

**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
May 23, 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
West Windsor Parking Authority Presentation
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-R128 Approving the Request for a Permit from L.E.A.D. Fest State Fair for a Public Fireworks Display on June 24, 2022 (no scheduled rain date) at Mercer County Park
- 2022-R129 Approving the Request for a Permit from L.E.A.D. Fest State Fair for a Public Fireworks Display on July 1, 2022 (no scheduled rain date) at Mercer County Park
- 2022-R130 Approving the Request for a Permit from L.E.A.D. Fest State Fair for a Public Fireworks Display on July 4, 2022 (no scheduled rain date) at Mercer County Park

B. Minutes

- April 11, 2022 - Business Session - as amended
April 25, 2022 - Business Session - as amended
April 25, 2022 - Closed Session

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

- 2022-R131 Application for "Eligible Certification Program" Through the New Jersey Division of Fire Safety and Appointing Tim Lynch, Chief of Fire and Emergency Services as the Authorized Signatory for the Firefighter Certification Program for West Windsor Township
- 2022-R132 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Martin Appraisal Associates, Inc. for Appraisal Services for the Hall Property - \$12,000.00
- 2022-R133 Authorizing the Chief Financial Officer to Increase the Contract by \$25,000.00 for John J. Curly, LLC for Legal Services for the Hall Property for a Total Not to Exceed of \$95,487.83

2022-R134 Authorizing the Business Administrator to Execute
Change Order #1 with En-tech of New Jersey for a
Decrease of -.43% for the Project Known as D&R
Sewer Rehabilitation Program, CIPP Lining Canal
Road Project Final Cost - \$282,898.68

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, LEAD Freedom Fest State Fair desires to conduct a public firework display located at Mercer County Park on June 24, 2022, with a rain date of June 25, 2022; and
- WHEREAS, said fireworks display shall be conducted by Schaefer Fireworks, a U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms licensed Importer of Fireworks, license number 8-PA-071-51-4E-02609; and
- WHEREAS, the New Jersey Uniform Fire Code N.J.A.C. 5:70-3, 5601.2.4.3 requires that the governing body approve said fireworks display by resolution prior to granting of a permit by the Township Fire Marshal; and
- WHEREAS, the Township Fire Marshal has designated the fireworks display must commence by 9:30 pm and conclude no later than 10:00 pm, and
- WHEREAS, the minimum insurance coverage required by N.J.A.C. 5:70, 5601.2.4.2 is \$500,000 and Schaefer Fireworks carries \$5,000,000 insurance coverage; and
- WHEREAS, the Fire Marshal has communicated with the Chief of Police, and the Fire Chief of West Windsor Fire Company who will provide police, and fire protection for said fireworks display and have given their approval; and
- WHEREAS, the West Windsor Township Division of Fire and Emergency Services will provide emergency medical services; and
- WHEREAS, the Fire Marshal has reviewed the application for permit, insurance requirements and other applicable regulations and has found all to be in order; and
- WHEREAS, the Fire Marshal recommends the approval of said resolution.

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

Adopted: May 23, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of May, 2022

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, LEAD Freedom Fest State Fair desires to conduct a public firework display located at Mercer County Park on July 1, 2022, with no rain date; and
- WHEREAS, said fireworks display shall be conducted by Schaefer Fireworks, a U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms licensed Importer of Fireworks, license number 8-PA-071-51-4E-02609; and
- WHEREAS, the New Jersey Uniform Fire Code N.J.A.C. 5:70-3, 5601.2.4.3 requires that the governing body approve said fireworks display by resolution prior to granting of a permit by the Township Fire Marshal; and
- WHEREAS, the Township Fire Marshal has designated the fireworks display must commence by 9:30 pm and conclude no later than 10:00 pm, and
- WHEREAS, the minimum insurance coverage required by N.J.A.C. 5:70, 5601.2.4.2 is \$500,000 and Schaefer Fireworks carries \$5,000,000 insurance coverage; and
- WHEREAS, the Fire Marshal has communicated with the Chief of Police, and the Fire Chief of West Windsor Fire Company who will provide police, and fire protection for said fireworks display and have given their approval; and
- WHEREAS, West Windsor Township Division of Fire and Emergency Services will provide emergency medical services; and
- WHEREAS, the Fire Marshal has reviewed the application for permit, insurance requirements and other applicable regulations and has found all to be in order; and
- WHEREAS, the Fire Marshal recommends the approval of said resolution.
- NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of West Windsor that this resolution is adopted and that a permit may be granted by the West Windsor Township Fire Marshal, upon his approval, for a fireworks display.

