1. The Mayor and Township Clerk are hereby authorized to execute a professional services agreement with David P. Lonski, as Special Tax Counsel, through December 31, 2022.
2. This contract is being 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; and
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.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, there exists a need for the Township to obtain counsel to provide legal services to the Township for the year 2022 and appointment of a municipal attorney as authorized by State law; and
- WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) permits an award of contract for “professional services “without competitive bids, and the services contemplated to be rendered by the Attorneys qualify as “Professional Services” under this law; and
- WHEREAS, the Township wishes to enter into a professional services agreement with Parker McCay P.A., a firm of licensed New Jersey Attorneys, for the performance of the aforesaid services; and
- WHEREAS the Chief Financial Officer has certified that funds are for said professional services agreement in the following line item appropriation accounts for 2022:

Legal – Legal Fees	105-46-223	\$35,000
Legal – Legal Fees – Tsp. Council -	105-46-224	\$20,000
Legal – Litigation	105-46-228	<u>\$20,000</u>
	Total	<u>\$75,000</u>

NOW, THEREFORE, BE IT RESOVLED, by the Township Council of the Township of West Windsor that:

- 1, The Mayor and Clerk are hereby authorized to execute, on behalf of the Township, a professional services agreement, with Parker McCay P.A. for the performance of legal services and the appointment of a municipal attorney, for an amount not to exceed \$75,000 for the period of January 1, 2022 through December 31, 2022.
2. A notice of this action shall be printed in the legal newspaper used by the Township.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Michael Jin on behalf of Princeton Ascend, LLC has made a request for a reduction of the performance guarantee associated with private on-site improvements within the project known as Princeton Ascend, LLC (PB16-05); and

WHEREAS, the performance guarantee is currently at 100% 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 recommends that the performance guarantee for private site improvements be reduced to 30% of the original amounts in connection with private on-site improvements within the project known as Princeton Ascend, LLC (PB16-05), as follows:

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Reduced Amount
Bond #76127828	\$203,800.00	1/11/19	\$203,800.00	\$61,140.00
Cash	\$ 22,643.00	1/14/19	\$ 22,643.00	\$ 6,793.00

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 Michael Jin for private on-site improvements within the project known as Princeton Ascend, LLC (PB16-05), be reduced, as follows:

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Reduced Amount
Bond #76127828	\$203,800.00	1/11/19	\$203,800.00	\$61,140.00
Cash	\$ 22,643.00	1/14/19	\$ 22,643.00	\$ 6,793.00

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: January 24, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Eric Rosenblum on behalf of Princeton Junction Commons, LLC (“Developer”) has made a request for a release of the performance guarantees and site inspection escrows associated with private on-site improvements within the project known as Princeton Junction Commons (PB88-27AM); and

WHEREAS, the subject property on Clarksville-Grovers Mill Road, designated as Block 10, Lot 15.03, has received approvals from the Zoning Board of Adjustment for a different use on the property under Project ZB19-10 which will require separate site plan review and approval and the subsequent posting of performance guarantees and inspection escrow for said project; and

WHEREAS, the Township Engineer has reviewed the request and recommends that this action be approved by the Township Council in connection with private on-site improvements within the project known as Princeton Junction Commons (PB88-27AM), as follows:

Phase 1 Improvements

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
FP0019950	\$ 53,440.00	7/01/2013	\$16,032.00	Full Release
Cash/Ck	\$ 5,938.00	7/03/2013	\$ 1,782.00	Full Release

Phase 2 Improvements

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
589442S	\$153,806.00	11/21/2014	\$151,806.00	Full Release
Cash/Ck	\$16,867.00	11/26/2014	\$16,867.00	Full Release

WHEREAS, there remains balances in the Developer’s inspection fee escrow account, which the Developer is entitled to have refunded; and

WHEREAS, the Township Engineer recommends that the balance remaining in the inspection fee escrow account for the project be refunded as follows:

