

APPROVED: November 14, 2011

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
September 6, 2011

CALL TO ORDER: President Khanna called the meeting to order at 7:10 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 January 7, 2011 and the Closed Session was noticed on August 30, 2011.

ATTENDEES: President: Khanna; Vice President: Ciccone; Council: Borek, Geevers, Morgan; Mayor: Hsueh; Business Administrator: Hary; Township Attorney: Cayci; Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Ms. Alison Miller, 41 Windsor Drive, President of the Friends of West Windsor Open Space (FOWWOS), advised that a check for \$333,808.75 was given to the Township from FOWWOS to reimburse the Township's Open Space Trust Fund for the recent acquisition of a portion of the JCC property that will now be known as the "Great Blue Heron Preserve". She also noted that FOWWOS has received notification from the Governor's Office that an additional \$100,000 will be forwarded to the Township from the State Green Acres Program. Ms. Miller spoke about the recent flooding in the Township and thanked everyone for their continued support for the preservation of open space throughout the Township.

Ms. Kim White, 54 Montgomery Street, expressed her concern about the shared Animal Control services with East Windsor Township and inquired why an alert was not issued regarding a cat that was found to be rabid. She voiced her concerns about how Animal Control services are being handled.

Ms. Christine Bator, 6 Wheatston Court, spoke against the recent approval of Resolution 2011-R159 regarding New Jersey's participation in the Regional Greenhouse Gas Initiative. She suggested that the Township continue their efforts with pursuing energy audits.

Mr. Greg Harris, 16 Piedmont Drive, expressed his concerns regarding the new electronic sign at the corner of Route 571 and Clarksville Road and the distraction it causes to drivers.

Mr. Pete Weale, 144 Fisher Place, requested that Resolution 2011-R177 on tonight's agenda be pulled. He noted that he wants Chief Pica to report on overtime costs for the recent storm during his report this evening.

Mr. Voytek Trela, 70 Bear Brook Road, noted that on a recent survey of the 100 best places to live in New Jersey, West Windsor was not listed but Plainsboro and South Brunswick were.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

PUBLIC SAFETY UPDATE AND POST HURRICANE IRENE ACTIVITIES

Mr. Hary advised that Chief Pica will give an update on public safety and post Hurricane Irene.

Chief Pica reviewed the public safety statistics as well as first aid and fire calls. He noted that violent crimes in West Windsor are extremely low. Chief Pica spoke about the recent home invasion that occurred and advised that burglaries to date have seen a decrease over last year by 43%. He spoke of precautions that residents can take especially when they are going to be away and to notify police if something seems out of the ordinary.

Chief Pica reported that with the opening of school the Police are going to be more proactive with radar and pedestrian traffic.

Hurricane Irene Report

Chief Pica spoke about Hurricane Irene and reported the following:

- Outlined pre-storm preparations
- Flooding and power outages occurred as predicted
- Met with all the departments, fire chiefs, emergency services and volunteers
- Outlined all the activities that were accomplished in the four days after the storm
- Emergency Management Center was set up and a State of Emergency was declared at midnight on Saturday, August 25th
- Reviewed streets that were flooded
- Outlined areas with power outages and reviewed the areas without power for more than 24 hours
- Shelter was organized and created at High School South for residents to charge their phones and computers, to receive ice, and to take showers
- Reached out to Electric companies for information - JCP&L was non-responsive
- Set up solar signs for detours and updated web page for residents
- Utilized Facebook, Twitter, and Reverse 911 to keep residents informed

Chief Pica reported that the JCP&L sub-station which services the eastern portion of the Township was submerged under water and crews could not restore the power until the water had subsided. He advised that the Township's State of Emergency was declared over at 8:00 a.m. on Wednesday morning.

Chief Pica reviewed several suggestions to include:

- Purchase of additional generators;
- Senior Center have a generator installed;
- Township officials meet with representatives from the Village Grande and the Elements to discuss possible installation of generators in their club houses;
- Township-wide 911 system;

- Receive assurances from JCP&L to have a representative at the County OEM office;
- Include Fieldston Road in the evacuation plan.