Adopted: May 23, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of May, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, LEAD Freedom Fest State Fair desires to conduct a public firework display located at Mercer County Park on July 4, 2022, with no rain date; and
- WHEREAS, said fireworks display shall be conducted by Schaefer Fireworks, a U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms licensed Importer of Fireworks, license number 8-PA-071-51-4E-02609; and
- WHEREAS, the New Jersey Uniform Fire Code N.J.A.C. 5:70-3, 5601.2.4.3 requires that the governing body approve said fireworks display by resolution prior to granting of a permit by the Township Fire Marshal; and
- WHEREAS, the Township Fire Marshal has designated the fireworks display must commence by 9:30 pm and conclude no later than 10:00 pm, and
- WHEREAS, the minimum insurance coverage required by N.J.A.C. 5:70, 5601.2.4.2 is \$500,000 and Schaefer Fireworks carries \$5,000,000 insurance coverage; and
- WHEREAS, the Fire Marshal has communicated with the Chief of Police, and the Fire Chief of West Windsor Fire Company who will provide police, and fire protection for said fireworks display and have given their approval; and
- WHEREAS, the West Windsor Township Division of Fire and Emergency Services will provide emergency medical services; and
- WHEREAS, the Fire Marshal has reviewed the application for permit, insurance requirements and other applicable regulations and has found all to be in order; and
- WHEREAS, the Fire Marshal recommends the approval of said resolution.

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

Adopted: May 23, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of May, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the State of New Jersey Division of Fire Safety has created a voluntary program to certify firefighters; and

WHEREAS, the New Jersey Division of Fire Safety is accepting applications from municipal Fire Departments desiring to obtain Eligible Organization status recognized by the New Jersey Division of Fire Safety; and

WHEREAS, the issuance of an Eligible Organization Number will permit the organization to conduct fire service “certified” training to be delivered at the local level; and

WHEREAS, the “certified” training will be recognized and sanctioned by the New Jersey Division of Fire Safety; and

WHEREAS, the “certified” training includes Firefighter 1 or 2, Fire Service Instructor 1 or 2, Drill Ground Instructor, Fire Officer 1 through 4, Fire Inspector, Fire Official, Incident Management 1 through 3, Hazardous Materials: Awareness/Operations/ Incident Commander, National Fire Academy courses, or other educational programs approved by the New Jersey Division of Fire Safety; and

WHEREAS, the West Windsor Township Division of Fire and Emergency Services desires to submit an application for Eligible Organization status with the New Jersey Division of Fire Safety; and

WHEREAS, the Director of Public Safety, Mayor Hemant Marathe and the Chief of Fire and Emergency Services, Tim Lynch, have reviewed and are in favor of submitting an application to obtain Eligible Organization status with the New Jersey Division of Fire Safety.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Windsor that Tim Lynch, Chief of Fire and Emergency Services is appointed as the Authorized Signatory to sign the documents necessary to implement the Firefighter Certification Program in West Windsor Township.

Adopted: May 23, 2022

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of May, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

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

WHEREAS, Martin Appraisal Associates, Inc. has submitted a proposal dated May 2, 2022 indicating they will provide professional appraisal services relating to an acquisition of real estate; and

WHEREAS, the Township wishes to enter into a professional services agreement with Martin Appraisal Associates Inc. for the aforesaid services; and

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

Open Space Tax Trust Fund	#121520	\$12,000.00
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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 Martin Appraisal Associates Inc., with a performance period from January 1, 2022 through December 31, 2022 for an amount not to exceed \$12,000.
- (2) 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.
- (3) An executed copy of the agreement between the Township and Martin Appraisal Associates Inc. and a copy of this Resolution, shall be on file and available for public inspection in the Office of the Township Clerk.

Adopted: May 23, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of May, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township is in the process of acquiring certain real estate and requires a legal expert to assist in the acquisition of same; and

WHEREAS, the Township has retained Mr. Curley by Resolution 2017-R100 on March 27, 2017 and by Resolution 2018-R051 on January 29, 2018 and by Resolution 2018-R170 on July 30, 2018 and by Resolution 2019-R102 on April 29, 2019, and by Resolution 2020-R192 on September 14, 2020 and by Resolution 2020-R227 on November 9, 2020, and by Resolution 2021-R206 on December 13, 2021 as an expert in eminent domain and redevelopment law; and

WHEREAS, it is necessary for the Township to increase Mr. John Curley's contract from \$70,487.83 to \$95,487.83; and

WHEREAS, the Chief Financial Officer has certified funds are available in the following account:

Open Space Tax Trust Fund: \$25,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Chief Financial Officer is authorized to increase the purchase order for John J. Curley, LLC from \$70,487.83 to \$95,487.83.

ADOPTED: May 23, 2022

I hereby certify this is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 23rd day of May, 2022.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Township awarded a contract for the installation of a protective liner inside the 48” diameter concrete sanitary sewer line from the intersection of Canal Road with Alexander Road to SBRSA Meter Station No. 7 to En-tech Corp. on August 30, 2021 for the contract amount of \$284,130.00 (Resolution 2021-R157) as set forth in the contract documents; and

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

<u>Sanitary Sewer Line Upgrades</u>	<u>405-2008-26-002</u>	<u>\$284,130.00</u>
Account Title	Account Number	Amount

WHEREAS, Change Order No. 1 and final, has been submitted by the contractor and accounts for a decrease (-0.43%) of the total budget associated with increases to needed traffic direction work and decreases to unit price items of which less was 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 \$284,130.00 to a revised contract amount of \$282,898.68.

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

Adopted: May 23, 2022

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of May, 2022.

Gay M. Huber
 Township Clerk
 West Windsor Township