

**MEETING TO BE  
LIVE STREAMED AT  
[www.youtube.com/channel/UC8i0yw7Ihozymgo4N68jJdg/live](http://www.youtube.com/channel/UC8i0yw7Ihozymgo4N68jJdg/live)**

**AGENDA FOR A BUSINESS SESSION MEETING  
OF THE TOWNSHIP COUNCIL OF WEST WINDSOR TOWNSHIP  
WEST WINDSOR MUNICIPAL BUILDING  
271 CLARKSVILLE ROAD  
TO THE EXTENT KNOWN**

**May 19, 2025**

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 17, 2025 to The Times and the Princeton Packet, filed with the Municipal Clerk and posted at the Municipal Building and on the Township web-site.
4. Salute to the Flag
5. Ceremonial Matters and/or Topics for Priority Consideration  
  
Recognition of West Windsor Township State Finalist in the 2025 Louis Bay 2<sup>nd</sup> Future Municipal Leader Scholarship Competition  
  
Pride Month Proclamation  
  
Asian American, Native Hawaiian and Pacific Islander (AANHPI) Heritage Month Proclamation
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

2025-05 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

2025 BUDGET PRESENTATION, HEARING AND ADOPTION

2025-03 AN ORDINANCE AMENDING CHAPTER 200 LAND USE, ARTICLE  
IV, THE PROCEDURES SET FORTH FOR SITE PLAN APPROVAL  
AND SUBDIVISION APPROVAL, SECTIONS 200-11, 12, 13,  
14, AND 15 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF  
WEST WINDSOR

2025-04 AN ORDINANCE AMENDING CHAPTER 200 LAND USE, PART 2,  
ARTICLE XI, THE PROCEDURES SET FORTH FOR SITE PLAN  
APPROVAL AND SUBDIVISION APPROVAL, SECTIONS 200-47,  
49, 50, 53, AND 54 OF THE TOWNSHIP CODE OF THE  
TOWNSHIP OF WEST WINDSOR

2025-06 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 200,  
LAND USE, PART 5, THE PRINCETON JUNCTION  
REDEVELOPMENT PLAN REGULATORY PROVISIONS, ARTICLE  
XXXIV, LAND USE CONTROLS, SECTION 200-268, OF THE  
TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR TO  
AMEND THE RP-9 PRINCETON JUNCTION REDEVELOPMENT  
PLAN DISTRICT

2025-07 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 200,  
LAND USE, THE PRINCETON JUNCTION REDEVELOPMENT  
PLAN, OF THE TOWNSHIP CODE OF THE TOWNSHIP OF  
WEST WINDSOR BY MODIFYING THE RP-9 DISTRICT

11. Consent Agenda

A. Resolutions

B. Minutes

January 15, 2025 Business Session - As Amended  
January 15, 2025 - Closed Session - As Amended  
March 24, 2025 - Business Session - As Amended

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2025-R120 Authorizing the Reappointment of Jason E. Harris as Construction Official and Granting Tenure Effective June 1, 2025

2025-R121 Authorizing the Refund of a Zoning Permit

2025-R122 Authorizing the Mayor to Execute the Revised Use and Hold Harmless Agreement with Hamilton Township Previously Approved by Resolution 2025-R098 for Use of the Hamilton Police Range as an Alternative Training Location for the West Windsor Police Division

2025-R123 Granting Reservation of Sewer Capacity for the Caspersen Rowing Center Project (PB19-19), Block 25, Lots 7 & 10

2025-R124 Authorizing Release of Partial Reimbursement of Funds to AvalonBay Communities, Inc for the Project Known as Princeton Junction Train Station Redevelopment (PB20-15)

2025-R125 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Roberts Engineering Group for Engineering Construction Administration and Inspection Services for the New Edinburg Road Resurfacing Project - \$32,600.00

2025-R126 Authorizing the Award of Contract for the New Edinburg Road Resurfacing Project to Kyle Conti Construction and Authorizing the Mayor and Clerk to Execute Said Contract - \$1,065,601.00

2025-R127 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Arora and Associates to Provide Professional Engineering Survey and Design Services at Wallace Road and Alexander Road Intersection and Old Trenton Road and Bear Creek Blvd. Intersection - \$10,500.00

- 2025-R128 Authorizing the Mayor and Clerk to Execute Amendment No. 1 to the Professional Services Agreement with Spiezle Architectural Group, Inc. for Architectural Design Services for the Project Known as West Windsor Arts Center Roof Replacement for an Increase of \$1,623.68 for a Total Not to Exceed of \$11,523.68
- 2025-R129 Authorizing the Mayor and Clerk to Execute Amendment No. 1 to the Professional Services Agreement with Spiezle Architectural Group, Inc. to Provide Architectural Services for the West Windsor Arts Center Mobility Lift Replacement Project for an Increase of \$881.03 for a Total Not to Exceed \$7,081.03
- 2025-R130 Authorizing the Business Administrator to Purchase Duo Multi-Factor Authentication Software from SHI International Corp. under the New Jersey Cooperative Purchasing Alliance Contract CK04, Subcontract 24-38 with the County of Bergen - \$17,372.00
- 2025-R131 Authorizing the Rejection of Bids for the Project Known as Senior Center Gazebo Replacement
- 2025-R132 Authorizing the Mayor and Clerk to Execute Facility Use Rental Agreements for Princeton Tigers Swim Team, Hamilton Aquatics Club, Cranbury Township Recreation Camp and Robbinsville Township Recreation Camp to Use the Waterworks Facility
- 2025-R133 Authorizing the Mayor and Clerk to Execute a Developer's Agreement Between West Windsor Township and Benjamin Zaitz (PB19-13, 2<sup>nd</sup> Amendment, Block 33, Lot 1.02)
- 2025-R134 Resolution to Adopt a Complete and Green Streets Policy for West Windsor Township
- 2025-R135 Authorizing the Business Administrator to Purchase New Fitness Equipment and Surfacing from MRC, Inc. at Community Park Under Educational Services Commission Co-Op #65MCESCCPS Contract #ESCNJ #24/25-01 - \$55,107.57

14. Introduction of Ordinances

2025-08 AN ORDINANCE AMENDING AND SUPPLEMENTING PART II  
"GENERAL LEGISLATION" OF THE REVISED GENERAL  
ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW  
JERSEY (1999) CHAPTER 4, "ADMINISTRATION OF  
GOVERNMENT" SECTION 4-37 "POLICE DIVISION"

Public Hearing: June 16, 2025

- 15. Additional Public Comment (15 minutes comment period; three-minute limit per person)
- 16. Council Reports/Discussion/New Business
- 17. Administration Updates
- 14. Closed Session - Affordable Housing
- 15. Adjournment

**REQUEST FOR COUNCIL ACTION**

**INDICATE ACTION REQUESTED (check one):**

Date of Request:      March 26, 2025

☒ **Ordinance**

☐ (X Summary attached)

☐ **Resolution**

☐ (Backup documents complete)

(Contracts require Affirmative  
Action Certificate)

☐ **Item for Discussion** only

Initiated By: John V. Mauder, CFO Division of: Finance

**ACTION REQUESTED:** Prior to budget introduction, it is requested that Township Council introduce the attached ordinance authorizing a cost of living adjustment (COLA) of 3.5 percent and the re-establishment of cap banking.

**EXECUTIVE SUMMARY:** 2004 amendments to the cap law eliminated automatic cap banking. For 2025, municipalities are permitted to increase **appropriations** within cap by no more than 2.5 percent, unless action is taken by the governing body to increase the COLA for 2025 to 3.5 percent. The ordinance also permits the banking of any 2025 unappropriated balances for use in future budgets.

**This ordinance must be approved by a majority of the full membership of the governing body.**

**OTHER SUPPORTING INFORMATION ATTACHED**

Local Finance Notice 2024-15, dated 10/09/24, Memo, Current Fund-Appropriations sheet 19, CAP Calculation sheet 3b and CAP and Banking Ordinance Calculations Comparison

☐ **DISK & file name (OR) S:\AGENDA INBOX (file name Cap Ordinance 2025**

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

John V. Mauder  
Department/Division Head

3/25/25  
Date

APPROVED FOR AGENDA OF: April 7, 2025

Marlena A. Schmid  
By: Marlena A. 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 BUSINESS MEETING.**

MEETING DATE: 4/7/25 Ordinance # 2025-05 Resolution # \_\_\_\_\_

Council Action Taken:

Distributed:

ORDINANCE 2025-05

TOWNSHIP OF WEST WINDSOR

COUNTY OF MERCER

CALENDAR YEAR 2025

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5 percent unless authorized by ordinance to increase it to 3.5 percent over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5 percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of West Windsor in the County of Mercer finds it advisable to increase its CY 2025 budget by up to 3.5 percent over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a 1.0 percent increase in the budget for said year, amounting to \$382,647.61 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Township Council hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Windsor, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Township of West Windsor shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50 percent, amounting to \$1,339,266.64 and that the CY 2025 municipal budget for the Township of West Windsor be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, is filed with said Director within 5 days after such adoption.

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. Publication will be according to law.

Introduction: April 7, 2025  
Public Hearing: May 19, 2025  
Adoption:  
Mayor's Approval:  
Effective Date:



**TOWNSHIP OF WEST WINDSOR**  
***Finance Division***

**MEMORANDUM**

**TO:** Marlena A. Schmid, Business Administrator

**FROM:** John V. Mauder, Chief Financial Officer

**SUBJECT:** COLA Ordinance 2025

**DATE:** March 26, 2025

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COLA Ordinance 2025-05 pertains to the Budget Appropriations CAP and serves as a financial planning tool for subsequent years' operating budgets. The Ordinance must be adopted prior to the adoption of the 2025 Municipal Budget.

The Director of the Division of Local Government Services has established that the 2025 budget shall be limited to a 2.5% CAP increase on the amount of the budget subject to CAP. Local Government Cap Law provides an increase to 3.5 percent by ordinance.

Adoption of this ordinance permits a \$382,647.61 increase in final appropriations and \$854,082.67 as a CAP Bank for the 2026 and/or 2027 budgets.

The proposed budget includes \$38,264,761.00 subject to CAP. (see Budget sheet 19)

See budget sheet 3b for the cap calculation.

The "1977" budget cap law (which caps APPROPRIATION increases and is separate from the tax levy cap), requires the DLGS Director to establish the Cost of Living Adjustment (COLA). The COLA established for Calendar Year 2025 municipal

budgets is 2.5%; therefore, municipalities can only increase their previous year's final appropriations by 2.5%, subject to certain exceptions, without utilizing the provisions in the COLA ordinance and prior year cap banking.

The COLA ordinance is a financial planning tool for subsequent years operating budgets that allows the Administration and Council to deal with budgetary pressures in accordance with statute.

Adoption of a COLA ordinance permits necessary increases to appropriations up to the statutorily permitted 3.5% and bank (for up to two years) any unused appropriation authority.

The vote to approve the COLA ordinance requires a separate action from the introduction and adoption of the annual budget. The vote on the municipal budget determines the amount of appropriations authorized to be spent in the fiscal calendar year.

**If the Ordinance is not passed, Council cannot introduce the 2025 Budget.**

[illegible]

## EXPLANATORY STATEMENT - (Continued)

## BUDGET MESSAGE

CAP CALCULATION

Total General Appropriations for 2024	50,270,124.30
Cap Base Adjustment:	<u>164,266.00</u>
Subtotal	50,434,390.30
Exceptions Less:	
Total Other Operations	3,904,829.00
Total Uniform Construction Code	
Total Interlocal Service Agreement	1,517,726.00
Total Additional Appropriations	
Total Capital Improvements	450,000.00
Total Debt Service	4,295,075.00
Transferred to Board of Education	
Type I School Debt	
Total Public & Private Programs	83,199.41
Judgements	
Total Deferred Charges	
Cash Deficit	
Reserve for Uncollected Taxes	<u>1,918,799.89</u>
Total Exceptions	<u>12,169,629.30</u>
Amount on Which CAP is Applied	38,264,761.00
2.5% CAP	<u>956,619.03</u>
Allowable Operating Appropriations before	
Additional Exceptions per (N.J.S.A. 40A:4-45.3)	39,221,380.03

CAP CALCULATION

Allowable Operating Appropriations before		
Additional Exceptions per (N.J.S.A. 40A:4-45.3)		39,221,380.03
Additions:		
New Construction (Assessor Certification)		1,039,633.98
2023 Cap Bank Available		
2024 Cap Bank Available		98,427.06
Total Additions		<u>1,138,061.04</u>
Maximum Appropriations within "CAPS" Sheet 19 @	2.5%	<u>40,359,441.07</u>
Additional Increase to COLA rate.	3.5%	
Amount of Increase allowable.	1.0%	<u>382,647.61</u>
Maximum Appropriations within "CAPS" Sheet 19 @	3.5%	<u>40,742,088.68</u>
Total General Appropriations for Municipal Purposes		<u>39,888,006.00</u>
(Sheet 19, H-1)		
Over or (Under) Appropriations Cap		<u>(854,082.67)</u>

## NOTE:

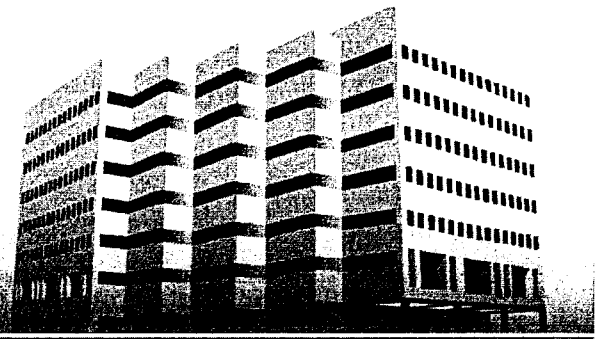
Sheet 3b

## MANDATORY MINIMUM BUDGET MESSAGE MUST INCLUDE A SUMMARY OF:

1. HOW THE "CAP" WAS CALCULATED. (Explain in words what the "CAPS" mean and show the figures.)
2. A SUMMARY BY FUNCTION OF THE APPROPRIATIONS THAT ARE SPREAD AMONG MORE THAN ONE OFFICIAL LINE ITEM (e.g. if Police S & W appears in the regular section and also under "Operation Excluded from "CAPS" section, combine the figures for purposes of citizen understanding.)

# DIVISION OF LOCAL GOVERNMENT SERVICES

## Local Finance Notice



**LFN 2024-15**

**October 9, 2024**



Philip D. Murphy  
Governor

Tahesha L. Way  
Lieutenant Governor

Jacquelyn A. Suárez  
Commissioner  
& Director

### Contact

#### Website

[www.nj.gov/dca/dlgs](http://www.nj.gov/dca/dlgs)

#### E-mail

[dlgs@dca.nj.gov](mailto:dlgs@dca.nj.gov)

#### Phone

609.292.6613

#### Mail and Delivery

101 South Broad St.

PO Box 803

Trenton, New Jersey

08625-0803

## Calendar Year 2025 Municipal & County Budget Cap Information

This Local Finance Notice addresses issues related to CY 2025 Municipal and County Budgets and the 1977 and 2010 cap laws. It includes information on the 1977 cap law Cost of Living Adjustment (COLA, formerly called Index Rate) and the use of the COLA ordinance (resolution) and Group Health Insurance increase thresholds.

### Cost of Living Cap Adjustment

An annual COLA is authorized under the original 1977 budget cap law, currently reflected as N.J.S.A. 40A:4-45.1a. Current law affecting municipal and county budgets requires compliance with both the 1977 cap law and the 2010 levy cap law.

Under the 1977 cap law, the Director of the Division of Local Government Services must promulgate the COLA, which is based on the Implicit Price Deflator for State and Local Governments calculated by the U.S. Department of Commerce, Bureau of Economic Analysis.

The COLA for CY 2025 budgets is **two and one-half percent (2.5%)**. Pursuant to N.J.S.A. 40A:4-45.2, "municipalities and counties shall be prohibited from increasing their final appropriations by more than 2.5%..." unless action is taken by the governing body to increase their final appropriations subject to the cap to the statutorily permitted three and a half percent (3.5%). In the case of counties, the increase applies to the property tax levy, not final appropriations.

