

APPROVED: April 20, 2009

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
March 2, 2009

CALL TO ORDER: President Morgan called the meeting to order at 7:03 p.m.

STATEMENT OF ADEQUATE NOTICE

This is to advise that the notice requirement provided for in the "Open Public Meetings Act" has been satisfied. Notice of this meeting was properly given and transmitted to The Times and Princeton Packet; filed with the Clerk of the Municipality; and posted in the West Windsor Township Municipal Building at North Post and Clarksville Roads on July 4, 2008.

ATTENDEES: President: Morgan; Vice President: Kleinman; Council: Borek, Geevers; Mayor: Hsueh; Business Administrator: Marion; Township Attorney: Herbert; Manager of Community Development: Surtees; Township Engineer: Guzik; Township Clerk: Young

ABSENT: Anklowitz

FLAG SALUTE

Ms. Young led the salute to the flag.

PUBLIC COMMENT

President Morgan announced that Boy Scout Troop 40 were in the audience this evening.

Ms. Alison Miller, 41 Windsor Drive, thanked Council and the Mayor for conducting the redevelopment workshop on February 23rd.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

State of the Township Address

Mayor Hsueh presented his eighth State of the Township Address and outlined the 2008 accomplishments and spoke of the goals for 2009. He recognized three residents who have volunteered their time and talents to West Windsor. Mr. Bill Hasling, from Boy Scout Troup 40 for his many years of dedicated service to the

community; Ms. Marilyn Steidel, Girl Scout Troop 1662 for her many years of dedicated service to the community; and Mr. Michael Huey for his service to the community as a member of the Cable TV Advisory Board. All three were presented with a plaque in appreciation for their service to the community.

#### ADMINISTRATION

Mr. Marion reported that the Public Works Department started last evening at 8:00 p.m. and continues to have a small crew working this evening to handle snow removal and drifting problems. He advised that work will commence on Route One for improvements to the Millstone River Bridge.

Ms. Kleinman suggested making sure that alternative routes and signage are noted.

Ms. Geevers advised that Mayor Hsueh sent a letter to Governor Corzine's Office requesting stimulus assistance for several different projects for West Windsor.

President Morgan noted that there are a lot of residents who should be recognized for their services to the community. He noted that Richard Eland, Kristin Appelget, Joe O'Shea should be recognized for their contributions to the Alexander Road Bridge project.

#### PUBLIC HEARINGS

2009-02     AN ORDINANCE TO AMEND AND SUPPLEMENT PART II "GENERAL LEGISLATION" CHAPTER 122 "PARKS AND RECREATION AREAS" OF THE CODE OF WEST WINDSOR TOWNSHIP - Prohibiting Golfing/Hitting Golf Balls within Township Parks or Recreation Land

President Morgan opened the public hearing.

Ms. Alison Miller, 41 Windsor Drive, voiced her support of the ordinance.

Mr. Charles Holt, 19 Exeter Court, suggested alternatives be looked at.

Motion to close public hearing: Borek

Second: Geevers

RCV: Anklowitz - absent

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Ms. Geevers advised that she has spoken to residents in the Conover Road area and that they support the proposed ordinance.

Mr. Borek suggested looking for an appropriate location for golfers to practice their swing.

Motion to adopt: Kleinman

Second: Geevers

RCV: Anklowitz - absent

aye Borek

aye Geevers

aye Kleinman

aye Morgan

2009-03     AN ORDINANCE TO AMEND AND SUPPLEMENT  
CHAPTER 168 "TRAFFIC AND PARKING," OF THE REVISED  
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR -  
Parking Prohibited on Certain Streets Within The  
Estates at Princeton Junction

Mr. Marion requested that this ordinance be deferred to the Business Session on April 20<sup>th</sup>, 2009.

CONSENT AGENDA

RESOLUTIONS

2009-R041 Authorizing the Full Release of Inspection Fee Escrow  
Account Balance for Princeton Animal Hospital

2009-R042 Refund of Overpaid Property Taxes

2009-R043 Appointment of Steven Jany to the Agricultural  
Advisory Committee to fill the Unexpired Term Through  
June 30, 2011

MINUTES

January 20, 2009 - Business Session

February 2, 2009 - Closed Session

Motion to approve consent agenda, minus bills and claims: Borek

Second: Kleinman

RCV: Anklowitz - absent

aye Borek

aye Geevers

aye Kleinman

aye Morgan

BILLS AND CLAIMS

Ms. Geevers inquired about the RMJM Hillier final payment.

