

**MEETING TO BE BROADCAST ON COMCAST CHANNEL 27
AND VERIZON CHANNELS 41 AND 42**

**AGENDA FOR THE REGULAR BUSINESS MEETING
OF THE COUNCIL OF WEST WINDSOR TOWNSHIP
271 CLARKSVILLE ROAD
TO THE EXTENT KNOWN**

April 1, 2019

6:00 P.M.

1. Call to Order
2. Statement of Adequate Notice - January 11, 2019 to The Times and the Princeton Packet. Closed Session noticed March 27, 2019 to The Times and the Princeton Packet.
3. Salute to the Flag
4. Roll Call
5. Closed Session
6. Ceremonial Matters and/or Topic for Priority Consideration

Proclamation for Stigma Free

Proclamation for World Autism Awareness

Proclamation for Districted Driving 2019 Crackdown
7. Public Comment: (30 minutes comment period; 3-minute limit per person)
6. Administration Comments
7. Council Member Comments
8. Chair/Clerk Comments

9. Public Hearings

2019-07r AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) TO CREATE AN RP-12 DISTRICT

2019-08r AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR PRINCETON JUNCTION BY ADDING A NEW RP-12 DISTRICT

10. Consent Agenda

A. Resolutions

2019-R072 Reimbursement of On-Premise Merchandise Raffle License to Joshua Harr Shane Foundation - \$20.00

2019-R073 Refund of Overpaid Taxes

2019-R074 Authorizing the Request by Scott Tom Dzierzynski for a 100% Disabled Veteran Exemption and Allowing the Tax Collector to Refund the Amount of \$3,873.62 and to Cancel All Subsequent Taxes per State Statute 54:3-30

B. Minutes

February 19, 2019 Business Session - as amended
February 27, 2019 Special Business Session - as amended

March 4, 2019 Business Session - as amended

C. Bills & Claims

11. Items Removed from Consent Agenda

12. Recommendations from Administration and Council/Clerk

2019-R075 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Center State Engineering for Surveying and Engineering Design Services for the Annual Road Improvement Program 2018 - \$40,000.00

2019-R076 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Van Cleef Engineering for Surveying and Engineering Design Services for the Village Road East Reconstruction Project - \$42,700.00

2019-R077 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Van Cleef Engineering for Engineering and Surveying and Engineering Design Services for the Alexander Road Reconstruction-Phase 4 Project - \$28,700.00

2019-R078 Authorizing the Mayor and Clerk to Execute a Memorandum of Understanding with the Mercer Area District of the Washington Crossing Council, Troop 40 to Continue to Use One Bay at the Schenck Farmstead From 1/1/2019-12/31/2019

2019-R079 Authorizing the Mayor and Clerk to Execute an Amendment to the Agricultural Lease Agreement with Everett Brothers, LLC to Add the Newly Acquired Hall Property

2019-R080 Certification of Compliance With the United States Equal Employment Opportunity Commission's In Accordance With N.J.S.A. 40A:4-5

2019-R081 Authorizing Local Examination of the 2019 Budget

13. Introduction of Ordinances

2019-13 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Public Hearing: April 29, 2019

2019 BUDGET INTRODUCTION

Public Hearing: April 29, 2019

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

ORDINANCE 2019-07r

**AN ORDINANCE TO AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WEST WINDSOR
(1999) TO CREATE AN RP-12 DISTRICT**

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-142, Establishment of Zoning Districts, is hereby amended by adding after the line “RP-11 – “Overlay of the Princeton Junction Redevelopment Plan” the following:

RP-12 Residence/Affordable Housing

Section 2. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-143, Zoning Map, is amended to read as follows:

The boundaries of said zoning district is hereby established as shown on the Zoning Map, Township of West Windsor, dated March 18, 2019, and revised through April 1, 2019, which, with all explanatory matter thereon, is hereby adopted and made part of this Part IV. An official copy of said Map, indicating the latest amendments shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision date shown thereon. The Zoning Map for that shall be the official reference as to the current zoning classification of the land within the boundaries of the Township of West Windsor.

Section 3. Chapter 200 of said Code, Land Use, Part 5, Princeton Junction Redevelopment Plan Regulatory Provisions, Article XXXIV, Land Use Controls, is hereby amended by the adding a New Section 200-272 as follows and by renumbering the subsequent sections accordingly:

§ 200-272 RP-12 District.