<u>Deposit Date</u>	<u>Developer</u>	<u>Project ID</u>	<u>Project Name</u>	<u>Escrow Balance as of 11/29/21</u>
7-03-2013	Princeton Junction Commons, LLC	PB88-27AS1	Princeton Junction Commons Phase 1	\$ 5,508.77
11-26-2014	Princeton Junction Commons, LLC	PB88-27AS2	Princeton Junction Commons Phase 2	\$ 34,369.44

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the performance guarantees posted by Eric Rosenblum for private on-site improvements within the project known as Princeton Junction Commons (PB88-27AM), be released, as follows:

Phase 1 Improvements

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
FP0019950	\$ 53,440.00	7/01/2013	\$16,032.00	Full Release
Cash/Ck	\$ 5,938.00	7/03/2013	\$ 1,782.00	Full Release

Phase 2 Improvements

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
589442S	\$153,806.00	11/21/2014	\$151,806.00	Full Release
Cash/Ck	\$16,867.00	11/26/2014	\$16,867.00	Full Release

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to refund to the Developer the balances of the escrow deposits, and any applicable interest to which the Developer is entitled.

ADOPTED: January 24, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Township awarded a contract for the Southfield Road Roadway Reconstruction to Meco, Inc. on March 22, 2021 for the contract amount of \$532,894.45 (Resolution 2021-R065) as set forth in the contract documents; and

WHEREAS, Certifications of Funds for the original contract and Change Order No. 1 were received from the Chief Financial Officer and funds for said contract were available in the following line item appropriation accounts:

<u>Annual Road Program NJDOT Grant</u>	<u>405-2019-18 012</u>	<u>\$532,894.45</u>
Account Title	Account Number	Amount

WHEREAS, Change Order No. 1, has been submitted by the contractor and accounts for an increase (3.60%) associated with fuel and asphalt price indexing and supplemental work needed for traffic direction costs and ADA ramps required by the NJDOT; 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 account:

<u>Annual Road Program NJDOT Grant</u>	<u>405-2019-18 012</u>	<u>\$19,209.82</u>
Account Title	Account Number	Amount

WHEREAS, the Township Engineer has inspected the project and recommends the change order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that Change Order No. 1 is hereby approved, adjusting the construction scope and quantities of the original contract amount of \$532,894.45 to a revised contract amount of \$552,104.27.

BE IT FURTHER RESOLVED that the Township Business Administrator is hereby authorized to execute Contract Change Order No. 1.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Township awarded a contract for the Village Road East Reconstruction to Meco, Inc. on February 24, 2020 for the contract amount of \$395,044.78 (Resolution 2020-R067) as set forth in the contract documents; and

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

<u>Roadway Improvements – DOT grant</u>	<u>405-2018-15 013</u>	<u>\$350,000.00</u>
Account Title	Account Number	Amount
<u>Annual Residential Road Improvements</u>	<u>405-2015-06 007</u>	<u>\$ 12,623.95</u>
Account Title	Account Number	Amount
<u>Roadway Improvements</u>	<u>405-2017-21 008</u>	<u>\$ 13,072.80</u>
Account Title	Account Number	Amount
<u>Roadway Improvements</u>	<u>405-2018-15 012</u>	<u>\$ 19,348.03</u>
Account Title	Account Number	Amount

WHEREAS, Change Order No. 1 and final, has been submitted by the contractor and accounts for a decrease (-1.23%) of the total budget associated with increases to fuel and asphalt price indexing and supplemental work needed stormwater management and tree pruning and decreases to unit price items not needed; and

WHEREAS, the Township Engineer has inspected the project and recommends the change order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that Change Order No. 1 and final is hereby approved, adjusting the construction scope, length and quantities of the original contract amount of \$395,044.78 to a revised contract amount of \$390,167.99.

BE IT FURTHER RESOLVED that the Township Business Administrator is hereby authorized to execute Contract Change Order No. 1 and final.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January 2022.