Mr. Herbert gave a brief history of the RMJM Hillier contract. He advised that RMJM Hillier will provide the corrected maps per a conversation held with them earlier today.

Ms. Geevers suggested moving this payment after the March 23<sup>rd</sup> meeting.

Mr. Herbert advised that the three maps are the only outstanding items and that RMJM Hillier has advised that they will forward these to the Township.

Ms. Kleinman advised she would like to see the final maps prior to the final payment. She inquired if the Township will be able to update these maps once received from RMJM Hillier.

Mr. Herbert advised that the maps have been completed in a CAD format.

Discussion ensued over the preparation of the final maps for the Redevelopment Plan.

Motion to approve the bills and claims, minus RMJM Hillier  
invoice: Kleinman  
Second: Geevers  
RCV: Anklowitz - absent  
aye Borek  
aye Geevers  
aye Kleinman  
aye Morgan

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

COMMUNITY DEVELOPMENT

2009-R044 Authorizing Change Order #1 with Greenleaf Landscape Systems and Services for Final Quantities Adjustment and Project Closeout for the Project Known as Public Lands Maintenance 2008

2009-R045 Granting the Request by Ground Force Corporation for the Full Release of Performance Guarantees Associated with Public Lands Landscape-Cul-de-Sac and Street Tree Maintenance and Replacement

2009-R046 Approving an Amendment to the Current Agreement with Maser Consulting for Affordable Housing Planning Services

2009-R048 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Maser Consulting for Land Use Planning Services Related to the Princeton Junction Redevelopment Plan

2009-R049 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Miller, Porter, Muller & Gaynor for Legal Services Related to the Princeton Junction Redevelopment Plan

2009-R050 Granting the Request by Toll Brothers for the Full Release of Performance Guarantees Associated with the Estates at Princeton Junction-Single Family Village North Section 1

2009-R051 Granting the Request by Toll Brothers for the Full  
Release of Performance Guarantees Associated with the  
Estates at Princeton Junction-Ascot Crescent

2009-R052 Granting the Request by Toll Brothers for the Full  
Release of Performance Guarantees Associated with the  
Estates at Princeton Junction-Single Family Village  
South Section 3

2009-R053 Authorizing the Mayor and Clerk to Execute a Contract  
with Ground Force Corporation for 2009 Public Lands  
Maintenance-Detention Basins and Open Space

Motion to approve resolutions 2009-R044 through 2009-R046,  
2009-R048 through 2009-R053: Borek

Second: Geevers

RCV: Anklowitz - absent

aye Borek

aye Geevers

aye Kleinman

aye Morgan

2009-R047 Authorizing the Mayor and Clerk to Execute a  
Professional Services Agreement with AECOM  
Transportation for Engineering Services Related to the  
Princeton Junction Redevelopment Plan

Ms. Geevers advised that there were only three Planning Board meetings held versus the four noted in the contract and suggested that Administration review this for a correction.

2009-R054 Authorizing the Mayor and Clerk to Execute a Contract  
with P.M. Construction for Heatherfield Sanitary Sewer  
Extension-Phase 1

Ms. Kleinman requested an outline of how this project will move forward and how the homeowners' cost will be determined.

Mr. Guzik advised that there are two phases to this project and that this contract is for the first phase.

Mr. Herbert advised that a committee of three residents will be appointed and a public meeting will be held and then the total cost will then be established for the residents.

Mr. Marion advised that he has requested the Township Engineer to prepare a timeline for Council and the Mayor on this project. He suggested placing the timeline on a future agenda session for further discussion.

Mr. Guzik advised that as Phase One is completed residents will be able to hook in.

Discussion ensued over Phase One and Phase Two, and the pump station will not be part of the residents' sewer assessment when calculated.

President Morgan requested that the Township review whether this project would fall under the federal stimulus program.

Ms. Kleinman voiced her support of checking whether this project falls under the stimulus program. She requested further discussion on engineering projects.

Mr. Marion suggested a further review of engineering projects be done during the capital portion of the 2009 budget process.

President Morgan requested that Administration keep Council informed as to what is being submitted with regard to stimulus funding requests.

Discussion ensued over what projects should be forwarded to Governor Corzine for stimulus funding.

2009-R055 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with ACT Engineers to Provide a Proposal to Develop a New Vehicle/Equipment Wash-Down Facility at the Department of Public Works

Mr. Marion read Mr. Drummond's memorandum outlining the need for the vehicle wash-down facility.

Ms. Kleinman requested that this resolution be pulled for additional information and discussion regarding this project.

She inquired as to why there is not an overall layout of the needs at the public works facility.

