

**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**

August 9, 2021

VIA Zoom Video Communications

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - Statement of Adequate Notice - January 8, 2021 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
Proclamation for Vietnam Veterans - Bright Light
2021-R126 Historical Society of West Windsor
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

- 2021-13 CAPITAL IMPROVEMENT ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN OR FOR THE TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY APPROPRIATING THE AMOUNT OF \$410,000.00
- 2021-14 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$8,078,175 THEREFOR AND AUTHROZING THE ISSUANCE OF \$7,693,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
- 2021-15 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 169 "TRAFFIC AND PARKING," SCHEDULE A AND ARTICLE VII: SCHEDULES 168-68 SCHEDULE XIV: NO PARKING ANYTIME AND ARTICLE VII SCHEDULES 168-71 SCHEDULE XVI: PARKING PROHIBITED CERTAIN HOURS

11. Consent Agenda

A. Resolutions

- 2021-R127 Endorsing the Application for Membership to the New Jersey State Firemen's Association for Ram Sarma of the West Windsor Volunteer Fire Company #1
- 2021-R128 Endorsing the Application for Membership to the New Jersey State Firemen's Association for Joseph Voacolo of the West Windsor Volunteer Fire Company #1
- 2021-R129 Endorsing the Application for Membership to the New Jersey State Firemen's Association for Shahrooj H. Israil of the West Windsor Volunteer Fire Company #1

B. Minutes

June 28, 2021 - Business Session

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2021-R130 Authorizing the Third Quarter Grace Period
Extended to August 20, 2021

2021-R131 Establishing the 2021 Sewer Rate

2021-R132 Authorizing the Business Administrator to
Purchase Radio Equipment from Motorola Inc. for
the Division of Fire and Emergency Services -
\$19,654.00

2021-R133 Authorizing the Business Administrator to
Purchase Annual Licensing for Microsoft Exchange
Software Products from CDW Government for
\$9,225.76

2021-R134 Authorizing the Chief Financial Officer to
Increase the Contract for Harry Haushalter for
Tax Appeal Defense Services by \$60,000.00 for a
total not to exceed amount of \$100,000.00

2021-R135 Authorizing the Insertion of a Special Item of
Revenue Into the 2021 Municipal Budget from COV-
19 Vaccination Supplemental Grant - \$50,000.00

2021-R136 Authorizing the Insertion of a Special Item of
Revenue Into the 2021 Municipal Budget from
Strengthening Local Public Health Capacity Grant-
\$291,042.00

2021-R137 Authorizing the Rejection of Bids Submitted for
the Project Known as Police Detective Area
Alterations and Authorizing the Rebid of Said
Project

2021-R138 Granting the Reservation of Sewer Capacity and
Authorizing the Execution of the Treatment Works
Approval Permit Application to the New Jersey
Department of Environmental Protection for the
Project Known as Lake Campus (PB20-12 & PB 20-13)

- 2021-R139 Granting the Reservation of Sewer Capacity and Authorizing the Execution of the Treatment Works Approval Permit Application to the New Jersey Department of Environmental Protection for the Project Known as 400 Steps (PB20-05)
- 2021-R140 Granting the Revised Reservation of Sewer Capacity for the Second Portion of the Mixed-Use Project Known as Princeton Executive Park (PB19-15) and Authorizing the Township Engineer to Endorse the New Jersey Department of Environmental Protection Treatment Works Approval Permit Application
- 2021-R141 Authorizing the Full Release of Maintenance Guarantee for Ellsworth Building N-3 Site Work for Private Site Improvements (ZB 13-01.3S) in the Amount of \$1,759.40
- 2021-R142 Authorizing the Mayor and Clerk to Execute a Developer's Agreement with Windsor 1 Developer's LLC ZM19-06 Block 7, Lot 59
- 2021-R143 Authorizing the Mayor and Clerk to Execute Farm Leases with Richard F. Everett, L.L.C., Farmdale Farms, Rustin Farms, and Garrett Woolf/Tri-County Turf, L.L.C. for the years 2022 to 2026
- 2021-R144 Authorizing the Mayor and Clerk to Execute a Developer's Agreement with West Windsor Duck Pond Associates, LLC for the Duck Pond Project PB 20-07
- 2021-R145 Authorizing the Mayor and Clerk to Execute a Developer's Agreement with American Properties at West Windsor, LLC for the Heritage Village Project PB 19-08
- 2021-R146 Authorizing the Mayor and Clerk to Execute a Sewer Agreement with American Properties at West Windsor, LLC for the Heritage Village Project PB 19-08

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

WEST WINDSOR 225TH ANNIVERSARY RESOLUTION

RESOLUTION RECOGNIZING THE WEST WINDSOR HISTORICAL SOCIETY AS THE OFFICIAL ORGANIZATION FOR THE 225TH WEST WINDSOR ANNIVERSARY CELEBRATION YEAR