The automatic increase to the 1977 cap law base is 2.5%, which is the statutory maximum, except that the governing body may pass a COLA ordinance increasing the cap base by 3.5%. A municipality may by ordinance, or a county by resolution, increase the COLA percentage up to 3.5% [N.J.S.A. 40A:4-45.14(b)] or bank (for up to two years) the difference between its final appropriation subject to the cap and 3.5%. Cap banking is not automatic. A single ordinance or resolution can be used to accomplish both increasing appropriations and banking any unappropriated balance.

### Distribution

Municipal and County  
CFOs

Municipal Clerks

Clerks – Boards of County  
Commissioners

Administrators/Managers

Auditors

Cap bank balances from 2023 and 2024 are available for use in 2025. Once complete, the cap calculations for 2025 will be posted in FAST under the 2025 Introduced Budget in your portal as well as the 2024 levy cap master file.

### Using the Allowable Percentage Increase

If a governing body wants to increase its allowable percentage increase in its budget up to 3.5%, the following steps must be taken:

1. After January 1st, and prior to introduction and approval of the budget, an ordinance (resolution for counties) must be introduced that details the following:
  - a. The new rate (increase percent) to be adopted; and,
  - b. The additional amount of appropriations to be added by the increase.
2. The ordinance (resolution) must be approved by a majority of the full membership of the governing body, published, and a public hearing held at least 10 days after the publication date. A certified copy of the introduced action must be filed with the Director of the Division of Local Government Services within five (5) days of its introduction.
3. The governing body may take a final vote on the action any time after the public hearing and prior to adoption of the budget. Depending on the form of government, the chief executive may veto the action in accordance with local procedures.
4. The ordinance (resolution) takes effect immediately upon passage, and a certified copy of the adopted action must be filed with the Director within five (5) days.

Cap increase referendums are not permitted if this option is chosen.

### Group Health Insurance Exclusion

The 1977 cap law includes a cap exception for Group Health Insurance (N.J.S.A. 40A:4-45.3e). This exception is limited to the amount appropriated that is over 4% of the previous year's expenditures, but that does not exceed the State Health Benefits percentage increase. As the State Health Benefits percentage increase for CY 2025 calculations is 16.4%, the 1977 cap exception for Group Health Insurance for CY 2025 is 12.4%. The amount that is excluded from the 1977 cap will be appropriated on sheet 20.

The 2010 levy cap Group Health Insurance exclusion is for increases over 2%. For the 2010 levy cap calculation, the Group Health Insurance exclusion is based on the same 16.4% increase, resulting in a maximum exclusion of 14.4% for the CY 2025 levy cap calculation.

Both amounts are calculated in the levy cap workbook. Please use the amount from the correct workbook line for the **appropriation** cap exclusion - featured on the Health Care tab. The amount is listed on line 34, Item 5. under Section C. The levy cap exclusion is automatically added on the workbook summary page.

One-year appropriation cap exclusions for 2024 have been approved by the Local Finance Board for the following appropriations, which will be added to the appropriation cap base for 2025:

**Garbage and Trash Removal and Disposal, Recycling, Liability Insurance and Worker's Compensation Insurance.** Municipalities that appropriated correct amounts outside cap for the aforementioned purposes on sheet 20 of the budget will be allowed to add the 2024 appropriation to the 2025 cap base. Appropriation cap amounts added for these exclusions may have been adjusted due to errors made to local examination cap calculations.

If you have any questions regarding this information, please e-mail [dlgs@dca.nj.gov](mailto:dlgs@dca.nj.gov) or call the Bureau of Financial Regulation and Assistance at (609) 930-1994.

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Approved: Jacquelyn A. Suárez, Commissioner & Director

Document	Internet Address
Municipal Budget COLA Increase Ordinance	<a href="https://www.nj.gov/dca/dlgs/programs/mc_budgets.shtml">https://www.nj.gov/dca/dlgs/programs/mc_budgets.shtml</a>
2025 SHBP Local Govt. Employee Group Rate Setting Recommendation Report	<a href="https://www.nj.gov/treasury/pensions/documents/hb/rate-renewal/py2025-rate-setting-analysis-local.pdf">https://www.nj.gov/treasury/pensions/documents/hb/rate-renewal/py2025-rate-setting-analysis-local.pdf</a>

**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the *(insert the name of the governing body)* of the *(insert the name of the municipality)* in the County of *(insert the name of the county)* finds it advisable and necessary to increase its CY 2025 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the *(insert the name of the governing body)* hereby determines that a *(insert the rate of increase)* % increase in the budget for said year, amounting to \$ *(insert the dollar amount increase)* in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the *(insert the name of the governing body)* hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the *(insert the name of the governing body)* of the *(insert the name of the municipality)*, in the County of *(insert the name of the County)*, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the *(insert the name of the municipality)* shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by *(insert the rate increase)* %, amounting to \$ *(insert the dollar amount increase)*, and that the CY 2025 municipal budget for the *(insert the name of the municipality)* be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.



**REQUEST FOR COUNCIL ACTION**

Date of Request: 3/26/2025

Initiated By: Samuel J. Surtees Division/Department: Comm. Dev./Land Use

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Introduction and subsequent adoption of an ordinance amending Article IV Procedures for Site Plan Approval; Sections 200-11; 12; 13; 14; 15 Site Plan Checklist requirements.

**SOURCE OF FUNDING:** NA

**CONTRACT AMOUNT:** NA

**CONTRACT LENGTH:** NA

**OTHER SUPPORTING INFORMATION ATTACHED:**

Ordinance Summary  
Memorandum from Samuel J. Surtees dated 3/26/2025  
Ordinance

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Samuel J. Surtees 3/26/25  
Department/Division Head

Samuel J. Surtees  
Date

APPROVED FOR AGENDA OF: 4/7/2025 (INTRODUCTION)  
5/19/2025 (PUBLIC HEARING)

By Marlena Schmid 04/02/2025  
Marlena Schmid, Business Administrator

MEETING DATE: 4/7/25 Ordinance # 2025-03 Resolution # \_\_\_\_\_

Council Action Taken:

**MULLER & BAILLIE, P.C.**

196 Princeton-Hightstown Road  
Bldg. 1, Ste. 13  
West Windsor, New Jersey 08550

Gerald J. Muller, Esq.  
Martina Baillie, Esq.

Telephone: (609) 257-2424  
gmuller@mullerbaillielaw.com

May 8, 2025

**Sent via Electronic Transmission**

Ms. Allison Sheehan  
West Windsor Township Clerk  
271 Clarksville Road  
Princeton Junction, NJ 08550

Re: Ordinances 2025-03, -04, -06, and -07

Dear Ms. Sheehan:

At its May 7, 2025 meeting, the West Windsor Planning Board voted by a vote of 9-0 to recommend adoption of the above-referenced ordinances and found that they are all consistent with the Master Plan.

Muller & Baillie, P.C.  
Attorneys for West Windsor Township  
Planning Board



By: Gerald J. Muller


cc: Mr. Samuel J. Surtees (via electronic transmission)

## **TOWNSHIP OF WEST WINDSOR**

*Community Development Department*

*Division of Land Use*

TO: Marlena Schmid, Business Administrator

FROM: Samuel J. Surtees   
Manager, Division of Land Use

SUBJECT: Subdivision/Site Plan Checklists Ordinances (2)

DATE: March 26, 2025

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Attached, please find both the **Subdivision and Site Plan Checklist** draft ordinances for Township Council introduction and eventual adoption. The Planning Board conducted a work session at their March 5, 2025 meeting at which time, members of Township Council and the public were in attendance to hear the staff presentation and ask questions of both the board and staff. Several revisions to both draft ordinances were made to address both Township Council and public comments. The attached ordinances reflect those changes.

By way of background, the purpose of a site plan and subdivision checklist is to ensure that the board and public have enough information to reliably understand and review applications. These checklists also inform applicants of what will be expected of their submittal and presentations.

The last time the township comprehensively upgraded its site plan and subdivision checklist was approximately twenty (20) years ago. Subsequently, there have been changes, not only in Land Use Development patterns, but also in technology. Furthermore, on consideration of the MLUL's time of approval rule, it is essential to develop up-to-date and comprehensive checklists to ensure that there is no ambiguity regarding completeness of applications.

Staff respectfully request that these ordinances be introduced at the next available Township Council meeting after which time, they will be referred to the Planning Board for confirmation that they are in compliance with the township Master Plan.

If you have any questions please advise.

Thank you,

SJS/lk  
C: SP/SD checklist ord files

ORDINANCE 2025-03

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

AN ORDINANCE AMENDING CHAPTER 200 LAND USE, ARTICLE IV, THE  
PROCEDURES SET FORTH FOR SITE PLAN APPROVAL AND SUBDIVISION  
APPROVAL, SECTIONS 200-11, 12, 13, 14, AND 15 OF THE TOWNSHIP CODE OF THE  
TOWNSHIP OF WEST WINDSOR

WHEREAS, N.J.S.A. 40:55D-10.5 of the Municipal Land Use Law (MLUL) was adopted by the State of New Jersey in 2010 to establish that those development regulations which are in effect on the date of submission of an application for development shall govern the review of that application for development and any decision made with regard to that application for development; and

WHEREAS, N.J.S.A. 40:55D-10.5 of the Municipal Land Use Law (MLUL) further specifies that any provisions of an ordinance, except those relating to health and public safety, that are adopted subsequent to the date of submission of an application for development, shall not be applicable to that application for development; and

WHEREAS, N.J.S.A. 40:55D-10.5, otherwise known as the “time of application” rule, abolished what was previously known as the “time of decision” rule which had favored municipalities during the hearing process by permitting any development regulation adopted by a municipality subsequent to the date of a submission of an application for development to be applicable to that application for development; and

WHEREAS, additional guidance was provided by the New Jersey Supreme Court in Dunbar Homes, Inc. v. Zoning Board of Adjustment of Franklin Township regarding the issue of completeness in applying the “time of application” rule; and

WHEREAS, the Township of West Windsor seeks to amend its subdivision and site plan checklists in order to more clearly delineate submittal requirements for the purposes of determining completeness.

NOW, THEREFORE, 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 (1999), Land Use, Part 1, Site Plan Review, Article IV, Procedures for Site Plan Approval, Section 200-11, Requirements common to preliminary and/or final site plan stages, Subsection A., Map details, is amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

- (1) The title and location of the property.
- (2) The name and addresses of landowner and applicant. If a corporation, limited liability company, or partnership is the landowner or applicant, the principal officer and name of the President and Secretary shall also be included.
- (3) The name, address and ~~professional~~ New Jersey State license number and seal of the professional preparing the documents and drawings. All plans, except those prepared at the sketch stage, shall be prepared, signed and sealed by a New Jersey State licensed professional engineer or architect.
- (4) A place for the signature of the Chair and Secretary of the Planning Board and Health Officer (where septic systems and/or potable wells are proposed).
- (5) The date of the plan and date(s) of any modifications thereto.
- (6) The following standards signature block shall be on the plat map:...
- (7) A legend indicating all symbols used. The applicable portions of the New Jersey Department of Transportation's Standard Legend shall be utilized.

Section 2. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan Review, Article IV, Procedures for Site Plan Approval, Section 200-11, Requirements common to preliminary and/or final site plan stages, Subsection D., Waiver of information required, is amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

- D. Waiver of information required. No application for development shall be deemed complete by the Zoning Officer/Land Use Manager unless the items, information and/or documentation listed in the applicable checklist(s) are submitted. The Planning Board may waive submission of any required ~~exhibits~~ items, information, and/or documentation in appropriate cases and for specific site plans. Requests for such waivers shall accompany a site plan application, stating in writing the reasons why such waiver(s) is being requested.

Section 3. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan Review, Article IV, Procedures for Site Plan Approval, Section 200-12, Sketch site plan review, is amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

§ 200-12 Sketch/Concept Plan site plan review

- A. Objectives of review. Applicants for preliminary approval are encouraged to submit for review by the board of jurisdiction sketch site plans for informal discussions and recommendations. The sketch site plan shall be reviewed to determine the proposal's compliance with applicable Township ordinances and the general site design concept, including: use, location and bulk, building and improvements, density, open space, traffic and pedestrian patterns and other general design components. ~~The sketch site plan shall be to scale, but detailed dimensions need not be shown. Said sketch site plans shall be used as a basis for changes and redesign so as to avoid undue expense and delay in preparing more detailed plans and specifications in subsequent review stages. The board of jurisdiction shall not be governed by any statutory time limits in its review of sketch site plans, and it is expressly understood that compliance with the board's recommendations shall not bind the board in subsequent deliberations of a formal site plan application.~~
- (1) The location of the property to be considered in relation to the surrounding area, within at least 500 feet of the property.
  - (2) The proposed use of the property.
  - (3) The proposed bulk standards and building improvements.
  - (4) The proposed density and/or floor area ratio.
  - (5) The proposed open space amenities.
  - (6) The proposed traffic and pedestrian patterns.
  - (7) The proposed stormwater management infrastructure.
  - (8) Potential environmentally restricted areas on and near 200 feet of the property.
  - (9) Other general design components.
- B. Sketch/Concept Plan site plan details. The sketch/concept plan ~~site plan~~ may be prepared by the applicant and shall contain sufficient information as outlined herein for discussion by the ~~Advisory Board~~ Technical Review Committee and the applicant.
- C. The sketch/concept plan shall be to scale, but detailed dimensions need not be shown.
- D. Said sketch site plans shall be used as a basis for changes and redesign so as to avoid undue expense and delay in preparing more detailed plans and specifications in subsequent review stages.
- E. The board of jurisdiction shall not be governed by any statutory time limits in its review of sketch site plans, and it is expressly understood that compliance with the board's recommendations shall not bind the board in subsequent deliberations of a formal site plan application.

Section 4. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan Review, Article IV, Procedures for Site Plan Approval, Section 200-13, Preliminary site plan approval, Subsection C., Preliminary site plan details, is amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

- (1) Locator map at a scale of one inch equals 2,000 square feet or larger scale, showing the lot and block number of the parcel in question and the lot and block numbers of adjacent and opposite properties. This map should also show any contiguous lot in which the applicant has any direct or indirect interest and the nature of the applicant's interest.
- (2) An aerial photo superimposed upon the plans with the tract boundaries outlined; also photographs of the property, where necessary, to show any unusual topographic, environmental or physical aspect of the site. This would include but not be limited to rock outcroppings, vegetation, natural drainageways, wetlands and existing structures and improvement.
- (3) A preliminary plan at a scale of one inch equals 50 feet or larger scale and any supplemental plans that are necessary to properly depict the project. In the case of a complex project, a scale other than one inch equals 50 feet may be submitted, provided that one copy of a photomechanical reduction to a scale of one inch equals 50 feet is submitted. The preliminary plan shall show at least the following information:
  - a. The North arrow, scale, graphic scale, date and notes and dated revisions.
  - b. The zoning district in which the parcel is located, together with the district boundaries included within the boundaries of the parcel or within 200 feet therefrom. All setback lines, landscape strips, landscape buffers, building heights and other bulk requirements shall be shown and dimensioned. Any deviation from requirements of this Part 1 shall be specifically shown.
  - c. The survey map, prepared by a licensed surveyor of New Jersey, showing boundaries of the properties, lines of all existing streets and roads, easements, rights-of-way and areas dedicated to public use within 200 feet of the development. These shall be dimensioned and, where applicable, referenced as to direction.
  - d. Reference to any existing or proposed deed restrictions or exceptions concerning all or any portion of the parcel. A copy of such covenants, deed restrictions or exceptions shall be submitted with the application. In order to demonstrate the lack thereof, a title search must be submitted with any application for Preliminary Major Site Plan.