Mr. Marion suggested pulling this item from the agenda this evening and placing it on a future agenda for further review.

President Morgan noted that this is an example of a project that could be used for stimulus funding.

Mr. Marion advised that this has been submitted to the Governor's Office for consideration for stimulus funding.

It was requested that resolution 2009-R055 be tabled for further review.

Motion to approve resolutions 2009-R047 and 2009-R054: Kleinman

Second: Geevers

RCV: Anklowitz - absent

aye Borek

aye Geevers

aye Kleinman

aye Morgan

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

INTRODUCTION OF ORDINANCES

2009-05     AN ORDINANCE AMENDING SECTION 4-33 TO 4-37 OF THE TOWNSHIP CODE, RELATING TO A DIVISION OF FIRE AND EMERGENCY SERVICES AND THE VOLUNTEER FIRE DIVISION

Mr. Marion requested that this ordinance be tabled from this meeting and placed on a future agenda after review by the Public Safety Committee.

2009-06     AN ORDINANCE AMENDING CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999), "LAND USE," PART 4, "ZONING," ARTICLE XVII, "USE AND BULK REGULATIONS FOR RESIDENCE DISTRICTS," IS AMENDED BY MODIFYING THE OPEN SPACE CLUSTER ORDINANCE

Motion to introduce: Kleinman

Second: Geevers

RCV:       Anklowitz - absent

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Public Hearing is scheduled for March 16, 2009.

2009-07     AN ORDINANCE AMENDING PART 4, "ZONING," ARTICLE XXVI, "TITLES, PURPOSES, ESTABLISHMENT OF DISTRICTS; GENERAL CONDITIONS," AND ARTICLE XXVII, "USE AND BULK REGULATIONS FOR RESIDENCE DISTRICTS," OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) BY ADDING AN R-20A ZONING DISTRICT

Motion to introduce: Kleinman

Second: Geevers

RCV:       Anklowitz - absent

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Public Hearing is scheduled for March 16, 2009.

2009-08 AN ORDINANCE AMENDING CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999), "LAND USE," PART 4, "ZONING," ARTICLE XXVI, "TITLES, PURPOSES ESTABLISHMENT OF DISTRICTS; GENERAL CONDITIONS," BY MODIFYING TEMPORARY SIGN STANDARDS

Motion to introduce: Geevers

Second: Kleinman

RCV: Anklowitz - absent

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Public Hearing is scheduled for March 16, 2009.

COUNCIL REPORTS/COMMENTS

Mr. Herbert advised that InterCap Holdings Associates has filed a lawsuit against the Township's Affordable Housing Plan. He noted that the Council on Affordable Housing will review said claim. Mr. Herbert advised that he will keep the Township Council apprised of the matter.

Ms. Geevers advised that she attended the School Board budget meeting and they have trimmed their budget increase over last year and has been reduced to 1.8%.

Ms. Kleinman reported that the Planning Board has a sub-committee on sustainable issues that the Township should consider. She noted that the Planning Board can implement some of these as well as the Council and Administration, and that she is looking for everyone to support this project. Ms. Kleinman advised that a checklist is being prepared for the Professionals to use during the application process. She noted that the sustainable report is being worked on to produce ordinances for the Planning Board and the Township Council's approval.

President Morgan advised that the preface for the Redevelopment Plan needs to be discussed.

Ms. Geevers advised that she included Mayor Hsueh in the preface because he has been working on the plan with the State, Federal,

and County officials as well as participating in the Steering Committee and Finance Committee meetings.

Ms. Kleinman voiced her approval of the preface as prepared by Ms. GeEVERS.

Mr. Borek voiced his approval as well.

ADDITIONAL PUBLIC COMMENT

Ms. Alison Miller, 41 Windsor Drive, cautioned encroachment of the Zaitz Preserve around the Public Works Facility.

CLOSED SESSION

Motion to go into closed session at 9:13 p.m.: Borek  
Second: GeEVERS  
VV: All approved - Anklowitz - absent

Ms. Young read the closed session resolution into the record:

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Township Council of West Windsor Township has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public; and

WHEREAS, the regular meeting of this Township Council will reconvene; and

WHEREAS, the below stated subject matter shall be made available at such time as the issues discussed therein are resolved and its disclosure would not subvert any particular exception for convening a closed session.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Windsor will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: For the discussion of a personnel matter.

MEETING RECONVENED

The meeting reconvened at 9:22 p.m.

ADJOURNMENT

Motion to adjourn: Geevers

Second: Kleinman

VV: All approved - Anklowitz - absent

The meeting was adjourned at 9:22 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township