

MEETING TO BE
LIVE STREAMED AT
<https://www.youtube.com/channel/UC8i0yw7lhozymbgo4N68jJdg/live>

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

February 14, 2022

VIA Zoom Video Communications

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 7, 2022 to The Times and the Princeton Packet and posted on the Township 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

2022-R052 Endorsing the Application for Membership to the New Jersey State Firemen's Association for Michael P. O'Malley of the Princeton Junction Volunteer Fire Company #1

2022-R053 Authorizing the Mayor and Clerk to Execute an Easement Modification Agreement for 12 Arnold Drive

B. Minutes

December 13, 2021 - Business Session - as amended
December 20, 2021 - Business Session - as amended
January 3, 2022 - Business Session - as amended

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2022-R027 Authorizing the Appointment of Daniel O'Gorman as Plumbing Subcode Official for a Term of Four Years Effective January 18, 2022

2022-R054 Authorizing the Reappointment of Melissa Hagar as a Member of the Human Relations Council With a Term to Expire December 31, 2023

2022-R055 Authorizing the Mayor and Clerk to Execute the Reimbursement Agreement with The Mews at Princeton Junction for Solid Waste Collection Costs for 2020

2022-R056 Authorizing the Mayor and Clerk to Execute the Reimbursement Agreement for Princeton Greens Homeowners Association 2019 and 2020 Snow Removal Costs

2022-R057 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with McManimon, Scotland & Baumann, L.L.C. as Bond Counsel and Redevelopment Attorney

- 2022-R058 Authorizing the Mayor and Clerk to Execute a Developers Performance Guarantee Agreement with Windsor 1 Developers. LLC ZB19-06
- 2022-R059 Authorizing the Full Release of Performance Guarantees for Public Improvements and Site Inspection Escrows for the Project Known as Princeton Junction Commons PB88-27 ACR
- 2022-R060 Authorizing the Mayor and Clerk to Execute a Contract with On-Site Landscaping Management, Inc. for Public Lands Maintenance Cul De Sac and Street Tree Maintenance and Replacement - \$112,314.00
- 2022-R061 Authorizing the Mayor and Clerk to Execute a Contract with On-Site Landscaping Management, Inc. for Public Lands Maintenance Turfgrass and Stormwater Detention Basin Maintenance - \$97,414.00
- 2022-R062 Authorizing the Utilization of Rock Salt Bid with the Mercer County Cooperative Contract Purchasing System CK09MERCER with Morton Salt, Inc. for the Department of Public Works for the Calendar Years 2022-2023 - \$160,000.00
- 2022-R063 Authorizing the Business Administrator to Purchase Toner for the Municipal and Police for 2022 From CDW-G Through the New Jersey Cooperative Purchasing Program - \$19,000.00
- 2022-R064 Authorizing the Mayor and Clerk to Execute the Fourth (4th) Amendment to the Lease Agreement with the West Windsor Arts Council

14. Introduction of Ordinances

- 2022-01 AN ORDINANCE TO DEDICATE PROPERTY KNOWN AS BLOCK 25, LOT 22 (1716 OLD TRENTON ROAD) TO THE COUNTY OF MERCER

PUBLIC HEARING: February 28, 2022

2022-02 AN ORDINANCE AMENDING AND SUPPLEMENTING PART II
"GENERAL LEGISLATION" OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW
JERSEY (1999) CHAPTER 4; "ADMINISTRATION OF
GOVERNMENT" SECTION 4-37 "POLICE DIVISION" OF THE
TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR

PUBLIC HEARING: February 28, 2022

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, Michael P. O'Malley, a member of the Princeton Junction Volunteer Fire Company, has applied for membership in the New Jersey State Firemen's Association; and

WHEREAS, his application is complete in all ways;

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

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Daniel Kanoff and Elizabeth Chang, owner of property located at 12 Arnold Drive, West Windsor Township, New Jersey, also known as Block 16.01 Lot 43, in West Windsor, New Jersey 08550 has made a request for a waiver to permit the construction of a fence over a drainage easement along the rear yard of their property; and

WHEREAS, the Township Engineer has reviewed and approved this request subject to compliance with the terms of the Easement Modification Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of West Windsor Township that the waiver requested by Daniel Kanoff and Elizabeth Chang be hereby granted subject to the acceptance of the recommendations of the Township Engineer and the execution of the Easement Modification Agreement; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute said agreement which shall be filed in the Mercer County Clerk's Office by the Township Attorney.