- WHEREAS, in 2022 West Windsor Township will be celebrating our 225th Anniversary as an independent town,
- WHEREAS, the first Township meeting took place on April 8, 1797 beginning the formation of our West Windsor Township government,
- WHEREAS, the Mayor and Council of West Windsor wishes to celebrate this historic anniversary with events that will bring our rich history to all members of our modern diverse population,
- WHEREAS, the West Windsor Historical Society was formed in 1983 from the West Windsor Township Historical Advisory Committee, and has been preserving, displaying and teaching history of the township ever since,
- WHEREAS, the West Windsor Historical Society previously organized the Bicentennial Celebration in 1997
- WHEREAS, the West Windsor Historical Society has undertaken many community education and celebration events, including restoration of the Schenck Farmstead, museum open houses, Boy and Girl Scout projects, school field trips and more
- WHEREAS, the West Windsor Historical Society is the recognized source for historical information, including performing digitization of township, Fire Company and First Aid Squad archives, as well as collecting, preserving and displaying physical exhibits both in person and online.
- WHEREAS, the West Windsor Historical Society has been popularizing our township history through a website, Farmer’s Market booth, videos, newspaper publications and various social media.
- WHEREAS, the West Windsor Historical Society has plans for celebrating our 225th year by a logo contest, banners and signs, history tours, open houses, speakers, publications, cultural celebrations and a parade.
- WHEREAS, the West Windsor Historical Society continues to develop relationships with key West Windsor organizations such as the WW Arts Council, Send Hunger Packing, West Windsor Fire Company, Lion’s Club, WW Farmer’s Market and various religious and cultural institutions to ensure an inclusive celebration of our Town’s history,

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of West Windsor Township hereby recognizes the West Windsor Historical Society as the official organization for the 225th West Windsor Anniversary Celebration Year.

Adopted: August 9, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

2021-13
TOWNSHIP OF WEST WINDSOR

CAPITAL IMPROVEMENT ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN OR FOR THE TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY APPROPRIATING THE AMOUNT OF \$410,000.00

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1. The improvements described in Section 2 of this Capital Improvement Ordinance are hereby authorized to be undertaken by the Township of West Windsor, New Jersey as General Improvements. For the improvements described in Section 2 there is hereby appropriated the sum of \$410,000.00.

SECTION 2. The description of the improvements required are as follows:

GENERAL IMPROVEMENT APPROPRIATIONS

1) Parks Open Space - Maintenance Program	\$ 100,000.00
2) Parks Open Space – Development Program	\$ 200,000.00
3) Preserve Open Space - Maintenance Program	\$ 90,000.00
4) Preserve Open Space - Development Program	\$ 20,000.00

TOTAL \$ **410,000.00**

SECTION 3. The improvements described in Section 2 of this Capital Improvement Ordinance are financed from funds already received by the Township of West Windsor which are presently being held in the following accounts:

1) Reserve for Open Space Tax Trust Fund	\$ 100,000.00
2) Reserve for Open Space Tax Trust Fund	\$ 200,000.00
3) Reserve for Open Space Tax Trust Fund	\$ 90,000.00
4) Reserve for Open Space Tax Trust Fund	\$ 20,000.00

TOTAL \$ **410,000.00**

SECTION 4. 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 the Council, whichever is applicable. Publication shall be in accordance to law.

INTRODUCTION: July 12, 2021
PUBLIC HEARING: August 9, 2021
ADOPTION:
MAYOR APPROVAL:
EFFECTIVE DATE:

2021-14

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$8,078,175 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,693,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of West Windsor, in the County of Mercer, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$8,078,175, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$575,000 for the Rabbit Hill Road improvement described in Section 3(C)(4) hereof (the "State Grant") and further including the aggregate sum of \$384,675 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision

for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$7,693,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
A) ADMINISTRATION			
1) <u>Acquisition of Equipment</u> Network, computer, printer and scanner replacement and/or upgrades, including all related costs and expenditures incidental thereto.	\$151,000	\$143,810	5 years
2) <u>Vehicular</u> Acquisition of a van, including all related costs and expenditures incidental thereto.	\$25,400	\$24,190	5 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<p>3) <u>Municipal Facilities and Related Improvements</u> Improvements to the Municipal Building and demolition of and improvements to structures on Township-owned properties, including all work and materials necessary therefor and incidental thereto.</p>	\$100,800	\$96,000	15 years
<p>4) <u>Municipal Facilities and Related improvements</u> Improvements to the Health and Recreation Building, including all work and materials necessary therefor and incidental thereto.</p>	\$25,200	\$24,000	15 years
<p>5) <u>Municipal Facilities and Related Improvements</u> Security system upgrades for various municipal buildings, as well as Emergency/Storm preparedness items, including all work and materials necessary therefor and incidental thereto.</p>	\$86,100	\$82,000	10 years
<p>6) <u>Municipal Facilities and Related Improvements</u> Removal and replacement of underground fuel storage tank at the Police/Court Building, including all work and materials necessary therefor and incidental thereto.</p>	\$176,500	\$168,095	15 years
<p>7) <u>Municipal Facilities and Related Improvements</u> Roof replacement at the Police/Court Building, including all work and materials necessary therefor and incidental thereto.</p>	\$380,000	\$361,905	10 years
<p>8) <u>Municipal Facilities and Related Improvements</u> General improvements to the Arts Council Building, including all work and materials necessary therefor and incidental thereto.</p>	\$5,040	\$4,800	15 years

<u>Purpose</u>	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
9) <u>Acquisition of Equipment</u> Replacement of scanners for the Clerk's Office, including all related costs and expenditures incidental thereto.	\$15,225	\$14,500	5 years
B) COMMUNITY DEVELOPMENT – CODE ENFORCEMENT			
<u>Acquisition of Equipment – Vehicular</u> Acquisition of a four-wheel drive vehicle, including all related costs and expenditures incidental thereto.	\$27,825	\$26,500	5 years
C) COMMUNITY DEVELOPMENT – ENGINEERING			
1) <u>Acquisition of Equipment</u> Undertaking of digital tax map conversion, including all work and materials necessary therefor and incidental thereto.	\$236,250	\$225,000	10 years
2) <u>Bicycle and Pedestrian Improvements</u> The Bike Lane Extension Program, Sidewalk Extension Program, Crosswalk Improvement Program and sidewalk repairs – street trees, all as shown on a list on file in the office of the Clerk, which list is hereby incorporated by reference, including all work and materials necessary therefor and incidental thereto.	\$414,750	\$395,000	10 years
3) <u>Drainage Improvements</u> Emergency road and drainage repairs, all as shown on a list on file in the office of the Clerk, which list is hereby incorporated by reference, including all work and materials necessary therefor and incidental thereto.	\$50,400	\$48,000	20 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<p>4) <u>Roadway Improvements</u> Annual Residential Road Improvement Program, as well as Annual Road Improvement Program – Collector Roads, all as shown on a list on file in the office of the Clerk, which list is hereby incorporated by reference, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$2,591,400 (including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$575,000 for Rabbit Hill Road portion)</p>	<p>\$2,468,000</p>	<p>10 years</p>
<p>5) <u>Traffic Safety Improvements - Hazard Mitigation & Other Improvements</u> Signage and striping improvements; Grover's Mill Dam inspection and repairs, Wallace Road Bus Garage remediation program; compost facility remediation; annual flood abatement program; EAB Management Program-street trees and annual utility maintenance and improvements program, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$422,100</p>	<p>\$402,000</p>	<p>10 years</p>
<p>6) <u>Municipal Facilities and Related Improvements-Sewer</u> Sewer extension and pump station improvements, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$252,000</p>	<p>\$240,000</p>	<p>40 years</p>
<p>D) COMMUNITY DEVELOPMENT – LAND USE</p> <p>1) <u>Municipal Properties Improvements</u> The Street Tree Planting Program and the acquisition of community identification signs, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$30,450</p>	<p>\$29,000</p>	<p>10 years</p>

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<p>2) <u>Municipal Park Improvements</u> Park improvements, all as shown on a list on file in the office of the Clerk, which list is hereby incorporated by reference, including all work and materials necessary therefor and incidental thereto.</p>	\$25,200	\$24,000	15 years
<p>3) <u>Acquisition of Equipment</u> Acquisition of office furniture for the Senior Center, including all work and materials necessary therefor and incidental thereto.</p>	\$5,040	\$4,800	5 years
E) PUBLIC SAFETY – FIRE & EMERGENCY SERVICES			
<p>1) <u>Acquisition of Equipment – Non Vehicular</u> Personal protective equipment (PPE) for firefighters, including all related costs and expenditures incidental thereto.</p>	\$30,450	\$29,000	10 years
<p>2) <u>Acquisition of Equipment - Vehicular</u> Acquisition of a vehicle for the Emergency Services Division Staff, including all related costs and expenditures incidental thereto.</p>	\$60,500	\$57,619	5 years
<p>3) <u>Acquisition of Equipment - Vehicular</u> Replacement of Engine 44 and replacement of Brush 44, including all related costs and expenditures incidental thereto.</p>	\$958,000	\$912,381	10 years
<p>4) <u>Municipal Facilities and Related Improvements</u> Building and general improvements to the PJ Firehouse, including all work and materials necessary therefor and incidental thereto.</p>	\$25,200	\$24,000	15 years