- e. The existing and proposed contours, referred to North American Vertical Datum of 1988 (NAVD '88), and horizontal positioning based upon the North American Datum of 1983 (NAD '83) ~~United States Coast and Geodetic Survey Datum~~, at a contour interval of not less than two feet. Existing contours are to be indicated by solid lines. Location of existing rock outcroppings, high points, watercourses and drainageways, depressions, ponds, marshes, vegetation, wooded areas and other significant existing features including previous flood elevations of watercourses, ponds and areas as determined by survey shall be shown. Trees of five inches or over in caliper shall be specifically located and identified. Any proposed change of such natural features shall be specifically noted.
- f. The location, size, elevation, slope and type of storm drainage structures and other utility structures, above- and below-grade, whether publicly or privately owned. Design calculations supporting the adequacy of proposed drainage structures and/or surface drainage shall be submitted. The site plan shall include existing ponds, streams and watercourses, as well as the designated greenbelt, if applicable. Where brook or stream channel improvements are proposed or required, the plans for such improvements shall be approved by the State Department of Environmental Protection, and the Mercer County Planning Board, where applicable.
- g. The location of all existing buildings, bridges, culverts, paving, lighting, signs or any other structures with grade elevations for each structure. Grade elevations may be established from use of a field survey, or Lidar information as published by the NJDEP or Mercer County, as available. ~~Township topographical maps.~~
- h. The distances measured along the right-of-way lines of existing streets abutting the property, to the nearest intersection with other streets.
- i. The proposed use or uses of the land, buildings and structures.
- j. The quantitative aspects of the proposal, such as improvement coverage, number of units, square feet of construction, value of construction, density, coverage, number of employees, number of residents and area of land, etc. Specifically identified on the site plan, in tabular form, shall be pertinent zoning data, indicating the bulk/area requirements of the zone in which the proposed development is located and how the proposed development responds to the zoning requirements.
- k. The proposed buildings and structures and any existing structures to remain, with dimensions, setbacks, heights (in feet and stories) and first floor or grade



elevations. Existing buildings and structures to be removed shall be indicated; sketch or typical building elevations indicating type of materials to be used.

- l. The location and designs of any off-street parking areas, bicycle parking, service, trash or loading areas, showing size and location of bays, aisles, barriers, planters, maneuvering areas and traffic patterns. Include manufacturer's cut or illustration depicting the type of bicycle parking facility proposed. Also provide the typical plan layout of the facility at an appropriate scale to determine the location from walkways and building lines.
- m. The means of vehicular access for ingress to and egress from the site, showing the proposed traffic channels, lanes and any other structure or device intended to control traffic.
- n. The location, design, dimensions and materials details in the form of construction documents for any on- or off-site pedestrian parks, walkways and bicycle pathways, open space, common open space, plazas, promenades and recreation areas or any other public uses.
- o. The location and design of all proposed utility structures and lines, stormwater drainage on-site and off-tract, with manholes, inlets, pipe sizes, grades, inverts and directions of flow, as well as telephone, power and light, water hydrant locations, sewer and gas, whether publicly or privately owned. Where on-site sewage disposal systems and/or potable water wells are provided, these shall be located on the site plan, indicating the size of the system and the distance between the wells and septic fields.
- p. The location and design of the proposed screening, landscaping and planting, including a planting plan and schedule of plant materials.
- q. The location of all outdoor lighting (freestanding or on building), the size, nature of construction, lumens, heights, area and direction of illumination, footcandles produced, typical manufacturer cuts illustrating style and time controls proposed for outdoor lighting and display.
- r. The location and design of all signs, the size, nature of construction, height and orientation, including all identification signs, traffic and directional signs and arrows, freestanding and facade signs and time controls for sign lighting.
- s. The location and size of all proposed easements, rights-of-way, public areas to be dedicated to the public or to be restricted or defined by deed or any other arrangement. Also, the location of any Master Plan proposals indicating roadway, greenbelt, public area or facility shall be shown.
- t. A tabulation of a proposed building's perimeter that fronts on a public or private street or on a fire apparatus space, expressed in feet, as well as the

percentage of total building perimeter linear footage shall be indicated as part of site data information contained on a site plan.

- u. A map showing the property in relation to the surrounding area within a one-mile radius as measured from the center of the property.
- (4) All parts as required in the environmental impact statement, as requirement as set forth in Article V, § 200-23, of this Part 1 or a statement concerning such which does not apply.
- (5) Where applicable, the method by which any common or public open space or commonly held building or structure is to be owned and maintained.
- ~~(6) Where warranted, such other material deemed necessary by the Planning Board to evaluate the physical, fiscal or socioeconomic impact of the proposed development upon the Township.~~
- ~~(66)~~ A landscape plan, prepared by a New Jersey State certified or licensed landscape architect, at a minimum scale of one inch equals 50 feet or larger. Different graphic symbols shall be used to show the location and spacing of shade trees, ornamental trees, evergreen trees, shrubs and ground cover. The size of the symbol must be representative of the size of the plant and shown to scale. The plan shall:
  - (a) Illustrate the proposed site plan elements as they relate to existing structures and site amenities, including existing woodlands, isolated trees greater than five inches in caliper, existing topographic contours and any and all other natural environmental features.
  - (b) Show the intent, location and type of all existing and proposed landscaping and buffering.
  - (c) Conceptually indicate plant types and general construction materials to be used, as appropriate.
  - ~~(d) Superimpose an aerial photograph on the drawings, with the site boundaries outlined to evaluate the effects upon existing vegetation and surrounding land uses.~~
  - ~~(e) Provide on-site photographs of existing features and topography, as appropriate.~~
  - ~~(f)~~(d) ~~Contain~~ For any new tree planting, contain a planting schedule, including specific plant botanical and common names, sizes, root, spacing and comments.
  - ~~(g)~~(e) Indicate all existing vegetation to be saved or removed.

- (h)(f) Show the location, form, height and width of other landscape architectural materials, such as berms, fences, walls, site furniture, bridges and walks. When required, a section to show the ~~effective height of a proposed berm or fence~~ effectiveness of landscape buffers in relation to the height of the area being screened from should be provided (i.e., center line of road to building).
- (i)(g) Show all open space areas in adjacent developments on the project location map.
- (87) Soil survey map, prepared by a ~~professional~~ New Jersey State licensed professional engineer, to indicate the different types of soils that exist on the subject tract and within 200 feet of the extreme limits of the subject tract. This map shall be in conformance with the soil survey of Mercer County, New Jersey, published by the ~~United States Department of Agriculture~~ Natural Resources Conservation Service at <http://websoilsurvey.nrcs.usda.gov/app/>. Where wetlands exist on or within 200 feet of the extreme limits of the subject tract, as per N.J.A.C. 7:7A-1, the wetland's boundary shall be superimposed on the soil survey map.
- (98) If wetlands exist, as per N.J.A.C. 7:7A 7-1 et seq. or 7A-1 et seq., the Freshwater Wetlands Protection Act rules are to be complied with prior to the submission of plans to the Township. All areas of wetlands shall be depicted on plans ~~with surveyor's metes and bounds information for the outbounds of such areas as field located by the applicant's professional land surveyor.~~ A letter of interpretation issued by the New Jersey Department of Environmental Protection, Division of ~~Coastal Resources~~ Land Resource Protection, shall be submitted, indicating the presence or absence of freshwater wetlands on the parcel in question and any required transition areas.
- (9) ~~A landscape plan, prepared by a certified or licensed landscape architect, at a minimum scale of one inch equals 50 feet or larger, including a planting schedule indicating specific botanical and common plant names, sizes, root spacing and comments and indicating the location, form, height and width of other landscape architectural materials, such as berms, fences, walls, site furnishings, bridges and walks, when required or appropriate, an illustrative section drawing to show the effectiveness of landscape buffers.~~ Where warranted, an acoustical evaluation demonstrating future compliance with the regulations established by both the New Jersey Department of Environmental Protection (NJDEP) (N.J.A.C. 7:29 Noise Control) as may be amended and supplemented and the Township of West Windsor (Administrative Code Chapter 113) as may be amended and supplemented shall be completed and submitted by the applicant. At a minimum, such an evaluation shall identify the sources of expected sound to be generated by the proposed development to ensure that there will be no adverse impacts as related to noise. Those locations with a greater potential for exceedances shall provide anticipated noise levels

generated by the proposed development. An acoustical analysis to estimate the anticipated sound levels shall be required and appropriate abatement/mitigation be designed, if necessary.

If requested by the Township of West Windsor, an acoustical evaluation shall be completed and submitted by the applicant that demonstrates the potential impacts of noise on the proposed development from surrounding sources. Those locations with a greater potential for impacts shall provide the anticipated noise levels of the sources of sound expected to impact the proposed development. An acoustical analysis to estimate the anticipated sound levels that may impact the proposed development shall be required and appropriate abatement/mitigation be designed, if necessary.

- ~~(1110)~~ A traffic signage plan conforming to the requirements of § 200-91U of Part 3, Subdivision and Site Plan Procedures, of this chapter.
- ~~(1211)~~ A site development stormwater control plan meeting the requirements of § 200-104 for projects meeting the definition of major development in § 200-100.2 of Part 3,
- (12) Domestic water demand and wastewater generation rate estimates per N.J.A.C. 7:14A-23.3.
- (13) Submittal letters to any and all governmental agencies which may have jurisdiction, if any.
- (14) Where warranted, a Traffic Impact Study (TIS) shall be provided to include the study area critical intersection(s) and arterial analyses for three scenarios: Existing Base, Future Year No-Build and Future Year Build. The most recent ITE trip generation manual should be used to calculate the projected traffic demand for the proposed development. The traffic count data NOT older than three (3) years should be used for Base condition analysis. The TIS also should include the list of proposed geometric improvements at the critical study area intersections/arterials due to the addition of the subject development, where applicable.

The TIS shall also include data on truck traffic volume, a truck traffic circulation plan, and the impact of truck traffic movement on the adjacent public roadways originating from the project site, where applicable.

Section 5. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan Review, Article IV, Procedures for Site Plan Approval, Section 200-14, Final site plan approval, Subsection C., Final site plan details, Item (1) is amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

- (1) The final site plan application technical materials shall include the following:

- (a) The approved preliminary site plan and a copy of the preliminary resolution of approval if applicable, together with all proposed additions, changes, or departures therefrom, if applicable.
- (b) Final construction documents, among other items, illustrating:
  - [1] The final plans for site development and site improvement, including those construction details as may be specified at the time of preliminary approval.
  - [2] The ground floor or other floor plans sufficient to show pedestrian, vehicular and/or other access as it relates to the final site plan.
  - [3] The building elevation or typical elevations, including size, structure, materials, colors and textures.
  - [4] Elevations or typical illustrations of any accessory structures, signs or area visible to the general public.
  - [5] A final landscape plan, signed and sealed by a New Jersey State certified or licensed landscape architect, in the form of construction drawings documents and substantially conforming to the approved preliminary landscape plan. The landscape plan shall be prepared for upon separate halftone sheets of the engineer's grading engineered site plan with contour lines so that landscape details and grading are clearly shown and may be adequately reviewed. The plan shall include the location and detailed specifications for all landscape architectural improvements, including paving details which conform to the Township detail standards, and for the irrigation and maintenance of all planting areas pavements, structures, fences, decorative elements, and plantings, with construction details. The plan shall include specifications for the irrigation and maintenance of all planting areas. It shall show:
    - [a] Reverse frontage buffers and other important landscape areas at a minimum scale of one inch equals 30 feet or larger.
    - [b] The manner of irrigation of all nonresidential and high density residential sites.
    - [c] The location and identification of all existing street trees and/or all non-street trees 6 inches and greater in diameter at breast height, to be removed and preserved and what methods will be used to assure preservation during and after construction. Prior to any tree removal, the applicant will be required to receive approval of the board of jurisdiction, and a Township Zoning

Permit or Tree Removal Permit, including any planting mitigation or applicable additional application fees in accordance with the Township Tree Code (Chapter 170).

[d] The existing and proposed topography by the use of one-foot contours for all land forms and berms in coordination with the final grading and drainage plans submitted by the project engineer.

[e] A planting schedule, including specific plant botanical and common names, sizes (caliper, height, and width), root (B&B or container size), spacing, and comments.

[6] A traffic signage plan conforming to the requirements of 200-91U of Part 3, Subdivision and Site Plan Procedures, of this chapter.

~~[7] A final landscape plan, signed and sealed by a certified or licensed landscape architect, in the form of construction documents and substantially conforming to the approved preliminary landscape plan. The landscape plan shall be prepared upon separate half-tone sheets of the engineered site plan with contour lines so that landscape details and grading are clearly shown and may be adequately reviewed. It shall show:~~

~~[a] Reverse frontage buffers and other important landscape areas at a minimum scale of one inch equals 30 feet or larger.~~

~~[b] The manner of irrigation of all nonresidential and high-density residential sites.~~

~~[c] All existing trees to be removed and preserved and what methods will be used to assure preservation during and after construction. Prior to any tree removal, the applicant will be required to receive approval of the board of jurisdiction or the Township Landscape Architect.~~

~~[d] The existing and proposed topography by the use of one-foot contours for all land forms and berms in coordination with the final grading and drainage plans submitted by the project engineer.~~

~~[e] A landscape management and maintenance schedule and agreement.~~

~~[f] Planting details conforming to the standards set forth in § 200-91R(2) of Part 3, Subdivision and Site Plan Procedures, of this chapter.~~

- (c) Where warranted, an acoustical evaluation demonstrating future compliance with the regulations established by both the New Jersey Department of Environmental Protection (NJDEP) (N.J.A.C. 7:29 Noise Control) as may be amended and supplemented and the Township of West Windsor (Administrative Code Chapter 113) as may be amended and supplemented shall be completed and submitted by the applicant. At a minimum, such an evaluation shall identify the sources of expected sound to be generated by the proposed development to ensure that there will be no adverse impacts as related to noise. Those locations with a greater potential for exceedances shall provide anticipated noise levels generated by the proposed development. An acoustical analysis to estimate the anticipated sound levels shall be required and appropriate abatement/mitigation be designed, if necessary.

If requested by the Township of West Windsor, an acoustical evaluation shall be completed and submitted by the applicant that demonstrates the potential impacts of noise on the proposed development from surrounding sources. Those locations with a greater potential for impacts shall provide the anticipated noise levels of the sources of sound expected to impact the proposed development. An acoustical analysis to estimate the anticipated sound levels that may impact the proposed development shall be required and appropriate abatement/mitigation be designed, if necessary.

- (d) Domestic water demand and wastewater generation rate estimates per N.J.A.C. 7:14A-23.3.
- (e) Submittal letters to any and all governmental agencies which may have jurisdiction, if any.
- (f) Where warranted, a Traffic Impact Study (TIS) should be provided to include the study area critical intersection(s) and arterial analyses for three scenarios: Existing Base, Future Year No-Build and Future Year Build. The most recent Institute of Transportation Engineers (ITE) trip generation manual should be used to calculate the projected traffic demand for the proposed development. The traffic count data NOT older than three (3) years should be used for Base condition analysis. The TIS also should include the list of proposed geometric improvements at the critical study area intersections/arterials due to the addition of the subject development, where applicable.

The TIS shall also include data on truck traffic volume, a truck traffic circulation plan, and the impact of truck traffic movement on the adjacent public roadways originating from the project site, where applicable.