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, the position of Plumbing Subcode Official is currently vacant; and
- WHEREAS, the New Jersey Uniform Construction Code requires a municipality to appoint a Plumbing Subcode Official; and
- WHEREAS, Daniel O’Gorman has the required experience and licensing to hold the position of Plumbing Subcode Official; and
- WHEREAS, the Construction Code Official and Township Engineer/Director of Community Development recommends the appointment of Daniel O’Gorman as the Plumbing Subcode Official for the Township of West Windsor.
- NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, County of Mercer, and State of New Jersey, that Eric be and is hereby appointed the Plumbing Subcode Official for the Township of West Windsor for a term of four (4) years effective January 18, 2022.

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the term of Melissa Hager expired on 12/31/2021 as a Member of the Human Relations Council; and

WHEREAS, Melissa Hager has expressed her interest in continuing to serve on the Human Relations Council; and

WHEREAS, it is recommended that Melissa Hager be re-appointed as a member on the Human Relations Council with a term to expire on December 31, 2023; and

WHEREAS, Mayor Hemant Marathe recommends this re-appointment and seeks the Council's consent to re-appoint Melissa Hager 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 re-appointment:

Melissa Hager Term to Expire 12/31/2023

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 40:66 - 1 et seq. establishes a policy and schedule of the reimbursement of costs for solid waste collection services incurred by qualified multifamily dwellings as defined by the law; and

WHEREAS, The Mews at Princeton Junction qualifies as such a community; and

WHEREAS, the Township of West Windsor agrees to reimburse The Mews at Princeton Junction solid waste collection costs for the calendar year 2020; 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:

The Mews at Princeton Junction
Refuse Collection – Multi Family Reimbursement - 101001 \$135,377.69

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, and State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute an agreement with The Mews at Princeton Junction to reimburse them for certain solid waste collection costs pursuant of NJSA 40:66 - 1 et. seq.

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, C.299 of P.L. 1989 (NJSA 40:67-23.2 et seq.) establishes a policy and schedule of the reimbursement of costs for refuse and recycling collection and disposal, snow removal and street lighting costs incurred by qualified private communities as defined by the law; and

WHEREAS, Princeton Greens Homeowners Association qualifies as such a community; and

WHEREAS, the Township of West Windsor agrees to reimburse the above-mentioned Homeowners Association for snow removal costs for 2019 and 2020; 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:

Princeton Greens Homeowners Association

Storm Recovery Trust Fund -2019	121407	\$	100.45
Storm Recovery Trust Fund -2020	121407	\$	<u>293.85</u>
Total		\$	<u>394.30</u>

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, and State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute agreement with this Association to reimburse them for certain snow removal pursuant of NJSA 40:67-23.2 et. seq.

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, there exists a need for specialized legal services in connection with the authorization and the issuance of bonds or notes and for redevelopment projects of the Township of West Windsor (the "Township") in the County of Mercer, State of New Jersey, and

WHEREAS, such specialized legal services can be provided by McManimon, Scotland & Baumann, LLC of Roseland, New Jersey, so recognized by the public finance and redevelopment community.