<u>Purpose</u>	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
5) <u>Municipal Facilities and Related Improvements</u> Building and general improvements to the Fire & Emergency Services Facility, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
F) PUBLIC SAFETY – POLICE			
1) <u>Acquisition of Equipment – Office/Computer Technology</u> and computer replacement, software replacement, security systems upgrade project and Xerox technology replacement, including all related costs and expenditures incidental thereto.	\$137,550	\$131,000	5 years
2) <u>Acquisition of Equipment – Vehicular</u> Acquisition of two four-wheel drive vehicles, including all related costs and expenditures incidental thereto.	\$134,400	\$128,000	5 years
3) <u>Acquisition of Equipment – Non Vehicular</u> The acquisition of firearms, portable radios, emergency equipment for patrol vehicles and mobile data terminals and the unmanned aircraft system program, including all related costs and expenditures incidental thereto.	\$128,100	\$122,000	10 years
4) <u>Municipal Facilities and Related Improvements</u> Improvements to the Municipal Police/Court Building, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
G) PUBLIC WORKS			
1) <u>Acquisition of Equipment – Non Vehicular</u> Acquisition of pump for Hunter Run Pump Station, including all related costs and expenditures incidental thereto.	\$10,395	\$9,900	10 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
2) <u>Acquisition of Equipment – Vehicular</u> Acquisition of loaders, trucks, a compactor truck, dump trucks, street sweeper and one-man leaf truck, including all related costs and expenditures incidental thereto.	\$1,176,000	\$1,120,000	5 years
3) <u>Municipal Facilities and Related Improvements</u> Building and general improvements to the Municipal Public Works Complex, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
4) <u>Municipal Facilities and Related Improvements – Sewer</u> Sanitary sewer system improvements and storm sewer improvements, including all work and materials necessary therefor and incidental thereto.	\$270,900	\$258,000	40 years
H) RECREATION – SWIM POOL			
1) <u>Swim Pool Complex</u> General improvements to the swim pool complex and water works, including all related costs and expenditures incidental thereto.	\$50,400	\$48,000	15 years
TOTALS:	\$8,078,175	\$7,693,500	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond

anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.23 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$7,693,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$825,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the

purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township,

and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION:

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

**TOWNSHIP OF WEST WINDSOR
MERCER COUNTY, NEW JERSEY**

ORDINANCE NO. 2021 – 15

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 169 “TRAFFIC AND
PARKING,” SCHEDULE A AND ARTICLE VII: SCHEDULES 168-68 SCHEDULE
XIV: NO PARKING ANYTIME AND ARTICLE VII SCHEDULES 168-71 SCHEDULE
XVI: PARKING PROHIBITED CERTAIN HOURS**

BE IT ORDAINED, by the West Windsor Township Council, County of Mercer, State of New Jersey, that the Code of West Windsor Township, be amended and supplemented as follows:

SECTION I.

CODE OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY

PART II: GENERAL LEGISLATION

CHAPTER 168: TRAFFIC AND PARKING

ARTICLE V: TRAFFIC AND PARKING REGULATIONS ON PRIVATE PROPERTY

Section 168-37: Control of movement and parking on public and private property,

C. Regulation for the movement and the parking of traffic on all other private property in accordance with the provisions of N.J.S.A. 39:5A-1, the regulations of Subtitle 1 of Title 39 are hereby made applicable to the properties listed.

(1) Schedule A, is amended to read as follows:

Property	Regulation	Movement
Enclave at Princeton Junction development (apartments, commercial and townhomes)	25 mph	As shown on sketch on file with Township Police Division
	Stop signs	
	Parking in designated areas between the painted lines only	
	No Parking anytime in designated areas, alleys and fire lanes	
	Yield signs	

SECTION II

PART II: GENERAL LEGISLATION
CHAPTER 168: TRAFFIC AND PARKING
ARTICLE VII: Schedules

Section 168-68: Schedule XIV: No Parking Anytime, is corrected to read as follows, with text in [brackets] being deleted and text underlined being added:

Name of Street	Sides	Location
Harris [Avenue] <u>Road</u>	East	Entire length

SECTION III

PART II: GENERAL LEGISLATION
CHAPTER 168: TRAFFIC AND PARKING
ARTICLE VII: Schedules

Section 168-71: Schedule XVI: Parking Prohibited Certain Hours, is corrected to read as follows, with text in [brackets] being deleted and text underlined being added:

Name of Street	Sides	Hours	Location
Harris [Avenue] <u>Road</u>	West	8:00 a.m. to 5:00 p.m.	Entire length

SECTION IV

In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

SECTION V.

This ordinance shall take effect upon final passage and publication in accordance with the law.