A. RP-12 District use regulations.

- (1) Purpose. The goal of the RP-12 District is to develop the property in the RP-12 District with attractive, multi-family housing, to include 20% affordable housing.

- (2) Comprehensive development. The District shall be comprehensively developed in accordance with one development application for the entire district.
- (3) Permitted principal uses. In the RP-12 District, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for the following use:
 - (a) Multifamily dwellings, provided that twenty percent (20%) of such units are affordable housing meeting all of the applicable standards and requirements for affordable units, including those set forth in the *Uniform Housing Affordability Controls (UHAC)*, N.J.A.C 5:80-26.1 *et seq.*, and Section 200-237. At least 50% of the affordable units shall be affordable to low-income households, and at least 13% of all rental affordable units shall be affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low-income units shall be included as part of the low-income requirement. The remaining affordable units shall be made affordable to moderate-income households. The affordable units shall be dispersed throughout the building or buildings. Affordable housing shall be architecturally indistinguishable from market-rate housing. Ordinance 2019-03 shall not apply.
- (4) Permitted accessory uses.
 - (a) Recreational and open space facilities, including, but not limited to walkways, courtyards and plazas.
 - (b) Off-street parking and loading associated with multifamily dwellings and townhouses.
 - (c) Signs.
 - (d) Street furnishings, planters, streetlights, and exterior, garden-type shade structures such as gazebos and pavilions.

- (e) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (f) Decks, patios and terraces, which shall complement the architectural style, type and design of the building and the overall project design.
- (g) Stand-alone on-grade garages, trash enclosures, stand-alone storage facilities for apartment tenants, and office and maintenance areas for onsite rental business operations.
- (h) Accessory uses customarily incidental to permitted principal uses.

B. RP-12 District intensity, bulk and other regulations.

- (1) Maximum improvement coverage: 80%.
- (2) Minimum yards.
 - (a) Front yard: 10 feet.
 - (b) Side yard: 5 feet.
 - (c) Rear yard: 5 feet.
- (3) Number of dwelling units: The developer may construct up to one hundred eighty (180) dwelling units.
- (4) Maximum building height:
 - (a) The maximum building height shall be four stories above garage, but no greater than 80 feet.
- (5) Building spacing: A minimum of 30 feet shall be provided between buildings if there is more than one building.
- (6) Parking standards.

- (a) In lieu of the standards set forth in § 200-27B, the following off-street parking standards shall apply: a minimum of 1.0 spaces per dwelling.
- (b) Off-street parking lots shall be accessed by means of common driveways to the extent practicable. Cross-access easements with adjacent lots shall be required. Shared parking facilities are encouraged where possible.

(7) Sidewalks.

- (a) In lieu of the standards set forth in § 200-258A sidewalk widths shall be a minimum of four feet wide, except where sidewalk borders head-in parking stalls, the sidewalk shall be a minimum of six feet wide.
- (b) All internal sidewalks and pathways shall be designed to provide access for the physically disabled. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the Americans with Disabilities Act. This requirement does not apply to connections to Block 5, Lot 20. A minimum of one accessible route shall be provided to the RP-12 development from the public street and sidewalk, through Block 5, Lot 20.

(8) Landscaping.

- (a) All Section 200-91P standards shall apply except that:
 - [1] In lieu of the standards set forth in §200-91P(4), the following shall apply: Storm water management facilities shall be designed in accordance with the guidelines set forth in the New Jersey Stormwater Best Management Practices Manual.
 - [2] Section 200-91P(5) (Open Space) shall not apply.
 - [3] Section 200-91P(6)(c) (Filtered Buffer) shall not apply to locations where internal drives and parking adjoin the building or buildings.

- [4] Section 200-91P(6)(d)(4) is amended to allow a solid fence or wall serving as a sound barrier ten feet high. Such a fence or wall is only required along a portion of the property line between the building or buildings and the railroad tracks. Any fence or fences constructed along the railroad (Block 5, Lot 14) serving as a sound barrier shall not be considered a structure.
- [5] Sections 200-91P(7)(a), (b), (c), (d), (e), and (f) shall not apply.
- [6] Existing trees over 5 inches DBH that are within ten feet of property lines shall be located and preserved to the extent possible. All other existing trees will be cleared and are not required to be relocated.

(9) Architectural and site design standards.