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

- (1) The Mayor and Township Clerk are hereby authorized to execute a Professional Services Agreement with McManimon, Scotland & Baumann, L.L.C. through December 31, 2022.
- (2) To provide the specialized legal services necessary in connection with 1) the authorization and the issuance of bonds or notes by the Township and 2) the redevelopment project.
- (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 McManimon, Scotland & Baumann, L.L.C. and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Windsor 1 Developers, LLC received preliminary and final site plan and d-4,d-6 variances approval from the West Windsor Township Zoning Board of Adjustment for the construction of on-site and off-site improvements for Block 7, Lot 59 (ZB19-06); 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 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 Bond issued by NGM Insurance Co., Bond Number S330734 in the amount of \$80,170.56 with a cash bond in the amount of \$8,907.84 to serve as performance guarantees to secure the installation of on-site and off-site improvements in accordance with 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 RESOLVED on this 14th day of February, 2022 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: February 14, 2022

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at its meeting held on the 14th day of February, 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 escrow associated with public improvements to Clarksville Road for the project known as Princeton Junction Commons (PB88-27ACR); and

WHEREAS, the Office of the Mercer County Engineering has approved the improvements to Clarksville Road as constructed; and

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

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
FP0019951	\$ 51,937.20	7/01/2013	\$51,937.20	Full Release
Cash/Ck	\$ 5,770.80	7/03/2013	\$ 5,770.80	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	PB88-27ACR	Princeton Junction Commons – Clarksville Road	\$ 10.25

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

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
FP0019951	\$ 51,937.20	7/01/2013	\$51,937.20	Full Release
Cash/Ck	\$ 5,770.80	7/03/2013	\$ 5,770.80	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 deposit, and any applicable interest to which the Developer is entitled.

Adopted: February 14, 2022

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

 Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has determined the need for landscape maintenance for public cul de sac island and street trees; and

WHEREAS, said contracts were put out to public bid seeking bids for this annual project, including bids for two additional one year renewal options, and said bids were opened on February 13, 2020; and

WHEREAS, eight contractors picked up bids and the Township received bids from the following bidders:

<u>Contractor</u>	<u>Base Bid-2021</u>
On Site Landscape Management Inc.	\$ 112,314.00
Greenleaf Landscape systems & Services	\$ 124,200.00
Sunset Creations Landscape Contractors	\$ 158,675.00

WHEREAS, the Township staff has reviewed all bids and determined that the lowest responsible bid for 2022, which is the second of two option years, was submitted by On Site Landscape Management Inc.; and

WHEREAS, the Township of West Windsor wishes to plant trees, with appropriate root barriers, that will minimize root damage to sidewalks, while at the same time maximizing the planting of native trees as much as possible with the confines of good community forestry practices; 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:

Facilities & Open Space Service / Maintenance	105 44 251	\$ 78,588.50
Preserve Open Space Development	405 2018 16 005	\$ 13,725.50
Street Tree Planting Program	405 2021 14 016	\$ 20,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Township of West Windsor that the contract for the renewal of Public Lands Maintenance Cul de Sac and Street Tree Maintenance and Replacement be awarded to On Site Landscape Management Inc., 203 Sweetmans Lane, Millstone, NJ, and PO Box 294, Perrineville, NJ 08535, and the Mayor and Clerk are authorized to execute said contract.

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has determined the need for landscape maintenance for detention basins and open space lands; and

WHEREAS, said contracts were put out to public bid seeking bids for this annual project, including bids for two additional one year renewal options, and said bids were opened on February 6, 2020; and

WHEREAS, five contractors picked up bids and the Township received bids from the following two bidders:

<u>Contractor</u>	<u>Base Bid-2020</u>
On-Site Landscape Management Inc.	\$ 97,414.00
Greenleaf Landscape Systems, Inc.	\$137,186.00

WHEREAS, the contract was successfully carried out in 2020 and 2021 by On-Site Landscape Management Services; and

WHEREAS, the Township staff has reviewed all bids and determined that the lowest responsible 2022 bid, which is the second of two option years, was submitted by On-Site Landscape Management, Inc.; and

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

Facilities & Open Space Service/Maintenance	105 44 251	\$ 36,497.00
Preserve Open Space Maintenance	405 2019 17 004	\$ 1,302.06
Preserve Open Space Maintenance	405 2020 16 003	\$ 59,614.94

NOW, THEREFORE, BE IT RESOLVED, by the Township of West Windsor that the contract for the renewal of Public Lands Maintenance-Detention Basins and Open Space be awarded to On-Site Landscape Management, Inc., 203 Sweetmans Lane, Millstone, NJ, and PO Box 294, Perrineville, NJ 08535, and the Mayor and Clerk are authorized to execute said contract.