INTRODUCTION:
PUBLIC HEARING:
ADOPTION:
MAYOR APPROVAL:
EFFECTIVE DATE:

RESOLUTION

WHEREAS, Ram Sarma, a member of the West Windsor 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 Ram Sarma for membership in the New Jersey State Firemen's Association.

Adopted: August 9, 2021

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 9th day of August, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Joseph Voacolo, a member of the West Windsor 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 Joseph Voacolo for membership in the New Jersey State Firemen's Association.

Adopted: August 9, 2021

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 9th day of August, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Shahrooj H. Israil, a member of the West Windsor 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 Shahrooj H. Israil for membership in the New Jersey State Firemen's Association.

Adopted: August 9, 2021

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 9th day of August, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, by N.J.S.A 54:4-64, the Tax Collector shall complete the work of the preparing and mailing the tax bills at least twenty-five (25) days before the third installment of taxes falls due; and

WHEREAS, said mailing of the 2021 tax bills did not meet the requirements stated above; and

WHEREAS, the Tax Collector is requesting that the time period, provided by the statute (NJSA 54:4-67) for interest to be collected (within ten days after the date upon which same becomes payable) be extended; and

WHEREAS, the Tax Collector is requesting that the third quarter interest shall be charged after August 20, 2021 (instead of August 10, 2021); and

NOW THEREFORE, BE IT RESOLVED by the Township Council of Township of West Windsor that the date to charge interest on the payment of third quarter taxes be extended from August 10 to August 20, 2021.

BE IT FURTHER RESOLVED that in accordance with N.J.S.A. 54:4-67, interest calculated on payments received after August 20, 2021 will revert back to the original due date of August 1, 2021.

Adopted: August 9, 2021

I certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the West Windsor Township sewer billing staff has reviewed the various elements of which the sewer rate is comprised as listed below:

<u>Sewer System</u>	
S & W (2021 Budget)	\$470,195.00
O & E (2021 Budget)	110,750.00
Utility Expenses	84,566.00
Data Processing Expense	4,680.00
Postage Fees	7,550.00
<u>Collection of Sewer Rent</u>	
S & W (2021 Budget) Tax Collector 25%	22,600.00
O.E. Sewer Billing Charges	7,900.00
Chief Financial Officer/Treasurer	
S & W (2021 Budget) 15%	18,136.00
Fringe Benefits (25% of S & W)	127,733.00
SBRSA O & M	<u>2,790,214.00</u>
	3,644,324.00
Reserve for Uncollected Sewer Rents	<u>51,021.00</u>
Sewer Rents to be Raised	3,695,345.00
2021 Billing Flow Cu. Ft.	
Rate = $\frac{\$3,695,345}{85,610,133} \times 100 = \$4.32/100 \text{ Cu. Ft.}$	

WHEREAS, the Administration of the Township of West Windsor finds that these figures adequately reflect the fair costs to the users of the sewer system.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that based upon the above known and projected costs that the sewer rate for 2021 shall be set at \$4.32 per hundred cubic feet of billing flow.

Adopted: August 9, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August 9, 2021.

Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor wishes to purchase new fire and emergency services communications equipment to ensure continued interoperability with other Mercer County Fire and EMS agencies through the State of New Jersey's Cooperative Purchasing Program (NJSA 40A:11-12), and

WHEREAS, Motorola Solutions, C/O M&W Communications, Inc has been awarded New Jersey State Contract # A83909 for said communications equipment, and

WHEREAS, the new communications equipment was included in the 2018 capital budget ordinance and the total cost of same will not exceed \$19,654.00, and

WHEREAS, sufficient money is provided in the Capital Budget Account Numbers 405-2018-15-019 in the amount of \$19,654.00 as certified by the West Windsor Township Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED by Township Council of the Township of West Windsor that the Township Business Administrator is hereby authorized to purchase the above, under New Jersey State Contract # A83909 from Motorola Solutions, C/O M&W Communications

Adopted: August 9, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August, 2021.

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 under NJ State Contract M0003-89849/ New Jersey T3121 Software (T3121 #20-TELE-01511) and SHI International is an authorized vendor under NJ State Contract M0003-89851), and DELL is an authorized vendor under NJ State Contract M0003-89850/ New Jersey T3121 Software (T3121 #20-TELE-01511) and

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

PO 55656	SHI International	1/20/2021	\$ 4,323.90
PO 55745	CDW-Government	1/28/2021	\$ 1,140.00
PO 56223	Dell	3/22/2021	\$ 4,980.00
PO 56321	SHI International	4/13/2021	\$ 319.84
			<u>\$ 10,763.74</u>

WHEREAS, the Township needs to purchase annual licenses of Exchange products from CDW-Government M0003-89849 in the amount of \$9,225.76; and

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

Administration Technology/Computer Services	105 04 268	\$5,350.94
Police – Office Furniture/Equipment Maintenance	105 18 233	\$3,874.82

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 New Jersey T3121 Software (T3121 #20-TELE-01511); and that the authorization to the existing New Jersey State Contract M0003-89849/ NJ State Contract New Jersey T3121 Software (T3121 #20-TELE-01511 is amended to reflect the \$9,225.76 increase from \$10,763.74 to \$19,989.50.