In lieu of the standards set forth in §200-258C, the following shall apply:

- (a) Architectural detail, style, color, proportion and massing shall reflect the features of a traditional village center. The building or buildings shall reflect a continuity of treatment through the district, obtained by maintaining the building scale or by subtly graduating changes; by maintaining base courses; by maintaining cornice lines in buildings, if more than one, of the same height; by extending horizontal lines of fenestration; and by reflecting architectural styles and details, design themes, building materials and colors used in surrounding buildings. To the extent possible, upper-story windows shall be vertically aligned with the location of windows and doors on the ground level. A variety of building setbacks, roof lines, color schemes, elevations and heights shall be developed, relative to adjacent structures, to avoid a repetitious and monotonous streetscape.
- (b) Any sound barrier along the railroad right-of-way may not be higher than ten (10) feet.
- (c) Signage and lighting shall be designed in a manner complementary to the building's architecture and in keeping with the goal of achieving a traditional village center.

- (d) Pitched roofs (6/12 to 12/12) are required. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall.

(10) Signage.

- (a) Street address signage.

In lieu of the standards set forth in §200-258D4c, the following shall apply:

- [1] Street address signage shall be provided on the building or, if more than one building, each building.

- [2] Street address numbers shall have a maximum height of 24 inches.

- (b) Monument signage.

In lieu of the standards set forth in § 200-258D4d, the following shall apply:

- [1] Two monument signs shall be permitted for the RP-12 District. One of the two signs shall be an identification sign along Cranbury Road at the entrance to the Ellsworth Center.

- [2] The maximum monument sign area for each sign shall be 40 square feet.

- [3] The maximum monument sign height for each sign shall be six feet above existing grade.

(11) Internal Streets.

- (a) Geometry of streets shall be sufficient for Township emergency vehicles and private waste removal.

- (b) Street names shall not duplicate or nearly duplicate the names of existing streets in the municipality or contiguous communities. The continuation of an existing street shall have the same name.

- (c) Endings of proposed street names shall reflect street classification for a cul-de-sac: lane, court, place, or circle.

(12) Other Standards.

- (a) No development shall proceed in the District without a redeveloper's agreement with the Township or redevelopment entity.
- (b) Section 200-20 (Common Open Space) shall not apply.
- (c) The standards set forth in § 200-23 requiring an environmental appraisal of the property are not applicable.
- (d) Interconnection with Block 5, Lot 20 for storage or other complimentary service uses is allowed.
- (e) In lieu of the standards set forth in § 200-25B2, steps shall be taken to minimize indoor noise levels. Building code requirements shall be met.
- (f) In lieu of the standards set forth in § 200-25C2, steps shall be taken to minimize vibration levels.

(13) Pedestrian and Bicycle Circulation

- (a) A comprehensive bicycle and pedestrian circulation plan shall be provided. Consideration shall be given to linking pedestrian and bicycle circulation features to adjoining open space amenities, as determined to be appropriate and feasible.
- (b) Pedestrian crossing in streets and alleys shall include special ground texture treatment such as brick, stone, cobblestones and other suitable material. The treatment of any crosswalk shall be designed with materials that indicate the different traffic characteristics of intersecting streets.

- (c) There shall be a dedicated interior space or an enclosed room for storage of bicycles. Such a space may be located within a parking garage.

Section 4. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable, and publication according to law.

Introduction:

Public Hearing:

Adoption:

Mayor's Approval:

Effective Date:

ORDINANCE SUMMARY

This ordinance amends Chapter 200, Land Use by creating a new RP-12 Zoning District. The new district, as shown on the Zoning Map attached to the Ordinance, is adjacent to the Northeast Corridor rail line and behind the Ellsworth Shopping Center, with access to Cranbury Road. The only permitted use is multi-family dwellings, 20% of which must be affordable housing. Up to 180 dwelling units with a maximum building height of four stories above garages, but no greater than 80 feet, are permitted. The District must be developed comprehensively. The maximum improvement coverage is 80%. A minimum front yard of 10 feet and side and rear yards of five feet are required. A minimum of one parking space per dwelling unit is required. Landscaping standards, with exceptions from the landscaping provisions in the West Windsor Code, are provided, as are architectural and design guidelines. Street address signage has a maximum number height of 24 inches, and two monument signs no greater than 40 feet each are permitted. No development may occur without a Redeveloper's Agreement. The tract encompasses 3.85 acres.