Gay Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, an area of subsidence approximately 8 feet -10 feet in diameter, 7 feet deep at the high side and 4 feet deep at the low side and located on a steep slope, has formed within a drainage easement in the rear yard of 8 Jewel Road; and
- WHEREAS, the soil settlement (subsidence) appears to be caused by failure of the top of a 48" (forty-eight inch) diameter pipe; and
- WHEREAS, said damage to the pipe appears to have potentially been caused by construction loads placed on the pipe at some time after installation of the pipe; and
- WHEREAS, the Department of Public Works and the Division of Engineering staff determined that there was emergent need to repair the pipe due to the finding that each rain event appears to cause more of the existing soil to erode from the slope of the yard into the damaged pipe; and
- WHEREAS, the Township of West Windsor had a need to acquire contract services on an emergency basis according to the provisions of N.J.S.A. 40A: 11-6; and
- WHEREAS, the Township of West Windsor Director of Public Works and the Assistant Township Engineer have both reviewed the work conducted for this emergency repair and found said work to be consistent with standard practices and the invoices submitted to be reasonable for the response to this situation; 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:
- | | | |
|----------------------------------|-----------------|-------------|
| Sanitary/Storm Sewer Maintenance | 405-2017-21 027 | \$26,920.00 |
|----------------------------------|-----------------|-------------|
- WHEREAS, in accordance with N.J.S.A. 40A:11-6, the Township Council is satisfied that the emergency exists, that it affects the public health, safety and welfare and that it requires immediate delivery of the aforesaid articles and/or services; and

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 contract with Ireland Construction Group LLC for a contract price of \$26,920.00.
- (2) An executed copy of the Contract between the Township and Ireland Construction Group LLC and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: January 24, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor requires professional engineering services on a consultant basis for Professional Land Surveyor Services performed for miscellaneous engineering projects as assigned; and

WHEREAS, the Township wishes to enter into a services agreement with GeoTrek Environmental and Surveying LLC for the aforesaid services; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said contract 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

WHEREAS, the maximum amount of the contract is subject to the final adoption of the 2022 Local Municipal Budget and funds are available through account 105-30-210 "Engineering Costs & Services: Consultants;" and

WHEREAS, additional services may be required for various capital projects as assigned and may be certified to if funds are available as certified by the Township's Chief Financial Officer; 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 professional services agreement 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 a professional services agreement with GeoTrek Environmental and Surveying LLC to cover the period January 24, 2022 through December 31, 2022.
- (2) The Agreement so authorized shall require the Provider to provide Professional Land Surveyor Services pursuant to its proposal dated December 22, 2021. The contract is 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.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor Police Division has the need on a timely basis to purchase technological goods or services utilizing State contracts; and

WHEREAS, CDW-Government is an authorized vendor under NJ State Contract T3121; and

WHEREAS, the Police Division needs to purchase licenses for Microsoft Office Pro software for workstations and servers connected on the Police Network from CDW-Government under NJ State Contract T3121 in the amount of \$16,172.00; and

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

Police – Acq. Of Office/Computer Equipment 405-2019-18-022 \$16,172.00

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Windsor hereby authorizes the Business Administrator Marlana Schmid to purchase the above from CDW-Government for a total not to exceed of \$16,172.00.

Adopted: January 24, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January, 2022.

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 three Panasonic Toughbook, keyboards and accidental damage protection; and

WHEREAS, CDW Government is an authorized vendor under NJ State Contract MNWNC-124 89980, and

WHEREAS, the total cost of the installation and configuration services and hardware necessary is \$13,650.00 and the Chief Financial Officer has approved funding for the above from the following capital account:

121431	Uniform Fire Code Trust	\$ 13,650.00
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NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes the Business Administrator Marlana Schmid to purchase the above from CDW Government under NJ State Contract MNWNC-124 89980.

Adopted: January 24, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 24th day of January, 2022.

Gay M. Huber
Township Clerk
West Windsor Township