

**MEETING TO BE
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**AGENDA FOR THE REGULAR BUSINESS MEETING
OF THE TOWNSHIP COUNCIL OF WEST WINDSOR TOWNSHIP
WEST WINDSOR SENIOR CENTER
271 CLARKSVILLE ROAD
TO THE EXTENT KNOWN
October 12, 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
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

- 2021-R165 Authorizing the Mayor and Clerk to Execute an Easement Modification Agreement for 12 Orly Court
- 2021-R166 Authorizing the Refund of the Municipal Portion of Property Taxes Billed for 2021 to PSE&G via a Credit in the 4th Quarter of 2021 - \$6,116.14

B. Minutes

- August 30, 2021 - Business Session - as amended
September 13, 2021 - Business Session - as amended

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

- 2021-R167 Authorizing a Modification to the Length of Service Award Program (LOSAP) for Military Service
- 2021-R168 Authorizing the Business Administrator to Purchase Scanning Services from Dell an Authorized New Jersey State Contract Vendor - \$15,000.00
- 2021-R169 Authorizing the Mayor and Clerk to Execute a Contract for Emergency Service to the a Force Main from the South Post Road Pump Station to Ireland Construction Group, Inc. in the Amount of \$5,500.00
- 2021-R170 Authorizing the Mayor and Clerk to Execute a Contract with MNC Concrete LLC for the 2021 Sidewalk Improvement Program - \$114,976.00

2021-R171 Authorizing the Business Administrator to Purchase Adobe Software and Microsoft Office Pro from CDW-Government an Authorized New Jersey State Contract Vendor for the Police Division - \$19,508.68

2021-R172 Authorizing the Business Administrator to Purchase USB Adapters from CDW-Government an Authorized New Jersey State Contract Vendor for the Police Division - \$182.76

2021-R173 Authorizing the Business Administrator to Purchase Computer Monitors from CDW-Government an Authorized New Jersey State Contract Vendor for the Police Division - \$1,271.16

2021-R174 Accepting the Body-Worn Camera Grant Award from the New Jersey Department of Law & Public Safety, Office of the Attorney General in the amount of \$195,648.00

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

RESOLUTION

WHEREAS, 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 annexed Easement Modification Agreement; and

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

Adopted: September 12, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of September 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Tax Collector has certified the information contained in the License Agreement attached states as follows: on November 8, 2004, the Township of West Windsor entered into a License Agreement with the Public Service Electric and Gas Company (“PSE&G”), Resolution 2004-R283; and amended on May 22, 2006 by Resolution 2006-R115; and

WHEREAS, the agreement provides for a property easement for the attached list of properties owned by the PSE&G; and

WHEREAS, in exchange for use of the land as a Bicycle, Hiking and Jogging Path, the Township Council has agreed to 50-year License Agreement which includes the following provision; and

WHEREAS, the Township of West Windsor, as noted in Section W of the License Agreement agrees to waive “the municipal portion all real estate taxes levied by the Township of West Windsor against the Licensed Premises”;

NOW, THEREFORE, BE IT RESOLVED the Township Council of the Township of West Windsor authorizes the Tax Collector to cancel the following municipal taxes totaling \$ 6,116.14 for the year 2021:

Block 16.11	Lot 19	\$ 782.30
Block 17.08	Lot 8	\$ 653.23
Block 17.14	Lot 24	\$ 278.76
Block 17.18	Lot 8	\$ 338.03
Block 19	Lot 5	\$2,054.52
Block 49	Lot 86	\$1,092.67
Block 61	Lot 78	<u>\$ 916.63</u>
Total		<u>\$ 6,116.14</u>

Adopted: October 12, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of October, 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION TO MODIFY THE LENGTH OF SERVICE AWARD PROGRAM
(LOSAP) OF THE TOWNSHIP OF WEST WINDSOR

WHEREAS, the Township of West Windsor by resolution and public referendum adopted a Length of Service Award Program (LOSAP) that had been approved by the Division of Local Government Services (Plan Identifier 01-LOSAP-LICOLN-101700) on June 4, 2001. The benefits of the program are currently available to all bona fide eligible volunteers who are performing qualified services which is defined as firefighting and prevention services, emergency medical services and ambulance services pursuant to Section 457 of the Internal Revenue Code of 1986, as amended, except for provisions added by reason of the Length of Service Award Program as enacted into federal law in 1997. The establishment of this Length of Service Award Program complies with New Jersey Public Law 1997, Chapter 388 and the Length of Service Award Plan Document; and

WHEREAS, the Township of West Windsor deems the Length of Service Award Program (LOSAP) appropriate for retention of existing members and to provide incentives for recruiting new volunteer firefighters and first aid organization members; and

WHEREAS, the Township of West Windsor has a Length of Service Award Plan Document that implements the Programs objectives; and

WHEREAS, certain tax benefits could accrue to eligible volunteer fire fighters and emergency first aid organization members; and

WHEREAS, annual awards are determined by points earned in the performance of volunteer activity; and

WHEREAS, annual awards are vested by bona fide volunteers after 5 years of qualified service.