This ordinance was introduced on March 18, 2019. The public hearing on this Ordinance will be held at the Township Council meeting of April 1, 2019 at 7:00 p.m. in the West Windsor Township Municipal Building, 271 Clarksville Road, West Windsor, New Jersey.

Prior to the public hearing date you may obtain a complete copy of the ordinance, free of charge, by contacting the Township Clerk's office at West Windsor Township (609-799-2400) or coming to the Township Clerk's office at the West Windsor Township Municipal Building.

[2019-07r RP-12 3-28-19.docx](#)

ORDINANCE 2019-08r

**AN ORDINANCE TO AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)**

**AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN
FOR PRINCETON JUNCTION BY ADDING A NEW RP-12 DISTRICT**

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 first full paragraph on page 8 of the Redevelopment Plan for Princeton Junction is amended to reflect the new district regulations set forth below.

Section 2. The Executive Summary is amended by adding the following at the end:

District 12 is intended to facilitate redevelopment of a portion of what was District 7 by providing for an inclusionary development consisting of 144 market units and 36 affordable units.

Section 3. The Redevelopment Plan Development Summary on page 12 is amended to reflect the new district regulations set forth below.

Section 4. The Study Area District Map on page 25 is amended by creating a RP-12 District in the portion of the RP-7 District north of the most northerly lot line shown on the Map and known as Block 5, Lot 19.

Section 5. The following shall be added at the end of the District Regulations.

DISTRICT RP-12

RP-12 District use regulations

- A. Purpose. The goal of the RP-12 District is to develop the property in the RP-12 District with attractive, multi-family housing, to include 20% affordable housing.
- B. Comprehensive development. The District shall be comprehensively developed in accordance with one development application for the entire district.
- C. Permitted principal uses. In the RP-12 District, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for the following use:
 - (1) Multifamily dwellings, provided that twenty percent (20%) of such units are affordable housing meeting all of the applicable standards and requirements for affordable units, including those set forth in the *Uniform Housing Affordability Controls* (UHAC), N.J.A.C 5:80-26.1 *et seq.*, and Section 200-237. At least 50% of the affordable units shall be affordable to low-income households, and at least 13% of all rental affordable units shall be affordable to very low-income households earning 30% or less of the regional median household income by household size, which very low income units shall be included as part of the low income requirement. The remaining affordable units shall be made affordable to moderate-income households. The affordable units shall be dispersed throughout the building or buildings. Affordable housing shall be architecturally indistinguishable from market-rate housing. Ordinance 2019-03 shall not apply.
- D. Permitted accessory uses.
 - (1) Recreational and open space facilities, including, but not limited to walkways, courtyards and plazas.
 - (2) Off-street parking and loading associated with multifamily dwellings and townhouses.
 - (3) Signs.
 - (4) Street furnishings, planters, streetlights, and exterior, garden-type shade structures such as gazebos and pavilions.

- (5) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
- (6) Decks, patios and terraces, which shall complement the architectural style, type and design of the building and the overall project design.
- (7) Stand-alone on-grade garages, trash enclosures, stand-alone storage facilities for apartment tenants, and office and maintenance areas for onsite rental business operations.
- (8) Accessory uses customarily incidental to permitted principal uses.

RP-12 District intensity, bulk and other regulations.

- A. Maximum improvement coverage: 80%.
- B. Minimum yards.
 - (1) Front yard: 10 feet.
 - (2) Side yard: 5 feet.
 - (3) Rear yard: 5 feet.
- C. Number of dwelling units: The developer may construct up to one hundred eighty (180) dwelling units.
- D. Maximum building height:
 - (1) The maximum building height shall be four stories above garage, but no greater than 80 feet.
- E. Building spacing: A minimum of 30 feet shall be provided between buildings if there is more than one building.
- F. Parking standards.
 - (1) In lieu of the standards set forth in § 200-27B, the following off-street parking standards shall apply: a minimum of 1.0 spaces per dwelling.

- (2) Off-street parking lots shall be accessed by means of common driveways to the extent practicable. Cross-access easements with adjacent lots shall be required. Shared parking facilities are encouraged where possible.