Section 6. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan Review, Article IV, Procedures for Site Plan Approval, Section 200-15, Minor site plan

approval, Subsection C., Minor site plan details., is hereby amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

- (1) Locator map at a scale of one inch equals 2,000 feet, or larger scale, showing the lot and block number of the parcel in question and the lot and block numbers of adjacent and opposite properties. This map should also show any contiguous lot in which the applicant has any direct or indirect interest and the nature of the applicant's interest.
- (2) A site plan at a scale of one inch equals 50 feet, or larger scale, and any supplemental plans that are necessary to properly depict the project. The minor site plan shall show the following information as appropriate to describe the proposed site modifications:
  - (a) North arrow, scale, graphic scale, date and notes and dated revisions.
  - (b) The zoning district in which the parcel is located, together with the district boundaries included within the boundaries of the parcel or within 200 feet therefrom. All setback lines, landscape strips, landscape buffers, building heights and other bulk requirements shall be shown and dimensioned. Any deviation from requirements of this Part 1 shall be specifically shown.
  - (c) Survey map, prepared by a licensed surveyor of New Jersey, showing boundaries of the properties, lines of all existing streets and roads, easements, rights-of-way, and areas dedicated to public use within 200 feet of the development. These shall be dimensioned and, where applicable, referenced as to direction.
  - (d) Reference to any existing or proposed deed restrictions or exceptions concerning all or any portion of the parcel. A copy of such covenants, deed restrictions or exceptions shall be submitted with the application. In order to demonstrate the lack thereof, a title search shall be submitted with any application for Minor Site Plan.
  - (e) The existing and proposed contours, ~~referred~~ referenced to North American Vertical Datum of 1988 (NAVD 88), and horizontal positioning based upon the North American Datum of 1983 (NAD '83) United States Coast and Geodetic Survey Datum, at a contour interval of not less than two feet. Existing contours are to be indicated by solid lines. Any proposed change of on-site natural features (e.g., vegetation, wooded areas, watercourses, etc.) shall be specifically noted.
  - (f) The site plan shall include existing ponds, streams and watercourses as well as the designated greenbelt or wetlands as defined by N.J.A.C. 7:7A and Freshwater Wetlands Protection Act, if applicable. Any effects on existing drainage facilities resulting from the proposed site modifications shall be described.



- (g) The location of all existing buildings, bridges, culverts, paving, lighting, signs or any other structures with grade elevations for each structure in the area adjacent the proposed site modifications. Grade elevations may be established from use of Township topographical maps.
  - (h) The distances measured along the right-of-way lines of existing streets abutting the property, to the nearest intersection with other streets.
  - (i) The proposed modification(s) to the existing use or uses of the land, buildings and structures.
  - (j) Specifically identified on the site plan, in tabular form, shall be pertinent zoning data indicating the bulk/area requirements of the zone in which the proposed development is located and how the proposed site modifications respond to the zoning requirements.
  - (k) The location and size of all proposed easements, rights-of-way, public areas to be dedicated to the public or to be restricted or defined by deed or any other arrangement. Also, location of any Master Plan proposals indicating roadway, greenbelt, public area or facility shall be shown.
  - (l) A tabulation of a proposed building's perimeter that fronts on a public or private street or on a fire apparatus space expressed in feet as well as percentage of total building perimeter linear footage shall be indicated as part of site data information contained on a site plan.
  - (m) Location of all utilities, including gas, electric, water, sewer and CATV.
- (3) Where warranted, an acoustical evaluation demonstrating future compliance with the regulations established by both the New Jersey Department of Environmental Protection (NJDEP) (N.J.A.C. 7:29 Noise Control) as may be amended and supplemented and the Township of West Windsor (Administrative Code Chapter 113) as may be amended and supplemented shall be completed and submitted by the applicant. At a minimum, such an evaluation shall identify the sources of expected sound to be generated by the proposed development to ensure that there will be no adverse impacts as related to noise. Those locations with a greater potential for exceedances shall provide anticipated noise levels generated by the proposed development. An acoustical analysis to estimate the anticipated sound levels shall be required and appropriate abatement/mitigation be designed, if necessary.

If requested by the Township of West Windsor, an acoustical evaluation shall be completed and submitted by the applicant that demonstrates the potential impacts of noise on the proposed development from surrounding sources. Those locations with a greater potential for impacts shall provide the anticipated noise levels of the sources of sound expected to impact the proposed development. An acoustical analysis to

estimate the anticipated sound levels that may impact the proposed development shall be required and appropriate abatement/mitigation be designed, if necessary.

- (4) Domestic water demand and wastewater generation rate estimates per N.J.A.C. 7:14A-23.3.
- (5) Submittal letters to any and all governmental agencies which may have jurisdiction, if any.
- (6) Where warranted, a Traffic Impact Study (TIS) should be provided to include the study area critical intersection(s) and arterial analyses for three scenarios: Existing Base, Future Year No-Build and Future Year Build. The most recent ITE trip generation manual should be used to calculate the projected traffic demand for the proposed development. The traffic count data NOT older than three (3) years should be used for Base condition analysis. The TIS also should include the list of proposed geometric improvements at the critical study area intersections/arterials due to the addition of the subject development, where applicable.

The TIS shall also include data on truck traffic volume, a truck traffic circulation plan, and the impact of truck traffic movement on the adjacent public roadways originating from the project site, where applicable.

Section 15. In the event of any conflict between the provisions and requirements of this section and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern.

Section 16. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral veto by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Introduction:

Planning Board Approval:

Public Hearing:

Adoption:

Mayor Approval:

Effective Date:

**REQUEST FOR COUNCIL ACTION**

Date of Request: 3/26/2025

Initiated By: Samuel J. Surtees Division/Department: Comm. Dev./Land Use

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Introduction and subsequent adoption of an ordinance amending Article XI Procedures for Subdivision Approval; Sections 200-47; 49; 50; 53; 54 Subdivision Checklist requirements.

**SOURCE OF FUNDING:** NA

**CONTRACT AMOUNT:** NA

**CONTRACT LENGTH:** NA

**OTHER SUPPORTING INFORMATION ATTACHED:**

Ordinance Summary  
Memorandum from Samuel J. Surtees dated 3/26/2025  
Ordinance

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Samuel J. Surtees 3/26/25  
Department/Division Head

Samuel J. Surtees  
Date

APPROVED FOR AGENDA OF: 4/7/2025 (INTRODUCTION)  
5/19/2025 (PUBLIC HEARING)

By: Marlena Schmid 04/02/2025

Marlena Schmid, Business Administrator

MEETING DATE: 4/7/25 Ordinance # 2025-04 Resolution # \_\_\_\_\_

Council Action Taken:

**MULLER & BAILLIE, P.C.**

196 Princeton-Hightstown Road  
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May 8, 2025

**Sent via Electronic Transmission**

Ms. Allison Sheehan  
West Windsor Township Clerk  
271 Clarksville Road  
Princeton Junction, NJ 08550

Re: Ordinances 2025-03, -04, -06, and -07

Dear Ms. Sheehan:

At its May 7, 2025 meeting, the West Windsor Planning Board voted by a vote of 9-0 to recommend adoption of the above-referenced ordinances and found that they are all consistent with the Master Plan.

Muller & Baillie, P.C.  
Attorneys for West Windsor Township  
Planning Board

A handwritten signature in dark ink, appearing to read "Gerald J. Muller", is written over a horizontal line.

By: Gerald J. Muller


cc: Mr. Samuel J. Surtees (via electronic transmission)

## **TOWNSHIP OF WEST WINDSOR**

*Community Development Department*

*Division of Land Use*

TO: Marlena Schmid, Business Administrator

FROM: Samuel J. Surtees   
Manager, Division of Land Use

SUBJECT: Subdivision/Site Plan Checklists Ordinances (2)

DATE: March 26, 2025

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Attached, please find both the **Subdivision and Site Plan Checklist** draft ordinances for Township Council introduction and eventual adoption. The Planning Board conducted a work session at their March 5, 2025 meeting at which time, members of Township Council and the public were in attendance to hear the staff presentation and ask questions of both the board and staff. Several revisions to both draft ordinances were made to address both Township Council and public comments. The attached ordinances reflect those changes.

By way of background, the purpose of a site plan and subdivision checklist is to ensure that the board and public have enough information to reliably understand and review applications. These checklists also inform applicants of what will be expected of their submittal and presentations.

The last time the township comprehensively upgraded its site plan and subdivision checklist was approximately twenty (20) years ago. Subsequently, there have been changes, not only in Land Use Development patterns, but also in technology. Furthermore, on consideration of the MLUL's time of approval rule, it is essential to develop up-to-date and comprehensive checklists to ensure that there is no ambiguity regarding completeness of applications.

Staff respectfully request that these ordinances be introduced at the next available Township Council meeting after which time, they will be referred to the Planning Board for confirmation that they are in compliance with the township Master Plan.

If you have any questions please advise.

Thank you,

SJS/lk  
C: SP/SD checklist ord files

ORDINANCE 2025-04

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

AN ORDINANCE AMENDING CHAPTER 200 LAND USE, PART 2, ARTICLE XI, THE  
PROCEDURES SET FORTH FOR SITE PLAN APPROVAL AND SUBDIVISION  
APPROVAL, SECTIONS 200-47, 49, 50, 53 AND 54 OF THE TOWNSHIP CODE OF THE  
TOWNSHIP OF WEST WINDSOR

WHEREAS, N.J.S.A. 40:55D-10.5 of the Municipal Land Use Law (MLUL) was adopted by the State of New Jersey in 2010 to establish that those development regulations which are in effect on the date of submission of an application for development shall govern the review of that application for development and any decision made with regard to that application for development; and

WHEREAS, N.J.S.A. 40:55D-10.5 of the Municipal Land Use Law (MLUL) further specifies that any provisions of an ordinance, except those relating to health and public safety, that are adopted subsequent to the date of submission of an application for development, shall not be applicable to that application for development; and

WHEREAS, N.J.S.A. 40:55D-10.5, otherwise known as the “time of application” rule, abolished what was previously known as the “time of decision” rule which had favored municipalities during the hearing process by permitting any development regulation adopted by a municipality subsequent to the date of a submission of an application for development to be applicable to that application for development; and

WHEREAS, additional guidance was provided by the New Jersey Supreme Court in Dunbar Homes, Inc. v. Zoning Board of Adjustment of Franklin Township regarding the issue of completeness in applying the “time of application” rule; and

WHEREAS, the Township of West Windsor seeks to amend its subdivision and site plan checklists in order to more clearly delineate submittal requirements for the purposes of determining completeness.

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

BE IT ORDAINED, by 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 (1999), Land Use, Part 2, Subdivision Review, Article XI, Procedures for Subdivision Approval, Section 200-47, Requirements common to sketch, preliminary and/or final plat stages, is amended as follows. Added text is underlined, and text being eliminated is ~~struck-through~~.

- (1) The title and location of the property.
- (2) The name and addresses of the landowner and applicant. If a corporation, limited liability company, or partnership is the landowner or applicant, the principal officer and name of the President and Secretary shall also be included.
- (3) The name, address and New Jersey State license number and seal of the professional preparing the documents and drawings. All plans, except those prepared at the sketch stage, shall be prepared, signed and sealed by a licensed land surveyor of the State of New Jersey.
- (4) ~~The~~ A place for the signature of the Chair and Secretary of the Planning Board and Health Officer (where septic systems and/or potable wells are proposed).
- (5) The date of the plan and date(s) of any modifications thereto.
- (6) The following legends shall be on the plat map:...
- (7) A legend indicating all symbols used. The applicable portions of the New Jersey Department of Transportation's Standard Legend shall be utilized.

Section 2. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 2, Subdivision Review, Article XI, Procedures for Subdivision Approval, Section 200-49, Compliance with other ordinances/waiver of information required, Subsection B. is amended as follows. Added text is underlined, and text being eliminated is ~~struck-through~~.

- B. Waiver of information required. No application for development shall be deemed complete by the Zoning Officer/Land Use Manager unless the items, information, and/or documentation listed in the applicable checklists are submitted. The Planning Board may waive submission of any required ~~exhibits~~ items, information, and/or documentation in appropriate cases and for specific subdivision plats. Requests for such waivers shall accompany a subdivision application and state the reasons in writing why such waiver(s) is being requested.

Section 3. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 2, Subdivision Review, Article XI, Procedures for Subdivision Approval, Section 200-50, Sketch plats for minor or major subdivisions, Section C, Sketch plat details, is amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

- (1) All plats shall be based on accurate information at a scale of not more than one inch equals 100 feet to enable the entire tract to be shown on one sheet.
- (2) A location map showing the entire tract to be subdivided, giving the accurate location of all existing and proposed property and street lines, at a scale of one inch equals 1,000 feet, or larger scale, showing the entire subdivision and its relation to all features shown on the Official Map and Master Plan and located within ½ mile of the extreme limits to the subdivision, and the zoning classification of the proposed subdivision and of adjacent land.
- (3) The location of existing houses, buildings and other structures, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated trees more than five inches in diameter, and topography within the portion tract to be subdivided and as well as within 200 feet thereof, at twenty-foot, or smaller, contour intervals. (United States Geological Survey topographic quadrant map series are acceptable for topography at this stage, as is the latest aerial orthophotography or aerial imagery from the past two years, for locating adjacent buildings and driveways within 200 feet of the tract.)
- (4) The name of the owner, all adjoining property owners and those across existing or proposed streets as disclosed by the most recent Township tax records.
- (5) The tax map sheet, date of revision, block and lot numbers and zone district of the tract proposed to be subdivided.
- (6) Existing and proposed features.
  - (a) The location of existing or proposed streets, roads, easements, greenbelts, public rights-of-way, streams, bridges, culverts, drainage ditches and natural watercourses in and within 500 feet of the subdivision. Also, indicate all Township Master Plan proposals on-site or off-tract within 500 feet of the proposed subdivision.
  - (b) In assembling the required data, the applicant shall be required to rely only on existing information available ~~from the~~, including the Township's Master Plan documents, natural resource inventory Natural Resource Inventory and engineering data available from the Township Engineer, as well as information available from other government agencies, such as NJDEP Bureau of Geographic Information Systems (GIS).



- (7) The ~~original~~ existing and proposed lot layout, lot dimensions, all required setback lines and the lot area of each lot in square feet and acreage. Lots shall be designated by letters for minor subdivisions and by consecutive numbers for major subdivisions until given official lot number designations by the Township Engineer.
- (8) As determined by the Health Officer, the location of all percolation tests, including those that failed, and soil logs conducted at the expenses of the applicant and approved by the Health Officer shall be shown on the plat.
- (9) As applicable, the date of original preparation and date of revision, if any, or plat, as well as the old name, if submitted previously under a different title.
- (10) A preliminary Environmental Impact Statement, as outlined in Part 1, Article V, § 200-23, of ~~this chapter~~ Chapter 200.
- (11) The acreage of the tract to be subdivided to nearest  $\frac{1}{10}$  of an acre and, if an open space cluster, the ~~area~~ acreage of the open space.
- (12) ~~A concept landscape plan, prepared by a certified or licensed landscape architect, showing existing structure and existing woodlands, isolated trees greater than five inches in caliper, existing topographic contours and all other natural features. An~~ identification of existing woodlands and groupings of trees.
- (13) An recent aerial photograph from either the past two years or from the latest orthophotography from the New Jersey Office of GIS on the drawings with the site boundaries outlined, with a minimum 200-foot overlap, to evaluate the effects upon existing vegetation and surrounding land uses.
- (14) In the case of a minor subdivision if wetlands exist, as per N.J.A.C. 7:7A-1 et seq., the Freshwater Wetlands Protection Act; rules are to be complied with prior to submission of plans to the Township. All areas of wetlands shall be depicted on plans as field located by applicant's professional land surveyors metes and bounds information for the outbounds of such areas. ~~A letter of interpretation issued by the New Jersey Department of Environmental Protection, Division of Coastal Resources, shall be submitted indicating the presence or absence of freshwater wetlands on the parcel in question.~~
- (15) A letter of interpretation issued by the New Jersey Department of Environmental Protection, Division of ~~Coastal Resources~~ Land Resource Protection, shall be submitted indicating the presence or absence of freshwater wetlands on the parcel in question.
- (16) As a condition precedent to the application for a building permit, a proposed grading plan for each individual lot shall be submitted to the Township Engineer for review and approval. This plan shall include the proposed building footprint, finished first floor elevation and proposed ground elevations at the following locations: all lot

corners, all building corners and at vehicle entrance to a garage. The plan shall also show the proposed finished basement floor elevation, the existing groundwater elevation, the highest seasonally high groundwater elevation, the methods of determining both the existing groundwater elevation and the highest seasonally high groundwater elevation and by whom these determinations were made. Proposed contours at one-foot intervals shall be shown and shall include proposed grading over the septic system area, if applicable.