NOW, THEREFORE BE IT RESOLVED by the West Windsor Township Council authorizes the modification to the LOSAP program to recognize bona fide volunteers who are on active duty (at a remote location) in the United States Armed Forces for their service to the nation.

BE IT FURTHER RESOVED that a member of the military who is active for a minimum of 180 days will be credited with one year and no more toward vesting.

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BE IT FURTHER RESOLVED this benefit extends to vesting only and has no cash award benefit or activity points.

BE IT FURTHER RESOLVED the Chief of Fire and Emergency Services will notify the appropriate members of the volunteer organizations as to the adoption of this resolution.

Adopted: October 12, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of October, 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, DELL is an authorized vendor under NJ State Contract M0003-89850/ New Jersey T3121 Software (T3121 #20-TELE-01511) and SHI International is an authorized vendor under NJ State Contract M0003-89851), and CDW Government is an authorized vendor under NJ State Contract M0003-89849/ New Jersey T3121 Software (T3121 #20-TELE-01511); and

WHEREAS, the following resolution and 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
PO56223	Dell	3/22/2021	\$ 4,980.00
PO 56321	SHI International	4/13/2021	\$ 319.84
Resolution #133	CDW-Government	8/9/2021	<u>\$ 9,225.76</u>
			<u>\$ 19,989.50</u>

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

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

Clerk-Consulting Fees 105-01-210 \$15,000.00

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes the Business Administrator Marlana Schmid to purchase the above from Dell under NJ State Contracts M0003-89850/New Jersey T3121; and

BE IT FURTHER RESOLBED, that the authorization to the New Jersey State Contract M0003-89850/New Jersey T3121 is amended to reflect the \$15,000.00 increase from \$19,989.50 to \$34,989.50.

Adopted: October 12, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of October, 2021.

 Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

- WHEREAS, a utility company contractor installing a utility pole in front of 18 North Post Road excavated into and damaged the 6" (six inch) force main pipe from the South Post Pump Station; and
- WHEREAS, the utility contractor exercised due care in calling for a utility mark-out through the One Call System but the existing sanitary sewer line is not in the location where the as-built plans depict that line; and
- WHEREAS, efforts to stop flow in the damaged line were initially successful but the excavation area started to fill up with effluent a week after the line was damaged; and
- WHEREAS, the Department of Public Works and the Division of Engineering staff determined that there was emergent need to repair the pipe due to the excavation starting to fill with liquid again; and
- WHEREAS, the Township of West Windsor had a need to acquire contract services on an emergency basis according to the provisions of N.J.S.A. 40A: 11-6; and
- WHEREAS, the Township of West Windsor Director of Public Works and the Assistant Township Engineer have both reviewed the work conducted for this emergency repair and found said work to be consistent with standard practices and the invoices submitted to be reasonable for the response to this situation; and
- WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following line item appropriation account:
- | | | |
|----------------------------|-----------------|------------|
| Sanitary Sewer Maintenance | 405-2017-21 027 | \$5,500.00 |
|----------------------------|-----------------|------------|
- WHEREAS, in accordance with N.J.S.A. 40A:11-6, the Township Council is satisfied that the emergency exists, that it affects the public health, safety and welfare and that it requires immediate delivery of the aforesaid articles and/or services; and

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

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a contract with Ireland Construction Group LLC for a contract price of Five Thousand Five Hundred Dollars and Zero Cents (\$5,500.00).
- (2) An executed copy of the Contract between the Township and Ireland Construction Group LLC and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: October 12, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of October 2021.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, the Township of West Windsor has determined the need for repair of sidewalks throughout the Township due to lifting associated with street tree roots; and
- WHEREAS, the Township of West Windsor has determined that proper repair of sidewalks will prevent unwarranted removal of street trees and/or potentially problematic and unsafe cutting of street tree roots; and
- WHEREAS, said contracts were put out to public bid seeking bids for this project, and said bids were opened on September 29, 2021; and
- WHEREAS, the Township has received bids from the following bidders:

<u>Company</u>	<u>Total Base Bid & Alternates</u>
MNC Concrete	\$ 114,976.00
Nava Construction	\$ 127,000.00
A. Taktoon Conc.	\$ 165,300.00
Diamond Const.	\$ 254,000.00
Ocean Const.	\$ 298,600.00
Seacoast Const.	\$ 328,000.00

- WHEREAS, the Township staff has reviewed the bids and determined that the low bid is complete and responsible and should be awarded to MNC Concrete LLC; 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:

PJ Fire Gen. Improvements	405-2018-15-020	\$ 12,362.57
PJ Fire Gen. Improvements	405-2019-18-020	\$ 9,637.43
Bicycle and Pedestrian Improvements	405-2020-14-010	\$ 1,921.23
<u>Bicycle and Pedestrian Improvements</u>	<u>405-2021-14-010</u>	<u>\$ 91,054.77</u>
Account Title	Account Number	Amount

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the contract for the 2021 Sidewalk Repair Program be awarded to MNC Concrete LLC., 2 Beach Haven Way, Waretown, NJ 08758, and the Mayor and Clerk are authorized to execute said contract.