G. Sidewalks.

- (1) In lieu of the standards set forth in § 200-258A sidewalk widths shall be a minimum of four feet wide, except where sidewalk borders head-in parking stalls, the sidewalk shall be a minimum of six feet wide.
- (2) All internal sidewalks and pathways shall be designed to provide access for the physically disabled. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the Americans with Disabilities Act. This requirement does not apply to connections to Block 5, Lot 20. A minimum of one accessible route shall be provided to the RP-12 development from the public street and sidewalk, through Block 5, Lot 20.

H. Landscaping.

- (1) All Section 200-91P standards shall apply except that:
 - (a) In lieu of the standards set forth in §200-91P(4), the following shall apply: Storm water management facilities shall be designed in accordance with the guidelines set forth in the New Jersey Stormwater Best Management Practices Manual.
 - (b) Section 200-91P(5) (Open Space) shall not apply.
 - (c) Section 200-91P(6)(c) (Filtered Buffer) shall not apply to locations where internal drives and parking adjoin the building or buildings.
 - (d) Section 200-91P(6)(d)(4) is amended to allow a solid fence or wall serving as a sound barrier ten feet high. Such a fence or wall is only required along a portion of the property line between the apartment building or buildings and the railroad tracks. Any fence or fences constructed along the railroad (Block 5, Lot 14) serving as a sound barrier shall not be considered a structure.
 - (e) Sections 200-91P(7)(a), (b), (c), (d), (e), and (f) shall not apply.

- (f) Existing trees over 5 inches DBH that are within ten feet of property lines shall be located and preserved to the extent possible. All other existing trees will be cleared and are not required to be relocated.

I. Architectural and site design standards.

In lieu of the standards set forth in § 200-258C, the following shall apply:

- (a) Architectural detail, style, color, proportion and massing shall reflect the features of a traditional village center. The building or buildings shall reflect a continuity of treatment through the district, obtained by maintaining the building scale or by subtly graduating changes; by maintaining base courses; by maintaining cornice lines in buildings, if more than one, of the same height; by extending horizontal lines of fenestration; and by reflecting architectural styles and details, design themes, building materials and colors used in surrounding buildings. To the extent possible, upper-story windows shall be vertically aligned with the location of windows and doors on the ground level. A variety of building setbacks, roof lines, color schemes, elevations and heights shall be developed, relative to adjacent structures, to avoid a repetitious and monotonous streetscape.
- (b) Any sound barrier along the railroad right-of-way may not be higher than ten (10) feet.
- (c) Signage and lighting shall be designed in a manner complementary to the building's architecture and in keeping with the goal of achieving a traditional village center.
- (d) Pitched roofs (6/12 to 12/12) are required. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall.

J. Signage.

- (1) Street address signage.

In lieu of the standards set forth in § 200-258D4c, the following shall apply:

- (a) Street address signage shall be provided on the building or, if more than one building, each building.

- (b) Street address numbers shall have a maximum height of 24 inches.
- (2) Monument signage.
In lieu of the standards set forth in § 200-258D4d, the following shall apply:
 - (a) Two monument signs shall be permitted for the RP-12 District. One of the two signs shall be an identification sign along Cranbury Road at the entrance to the Ellsworth Center.
 - (b) The maximum monument sign area for each sign shall be 40 square feet.
 - (c) The maximum monument sign height for each sign shall be six feet above existing grade.

K. Internal Streets.

- (1) Geometry of streets shall be sufficient for Township emergency vehicles and private waste removal.
- (2) Street names shall not duplicate or nearly duplicate the names of existing streets in the municipality or contiguous communities. The continuation of an existing street shall have the same name.
- (3) Endings of proposed street names shall reflect street classification for a cul-de-sac: lane, court, place, or circle.

L. Other Standards.

- (1) No development shall proceed in the District without a redeveloper's agreement with the Township or redevelopment entity.
- (2) Section 200-20 (Commons Open Space) shall not apply.
- (3) The standards set forth in § 200-23 requiring an environmental appraisal of the property are not applicable.
- (4) Interconnection with Block 5, Lot 20 for storage or other complimentary service uses is allowed.

- (5) In lieu of the standards set forth in § 200-25B2, steps shall be taken to minimize indoor noise levels. Building code requirements shall be met.
- (6) In lieu of the standards set forth in § 200-25C2, steps shall be taken to minimize vibration levels.