He advised that the Township is currently working on receiving funding from FEMA for costs incurred during the storm and noted that contact information regarding FEMA is located on both the Township and Police web sites.

Ms. Geever's noted her thanks to the Chief, his staff, emergency services, and all the volunteers for doing a great job.

Mayor Hsueh thanked staff and the volunteer firefighters and first aid members for their service during the storm. He advised that he will be talking to area management companies to get contacts and work on plans for the future to help insure better communication. He advised that Chief Pica continually worked on getting the JCP&L matter resolved. Mayor Hsueh advised that Ms. Huber opened the Emergency Center at High School South and thanked McCaffreys Market and Hyatt Regency for their assistance during the storm. He advised that he visited the hardest hit areas and thanked everyone for their assistance and support.

Mr. Morgan acknowledged the great work from all. He inquired if the Grover's Mill Dam received any damage, and asked if the Township has the ability to lower the water level. Mr. Morgan noted that communication between Council and Administration needs to be reviewed for the future.

Mr. Hary advised that the pond was lowered two feet prior to the storm.

Mr. Borek thanked everyone and suggested looking into federal funding for the additional generators needed.

Ms. Ciccone noted her appreciation for the constant updates on the web site, Facebook and Twitter. She suggested that going forward the Township advise residents prior to the storm hitting that shelters will be open if necessary.

President Khanna sent e-mails to everyone he knew and received a lot of feedback thanking the Township for their efforts. He thanked everyone for a job well done.

Mr. Greg Harris, 16 Piedmont Drive, spoke in support of the Township using Facebook and Twitter to notify residents.

Ms. Christine Bator, 16 Wheatston Court, advised that the Board of Public Utilities is going to conduct hearings regarding the problems during the recent hurricane and suggested that the Township participate.

TISCHLERBISE - FISCAL IMPACT ANALYSIS OF THE INTERCAP DEVELOPMENT

Mr. L. Carson Bise II, AICP, President of TischlerBise Inc., gave an overview of his company and his background. He reviewed the Fiscal Impact Analysis of the proposed InterCap Development to include buildout figures, possible generation of 250 jobs, annual fiscal impact results, and revenue to be received by the Township in relation to the project. He reviewed three scenarios based on information received and discussed how each scenario would affect the Township going forward, and the cumulative 20-year fiscal results.

Mrs. Sandra Donovan, 3 Sapphire Drive, spoke about some of the assumptions in the analysis and the lack of answers to many questions and concerns such as traffic congestion. She noted the use of outdated information for key assumptions within the report.

Mr. Brian Maher, 135 Penn Lyle Road, reviewed the report over the weekend and performed his own analysis. He reviewed his analysis for the public.

Mr. John Church, 11 Princeton Place, noted that it goes back to the assumptions that were made for the preparation of the plan. He suggested that the study should be updated and revised with current figures instead of using projections from five years ago. He noted he also prepared his own analysis and would be willing to share it with Administration and Council.

Mr. Greg Harris, 16 Piedmont Drive, expressed his opinions related to the number of school-aged children that will be

generated by the redevelopment. He noted that there are too many variables within the analysis.

Mr. Pete Weale, 144 Fisher Place, asked various questions about the fiscal impact analysis and the assumptions made in the report.

Ms. Alison Miller, 41 Windsor Drive, spoke about the number of school children being less in rentals versus units which are owned. She inquired about the contribution from the developer and what it would be used for.

Mr. Voytek Trela, 70 Bear Brook Road, noted several things stood out in the analysis including: the price of the units, the existing office buildings and the impact of removal of these buildings from the Township tax rolls. He advised that the indirect costs for services needs to be addressed.

Mr. Bise addressed each of the residents' concerns including the use of outdated information and noted that the most current data was utilized for the analysis.

Ms. Geevers suggested that the School District review the fiscal impact analysis. She also advised that the fiscal impact numbers be amended to 70,000 square feet for the retail portion of the report. Ms. Geevers voiced her concern that the infrastructure dollar amount being provided by the developer is too low and noted the price range for the homes is too high in the current market.