Adopted: August 9, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor Council entered into a professional services agreement with Harry Haushalter, Esquire Resolution 2021-R040 on January 25, 2021 for Tax Appeal Defense 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 – Labor Counsel	105-46-228	\$40,000.00
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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:

Assessment – Consultant Fees	105-09-210	\$10,000.00
Legal – Litigation	105-46-228	\$50,000.00

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 \$60,000.00 with Harry Haushalter, Esquire to a revised contract amount of \$100,000.00.

Adopted: August 9, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 which item is now available as a revenue from monies held pursuant to the provisions of statute.

COVID-19 Vaccination Supplemental 2022 104654 \$50,000.00

BE IT FURTHER RESOLVED that a like sum of \$50,000.00 and the same is hereby appropriated under the following captions:

COVID-19 Vaccination Supplemental -10660554 \$50,000.00

Adopted: August 9, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Strengthening Local Public Health Capacity 2022- 104653 \$291,042.00

BE IT FURTHER RESOLVED that a like sum of \$291,042.00 and the same is hereby appropriated under the following captions:

Strengthening Local Public Health Capacity –10660552/3 \$291,042.00

Adopted: August 9, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor opened and read bids on July 21, 2021 for a project known as West Windsor Township Police Detective Area Alterations; and

WHEREAS, all ten (10) bidders submitted bids that exceeded current capital funding allocations for this project; and

WHEREAS, the Bid Documents permit the Township of West Windsor to reject any and all bids if it is in the public interest to do so; and

WHEREAS, it is in the best interest of the Township of West Windsor to reject all bids submitted.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that all bids for the project known as West Windsor Township Police Detective Area Alterations are hereby rejected and Council authorizes the rebid of this project at a future date.

Adopted: August 9, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Van Note-Harvey Associates has submitted a request for a reservation of sewer capacity in the public sewer system for the Princeton University projects known as Lake Campus (PB20-12 & PB20-13) located at Block 3, Lots 1.012 and 1.0113; and

WHEREAS, the currently proposed and approved facilities within the campus are estimated to generate an additional 90,949 gallons per day (gpd) total wastewater flow upon construction and occupation; and

WHEREAS, the proposed flow and extension of the collection system on the properties as part of the projects require a Treatment Works Approval permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the Township Engineer has certified that there is sufficient capacity in the existing downstream sanitary sewer system to accommodate the increase in average daily flow of 90,949 gpd of wastewater that is estimated to be generated by the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that a reservation of sewer capacity in the total amount of 90,949 gallons per day, is hereby granted for the Princeton University projects known as Lake Campus (PB20-12 & PB20-13); and

BE IT FURTHER RESOLVED that this allocation of Township sewer capacity shall be in effect for a period of one (1) year; and

BE IT FURTHER RESOLVED that the Township Engineer be and hereby is authorized to execute the endorsement of the New Jersey Department of Environmental Protection Treatment Works Approval Permit application, as required to implement this Resolution, upon submission of final design/construction plans and specifications acceptable to the Township Engineer.

Adopted: August 9, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, ACT Engineers has submitted a request for a reservation of sewer capacity in the public sewer system for the second portion of the inclusionary residential redevelopment project known as 400 Steps (PB20-05) located at Block 5, Lots 19 and 20; and

WHEREAS, the request for reservation is for 144 residential units (Lot 19) and for 13,655 s.f. of space in the lower level of Building E-1 in the Ellsworth Center (Lot 20), which are estimated to generate an additional 29,191 gallons per day (gpd) of wastewater flow upon construction and occupation of the project; and

WHEREAS, the proposed flow and expansion of the collection system on the property as part of the project requires a Treatment Works Approval permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the Township Engineer has certified that there is sufficient capacity in the existing downstream sanitary sewer system to accommodate the increase in average daily flow of 29,191 gpd of wastewater that is estimated to be generated by the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that a reservation of sewer capacity in the total amount of 29,191 gallons per day, is hereby granted for 144 residential units and for 13,655 s.f. of space in the lower level of Building E-1 in the Ellsworth Center, for the inclusionary residential redevelopment project known as 400 Steps (PB20-05); and

BE IT FURTHER RESOLVED that this allocation of Township sewer capacity shall be in effect for a period of one (1) year; and

BE IT FURTHER RESOLVED that the Township Engineer be and hereby is authorized to execute the endorsement of the New Jersey Department of Environmental Protection Treatment Works Approval Permit application, as required to implement this Resolution, upon submission of final design/construction plans and specifications acceptable to the Township Engineer.