(17) ~~As built grading plan.~~

- (a) ~~As a condition precedent to the issuance of certificates of occupancy, pursuant to the State Uniform Construction Code, an as-built lot grading plan prepared by a land surveyor licensed in the State of New Jersey shall be submitted to the Construction Official and to the Township Engineer, bearing a certification that the lot grading complies with the proposed lot grading plan as approved or as amended and approved by the Township Engineer.~~
- (b) ~~The as-built plan shall be prepared with contours of one foot intervals and shall include the building footprint, finished first floor elevation and ground elevations at all lot corners, all building corners, vehicle entrance to a garage, drainage swale inverts between adjacent interrupted landscape berms, the top of the curb adjacent to property corners, the edge of Township-owned sidewalk adjacent to property corners and at the center of the driveway, inlet grate elevations (private and Township-owned) and all high points on the lot. The invert and surrounding ground elevation shall be shown for sanitary sewer clean-outs and for sump pump discharge line clean-outs. The plan shall also show the location of the septic system, lateral inverts, D-box outlet inverts and septic tank lid elevations, if applicable. All proposed ground elevations shown on the approved proposed grading plan shall be included on the as-built plan.~~

~~(18)~~(17) A concept stormwater control plan meeting the requirements of § 200-104 for projects meeting the definition of a major development in § 200-100.2 of Part 3, Subdivision and Site Plan Procedures, of this chapter.

Section 4. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 2, Subdivision Review, Article XI, Procedures for Subdivision Approval, Section 200-53, Preliminary plat approval for major subdivisions, Section C, Preliminary plat details, is amended as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

- (1) A key map at a scale not smaller than ~~one inch~~ one-inch equals 1,000 feet, showing the relation of the portion to be subdivided to the entire tract and the relation of the entire tract to the neighborhood for at 1,000 feet beyond its boundaries. This map

should also show any contiguous lot in which the applicant has any direct or indirect interest and the nature of the applicant's interest.

- (2) The tract name, tax map sheet, block and lot number, date, reference meridian, graphic scale and the following names and addresses:
  - (a) The name and address of the record owner or owners.
  - (b) The name and address of the subdivider and, if a Limited Liability Company, partnership or corporation, names of all individuals having more than 10% ownership.
  - (c) The name and address of the person who prepared the plat.
  - (d) The names of adjacent and facing owners.
- (3) A survey map, prepared by a licensed surveyor of New Jersey, showing existing conditions and the boundaries of the tract to be subdivided, lines of all existing streets and roads, easements, rights-of-way and areas dedicated to public uses within 200 feet of the development, with tract size to the nearest 1/100 of an acre.
- (4) Contours. Existing and proposed contours at five-foot intervals for slopes averaging 10% or greater and at two-foot intervals for land of lesser slope shall be required. Contours shall be in the North American Vertical Datum of 1988 (NAVD 88), and horizontal positioning shall be based upon the North American Datum of 1983 (NAD '83). At least two permanent bench marks for each 50 acres, or portion thereof, shall be established on opposite ends of the proposed subdivision, and their locations, descriptions and elevations shall be noted on the preliminary plat. Existing contours shall be shown beyond the limits of the subject tract for a distance of at least 200 feet.
  - ~~(a) Existing and proposed contours at five-foot intervals for slopes averaging 10% or greater and at two-foot intervals for land of lesser slope shall be required. Contours shall be in the United States Coast and Geodetic Control Survey Datum. At least two permanent bench marks for each 50 acres or portion thereof shall be established on opposite ends of the proposed subdivision, and their locations, descriptions and elevations shall be noted on the preliminary plat. Existing contours shall be shown beyond the limits of the subject tract for a distance of at least 200 feet.~~
  - (b) For preliminary applications only the applicant may rely on existing topographic information on file in the Township Engineer's office, provided that there have been no major changes in the site's topography and that, if requested by the Township Engineer, specific portions of the site topography will be updated, if required, at the applicant's expense, to approve the project's stormwater control drainage plan.

- (5) The location of existing and required setback lines, proposed building footprints, streets within 200 feet of the subdivision; and the location of existing and proposed buildings, watercourses, floodplains, railroads, bridges, culverts, drainpipes, greenbelts and all natural features, such as wooded areas and rock formations. Also indicate all Township Master Plan proposals on-site and off-tract within 500 feet of the proposed subdivision.
- (6) When a public sewage disposal system is not available, the current rules, regulations and procedures of the Township shall be followed in submission of sufficient percolation test and soil log data that will enable the Health Officer to make a recommendation to the Township Planning Board. An adverse report by the Health Officer shall be deemed as sufficient grounds for the Planning Board to disapprove said subdivision or portion thereof. The Planning Board will not reconsider any subdivision or portion thereof so disapproved until the requirements of the Health Officer are met.
- (7) A copy of any protective covenants or deed restrictions applying to the land being subdivided shall be submitted with the preliminary plat. In order to demonstrate the lack thereof, a title search shall be submitted with any Preliminary Major Subdivision application.
- (8) Plans, ~~and~~ profiles and cross sections of proposed roadways showing proposed utility layouts (sanitary sewers, storm drains, water, gas, electric, detention basins, etc.) showing feasible connections to existing or proposed utility systems. Cross sections of streets shall be at 50-foot intervals and all street intersections as well as additional locations as may be required by the Township Engineer. Locations of fire hydrants and street lights shall be established with the aid of the Township Fire Protection Official and the Township Engineer, respectively.
- (9) The proposed names of all streets within the subdivision shall be shown and shall be subject to approval by the ~~Planning Board~~ Township Engineer in coordination with Police, Fire and Emergency Services and the US Postal Service.
- (10) Each block and lot shall be numbered in accordance with the system of numbers, which will ultimately be the numbers shown on the Township Tax Map. Lots shall be designated by consecutive numbers for major subdivisions until given official lot number designations by the Township Engineer.
- (11) A grading and drainage control plan shall be submitted, which shall show compliance with §200-101.2. Information shall include the existing contours and proposed contours at one-foot intervals, proposed finished grade elevations at street intersections and breaks in grade, spot elevations at high and low points, proposed rates of grades of streets, locations of drainage sub-basin limits, ~~proposed method of block drainage, including proposed (down) slope arrows and~~ all drainage systems and

structures, including sizes and invert and casting grate elevations. The plan shall be accompanied by a set of drainage computations certified by a New Jersey State licensed professional engineer. Where brook or stream channel improvements are proposed or required, the plans for such improvements shall be approved by the State Department of Environmental Protection ~~or~~ and the Mercer County Planning Board, where applicable.

- (a) A proposed grading plan for each individual lot shall be submitted to the Township Engineer for review and approval. This plan shall include the proposed building footprint, finished first floor elevation and proposed ground elevations at the following locations: at all lot corners, all building corners and at vehicle entrance to a garage. The plan shall also show the proposed finished basement floor elevation, the existing groundwater elevation, the highest seasonally high groundwater elevation, the methods of determining both the existing groundwater elevation and the highest seasonally high groundwater elevation and by whom these determinations were made. Proposed contours at one-foot intervals shall be shown. Proposed grading over the septic system area, if applicable, shall also be shown.
- (12) All proposed lot lines, dimensioned in feet and tenths, and the approximate area of all lots in square feet, as well as any open spaces proposed to be dedicated for public use.
- (13) When the development of the subdivision or improvements within the subdivision are contingent upon improvements outside the boundaries of said subdivision, information shall be supplied by the subdivider, prior to Planning Board consideration for preliminary approval, that the improvements outside the subdivision shall be installed and shall be available to the subdivider prior to the issuance of any certificate of occupancy for the project or phase of a project that is the subject of a development application.
- (14) Any open space proposed to be dedicated for public use or playgrounds or other public purpose and the location and use of all such property shall be shown on the plat.
- (15) When deemed necessary to determine the suitability of the soil to structurally support new construction, the Planning Board may require as a condition of ~~final~~ approval test ~~holes~~ pits or borings to be made by a New Jersey State licensed engineer or an approved geotechnical testing laboratory, at the expense of the subdivider and under the direction of the Township Engineer, prior to the commencement of construction.
- (16) A statement accompanying the preliminary plat indicating the type of structure(s) to be erected and the approximate date of construction start; a tentative phasing section plan for the entire subdivision indicating the estimated number of lots on which final approval will be requested for the first section.

- (17) A full or partial environmental impact statement, as may be required by the Planning Board ~~at the time of preliminary plat approval~~. Provide four completed copies of the Green Development Practices Checklist, as outlined in Part 1, Article V, § 200-23, of this chapter.
- (18) A soil survey map, prepared by a New Jersey State licensed professional engineer, to indicate the different types of soils that exist on the subject tract and within 200 feet of the extreme limits of the subject tract. This map shall be in conformance with the soil survey of Mercer County, New Jersey, published by the ~~United States~~ Department of Agriculture Natural Resources Conservation Service at <http://websoilsurvey.nrcs.usda.gov/app/>. Where wetlands exist on or within 200 feet of the extreme limits of the subject tract, as per N.J.A.C. 7:7A-1 et seq., the wetlands boundary shall be superimposed on the soil survey map.
- (19) If wetlands exist, as per N.J.A.C. 7-1 et seq. or 7A-1 et seq., Freshwater Wetlands Protection Act rules are to be complied with prior to submission of plans to the Township. ~~An area of All~~ wetlands shall be depicted on plans with as field located by the applicant's professional land surveyor's metes and bounds information for the out bounds of such areas. A Letter of Interpretation (LOI) issued by the New Jersey Department of Environmental Protection, Division of ~~Coastal Resource Land~~ Resource Protection, shall be submitted, indicating the presence or absence of freshwater wetlands on the parcel in question.
- (20) A landscape plan, prepared by a New Jersey State certified or licensed landscape architect, at a minimum scale of one inch equals 50 feet or larger, ~~illustrating the proposed site elements as they relate to existing structures and site amenities, including existing woodlands, isolated trees greater than five inch caliper, existing topographic contours and any and all other natural features; the intent, location and type of all existing and proposed landscaping and buffering; and the location, form, height and width of other landscape architectural materials such as berms, fences, walls, site furnishings, bridges and walks.~~ Different graphic symbols shall be used to show the location and spacing of shade trees, ornamental trees, evergreen trees, shrubs and ground cover. The size of the symbol must be representative of the size of the plant and shown to scale. The plan shall:
- (a) Illustrate the proposed site plan elements as they relate to existing structures and site amenities, including existing woodlands, isolated trees greater than five inches in caliper, existing topographic contours and any and all other natural environmental features.
  - (b) Show the intent, location, size, and type of all existing and proposed landscaping and buffering.

- (c) Conceptually indicate plant types and general construction materials to be used, as appropriate.
  - (d) For any new tree planting, contain a planting schedule, including specific plant botanical and common names, sizes, root, spacing and comments.
  - (e) Indicate all existing vegetation to be saved or removed.
  - (f) Show the location, form, height and width of other landscape architectural materials, such as berms, fences, walls, site furniture, bridges and walks. When required, a section to show the effectiveness of landscape buffers in relation to the height of the area being screened from should be provided (i.e., center line of road to building).
  - (g) Show all open space areas in adjacent developments on the project location map.
- (21) ~~An~~ recent aerial photograph from either the past two years or from the latest orthophotography from the New Jersey Office of GIS with the site boundaries outlined with a minimum 200-foot overlap to evaluate the effects upon existing vegetation and surrounding land use.
- (22) A traffic signage plan conforming to the requirements of § 200-91U of Part 3, Subdivision and Site Plan Procedures, of this chapter.
- ~~(23) A letter of interpretation issued by the New Jersey Department of Environmental Protection, Division of Coastal Resources, shall be submitted, indicating the presence or absence of freshwater wetlands on the parcel in question.~~
- ~~(24)~~(23) A site development stormwater control plan meeting the requirements of § 200-104 for projects meeting the definition of a major development in § 200-100.2 of Part 3, Subdivision and Site Plan Procedures, of this chapter.
- (24) Where warranted, an acoustical evaluation demonstrating future compliance with the regulations established by both the New Jersey Department of Environmental Protection (NJDEP) (N.J.A.C. 7:29 Noise Control) as may be amended and supplemented and the Township of West Windsor (Administrative Code Chapter 113) as may be amended and supplemented shall be completed and submitted by the applicant. At a minimum, such an evaluation shall identify the sources of expected sound to be generated by the proposed development to ensure that there will be no adverse impacts as related to noise. Those locations with a greater potential for exceedances shall provide anticipated noise levels generated by the proposed development. An acoustical analysis to estimate the anticipated sound levels shall be required and appropriate abatement/mitigation be designed, if necessary.

If requested by the Township of West Windsor, an acoustical evaluation shall be completed and submitted by the applicant that demonstrates the potential impacts of noise on the proposed development from surrounding sources. Those locations with a greater potential for impacts shall provide the anticipated noise levels of the sources of sound expected to impact the proposed development. An acoustical analysis to estimate the anticipated sound levels that may impact the proposed development shall be required and appropriate abatement/mitigation be designed, if necessary.

- (25) Where warranted, a Traffic Impact Study (TIS) should be provided to include the study area critical intersection(s) and arterial analyses for three scenarios: Existing Base, Future Year No-Build and Future Year Build. The most recent ITE trip generation manual should be used to calculate the projected traffic demand for the proposed development. The traffic count data NOT older than three (3) years should be used for Base condition analysis. The TIS also should include the list of proposed geometric improvements at the critical study area intersections/arterials due to the addition of the subject development, where applicable.

The TIS shall also include data on truck traffic volume, a truck traffic circulation plan, and the impact of truck traffic movement on the adjacent public roadways originating from the project site, where applicable.

- (26) Domestic water demand and wastewater generation rate estimates per N.J.A.C. 7:14A-23.3.
- (27) Submittal letters to any and all other governmental agencies which may have jurisdiction, if any.

Section 5. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 2, Subdivision Review, Article XI, Procedures for Subdivision Approval, Section 200-54, Final plat approval for major subdivisions, Section C, Final plat details, is amended as follows. Added text is underlined, and text being eliminated is struck through.

- (1) Date, name and location of the subdivision, name of owner, graphic scale and reference meridian.
- (2) Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, land reserved or dedicated to public use, all lot lines and other site lines, with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves.
- (3) The purpose of any easement or land reserved or dedicated to public use shall be designated, and the proposed use of sites other than residential shall be noted.
- (4) Each block and lot shall be numbered in accordance with the system of numbers, which will ultimately be the numbers shown on the Township Tax Map.



- (5) Location of all monuments, including greenbelt monuments, conforming with Township's standard design of same.
- (6) Names of owners of adjoining unsubdivided land.
- (7) Certification by a land surveyor licensed in the State of New Jersey as to the accuracy of the details of the plat.
- (8) Certification that the applicant is agent or owner of the land or that the owner has given consent under an option agreement.
- (9) When approval of a plat is required by any officer or body of such municipality, county or state, approval shall be certified on the plat.
- (10) Final construction plans, and profiles and cross sections of all proposed streets showing proposed utility layouts (sanitary sewers, storm drains, water, gas, electric, ~~detention basins~~ stormwater best management practices, etc.) showing connections to existing or proposed utility systems. ~~Cross sections of streets may be required by the Township Engineer.~~
- (11) Final drainage plan.
  - (a) A final drainage plan shall accompany the final plat. Such drainage plan shall show existing and proposed contours as required in § 200-53C, Preliminary plat details, and shall show the same information as required on the preliminary plat, with the addition that the individual lot grading shall be shown as follows: final grades shall be shown for each lot corner, all high and low points and breaks in grade and at the corners of tentative house locations and the center line of the driveway at the right-of-way and center of the garage doors. If it is intended to use drainage swales, the elevation of these swales shall be shown. Easements are required for all cross lot drainage where drainage from one lot crosses over a downslope property either in swales or underground piping.
  - (b) All swales carrying cross-lot drainage shall be constructed in easements that are to be provided for the purpose of cross-lot drainage. The intent is to have all stormwater runoff drain to the street or to drainage swales without crossing the property of an adjacent lot unless there is an easement provided for that purpose.
- (12) A soil erosion control plan and narrative shall accompany the final plat. Such soil erosion control plan shall show the same information as required on the final drainage plan and soil erosion control measures conforming with New Jersey Department of Agriculture, State Soil Conservation Committee "Standards for Soil Erosion and Sediment Control In New Jersey" latest edition Article III, Soil Erosion and Sediment Control, of Chapter 143 of the Code of the Township of West Windsor. The soil

erosion control plan and the final drainage plan may be combined as one plan and shall be submitted to the Mercer County Soil Conservation District for review and approval.