Mr. Hary responded to Ms. Geever's question regarding the infrastructure costs for the project.

Mr. Morgan inquired if the analysis is going to be revised based on the information provided this evening. He spoke about the costs incurred for the redevelopment project by the Township and when the Township will recoup these costs. Mr. Morgan asked several questions about the information provided this evening to include wanting the worst and best probable scenarios.

Mr. Hary advised as part of the Settlement Agreement InterCap will pay approximately \$680,000 of the current costs to date for the redevelopment area.

Ms. Ciccone advised that Mr. Morgan raises a good question as to whether the information received this evening is going to be updated. She also spoke about additional costs such as road repair, maintenance, snow removal, sewer and public safety costs.

President Khanna thanked everyone for their comments and noted that they are very useful and will be considered. He reviewed the process pertaining to the fiscal analysis. He requested that Council send their additional questions to him and he will forward them to Mr. Bise.

Mr. Bise advised that this was a collaborative process between InterCap, School Board, and municipal officials.

Discussion ensued among members of Council on how to proceed.

MAYOR/ADMINISTRATOR COMMENTS

Mr. Hary advised that the Township has received a Proclamation from the Governor's Office proclaiming September 11 as Patriot Day. He noted that the Township will be conducting a service at the Memorial Twin Ponds starting at 6:00 p.m. on September 11th. Mr. Hary advised that a photo exhibit from September 11 is currently on display in the Township Municipal Building.

Mr. Hary advised that the Princeton Meadows Development was cited by OSHA for improper protection of workers.

Mr. Hary announced that the new Rite-Aid at the corner of Cranbury and Route 571 is now open to the public.

Mr. Hary reviewed cleanup procedures and overtime costs relating to Hurricane Irene.

Mr. Hary advised that he is working with representatives of Twin W Rescue Squad on their request for additional funding of \$15,000 to match what the municipality gives to the fire companies each year.

COUNCIL MEMBER COMMENTS

Mr. Morgan again thanked everyone who helped during the Hurricane. He also thanked representatives of FOWWOS for their

contribution for the purchase of the JCC parcel. He noted that the Planning Board has hired consultants to review redevelopment matters and suggested that the Council and Administration do the same. Mr. Morgan noted that the Township's Stormwater Management Plan is dated March 2005, and suggested that the Plan be updated and he would like to receive a copy of the stormwater plan for the redevelopment area.

Ms. Geevers thanked FOWWOS for their contributions for the JCC open space property and suggested that a letter be sent to the Board of Public Utilities regarding JCP&L's lack of response during the recent Hurricane. She noted her support for holding a meeting to discuss stormwater management.

Ms. Ciccone noted that FOWWOS is an excellent organization and again thanked everyone who helped during the storm. She inquired about the cost for installation of a water line for the community garden.

President Khanna advised that the Township did a financial analysis for the Transit Village and provided the information to TischlerBise for completion of their report. He noted that suggestions made today will be used to update the report.

CHAIR/CLERK COMMENTS

Ms. Young announced that seven sets of petitions have been received for the three Council vacancies. She announced that the General/Municipal Election would be held on November 8, 2011. Ms. Young read Chapter 60-4, I Political programming into the record.

CONSENT AGENDA

RESOLUTIONS

2011-R172 Refund of Overpaid Property Taxes

2011-R173 Refund of Fee for Permit No. 20110165 - 1407 Edinburg Road

2011-R174 Authorizing the Mayor and Clerk to Execute an Easement Modification Agreement - 2 Meadow Run Road

MINUTES

July 18, 2011 - Business Session

July 28, 2011 - Special Session

July 28, 2011 - Closed Session

Ms. Geevers requested that Bills and Claims be removed.

Motion to approve consent agenda as amended: Morgan

Second: Borek

RCV: aye Borek

aye Ciccone*

aye Geevers

aye Morgan

aye Khanna

*Ms. Ciccone abstained from voting on the July 18, 2011 minutes.