Adopted: February 14, 2022

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

Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

WHEREAS, the County of Mercer, acting as Lead Agent for the Mercer County Cooperative Contract Purchasing System CK09MERCER, legally advertised for supply of rock salt, and on November 4, 2021 received sealed bids; and

WHEREAS, Morton Salt, Inc. has been awarded Mercer County Cooperative Contract No. CK09MERCER2019-28 for the period January 24, 2022 through January 23, 2024; and

WHEREAS, the Chief Financial Officer has certified that funds will be available in the following accounts subject to the adoption of the 2022 and 2023 Municipal Budget:

Snow Removal – Salt and Sand 2020	105-41-340	\$80,000
Snow Removal – Salt and Sand 2021	105-41-340	\$80,000
	Total	\$160,000

WHEREAS, it is recommended the Township of West Windsor purchase treated and untreated rock salt from the Mercer County Cooperative Contract No. CK09MERCER2021-19.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Business Administrator is authorized to purchase from Morton Salt, Inc. of 444 Lake Street, Suite 3000, Chicago, IL 60606 with a port/pickup location of 1121 Bordentown Road, Morrisville, PA 19067 be utilized as the authorized vendor for treated and untreated rock salt for 2022 and 2023 in accordance with the submitted bid pricing.

Adopted: February 14, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 14th day of February 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, CDW Government is an authorized vendor of HP Inc. under NJ State Contract M0483-89974 for toner, and

WHEREAS, as of February 3, 2022 the Township’s total aggregate spending under NJ State Contract M0483 is as follows:

Resolution # 2022-R051	Vendor: CDWG NJ State PO # 89974	<u>\$13,650.00</u>
		<u>\$13,650.00</u>

WHEREAS, the Chief Financial Officer has approved funding for the above from the following account:

105 18 332	Police- Office Supplies	\$ 7,000.00
105 04 353	Administration-Technical/Computer Supplies	\$ 12,000.00

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes the Business Administrator Marlena Schmid to purchase the above from CDW Government under NJ State Contracts M0483-89974.

BE IT FURTHER RESOLVED, that the authorization to the New Jersey State Contract M0483-88974 is amended to reflect the \$19,000.00 increase from \$13,650.00 to \$32,650.00.

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk
West Windsor Township

TOWNSHIP OF WEST WINDSOR
MERCER COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN
THE WEST WINDSOR ARTS COUNCIL AND THE TOWNSHIP OF WEST WINDSOR FOR
THE LANDS COMMONLY KNOWN AS 952 ALEXANDER ROAD, BLOCK 75, LOT 6 (A.K.A. ARTS
CENTER OR THE OLD PJ VOLUNTEER FIRE STATION), WEST WINDSOR, NEW JERSEY