Adopted: August 9, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, Bowman Consulting has submitted a revised request for a reservation of sewer capacity in the public sewer system for the second portion of the mixed-use project known as Princeton Executive Park (PB19-15) located at Block 9, Lots 12.01 and 12.03, and Block 9.03, Lot 12.02; and

WHEREAS, the request for reservation is for Phase 2, consisting of 356 residential units, clubhouse and pool, and for the 16,000 s.f. of retail in Phase 3, which are estimated to generate an additional 79,375 gallons per day (gpd) total wastewater flow upon construction and occupation of this portion of the project; and

WHEREAS, the proposed flow and expansion of the collection system on the property as part of the project requires a Treatment Works Approval permit from the New Jersey Department of Environmental Protection; and

WHEREAS, the Township Engineer has certified that there is sufficient capacity in the existing downstream sanitary sewer system to accommodate the increase in average daily flow of 79,375 gpd of wastewater that is estimated to be generated by the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that a reservation of sewer capacity in the total amount of 79,375 gallons per day, is hereby granted for Phase 2, consisting of 356 residential units, clubhouse and pool, and for the 16,000 s.f. of retail in Phase 3 of the mixed-use project known as Princeton Executive Park (PB19-15); and

BE IT FURTHER RESOLVED that this allocation of Township sewer capacity shall be in effect for a period of one (1) year; and

BE IT FURTHER RESOLVED that the Township Engineer be and hereby is authorized to execute the endorsement of the New Jersey Department of Environmental Protection Treatment Works Approval Permit application, as required to implement this Resolution, upon submission of final design/construction plans and specifications acceptable to the Township Engineer.

Adopted: August 9, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, by Resolution 2020-R154 the Township approved the release of the performance guarantees posted for private site improvements in connection with construction associated with the project known as Ellsworth Realty Building N-3 Site Work (ZB13-01.3S), subject to the posting of a maintenance guarantee in the amount of \$1,759.40 for a period of one-year; and

WHEREAS, the developer Shawn Ellsworth has submitted a request to release the maintenance guarantee in the amount of \$1,759.40; and

WHEREAS, the Township Landscape Architect and the Township Engineer have reviewed the request and recommend that this action be approved by the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the maintenance guarantee posted by Ellsworth Realty for private site improvements in connection with construction associated with the project known as Ellsworth Realty Building N-3 Site Work (ZB13-01.3S) be released to Shawn Ellsworth.

ADOPTED: August 9, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Windsor 1 Developer's, LLC received preliminary/final major site plan approval (ZB19-06) on October 22, 2020 and adopted by Resolution of Memorialization ("Resolution") on January 7, 2021, for the construction of certain improvements on a tract of land, designated as Block 7, Lot 59, situated in West Windsor Township, Mercer County, New Jersey; and

WHEREAS, a condition of the Resolution is that Windsor 1 Developer's, LLC execute a Developer's Agreement ("Developer's Agreement") setting forth its obligations as to off-tract improvements and assessments, among other things; and

WHEREAS, such Developer's Agreement has been prepared by Windsor 1 Developer's, LLC and by counsel for the Township; and

WHEREAS, it is in the best interest of the Township to enter into the Developer's Agreement with Windsor 1 Developer's, LLC to ensure that the obligations set forth therein are memorialized and met.

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

ADOPTED: August 9, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 9th day of August, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Township has acquired tillable property identified as Parcels A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, X-1, X-2 on the attached map; and

WHEREAS, the Township wishes to maintain this property in its present condition, at no cost to the Township, until a further need is identified; and

WHEREAS, Everett Brothers L.L.C., Farmdale Farms, Rustin Farms and Garrett Woolf/Tri-County Turf, L.L.C., have indicated such by signing the attached Lease Agreements for the period 2022 through 2026.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Township Clerk be authorized to execute the attached Lease Agreements for Parcels A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, X-1, X-2 with the Tenants listed above, subject to terms outlined in the attached Lease Agreements.