BILLS & CLAIMS

Ms. Geevers had several questions regarding the legal bill from Miller, Porter, Muller and requested that Administration provide an explanation.

Motion to approve bills and claims: Morgan

Second: Ciccone

RCV: aye Borek

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

Motion to extend the clock to 11:30 p.m.: Morgan

Second: Ciccone

All approved

RECOMMENDATIONS FROM ADMINISTRATION

2011-R175 Authorizing the Reimbursement of Solid Waste
Collection Costs for Calendar Year 2010 for Various
Multi-Family Dwellings - \$256,396.06

2011-R176 Authorizing the Reimbursement of Snow Removal for Windsor Haven Homeowners Association and Elements at West Windsor Homeowners Association - \$7,880.02

2011-R178 Authorizing the Mayor and Clerk to Execute a Land Development Performance Guarantee Agreement with C.P. Princeton Junction LLC

2011-R179 Authorizing the Mayor and Clerk to Execute a Shared Services Agreement with the County of Mercer for Public Health Services Mutual Aid

2011-R180 Authorizing the Approval of a Permit for Public Fireworks Display at the Mercer County Italian American Festival Association on September 24, 2011

Ms. Ciccone requested that resolution 2011-R177 be pulled for further discussion.

Motion to approve resolutions 2011-R175, 2011-R176, and 2011-R178 through 2011-R180: Morgan

Second: Ciccone

RCV: aye Borek

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

2011-R177 Authorizing the Business Administrator to Execute the Memorandum of Understanding with Mercer County for the Construction of Bicycle Compatible Pathway along South Post Road on County Property

Ms. Ciccone reported that a grant for \$125,000 was received by the Township.

Ms. Geevers inquired if there would be any additional costs associated with the construction of the bikeway.

Mr. Hary advised that he anticipates no additional costs for the bikeway.

Motion to approve: Morgan

Second: Ciccone

RCV: aye Borek
aye Ciccone
aye Geevers
aye Morgan
aye Khanna

COUNCIL/CLERK RECOMMENDATIONS

2011-R181 Confirmation that MarketFair Holdings LLC has been Determined to be the Pre-Qualified Bidder for the New Consumption License Issued by the Township of West Windsor - \$1,250,101.00

Motion to approve: Morgan

Second: Ciccone

RCV: aye Borek
aye Ciccone
aye Geevers
aye Morgan
aye Khanna

2011-R182 Authorizing the Clerk to Execute a Purchase Order with Brown's River Records Preservation Services for the Preservation of the Township's Minute Books - \$15,000.00

Motion to approve: Morgan

Second: Ciccone

RCV: aye Borek
aye Ciccone
aye Geevers
aye Morgan
aye Khanna

COUNCIL REPORTS

Ms. Geevers advised that the Planning Board will review at their September 7, 2011 meeting the revised Settlement Agreement with InterCap and forward recommendations to the Township Council.

Ms. Ciccone reported that the Environmental Commission continues to do great work for the Township and their next meeting is scheduled for September 8, 2011. She suggested scheduling two Council meetings: one to discuss stormwater management, and a separate meeting to further discuss the fiscal impact analysis.

ADMINISTRATION UPDATES

Mr. Hary reported that he has requested submission of RFQs for Health Consultants and for the expansion of the Municipal and Public Works facilities.

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, advised that he would forward his fiscal impact analysis to the Township. He inquired if he could have access to the information given to TischlerBise to review.

Motion to extend the clock fifteen minutes to 11:45 p.m.:
Ciccone

Second: Geever

All approved

Ms. Ciccone requested that Administration provide the data regarding the fiscal impact study to Mr. Church.

Mr. Greg Harris, 16 Piedmont Drive, addressed issues concerning redevelopment, cable television audio, process for obtaining permits and signage for a new business, post office lease, and Princeton Terrace Apartments.

ADJOURNMENT

Motion to adjourn: Ciccone

Second: Geever

All approved

The meeting was adjourned at 11:41 p.m.

Sharon L. Young
Township Clerk
West Windsor Township