- (13) Proposed gGrading plan. If the proposed individual lot grading plan deviates from the approved subdivision final drainage plan, then an amended subdivision final drainage plan shall be submitted to the Township Engineer for review and approval.
- (14) A copy of the preliminary approval resolution, together with all proposed additions, changes or departures therefrom, if applicable, shall be submitted with the final plat application.
- (15) A landscape plan, prepared by a certified or licensed landscape architect at a minimum scale of one inch equals 50 feet or larger, illustrating the proposed site elements as they relate to existing woodlands, isolated trees greater than five inch caliper, existing topographic contours and any and all existing and proposed landscaping and buffering and the location, berm, height and width of other landscape architectural materials such as berms, fences, walls, site furnishings, bridges and walks. A final landscape plan, signed and sealed by a certified or licensed New Jersey landscape architect, in the form of construction documents and substantially conforming to the approved preliminary landscape plan. The landscape plan shall be prepared upon separate halftone sheets of the engineered site plan with contour lines so that landscape details and grading are clearly shown and may be adequately reviewed. The plan shall include the location and detailed specifications for all landscape architectural improvements, including pavements, structures, fences, decorative elements, and plantings, with construction details. The plan shall include specifications for the irrigation and maintenance of all planting areas. It shall show:
  - (a) Reverse frontage buffers and other important landscape areas at a minimum scale of one inch equals 30 feet or larger.
  - (b) The manner of irrigation of all nonresidential and high density residential sites.
  - (c) The location and identification of all existing street trees and/or all non-street trees 6 inches and greater in diameter at breast height, to be removed and preserved and what methods will be used to assure preservation during and after construction. Prior to any tree removal, the applicant will be required to receive approval of the board of jurisdiction, and a Township Zoning or Tree Removal Permit, including any planting mitigation or applicable additional application fees in accordance with the Township Tree Code (Chapter 170).
  - (d) The existing and proposed topography by the use of one-foot contours for all land forms and berms in coordination with the final grading and drainage plans submitted by the project engineer.

- (e) A planting schedule, including specific plant botanical and common names, sizes (caliper, height, and width), root (B&B or container size), spacing, and comments.
- (16) An aerial photograph from the past two years or the latest aerial orthophotography from the New Jersey Office of GIS with the site boundaries outlined to evaluate the existing vegetation and surrounding land uses.
- (17) A traffic signage plan conforming to the requirements of § 200-91U of Part 3, Subdivision and Site Plan Procedures, of this chapter.
- (18) ~~As-built lot grading plan.~~ The following requirements shall be noted on the final grading plans:
  - (a) As a condition precedent to the issuance of certificates of occupancy, pursuant to the State Uniform Construction Code, an as-built lot grading plan prepared by a land surveyor licensed in the State of New Jersey shall be submitted to the Construction Official and to the Township Engineer, bearing a certification that the lot grading complies with the proposed lot grading plan and the final drainage plan as approved or as amended and approved by the Township Engineer.
  - (b) The as-built plan shall be prepared with contours of one-foot intervals and shall include the building footprint, finished first floor elevation and ground elevations at all lot corners, all building corners, vehicle entrance to a garage (with plan showing a 1-1/2" lip at the garage entrance), drainage swale inverts between adjacent interrupted landscape berms, top of the curb adjacent to the property corners, edge of the Township-owned sidewalk adjacent to property corners and at the center of the driveway, inlet grate elevations (private and Township-owned) and all high points on the lot. The invert and surrounding ground elevation shall be shown for sanitary sewer clean-outs and for sump pump discharge line clean-outs. The plan shall also show the location of the septic system, lateral inverts, D-box outlet inverts and septic tank lid elevations, if applicable. All proposed ground elevations shown on the approved proposed grading plan shall be included on the as-built plan.
- (19) Where warranted, an acoustical evaluation demonstrating future compliance with the regulations established by both the New Jersey Department of Environmental Protection (NJDEP) (N.J.A.C. 7:29 Noise Control) as may be amended and supplemented and the Township of West Windsor (Administrative Code Chapter 113) as may be amended and supplemented shall be completed and submitted by the applicant. At a minimum, such an evaluation shall identify the sources of expected sound to be generated by the proposed development to ensure that there will be no adverse impacts as related to noise. Those locations with a greater potential for

exceedances shall provide anticipated noise levels generated by the proposed development. An acoustical analysis to estimate the anticipated sound levels shall be required and appropriate abatement/mitigation be designed, if necessary.

If requested by the Township of West Windsor, an acoustical evaluation shall be completed and submitted by the applicant that demonstrates the potential impacts of noise on the proposed development from surrounding sources. Those locations with a greater potential for impacts shall provide the anticipated noise levels of the sources of sound expected to impact the proposed development. An acoustical analysis to estimate the anticipated sound levels that may impact the proposed development shall be required and appropriate abatement/mitigation be designed, if necessary.

- (20) Domestic water demand and wastewater generation rate estimates per N.J.A.C. 7:14A-23.3.
- (21) Submittal letters to any and all governmental agencies which may have jurisdiction, if any.
- (22) Where warranted, a Traffic Impact Study (TIS) should be provided to include the study area critical intersection(s) and arterial analyses for three scenarios: Existing Base, Future Year No-Build and Future Year Build. The most recent ITE trip generation manual should be used to calculate the projected traffic demand for the proposed development. The traffic count data NOT older than three (3) years should be used for Base condition analysis. The TIS also should include the list of proposed geometric improvements at the critical study area intersections/arterials due to the addition of the subject development, where applicable.

The TIS shall also include data on truck traffic volume, a truck traffic circulation plan, and the impact of truck traffic movement on the adjacent public roadways originating from the project site, where applicable.

Section 6. In the event of any conflict between the provisions and requirements of this section and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern.

Section 7. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral veto by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Introduction:

Planning Board Approval:

Public Hearing:

Adoption:

Mayor Approval:

Effective Date:

1

**REQUEST FOR COUNCIL ACTION**

Date of Request: 4/10/2025

Initiated By: Samuel J. Surtees Division/Department: Comm. Dev./Land Use

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Introduction and subsequent adoption of an ordinance amending XXXIV Land Use Controls; Section 200-268; RP-9 District Use & Bulk Regulations.

**SOURCE OF FUNDING:** NA

**CONTRACT AMOUNT:** NA

**CONTRACT LENGTH:** NA

**OTHER SUPPORTING INFORMATION ATTACHED:**

Ordinance Summary  
Memorandum from Samuel J. Surtees dated 4/10/2025  
Ordinance  
Location Map

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

  
Department/Division Head

4.10.25

  
Date

**APPROVED FOR AGENDA OF: 4/21/2025 (INTRODUCTION)**

**5/19/2025 (PUBLIC HEARING)**

By: 

Marlena Schmid, Business Administrator

MEETING DATE: 4/21/25 Ordinance # 2625-06 Resolution # \_\_\_\_\_

Council Action Taken:

MULLER & BAILLIE, P.C.

196 Princeton-Hightstown Road  
Bldg. 1, Ste. 13  
West Windsor, New Jersey 08550

Gerald J. Muller, Esq.  
Martina Baillie, Esq.

Telephone: (609) 257-2424  
gmuller@mullerbaillielaw.com

May 8, 2025

**Sent via Electronic Transmission**

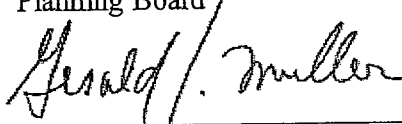
Ms. Allison Sheehan  
West Windsor Township Clerk  
271 Clarksville Road  
Princeton Junction, NJ 08550

Re: Ordinances 2025-03, -04, -06, and -07

Dear Ms. Sheehan:

At its May 7, 2025 meeting, the West Windsor Planning Board voted by a vote of 9-0 to recommend adoption of the above-referenced ordinances and found that they are all consistent with the Master Plan.

Muller & Baillie, P.C.  
Attorneys for West Windsor Township  
Planning Board

A handwritten signature in cursive script, reading "Gerald J. Muller", written over a horizontal line.

By: Gerald J. Muller

cc: Mr. Samuel J. Surtees (via electronic transmission)


# **TOWNSHIP OF WEST WINDSOR**

*Community Development Department*

*Division of Land Use*

**MEMORANDUM**

TO: Marlena Schmid  
Business Administrator

FROM: Samuel J. Surtees   
Manager, Division of Land Use

SUBJECT: RP-9 Zoning Ordinance & Princeton Junction Redevelopment Plan  
Ordinance Amendments (two (2) ordinances)

DATE: April 10, 2025

---

As you are aware, the Planning Board at their April 2, 2025 meeting, adopted amendments to both the Land Use Plan Element of the Master Plan and the Princeton Junction Redevelopment Plan. These amendments were approved to expand permitted use within the RP-9 Zoning District, specifically, to permit commuter parking on two (2) lots owned by West Windsor Township in the RP-9 District. In addition to the commuter parking use, the plan also envisions that shared parking arrangements can be implemented with surrounding business/residential uses. It is anticipated that the district can also be utilized as a gathering event for community functions, including but not limited to food trucks, swap meets, flea markets and art shows.

The ordinances (2) that are attached (RP-9 Land Use Ordinance & Princeton Junction Redevelopment Plan Ordinance) would implement the recommendations made in the amended Land Use Plan Element and Princeton Junction Redevelopment Plan.

Staff would request that both these ordinances be placed on the next Township Council Agenda for introduction.

If you have any questions, please advise.

Thank you.

c: Land Use Element File (RP-9)  
Princeton Junction Redevelopment Plan File (RP-9)  
Mayor H. Marathe

## Allison Sheehan

---

**From:** David Novak <dn@burgis.com>  
**Sent:** Wednesday, May 14, 2025 3:42 PM  
**To:** Allison Sheehan; Sam Surtees  
**Subject:** RE: 'EXTERNAL'RP-9 Documents

**CAUTION:** This email originated from outside the Township. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Allison,

The changes which were recommended by our redevelopment attorney for both ordinances are as follows:

1. For Ordinance 2025-06:
  - a. On 1<sup>st</sup> Page, Item A.(1), third to last line: add "space" after event (so it reads as a gathering event space.)
  - b. On 4<sup>th</sup> Page, Item C, first line: add "for the utilization of the property" after the phrase "with West Windsor Township" (so it reads "...must enter into a lease agreement with West Windsor Township for the utilization of the property prior to any...")
  - c. On 4<sup>th</sup> Page, Item C, last line: change the "of" to "or" (so it reads "any demolition *or* excavation activities.")
2. For Ordinance 2025-07:
  - a. On 1<sup>st</sup> Page, Section A.(1), third to last line: add "space" after event (so it reads as a gathering event space.)
  - b. On 4<sup>th</sup> Page, Item G, first line: add "for the utilization of the property" after the phrase "with West Windsor Township" (so it reads "...must enter into a lease agreement with West Windsor Township for the utilization of the property prior to any...")
  - c. On 4<sup>th</sup> Page, Item C, last line: change the "of" to "or" (so it reads "any demolition *or* excavation activities.")

They're the same changes to both documents essentially.

*David Novak PP, AICP*  
*Associate Principal*  
*Burgis Associates, Inc.*  
*25 Westwood Avenue*  
*Westwood NJ 07675*  
*p: 201.666.1811*  
*f: 201.666.2599*  
*[www.burgis.com](http://www.burgis.com)*



TOWNSHIP OF WEST WINDSOR  
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 2025-06

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 200, LAND USE, PART 5, THE PRINCETON JUNCTION REDEVELOPMENT PLAN REGULATORY PROVISIONS, ARTICLE XXXIV, LAND USE CONTROLS, SECTION 200-268, OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR TO AMEND THE RP-9 PRINCETON JUNCTION REDEVELOPMENT PLAN 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 said Code, Land Use, Part 5, Princeton Junction Redevelopment Plan Regulatory Provisions, Article XXXIV, Land Use Controls, Section 200-268, RP-9 District, is hereby amended as follows. Added text is underlined, and text to be deleted is ~~struck through~~.

§ 200-268 RP-9 District.

A. RP-9 District use regulations.

- (1) Purpose. The intent of the RP-9 District is to convert the ~~existing Regional School Board~~ former bus depot site into an area that will better serve the public, consisting of a commuter parking for the Princeton Junction Train Station adjacent to a public park mirroring the PNC corner park, with on Township land set aside for Wallace Road and Princeton Hightstown Road improvements and pedestrian and bicycle access to a crossing of the rail line at the Princeton Hightstown Road bridge. Furthermore, in order to better promote a more efficient use of land, it is envisioned that a shared parking arrangement be implemented. Finally, it is anticipated that the district can also be utilized as a gathering event space for community functions, including but not limited to food trucks, swap meets, flea markets, and art showings.
- (2) Permitted uses. In an RP-9 District, no building and no 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 one or more of the following uses:
  - (a) Public park uses.
  - (b) Mechanisms intended to screen or enhance the visual attraction of the power station.
  - (c) Off-street public parking.

- (d) Training facilities for public transportation providers.
- (e) Monument signage.
- (f) Street furnishings, planters, street lights, and exterior, garden-type shade structures (gazebos).

(3) Permitted accessory uses.

- (a) Fences and walls, which shall complement the overall project design.
- (b) Accessory uses customarily incidental to permitted principal uses.

B. ~~RP-9 District intensity, bulk and other regulations. No development shall proceed in the district without a redeveloper's agreement with the Township or redevelopment entity.~~ The following shall be the standards for the RP-9 District:

- (a) Minimum tract area: the entirety of the district with the exception of Block 59 Lot 3, which shall be planned and developed in a comprehensive manner as a single integrated entity with one development application showing the proposed development for the entire district.
- (b) Maximum improvement coverage: 90%
- (c) Yards for parking and circulation aisles, as measured from the district boundary line:
  - [1] From Wallace Road: 18 feet.
  - [2] From Princeton-Hightstown Road: 2 feet.
  - [3] From all other district boundary lines: 5 feet.
  - [4] Irrespective of the standards above, improvements shall be permitted to extend into the remaining Old Washington Road right-of-way.
- (d) Landscaping. In addition to the standards set forth in 200-258B., the following landscaping standards shall apply.
  - [1] The developer shall be responsible for providing and constructing at their cost a public park mirroring the PNC corner park on Township land set aside on Wallace Road and Princeton Hightstown Road.

- [2] The public park shall comprise a minimum area of 6,000 square feet.
- [3] At a minimum, the public park shall consist of a shade structure (such as a gazebo), seating area, and at least four picnic tables and chairs or similar appurtenances.
- [4] Street furnishings, such as planters, refuse containers, and decorative thematic lighting, shall be provided.

(e) Monument signage standards. Irrespective of the regulations set forth in Section 200-258D.(4)(d), the following standards shall apply.

- [1] One monument sign shall be permitted.
- [2] The maximum monument sign area shall be 48 square feet.
- [3] The maximum monument sign height shall be six feet above grade.
- [4] The base of the monument sign shall be landscaped with plants that extend a minimum of two feet in all directions.

(f) Shared parking.

- [1] To promote the efficient use of land, shared parking during nighttime and weekend hours on site for those residents residing in the RP-7A District is encouraged.
- [2] Shared parking shall be reserved for such use by deed covenants and/or agreements which subject their control to the Township under conditions approved by the Township attorney. Such conditions may include, but not be limited to, the installation and regulation of lighting and the prevention of glare to abutting property, determination of the location and adequacy of entrances and exits to a street, provision of planting and fencing and operating arrangements.