M. Pedestrian and Bicycle Circulation

- (1) A comprehensive bicycle and pedestrian circulation plan shall be provided. Consideration shall be given to linking pedestrian and bicycle circulation features to adjoining open space amenities, as determined to be appropriate and feasible.
- (2) Pedestrian crossing in streets and alleys shall include special ground texture treatment such as brick, stone, cobblestones and other suitable material. The treatment of any crosswalk shall be designed with materials that indicate the different traffic characteristics of intersecting streets.
- (3) There shall be a dedicated interior space or an enclosed room for storage of bicycles. Such a space may be located within a parking garage.

Section 6. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council, whichever is applicable, and publication according to law.

INTRODUCTION:

PUBLIC HEARING:

ADOPTION:

MAYORAL APPROVAL:

EFFECTIVE DATE:

ORDINANCE SUMMARY

This ordinance amends the Redevelopment Plan for Princeton Junction by creating a new RP-12 Zoning District. The new district is adjacent to the Northeast Corridor rail line and behind the Ellsworth Shopping Center, with access to Cranbury Road. The only permitted use is multi-family dwellings, 20% of which must be affordable housing. Up to 180 dwelling units with a maximum building height of four stories above garages, but no greater than 80 feet, are permitted. The District must be developed comprehensively. The maximum improvement coverage is 80%. A minimum front yard of 10 feet and side and rear yards of five feet are required. A minimum of one parking space per dwelling unit is required. Landscaping standards, with exceptions from the landscaping provisions in the West Windsor Code, are provided, as are architectural and design guidelines. Street address signage has a maximum number height of 24 inches, and two monument signs no greater than 40 feet each are permitted. No development may occur without a Redeveloper's Agreement. The tract encompasses 3.85 acres.

This ordinance was introduced on March 18, 2019. The public hearing on this Ordinance will be held at the Township Council meeting of April 1, 2019 at 7:00 p.m. in the West Windsor Township Municipal Building, 271 Clarksville Road, West Windsor, New Jersey.

Prior to the public hearing date you may obtain a complete copy of the ordinance, free of charge, by contacting the Township Clerk's office at West Windsor Township (609-799-2400) or coming to the Township Clerk's office at the West Windsor Township Municipal Building.

[2019-08r RP-12 Ordinance Amending the Redevelopment Plan 3-28-19.doc](#)

RESOLUTION

WHEREAS, the Township Clerk, has certified that the following applicant has paid \$20.00 for a license for an On-Premise Merchandise Raffle which was to be held at the Mercer Oaks Golf Course on March 16, 2019; and

WHEREAS, said applicant had submitted a duplicate application for the raffle; and

WHEREAS, said applicant is entitled to a refund of \$20.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of West Windsor that the following refund be made:

<u>Applicant</u>	<u>Refund</u>
Joshua Harr Shane Foundation 5 Hidden Spring Lane East Windsor, NJ 08520	\$20.00

Adopted: April 1, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April, 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Tax Collector, Kelly A. Montecinos, has certified the following taxpayer overpaid their taxes; and

WHEREAS, the Tax Collector is requesting that the overpaid taxes be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the following refund be made:

<u>Taxpayer</u>	<u>Refund</u>
PAYEE: Yanping Ming 46 Ketley Place Princeton, NJ 08540 PREVIOUS OWNER: Yanping Ming PROPERTY LOCATION: 201 Salem Court # 1 BLOCK: 7 LOT: 165.11 C1001	\$1,510.30
PAYEE: Amy Hopf 300 Robin Hood Drive Yardley, PA 19067 PREVIOUS OWNER: Amy Hopf (Fornecker) PROPERTY LOCATION: 12 Berrien Avenue BLOCK: 68 LOT: 11	\$1,753.32
Total	\$3,263.62

Adopted: April 1, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April, 2019

Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

WHEREAS, the Tax Assessor of the Township of West Windsor was notified by Scott Tom Dzierzynski, the owner of the residence at 2 Westwinds Drive, West Windsor, NJ, that he is requesting a 100% Disabled Veteran exemption from property taxes; and

WHEREAS, Mr. Dzierzynski having submitted all the required paperwork and proof pursuant to State Statute 54:3-30; and

WHEREAS, the Township Tax Assessor recommends that the above resident, having met all the requirements of the State Statute for 100% Disabled Veterans as of April 11, 2018, receive a property tax exemption for tax year 2018; and

WHEREAS, the Tax Assessor additionally recommends applying the guidelines adopted in Resolution 97-R046 and refund the municipal portion of taxes paid from April 11, 2018 through December 31, 2018; and