Adopted: October 12, 2021

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of October 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 T3121 and

WHEREAS, the following resolution and 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
PO56223	Dell	3/22/2021	\$ 4,980.00
PO 56321	SHI International	4/13/2021	\$ 319.84
2021-R133	CDW-Government	8/9/2021	\$ 9,225.76
2021-R168	Dell	10/12/2021	<u>\$ 15,000.00</u>
			\$ 34,989.95

WHEREAS, the Township needs to purchase licenses for Adobe software for workstations and servers connected on the Police Department Network from CDW-Government under NJ State Contract T3121 in the amount of \$4,811.88; and

WHEREAS, the Township needs to purchase licenses for Microsoft Office Pro software for workstations and servers connected on the Police Department Network from CDW-Government under NJ State Contract T3121 in the amount of \$14,696.80; and

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

Police – Acq. Of Office/Computer Equipment 405-2021-14-023 \$19,508.68

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 Contracts T3121.

BE IT FURTHER RESOLVED, that the authorization to the New Jersey State Contracts T3121 is amended to reflect the \$19,508.68 increase from \$34,989.50 to \$54,498.63.

Adopted: October 12, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of October 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 #ESCNJ18/19-03(18/19-03), and

WHEREAS, the following purchase orders were approved as follows:

3/3/2021	CDWG	P.O. 56131	\$ 1,245.96
3/9/2021	CDWG	P.O. 56158	\$ 7,768.32
4/5/2021	CDWG	P.O. 56278	\$ 513.10
4/26/2021	CDWG	P.O. 56490	<u>\$13,050.57</u>
			<u>\$22,577.95</u>

WHEREAS, the Township needs to purchase USB wifi adapters for laptops connected on the Municipal wifi Network from CDW-Government under NJ State Contract #ESCNJ18/19-03(18/19-03) in the amount of \$182.76; and

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

Acquisition of Office Computer Equipment and	405 2019 18 022	\$182.76
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NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes the Business Administrator Marlana Schmid to purchase the above from CDW-Government under NJ State Contracts #ESCNJ18/19-03(18/19-03); and

BE IT FURTHER RESOLVED, that the authorization to the New Jersey State Contract ESCNJ18/19-03 (18/19-03) is amended to reflect the \$182.76 increase from \$22,577.95 to \$22,760.71.

Adopted: October 12, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of October 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 #MNNVP-133 M0483 89974 and

WHEREAS, the following purchase orders and resolution were approved:

1/28/2021	CDWG	PO 55905	\$12,000.00
3/15/2021	CDWG	PO 56182	\$ 1,962.50
4/19/2021	CDWG	2021-R073	\$ 7,000.00
8/10/2021	CDWG	PO 56650	<u>\$14,340.00</u>
			\$35,302.50

WHEREAS, the Township needs to purchase HP monitors for workstations connected on the Police Department Network from CDW-Government under NJ State Contract #MNNVP-133 M0483 89974 in the amount of \$1,271.16; and

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

Police – Acq. Of Office/Computer Equipment 405-2015-06-016 \$1,271.16

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 Contracts #MNNVP-133 M0483 89974; and

BE IT FURTHER RESOLVED, that the authorization to the New Jersey State Contract MNNVP-133 M0483 89974 is amended to reflect the \$1,271.16 increase from \$35,302.50 to \$36,573.66.

Adopted: October 12, 2021

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 12th day of October 2021.

Gay M. Huber
Township Clerk
West Windsor Township

AUTHORIZING THE ACCEPTANCE OF STATE FUNDS AND THE TOWNSHIP'S PARTICIAPATION IN THE STATE BODY-WORN CAMERA GRANT PROGRAM, ADMINISTERED BY THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY.

WHEREAS, the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General (OAG) received funds from the SFY21 Budget to administer the Body Worn Camera Grant Program; and

WHEREAS, the State of New Jersey Law and Public Safety Office, of the Attorney General has given notice of availability and award of funds for the Body-Worn Camera Grant Program; and

WHEREAS, the name of the program is "SFY21 Body-Worn Camera Grant Program" (BWC Grant Program), the Township's award number under the grant is 21-BWC-467, the award period is January 1, 2021 through December 31, 2025, and the amount of the Township's State award is \$195,648.00; and

WHEREAS, the BWC Grant Program is designed to provide eligible law enforcement agencies with State funding to aid in the purchase of body-worn cameras, ancillary equipment and storage, and;

WHEREAS, funding is to be used towards the cost of implementing the BWC Grant Program.

NOW, THRERFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, County of Mercer in the State of New Jersey, that the Township is authorized and hereby does accept the 2021 Body-Worn Camera Grant from the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General.

Adopted: October 12, 2021

I hereby certify that the above resolution was adopted by the Township Council of West Windsor Township at their meeting held on the 12th day of October, 2021.

Gay M. Huber
Municipal Clerk
Township of West Windsor