ADOPTED: August 9, 2021

I hereby certify the foregoing is a correct and true copy of a Resolution adopted by the West Windsor Township Council at its meeting held on the 9th day of August, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Duck Pond Associates, LLC and tenants-in-common WWW West Windsor, LLC and JAB West Windsor LLC (collectively, “Developer”) received preliminary and final major site plan approval from the West Windsor Planning Board on November 18, 2020, adopted by Resolution of Memorialization (“Resolution”) on January 13, 2021, for the construction of a multifamily development on a tract of land situate in West Windsor Township, Mercer County, New Jersey, designated on the West Windsor Tax Map as Block 8, Lot 8, more commonly known as Duck Pond; and

WHEREAS, a condition of the Resolution is that Developer executes a Developer’s Agreement (“Developer’s Agreement”) setting forth its obligations as to off-tract improvements and assessments, among other things; and

WHEREAS, such Developer’s Agreement has been prepared by Developer and by counsel for the Township; and

WHEREAS, it is in the best interest of the Township to enter into the Developer’s Agreement with Developer to ensure that the obligations set forth therein are memorialized and met.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Developer’s Agreement in the form attached hereto be approved and that the Mayor and the Clerk be authorized and directed to execute the same.

Adopted: August 9, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 9th day of August 2021.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, American Properties at West Windsor, LLC (“American Properties”) received preliminary and final major site plan approval from the West Windsor Planning Board on October 14, 2020, adopted by Resolution of Memorialization (“Resolution”) on January 13, 2021, for the construction of certain improvements on a tract of land situated in West Windsor Township, Mercer County, New Jersey, designated on the West Windsor Tax Map as Block 28, Lots 15 and 21, more commonly known as Heritage Village (File Number PB19-08); and

WHEREAS, a condition of the Resolution is that American Properties execute a developer’s agreement (“Developer’s Agreement”) setting forth its obligations as to off-tract improvements and assessments, among other things; and

WHEREAS, such Developer’s Agreement has been prepared by American Properties and by counsel for the Township; and

WHEREAS, it is in the best interest of the Township to enter into the Developer’s Agreement with American Properties to ensure that the obligations set forth therein are memorialized and met.

NOW, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Developer’s Agreement in the form attached hereto be approved and that the Mayor and the Clerk be authorized and directed to execute the same.

ADOPTED: August 9, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 9th day of August, 2021.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, the Planning Board approved an application for a development of 254 multi-family units and a four bedroom group home with a 25 percent set aside and 64 affordable housing credits. The development is known as Heritage Village at West Windsor (File No. PB19-08); and

WHEREAS, the approved development is part of the Township's Fair Share Plan approved by the court; and

WHEREAS, a condition of the approval memorializing the resolution required the applicant to work with the Township Engineer to resolve the wastewater design, service, and funding and payment reimbursement issues that had come up during the hearing; and

WHEREAS, the Township Engineer and other staff have worked with Heritage Village's representatives to formulate a sewer agreement which addressed such issues; and

WHEREAS, a Sewer Agreement has been developed that is the work product of the collaborative effort, which includes provisions addressing the following matters, among others:

Construction of sewer improvements to increase sewer capacity within the drainage basin now served by the Southfield Road Pump Station, and in turn, the South Post Road Pump Station. Payment by Heritage of its fair share of the cost of such improvements, calculated to be 21.4 percent, with an estimated fair share value of \$877,277.67 (under design alternate 2). The Township's share, which is calculated by dividing existing flow by total projected flow, is calculated to be 42.3 percent, with an estimated fair share value of \$1,693,542.55 (under design alternate 2). The remaining costs, including both hard and soft costs, will be paid by other developers as they connect to the system, and a reimbursement ordinance will be prepared providing therefor.

Heritage will deposit \$306,460.00 in an escrow account to pay for the costs of designing the system upgrades, which will be done by the Township's engineering consultant, ACT Engineers, under a professional services agreement to be entered into with the Township. That amount and any supplements to it, reduced by its fair share of the amount, will be a credit against Heritage's total fair share;

The total cost of the project is preliminarily estimated to be between \$4,205,833.00 (alternate 2) and \$4,511,237.00 (alternate 1).

Heritage has the option of constructing a permanently upgraded Southfield Pump Station and related piping improvements for Jarret Court and the Bruntsfield Interceptor, in which case the costs thereof will be a credit against its fair share, with the Township undertaking remaining

work through the public bid process, to be financed through bonding. If Heritage chooses not to exercise this option, all of the work will be done by the Township through the bonding and bidding process.

Heritage may also undertake temporary improvements to the Southfield Pump Station for minor capacity increases so as to serve part of its development only. Any such temporary improvements will be done solely at Heritage's costs without any credit against its fair share; and

WHEREAS, it is necessary for the Township to work in cooperation with developers of developments that include affordable housing; and

WHEREAS, a substantial amount of commercial development cannot proceed without the sewer capacity upgrades; and

WHEREAS, it is in the best interest of the Township to execute the Sewer Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Sewer Agreement in the form attached hereto be approved and that the Mayor and the Clerk be authorized and directed to execute the same.

Adopted: August 9, 2021

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at its meeting held on the 9th day of August, 2021.

Gay M. Huber
Township Clerk
Township of West Windsor