WHEREAS, finally, the Tax Collector requests the Township Council refund Mr. Dzierzynski the amount of \$3,873.62, which is the amount paid for the 1st quarter of 2019 plus the municipal portion of property taxes from April 11, 2018 through December 31, 2018;

NOW, THEREFORE, BE IT RESOLVED, the Township Council of the Township of West Windsor hereby authorizes the Tax Collector to cancel the following property taxes listed below for 2 Westwinds Drive, West Windsor, NJ and refund Mr. Dzierzynski the amount of \$3,873.62:

<u>Property Taxes Refunded</u>	
April 11,2018 to December 31, 2018	1,206.59
January 1, 2019 to March 31, 2019	<u>2,667.03</u>
	\$3,873.62

Adopted: April 1, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 1st of April, 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

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

WHEREAS, Center State Engineering has submitted a proposal dated March 12, 2019 indicating they will provide professional surveying and engineering design services for the 2018 Annual Road Maintenance Project for Forty Thousand Dollars (\$40,000.00); and

WHEREAS, Center State Engineering has indicated a performance period for the professional surveying and engineering design services of sixty (60) days from the date of project initiation; and

WHEREAS, the Township wishes to enter into an agreement with Center State Engineering for the aforesaid services; and

WHEREAS, the total amount of the contract is Forty Thousand Dollars (\$40,000.00); 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:

Roadway Improvements	405-2017-21 008	\$40,000.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a professional services agreement with Center State Engineering, with a performance period of sixty (60) days from the date of project initiation for professional surveying and engineering design services, for an amount not to exceed Forty Thousand Dollars (\$40,000.00).
- (2) The Agreement so authorized shall require the Provider to provide professional surveying and engineering design services pursuant to its proposal dated March 12, 2019. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.

- (4) An executed copy of the Contract between the Township and Center State Engineering and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: April 1, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

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

WHEREAS, Van Cleef Engineering has submitted a proposal dated March 15, 2019 indicating they will provide professional surveying and engineering design services for the Village Road East Reconstruction Project for Thirty Nine Thousand Five Hundred Dollars (\$39,500.00) with the recommendation by the Township Engineer to include a 10% contingency in the amount Three Thousand Two Hundred (\$3,200.00) due to the nature of the work involved; and

WHEREAS, Van Cleef Engineering has indicated a performance period for the professional surveying and engineering design services of ninety (90) days from the date of project initiation; and

WHEREAS, the Township wishes to enter into an agreement with Van Cleef Engineering for the aforesaid services; and

WHEREAS, the total amount of the contract is Forty Two Thousand Seven Hundred Dollars (\$42,700.00); 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:

Roadway Improvements	405-2017-21 008	\$42,700.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a professional services agreement with Van Cleef Engineering, with a performance period of ninety (90) days from the date of project initiation for professional surveying and engineering design services, for an amount not to exceed Forty Two Thousand Seven Hundred Dollars (\$42,700.00).
- (2) The Agreement so authorized shall require the Provider to provide professional construction administration and observation services pursuant to its proposal dated March 15, 2019. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.

- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and Van Cleef Engineering and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: April 1, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

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

WHEREAS, Van Cleef Engineering has submitted a proposal dated March 15, 2019 indicating they will provide professional surveying and engineering design services for the Alexander Road Reconstruction - Phase 4 Project for Twenty Eight Thousand Seven Hundred Dollars (\$28,700.00); and

WHEREAS, Van Cleef Engineering has indicated a performance period for the professional surveying and engineering design services of ninety (90) days from the date of project initiation; and

WHEREAS, the Township wishes to enter into an agreement with Van Cleef Engineering for the aforesaid services; and

WHEREAS, the total amount of the contract is Twenty Eight Thousand Seven Hundred Dollars (\$28,700.00); 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:

Roadway Improvements	405-2017-21 008	\$28,700.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a professional services agreement with Van Cleef Engineering, with a performance period of ninety (90) days from the date of project initiation for professional surveying and engineering design services, for an amount not to exceed Twenty Eight Thousand Seven Hundred Dollars (\$28,700.00).
- (2) The Agreement so authorized shall require the Provider to provide professional surveying and engineering design services pursuant to its proposal dated March 15, 2019. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.