- WHEREAS, the Township Council of West Windsor originally authorized the execution of a ten (10) year Lease Agreement (“Lease: or “Agreement”) with the West Windsor Arts Council, a not-for-profit 501(c) (3) organization, on August 2, 2010, via Resolution No. 2010-R166A; and
- WHEREAS, the Township Council of West Windsor adopted Amendment No. 1 on July 13, 2020 via Resolution 2020-R141 which extended the existing Lease Agreement for five (5) months and terminated on December 31, 2020; and
- WHEREAS, the Township Council of West Windsor adopted Amendment No. 2 on November 30, 2020 via Resolution 2020-R240 which extended the existing Lease Agreement for twelve (12) months beginning on January 1, 2021 and terminating on December 31, 2021; and
- WHEREAS, the Township Council of West Windsor adopted Amendment No. 3 on November 22, 2021 via Resolution 2021-R200 which extended the existing Lease Agreement for twelve (12) months beginning on January 1, 2022 and terminating on December 31, 2022; and
- WHEREAS, the Property (“Property”) owned by the Township and leased under the Agreement is located at Block 75, Lot 6 on the official Tax Map of West Windsor Township, and is commonly known as 952 Alexander Road (a.k.a. Arts Center or Old PJ Volunteer Fire Station); and
- WHEREAS, the West Windsor Arts Council will be applying for a grant through the New Jersey State Council on the Arts and one of the requirements is that their existing lease run through the grant period which ends on December 31, 2023; and
- WHEREAS, the New Jersey State Council on the Arts grant application submission being made by the West Windsor Arts Council will include, but is not limited to, renovations to the existing building, installation of an ADA accessible pavilion or gazebo, installation of new electric kilns being housed in a separate outside structure, fencing and exterior lighting; and
- WHEREAS, any and all proposed improvements outlined in the grant submission shall not create a nuisance to the adjacent property owners, cause detrimental impacts to the neighborhood, and/or add additional parking requirements to the current site; and
- WHEREAS, it will be the responsibility of the West Windsor Arts Council to obtain all necessary Land Use Board approvals as well as securing all required State, County or Municipal permits for any and all improvements that grant funding may be received for; and
- WHEREAS, any and all improvements being undertaken by the West Windsor Arts Council as part of any grant funding received will be required to be publicly bid and any potential contractor will be required to provide a Public Works Contractors Registration, provide a Payment and Performance Bond, pay current prevailing wage rates specific to Mercer County and/or the state of New Jersey, and submit copies of all certified payrolls to West Windsor Township; and

WHEREAS, it would be in the best interest of both parties to execute a one (1) year extension of the existing Lease Agreement whereas all existing terms and conditions remain unchanged except as noted above, so that a new long-term Lease Agreement can be thoroughly negotiated; and

WHEREAS, the Township is empowered to lease municipally-owned property, to the West Windsor Arts Council pursuant to N.J.S.A. 40:60-25.51, so long as the governing body determines same to be “desirable for the public convenience and welfare.”

NOW, THEREFORE, BE IT RESOLVED the Township Council of the Township of West Windsor, does hereby approve Amendment No. 4 to the existing Lease Agreement with the West Windsor Arts Council for a one (1) year extension, beginning January 1, 2023 and terminating on December 31, 2023, in exchange for the monthly rental rate of \$845.00.

BE IT FURTHERED RESOLVED, that the Mayor and Township Clerk are hereby authorized to execute this amendment to the initial Lease Agreement.

BE IT FURTHERED RESOLVED, that, upon final execution, the amendment to the initial Lease Agreement shall be incorporated by reference into this Resolution and shall be attached hereto as Amendment No.4.

BE IT FINALLY RESOLVED that, if said New Jersey State Council on the Arts grant is denied for any reason, this current Lease Amendment No. 4 is Null/Void and West Windsor Township reserves the right to negotiate a long-term Lease Agreement with a term beginning January 1, 2023.

Adopted: February 14, 2022

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

Gay M. Huber
Township Clerk,
West Windsor Township

ORDINANCE 2022 -01

TOWNSHIP OF WEST WINDSOR
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE TO DEDICATE PROPERTY KNOWN AS BLOCK 25, LOT 22
(#1716 OLD TRENTON ROAD) TO THE COUNTY OF MERCER

WHEREAS, the Township of West Windsor, Mercer County, New Jersey (“West Windsor”) and the County of Mercer (“Mercer County”) entered into a Shared Services Agreement (“Agreement”) on September 14, 2017, the purpose of which was to effect improvements to the signalized intersection of Old Trenton Road (County Route 535) and Edinburg Road (County Route 526); and

WHEREAS, pursuant to the Agreement the Township did acquire property known as Block 25, Lot 22 (#1716 Old Trenton Road) (“the Property”) as designated on the Township tax maps, did demolish and remove existing structures and improvements located on the Property, and has otherwise prepared the Property for future intersection improvements; and