C. The developer of Lots 1 and 2 must enter into a lease agreement with West Windsor Township for the utilization of the property prior to any development taking place. This shall not exclude any demolition or excavation activities.

Section 2. In the event of any conflict between the provisions and requirements of these sections and the provisions and requirements of any other section of this chapter, the provisions and requirements of this section shall govern. Each section, subsection, sentence, clause and phrase of this article is declared to be an independent section, subsection, sentence, clause and phrase, and the finding of holding of any such portion of this article to be unconstitutional, void or ineffective for any cause or reason shall not affect any other portion of these sections.

Section 3. This Ordinance shall take effect twenty (20) days after action or inaction by the Mayor as approved by law, or an override of a mayoral veto by the Council, whichever is applicable; upon the approval by the County review agency or sixty (60) days from the receipt of the ordinance by the County review agency if the County review agency should fail to act; and upon publication according to law.

INTRODUCTION: April 21, 2025

PLANNING BOARD:

PUBLIC HEARING:

ADOPTION:

MAYORAL APPROVAL:

EFFECTIVE DATE:







**REQUEST FOR COUNCIL ACTION**

Date of Request: 4/10/2025

Initiated By: Samuel J. Surtees Division/Department: Comm. Dev./Land Use

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Introduction and subsequent adoption of an ordinance amending the Princeton Junction Redevelopment Plan by modifying provisions pertaining to the RP-9 Zoning District (Block 59, Lots 1, 2 & 3).

**SOURCE OF FUNDING:** NA

**CONTRACT AMOUNT:** NA

**CONTRACT LENGTH:** NA

**OTHER SUPPORTING INFORMATION ATTACHED:**

Ordinance Summary  
Memorandum from Samuel J. Surtees dated 4/10/2025  
Ordinance  
Location Map

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Department/Division Head

Date

APPROVED FOR AGENDA OF: 4/21/2025 (INTRODUCTION)  
5/19/2025 (PUBLIC HEARING)

By:

Marlena Schmid, Business Administrator

MEETING DATE: 4/21/25 Ordinance # 2025-67 Resolution # \_\_\_\_\_

Council Action Taken:

MULLER & BAILLIE, P.C.

196 Princeton-Hightstown Road  
Bldg. 1, Ste. 13  
West Windsor, New Jersey 08550

Gerald J. Muller, Esq.  
Martina Baillie, Esq.

Telephone: (609) 257-2424  
gmuller@mullerbaillielaw.com

May 8, 2025

**Sent via Electronic Transmission**

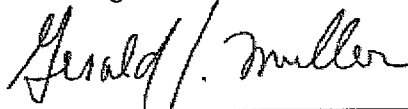
Ms. Allison Sheehan  
West Windsor Township Clerk  
271 Clarksville Road  
Princeton Junction, NJ 08550

Re: Ordinances 2025-03, -04, -06, and -07

Dear Ms. Sheehan:

At its May 7, 2025 meeting, the West Windsor Planning Board voted by a vote of 9-0 to recommend adoption of the above-referenced ordinances and found that they are all consistent with the Master Plan.

Muller & Baillie, P.C.  
Attorneys for West Windsor Township  
Planning Board

A handwritten signature in dark ink, appearing to read "Gerald J. Muller", is written over a horizontal line.

By: Gerald J. Muller

cc: Mr. Samuel J. Surtees (via electronic transmission)


# TOWNSHIP OF WEST WINDSOR

*Community Development Department*

*Division of Land Use*

MEMORANDUM

TO: Marlena Schmid  
Business Administrator

FROM: Samuel J. Surtees   
Manager, Division of Land Use

SUBJECT: RP-9 Zoning Ordinance & Princeton Junction Redevelopment Plan  
Ordinance Amendments (two (2) ordinances)

DATE: April 10, 2025

---

As you are aware, the Planning Board at their April 2, 2025 meeting, adopted amendments to both the Land Use Plan Element of the Master Plan and the Princeton Junction Redevelopment Plan. These amendments were approved to expand permitted use within the RP-9 Zoning District, specifically, to permit commuter parking on two (2) lots owned by West Windsor Township in the RP-9 District. In addition to the commuter parking use, the plan also envisions that shared parking arrangements can be implemented with surrounding business/residential uses. It is anticipated that the district can also be utilized as a gathering event for community functions, including but not limited to food trucks, swap meets, flea markets and art shows.

The ordinances (2) that are attached (RP-9 Land Use Ordinance & Princeton Junction Redevelopment Plan Ordinance) would implement the recommendations made in the amended Land Use Plan Element and Princeton Junction Redevelopment Plan.

Staff would request that both these ordinances be placed on the next Township Council Agenda for introduction.

If you have any questions, please advise.

Thank you.

c: Land Use Element File (RP-9)  
Princeton Junction Redevelopment Plan File (RP-9)  
Mayor H. Marathe



## Allison Sheehan

---

**From:** David Novak <dn@burgis.com>  
**Sent:** Wednesday, May 14, 2025 3:42 PM  
**To:** Allison Sheehan; Sam Surtees  
**Subject:** RE: 'EXTERNAL'RP-9 Documents

**CAUTION:** This email originated from outside the Township. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Allison,

The changes which were recommended by our redevelopment attorney for both ordinances are as follows:

1. For Ordinance 2025-06:
  - a. On 1<sup>st</sup> Page, Item A.(1), third to last line: add "space" after event (so it reads as a gathering event space.)
  - b. On 4<sup>th</sup> Page, Item C, first line: add "for the utilization of the property" after the phrase "with West Windsor Township" (so it reads "...must enter into a lease agreement with West Windsor Township for the utilization of the property prior to any...")
  - c. On 4<sup>th</sup> Page, Item C, last line: change the "of" to "or" (so it reads "any demolition *or* excavation activities.")
2. For Ordinance 2025-07:
  - a. On 1<sup>st</sup> Page, Section A.(1), third to last line: add "space" after event (so it reads as a gathering event space.)
  - b. On 4<sup>th</sup> Page, Item G, first line: add "for the utilization of the property" after the phrase "with West Windsor Township" (so it reads "...must enter into a lease agreement with West Windsor Township for the utilization of the property prior to any...")
  - c. On 4<sup>th</sup> Page, Item C, last line: change the "of" to "or" (so it reads "any demolition *or* excavation activities.")

They're the same changes to both documents essentially.

*David Novak PP, AICP*  
*Associate Principal*  
*Burgis Associates, Inc.*  
*25 Westwood Avenue*  
*Westwood NJ 07675*  
*p: 201.666.1811*  
*f: 201.666.2599*  
*[www.burgis.com](http://www.burgis.com)*

TOWNSHIP OF WEST WINDSOR  
MERCER COUNTY, NEW JERSEY

ORDINANCE NO. 2025-07

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 200, LAND USE, THE PRINCETON JUNCTION REDEVELOPMENT PLAN, OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR BY MODIFYING THE RP-9 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 Township of West Windsor Redevelopment Plan, Executive Summary, Page 11, District 9 Paragraph is hereby amended as follows. Added text is underlined, and text to be deleted is ~~struck through~~.

District 9, a three lot area on Wallace Road consisting of 1.25 areas, is proposed to convert the ~~existing Regional School Board~~ former bus depot site into an area that will better serve the public, consisting of commuter parking for the Princeton Junction Train Station adjacent to a public park mirroring the PNC corner park on Township land set aside for Wallace Road and Princeton Hightstown Road, with land set aside for Wallace Road improvements and pedestrian and bicycle access to a crossing of the rail line at the Princeton Hightstown Road bridge. Furthermore, in order to better promote a more efficient use of land, it is envisioned that a shared parking arrangement be implemented. Finally, it is anticipated that the district can also be utilized as a gathering event space for community functions, including but not limited to food trucks, swap meets, flea markets, and art showings.

Section 2. The Township of West Windsor Redevelopment Plan, Executive Summary, Page 12, Redevelopment Plan Development Summary table, District 9 – Affordable Residential Associated with Other Uses cell, is hereby amended as follows. Added text is underlined, and text to be deleted is ~~struck through~~.

public park/~~ped/bike access~~/commuter parking/shared parking/community events

Section 3. The Township of West Windsor Redevelopment Plan, District Regulations, Page 114, District RP-9, is hereby amended as follows. Added text is underlined, and text to be deleted is ~~struck through~~.

RP-9 District use regulations

- A. Purpose. The intent of the RP-9 District is to convert the ~~existing Regional School Board~~ former bus depot site into an area that will better serve the public, consisting of a commuter parking for the Princeton Junction Train Station adjacent to a public park mirroring the PNC corner park, with on Township land set aside for Wallace Road and Princeton Hightstown Road improvements and

~~pedestrian and bicycle access to a crossing of the rail line at the Princeton-Hightstown Road bridge. Furthermore, in order to better promote a more efficient use of land, it is envisioned that a shared parking arrangement be implemented. Finally, it is anticipated that the district can also be utilized as a gathering event for community functions, including but not limited to food trucks, swap meets, flea markets, and art showings.~~

B. Permitted uses. In an RP-9 District, no building and no 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 one or more of the following uses:

- (1) Public park uses.
- (2) Mechanisms intended to screen or enhance the visual attraction of the power station.
- (3) Off-street public parking.
- (4) Training facilities for public transportation providers.
- (5) Monument signage.
- (6) Street furnishings, planters, street lights, and exterior, garden-type shade structures (gazebos).

C. Permitted accessory uses.

- (1) Fences and walls, which shall complement the overall project design.
- (2) Accessory uses customarily incidental to permitted principal uses.

RP-9 District Intensity, bulk and other regulations

~~No development shall proceed in the district without a redeveloper's agreement with the Township or redevelopment entity.~~ The following shall be the standards for the RP-9 District:

- A. Minimum tract area: the entirety of the district with the exception of Block 59 Lot 3, which shall be planned and developed in a comprehensive manner as a single integrated entity with one development application showing the proposed development for the entire district.
- B. Maximum improvement coverage: 90%
- C. Yards for parking and circulation aisles, as measured from the district boundary line:
  - (1) From Wallace Road: 18 feet.
  - (2) From Princeton-Hightstown Road: 2 feet.

- (3) From all other district boundary lines: 5 feet.
- (4) Irrespective of the standards above, improvements shall be permitted to extend into the remaining Old Washington Road right-of-way.

D. Landscaping. In addition to the standards set forth in 200-258B., the following landscaping standards shall apply.

- (1) The developer shall be responsible for providing and constructing at their cost a public park mirroring the PNC corner park on Township land set aside on Wallace Road and Princeton Hightstown Road.
- (2) The public park shall comprise a minimum area of 6,000 square feet.
- (3) At a minimum, the public park shall consist of a shade structure (such as a gazebo), seating area, and at least four picnic tables and chairs or similar appurtenances.
- (4) Street furnishings, such as planters, refuse containers, and decorative thematic lighting, shall be provided.

E. Monument signage standards. Irrespective of the regulations set forth in Section 200-258D.(4)(d), the following standards shall apply.

- (1) One monument sign shall be permitted.
- (2) The maximum monument sign area shall be 48 square feet.
- (3) The maximum monument sign height shall be six feet above grade.
- (4) The base of the monument sign shall be landscaped with plants that extend a minimum of two feet in all directions.

F. Shared parking.

- (1) To promote the efficient use of land, shared parking during nighttime and weekend hours on site for those residents residing in the RP-7A District is encouraged.
- (2) Shared parking shall be reserved for such use by deed covenants and/or agreements which subject their control to the Township under conditions approved by the Township attorney. Such conditions may include, but not be limited to, the installation and regulation of lighting and the prevention of glare to abutting property, determination of the location and adequacy of entrances and exits to a street, provision of planting and fencing and operating arrangements.

- G. The developer of Lots 1 and 2 must enter into a lease agreement with West Windsor Township for the utilization of the property prior to any development taking place. This shall not exclude any demolition or excavation activities.

Section 4. In the event of any conflict between the provisions and requirements of these sections and the provisions and requirements of any other section of this redevelopment plan, the provisions and requirements of this section shall govern. Each section, subsection, sentence, clause and phrase of this article is declared to be an independent section, subsection, sentence, clause and phrase, and the finding of holding of any such portion of this article to be unconstitutional, void or ineffective for any cause or reason shall not affect any other portion of these sections.

Section 5. This Ordinance shall take effect twenty (20) days after action or inaction by the Mayor as approved by law, or an override of a mayoral veto by the Council, whichever is applicable; upon the approval by the County review agency or sixty (60) days from the receipt of the ordinance by the County review agency if the County review agency should fail to act; and upon publication according to law.

INTRODUCTION: April 21, 2025

PLANNING BOARD:

PUBLIC HEARING:

ADOPTION:

MAYORAL APPROVAL:

EFFECTIVE DATE:





RP-9  
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OF DISTRICT

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**REQUEST FOR COUNCIL ACTION**

**Date of Request:** May 5, 2025

**Initiated By:** Hemant Marathe

**Division/Department:** Mayor and Administration

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Approval of a resolution authorizing the reappointment of Jason E. Harris as Construction Official in accordance with the provisions of N.J.S.A. 52:27D-126 and granting tenure effective June 1, 2025.

**SOURCE OF FUNDING:**

**CONTRACT AMOUNT:**

**CONTRACT LENGTH:** granting tenure

**OTHER SUPPORTING INFORMATION ATTACHED:**

N.J.S.A. 52:27D-126

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Kerry Gibilir 5-13-25  
Department/Division Head Date

**APPROVED FOR AGENDA OF:**

By: Marlene Q. Schmid 05/14/2025  
Marlene Schmid, Business Administrator

**MEETING DATE:** 5/19/25 **Ordinance #** \_\_\_\_\_ **Resolution #** 2025-R120

**Council Action Taken:**

RESOLUTION

WHEREAS, the New Jersey Uniform Construction Code requires a municipality appoint a Construction Official pursuant to N.J.S.A. 52:27D-126; and

WHEREAS, Jason E. Harris was appointed Construction Official for the Township of West Windsor by Resolution 2021-R093 for a four-year term on June 1, 2021 through May 31, 2025; and

WHEREAS, Jason E. Harris possess the necessary licenses, education, experience and qualifications to continue serving as Construction Official for the Township of West Windsor as required by N.J.A.C. 5:23-5; and

WHEREAS, the Mayor, Hemant Marathe, and Business Administrator, Marlena A. Schmid, recommend Jason E. Harris be reappointed Construction Official for the Township of West Windsor effective June 1, 2025 and is granted tenure per N.J.S.A. 52:27D-126.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, County of Mercer, and State of New Jersey, that Jason E. Harris be and is hereby reappointed as Construction Official for the Township of West Windsor pursuant to the provisions of N.J.S.A. 52:27D-126 and is granted tenure effective June 1, 2025.

Adopted: May 19, 2025

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township



**REQUEST FOR COUNCIL ACTION**

Date of Request: May 7, 2025

Initiated By: Samuel J. Surtees Division/Department: Comm. Dev./Land Use

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Request Township Council authorization for refund of a \$35.00 payment for a Zoning Permit that was withdrawn by the applicant.

**SOURCE OF FUNDING:** NA

**CONTRACT AMOUNT:** NA

**CONTRACT LENGTH:** NA

**OTHER SUPPORTING INFORMATION ATTACHED:**

Resolution  
Zoning Permit Application  
Request Letter

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Department/Division Head

Date

APPROVED FOR AGENDA OF: May 19, 2025

By: Marlena Schmid  
Marlena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R121

Council Action Taken:

RESOLUTION

WHEREAS, the Manager of the Division of Land Use, Samuel J. Surtees, has verified the following applicant has applied for, and submitted payment for a Zoning Permit which was withdrawn; and

WHEREAS, the Manager of the Division of Land Use is requesting this payment be refunded.