- (4) An executed copy of the Contract between the Township and Van Cleef Engineering and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: April 1, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING (“MOU”)
WITH THE MERCER AREA DISTRICT OF THE
WASHINGTON CROSSING COUNCIL, TROOP 40

WHEREAS, the Mercer Area District of the Washington Crossing Council, Troop 40, (“Troop 40”) with a primary mailing address of Dutch Neck Presbyterian Church, 154 South Mill Road, West Windsor, NJ 08550, seeks permission to utilize one (1) bay, of a three (3) car garage located at the Schenck Farmstead, 50 Southfield Road, West Windsor, New Jersey, that the Township owns, for Storage purposes; and

WHEREAS, Troop 40 has leased this space from the Township for the past six (6) years and wants to rent the one (1) bay for an additional year; and

WHEREAS, the Troop seeks to continue to aid the good and useful work conducted by Troop 40 in West Windsor.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor hereby authorizes the Mayor and Clerk to execute the Memorandum of Understanding with the Mercer Area District of the Washington Crossing Council, Troop 40 beginning January 1, 2019 and Terminating December 31, 2019.

Adopted: April 1, 2019

I certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April, 2019

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, West Windsor Township has acquired tillable property identified as Parcel Z (Hall Farm) 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, the Township on May 2, 2016 entered into an Agricultural Lease Agreement with Everett Brothers L.L.C. to farm township owned properties; and
- WHEREAS, Everett Brothers L.L.C. has indicated such by signing the attached Lease Amendment to the May 2, 2016 Agricultural Lease Agreement their interest in farming township owned Farm Parcel Z (Block 33, Lots 2.01 & 3; aka the Hall Farm) in the amount of \$2,616.00 – per year with a 2% annual increase; and
- NOW, THEREFORE BE IT RESOLVED that the Mayor and Township Clerk be authorized to execute the attached Amendment to the Agricultural Lease Agreement for Parcel Z (Hall Farm) with the Tenant listed above, subject to terms outlined in the attached Amendment to Agricultural Lease Agreement.

Adopted: April 1, 2019

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April 2019.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the Township of West Windsor has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer and Township Auditor have determined that the Township meets the necessary conditions to participate in the program for the 2017 budget year, so now therefore;

BE IT RESOLVED, by the Township Council of the Township of West Windsor that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceeding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. is fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth

- c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution is forwarded to the Director of the Division of Local Government Services.

Adopted: April 1, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April 2019.

Gay M. Huber
Township Clerk
West Windsor Township

REQUEST FOR COUNCIL ACTION

Date of Request: February 21, 2019

Initiated By: Joanne R. Louth, CFO Division/Department: Finance

ACTION REQUESTED/ EXECUTIVE SUMMARY:

Resolution authorizing local examination of the 2019 Budget. The Local Finance Board adopted rules that permit Municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division for Local Government, of conducting the annual budget examination required by the Local Budget Law. These rules enacted provisions of N.J.S.A. 40A:4-78(b). The Local Examination process grants the Chief Financial Officer and the governing body the responsibility and authority, traditionally held by the Director, to review and approve a municipal budget.

SOURCE OF FUNDING:

N/A

CONTRACT AMOUNT:

N/A

CONTRACT LENGTH:

N/A

OTHER SUPPORTING INFORMATION ATTACHED:

S:\AGENDA INBOX (file name) 2019-SelfExam

COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Department/Division Head Date

APPROVED FOR AGENDA OF: April 1, 2019

By: _____
Marlena Schmid, Business Administrator

**** PLEASE NOTE ** DEADLINE FOR SUBMISSION TO THE CLERK'S OFFICE FOR REVIEW AND APPROVAL BY THE BUSINESS ADMINISTRATOR IS 10:00 A.M. ON THE FRIDAY ONE WEEK PRECEDING THE COUNCIL MEETING.**

MEETING DATE: _____ Ordinance # _____ Resolution # _____

Council Action Taken:

RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the Township of West Windsor has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer and Township Auditor have determined that the Township meets the necessary conditions to participate in the program for the 2017 budget year, so now therefore;

BE IT RESOLVED, by the Township Council of the Township of West Windsor that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceeding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. is fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution is forwarded to the Director of the Division of Local Government Services.

Adopted: April 1, 2019

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 1st day of April 2019.

Gay M. Huber
Township Clerk
West Windsor Township

WEST WINDSOR TOWNSHIP
MERCER COUNTY, NEW JERSEY

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the 2019 Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: 4/1/19

by: _____
Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e))