WHEREAS, Mercer County has finalized their designs of the proposed intersection improvements and are prepared to move forward with them during this calendar year, necessitating the dedication of the Property from West Windsor Township to Mercer County; and

WHEREAS, the Township Council of the Township of West Windsor has determined and affirmed that the public interest remains served by dedication of the Property to Mercer County, and is in accordance with the terms of the Agreement;

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 Mayor and Clerk are hereby authorized to execute the Deed of Dedication and have it recorded with the Mercer County Clerk to effectuate the transfer of Block 25, Lot 22 (#1716 Old Trenton Road) to Mercer County.
2. All ordinances or parts of ordinances which are inconsistent with this ordinance are repealed as to their inconsistencies only.
3. 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: February 14, 2022

PUBLIC HEARING: February 28, 2022

ADOPTION:

PUBLIC APPROVAL:

EFFECTIVE DATE:

ORDINANCE 2022-02

AN ORDINANCE AMENDING AND SUPPLEMENTING PART II "GENERAL LEGISLATION" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY (1999) CHAPTER 4; "ADMINISTRATION OF GOVERNMENT" SECTION 4-37 "POLICE DIVISION" OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR

WHEREAS, it is recommended by the New Jersey Attorney General that all municipalities in New Jersey have certain ordinances in effect regarding police division structure; and

WHEREAS, it is prudent that the Township's ordinance regarding the structure of the police division be current and appropriate,

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

4-37 Police Division

- A. The Police Division of the township is hereby established with such number of subordinate police officers and sworn police positions as designated by the Mayor and authorized by the Council. The Police Division shall be headed by a Chief of Police or ranking sworn officer, who shall be appointed by the Director of Public Safety and whose duties and responsibilities shall be those governed by law, Township Code, where applicable, and the rules and regulations of the West Windsor Police Division.
- B. Each regular police officer shall hold office and continue in said employment during good behavior and efficiency after having properly completed a one year probationary period, pursuant to law, and no police officer shall be removed from office or employment for any causes other than incapacity, misconduct, neglect of duty, conduct unbecoming a police officer or disobedience of the rules and regulations established and hereafter established for the Division or absence from duty without just cause.

- C. Any permanent member of the Police Division may be suspended, removed/ discharged, fined or reduced in rank from or in office for just cause upon due notice and written charges filed with the Director of Public Safety or designee and served upon the member so charged with notice of a hearing thereon. The Director of Public Safety or designee shall have the power to suspend without pay the member so charged, pending determination of such charges. The hearing shall be held not less than 10 nor more than 30 days from the date of service of the complaint. Said hearing shall take place pursuant to the rules and regulations of the Police Division.
- D. The Mayor of the township shall serve as Public Safety Director and as the appropriate authority responsible for adopting and promulgating the rules and regulations of the Police Division.
- E. The Police Division shall consist of no more than one Chief of Police, Four Lieutenants, eight sergeants, 36 patrol officers and ten Special Law Enforcement Officers Class III (SLEOIII).
- F. To maintain effective staffing levels within the Police Department, the Chief of Police, with written consent from the Director of Public Safety, may fill the position of a retiring officer on terminal leave with a Police Recruit who will concurrently enter the Police Academy. The Police Recruit shall be assigned to the police academy and shall not be included in the total Police Division count listed in Section E because they do not possess a New Jersey Police Training Commission Certification and therefore cannot function in the capacity of a sworn police officer. All employees of the department shall be subject to the rules and regulations of the department but only sworn officers shall be considered as police officers.

This Ordinance shall take effect twenty (20) days after action or inaction by the Mayor as provided by law or an override of a mayoral veto by Council, whichever is application. Publication shall be in accordance to law.

INTRODUCTION: February 14, 2022

PUBLIC HEARING:

ADOPTION:

MAYORS APPROVAL:

EFFECTIVE DATE:

Explanation – Matter underlined thus is new matter.