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

<u>Applicant</u>	<u>Refund</u>
Mr. Maneck Kotwal 125 TunicFlower Lane Princeton, NJ 08550 Check # 1741	\$35.00

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

**REQUEST FOR COUNCIL ACTION**

**Date of Request:** April 30, 2025

**Initiated By:** Kerry Giblin/ Robert Garofalo  
**Division/Department:** Administration/ Police Division

**ACTION REQUESTED/ EXECUTIVE SUMMARY:** Approval of a resolution authorizing the Mayor and Township Clerk to execute the revised use Hold Harmless Agreement (SSA) with Hamilton Township. Previously approved Resolution 2025-R98.

Please see attached memo provide by Hamilton Township.  
Hamilton provided an incorrect version for signature.

**SOURCE OF FUNDING:**

**CONTRACT AMOUNT:**

**CONTRACT LENGTH:**

**OTHER SUPPORTING INFORMATION ATTACHED:**

- Memo from Hamilton Township
- Revised Hold Harmless agreement
- Resolution 2025-R98

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Kerry Giblin 5-6-25  
Department/Division Head Date

**APPROVED FOR AGENDA OF:**

By: Marlena A. Schmid 05/14/2025  
Marlena Schmid, Business Administrator

**MEETING DATE:** 5/19/25 **Ordinance #** \_\_\_\_\_ **Resolution #** 2025-R122

**Council Action Taken:**

RESOLUTION

WHEREAS, the Township of West Windsor Police Division needs to utilize a police firearms qualifying range ("range"); and

WHEREAS, the Township of Hamilton is the owner of a police firearms qualifying range ("range"); and

WHEREAS, Township Council of the Township of West Windsor approved Resolution 2025-R098 authorizing the execution of the Use and Hold Harmless Agreement; and

WHEREAS, the Township of West Windsor received a Revised Use and Hold Harmless Agreement from the Township of Hamilton; and

WHEREAS, the Township of Hamilton requests the Township of West Windsor execute the Revised Use and Hold Harmless Agreement; and

WHEREAS, the Township of Hamilton has agreed to permit the Township of West Windsor's Police Division to use the range for the purpose of certain in-service firearms qualification, consistent with the terms and conditions set forth in the Revised Use and Hold Harmless Agreement, and expressly subject to any and all rules and guidelines that may be posted at the range and/or provided by the Hamilton Township Police Division ("HTPD").

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

1. The Township of West Windsor agrees to enter a Revised Use and Hold Harmless Agreement with the Township of Hamilton; and
2. The Mayor and Township Clerk are hereby authorized to execute the Revised Use and Hold Harmless Agreement on behalf of the Township of West Windsor.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

**REQUEST FOR COUNCIL ACTION**

Date of Request: May 6, 2025

Initiated By: Francis Guzik Division/Department: Comm. Dev./Engineering

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Adoption of a Resolution granting reservation of sewer capacity for the proposed expansion of the Caspersen Rowing Center project (PB19-19) located at Block 25, Lots 7 & 10. The improvements are estimated to generate an increase of 3,915 gallons per day (gpd) of wastewater flow from the site upon construction and occupation of the project.

SOURCE OF FUNDING: N/A

CONTRACT AMOUNT: N/A

CONTRACT LENGTH: N/A

**OTHER SUPPORTING INFORMATION ATTACHED:**

Resolution  
Engineer's Memorandum  
Request Letter  
Map

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Department/Division Head

Francis Guzik 5/7/25  
Date

APPROVED FOR AGENDA OF: May 16, 2025

By:

Marlena Schmid 05/14/2025  
Marlena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R123

Council Action Taken:

RESOLUTION

WHEREAS, Pennoni Engineering has submitted a request for a reservation of sewer capacity in the public sewer system for proposed expansion of the Caspersen Rowing Center project (PB19-19) located at Block 25, Lots 7 & 10; and

WHEREAS, the request for reservation is for expansion of their locker rooms and training facilities, which is estimated to generate 3,915 gallons per day (gpd) of wastewater flow upon construction and occupation of the project; and

WHEREAS, the proposed flow requires reservation of capacity from Township Council and approval from Stony Brook Regional Sewerage Authority (SBRSA); and

WHEREAS, the Township Engineer has certified that there is sufficient capacity being provided in the existing downstream sanitary sewer system to accommodate the proposed increase in average daily flow of 3,915 gpd of wastewater that is estimated to be generated by the proposed improvements upon their completion.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that a reservation of sewer capacity in the amount of 3,915 gallons per day, is hereby granted for the proposed expansion of the Caspersen Rowing Center project (PB19-19).

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

BE IT FURTHER RESOLVED that the Township Engineer be and hereby is authorized to execute the endorsement of the application to SBRSA, as may be required to implement this Resolution, upon submission of final design/construction plans and specifications acceptable to the Township Engineer.

Adopted: May 19, 2025

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 19th day of May 2025.

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Allison D. Sheehan  
Township Clerk  
Township of West Windsor

**Council Action Taken:**

## RESOLUTION

- WHEREAS, on October 13, 2021 the West Windsor Township Planning Board memorialized a preliminary and final site plan approval for an application known as Princeton Junction Train Station Redevelopment (PB20-15); and
- WHEREAS, as part of the Resolution of Memorialization, the Developer, AvalonBay Communities, Inc. located at 90 Woodbridge Center Drive, Suite 600, Woodbridge, NJ 07095 entered into a First Amendment to Settlement and Redeveloper's Agreement with the Township setting forth various responsibilities of the Developer, including establishment of assessments for off-tract road improvement obligations and the construction of improvements to Washington Road (County Route 526/571); and
- WHEREAS, the Agreement setting forth such responsibilities was approved on August 22, 2022; and
- WHEREAS, the Developer has made substantial progress towards completion of the roadway improvements to Washington Road; and
- WHEREAS, the Township Engineer has issued a second finding that the Developer has expended an additional \$1,125,434.00 towards the construction of the Washington Road roadway improvements, which are subject to final adjustments upon completion of all work and final verification of all costs; and
- WHEREAS, the Township Engineer recommends the second reimbursement of funds to the Developer be made in the amount of \$1,125,434.00; and
- WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said payment are available in the following account:

<u>Account#</u>	<u>Account Title</u>	<u>Amount</u>
405 2024 20 001	Washington Road Realignment Improvements	\$1,125,434.00

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that John V. Mauder, the Treasurer, is hereby authorized and directed to release to the Developer partial reimbursement of the off-tract roadway improvement expenditures in the amount of \$1,125,434.00

ADOPTED: May 19, 2025

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 19th day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township



## REQUEST FOR COUNCIL ACTION

Date of Request: May 6, 2025

Initiated By: John Taylor Division/Department: Engineering/Comm. Dev.

### ACTION REQUESTED/ EXECUTIVE SUMMARY:

Adoption of a resolution authorizing execution of a professional services agreement with Roberts Engineering Group to provide professional engineering construction administration and inspection services for the New Edinburg Road Resurfacing Project. West Windsor Township solicited and received five (5) responsive proposals from engineering firms for this work. Roberts Engineering Group provided the most responsible and qualified fee proposal. The Township Engineer is recommending a contract be awarded to Roberts Engineering Group.

### SOURCE OF FUNDING:

<u>Roadway Improvements</u>	<u>405-2022-08 014</u>	<u>\$32,600.00</u>
Account Title	Account Number	Amount

CONTRACT AMOUNT: \$32,600.00

CONTRACT LENGTH: Duration of construction project

### OTHER SUPPORTING INFORMATION ATTACHED:

Resolution	Affirmative Action Contract	Proposal – Exhibit A
Political Contribution Disclosure	Certification of Funds	Business Entity Disclosure
Professional Services Agreement	Stockholder Disclosure	Engineers Memorandum
Business Registration Certification	Affidavit of Compliance	Certificate of Information Report
Project Location Map		

### COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Frank Goff 5/7/2025  
Department/Division Head Date

APPROVED FOR AGENDA OF: May 19, 2025

By: Marlene Schmid 05/14/2025  
Marlene Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R125

Council Action Taken:

## RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire professional Engineering construction administration and inspection services; and

WHEREAS, Roberts Engineering Group has submitted a proposal dated April 15, 2025 indicating they will provide professional Engineering construction administration and inspection services for the New Edinburg Road Resurfacing Project for \$32,600.00; and

WHEREAS, the Township wishes to enter into an Professional Services Agreement with Roberts Engineering Group for the aforesaid services for an amount not to exceed \$32,600.00; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds are available in the following account:

Roadway Improvements	405-2022-08 014	\$32,600.00
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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 Roberts Engineering Group, with performance period concurrent with the construction project from the date of project initiation for professional Engineering construction administration and inspection services, for an amount not to exceed \$32,600.00.
- (2) The Agreement so authorized shall require the Provider to provide professional Engineering construction administration and inspection services pursuant to its proposal dated April 15, 2025. 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 Agreement between the Township and Roberts Engineering Group and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: May 19, 2025

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

## REQUEST FOR COUNCIL ACTION

Date of Request: May 5, 2025

Initiated By: John Taylor Department of Comm. Dev./Engineering

### ACTION REQUESTED/EXECUTIVE SUMMARY:

Adoption of a resolution authorizing the awarding of a contract for the New Edinburg Road Resurfacing Project to Kyle Conti Construction of Hillsborough, New Jersey. The work under this contract includes but is not limited to, milling, paving, striping, and removal and replacement of concrete sidewalk. A New Jersey Department of Transportation grant in the amount of \$362,410.00 has been awarded for this project. Nine (9) bids were received for this project and it is recommended that this contract be awarded to the lowest responsible and responsive bidder, Kyle Conti Construction of Hillsborough, New Jersey. The Engineer is recommending award of this project as noted.

### SOURCE OF FUNDING:

DOT Grant-New Edinburg Resurfacing II	405-2023-09 018	\$ 362,410.00
Roadway Improvements	405-2021-14 012	\$ 480,061.00
Roadway Improvements	405-2022-08 014	\$ 223,130.00
Account Title	Account Number	Amount

**CONTRACT AMOUNT:** \$1,065,601.00

**CONTRACT LENGTH:** Sixty (60) calendar days from Notice to Proceed

### OTHER SUPPORTING INFORMATION ATTACHED:

Resolution	Public Works Registration
Engineer's Memorandum	Affirmative Action Contract
Certification of Funds	Business Registration Certification
Agreement	Certificate of Employee Information Report
Affidavit of Compliance	Map

### COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

\_\_\_\_\_  
Department/Division Head      5/7/25      Date

APPROVED FOR AGENDA OF: May 19, 2025

By: Marlena Schmid      05/14/2025  
Marlena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R126

Council Action Taken:

## RESOLUTION

WHEREAS, the Township of West Windsor has determined the need to repair and reconstruct portions of New Edinburg Road from Woodmere Way to Village Road; and

WHEREAS, said contract was put out to public bid and the following bids were received and opened on Friday, May 2, 2025; and

WHEREAS, the Township has received nine (9) bids from the following bidders:

<u>No.</u>	<u>Contractor</u>	<u>Price</u>
1	Kyle Conti Construction	\$1,065,601.00
2	Top Line Construction Corp.	\$1,069,641.73
3	MECO	\$1,110,328.40
4	Earle Asphalt	\$1,205,113.13
5	Black Rock Enterprises	\$1,366,542.30
6	Crossroads Paving	\$1,387,586.00
7	Gres Paving	\$1,474,630.12
8	S&G Paving	\$1,486,195.44
9	S. Brothers Paving	\$1,648,124.00

WHEREAS, the Township Engineering staff have reviewed the bids and have determined that Kyle Conti Construction submitted the lowest responsible and responsive bid; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds for said contract are available in the following accounts:

DOT Grant-New Edinburg Resurfacing II	405-2023-09 018	\$362,410.00
Roadway Improvements	405-2021-14 012	\$480,061.00
<u>Roadway Improvements</u>	<u>405-2022-08 014</u>	<u>\$223,130.00</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 New Edinburg Road Resurfacing Project be awarded to Kyle Conti Construction, 749 Clawson Avenue, Hillsborough, New Jersey 08844, and the Mayor and Clerk are authorized to execute said contract.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May, 2025.

\_\_\_\_\_  
Allison D. Sheehan  
Township Clerk  
West Windsor Township

## REQUEST FOR COUNCIL ACTION

Date of Request: May 6, 2025

Initiated By: Francis Guzik Division/Department: Comm. Dev./Engineering

### ACTION REQUESTED/ EXECUTIVE SUMMARY:

Adoption of a resolution authorizing execution of a professional services agreement with Arora and Associates to provide professional engineering services for the investigation and evaluation of sight distance issues for two study intersections located in West Windsor Township. The project is proposed to address numerous complaints received from residents regarding unsafe driving conditions due to limited sight distance at Wallace Road and Alexander Road and Old Trenton Road and Bear Creek Blvd intersections. The Township Engineer is recommending a contract be awarded to Arora and Associates.

### SOURCE OF FUNDING:

Roadway Improvements	405 2022 08 014	\$10,500.00
Account Title	Account Number	Amount

CONTRACT AMOUNT: \$10,500.00

CONTRACT LENGTH: 30 days upon commencement

### OTHER SUPPORTING INFORMATION ATTACHED:

Resolution	Affirmative Action Contract	Proposal – Exhibit A
Political Contribution Disclosure	Certification of Funds	Business Entity Disclosure
Professional Services Agreement	Stockholder Disclosure	Engineer's Memorandum
Business Registration Certification	Affidavit of Compliance	Certificate of Information Report
Project Location Map		

### COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Department/Division Head

Date

APPROVED FOR AGENDA OF: May 19, 2025

By:

Marlena Schmid  
Marlena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R127

Council Action Taken:

## RESOLUTION

- WHEREAS, the Township of West Windsor has a need to acquire professional engineering survey and design services; and
- WHEREAS, Arora and Associates, has submitted a proposal dated March 7, 2025 to provide professional engineering survey and design services to study and assess sight distance issues at Wallace Road and Alexander Road and Old Trenton Road and Bear Creek Blvd. intersections located in West Windsor Township for \$10,500.00; and
- WHEREAS, the Township wishes to enter into a Professional Services Agreement with Arora and Associates, for the aforesaid services for an amount not to exceed \$10,500.00; and
- WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds are available in the following line item appropriation account:

<u>Roadway Improvements</u>	<u>405 2022 08 014</u>	<u>\$10,500.00</u>
Account Title	Account Number	Amount

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 Arora and Associates, to cover the period May 19, 2025, through the completion of the project, for an amount not to exceed \$10,500.00.
- (2) The Agreement so authorized shall require the Provider to provide professional engineering survey and design services, pursuant to its proposal dated March 7, 2025. 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 Agreement between the Township and Arora and Associates and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

## REQUEST FOR COUNCIL ACTION

Date of Request: April 28, 2025

Initiated By: Brian E. Aronson Division/Department: Buildings & Grounds/Admin.

### ACTION REQUESTED/ EXECUTIVE SUMMARY:

Adoption of a resolution authorizing Amendment No. 1 to the Professional Services Agreement with the Spiezle Architectural Group, Inc. to provide professional architectural services associated with the roof replacement at the West Windsor Arts Center facility. The agreement is being amended to increase the contract total to cover additional public bidding packages that were over and above the amount in the original contract. The Township Facilities Maintenance Manager is recommending a contract amendment be awarded to the Spiezle Architectural Group, Inc. of Hamilton, NJ

### SOURCE OF FUNDING:

#### Original Contract:

<i>Arts Council Building - General Improvements</i>	<i>405-2018-15-005</i>	<i>\$1,042.35</i>
<i>Arts Council Building - General Improvements</i>	<i>405-2019-18-006</i>	<i>\$5,040.00</i>
<i>Arts Council Building - General Improvements</i>	<i>405-2020-14-006</i>	<i>\$3,817.65</i>
<i>Account Title</i>	<i>Account Number</i>	<i>Amount</i>

#### Contract Amendment No. 1:

<u>Arts Council Building - General Improvements</u>	<u>405-2024-18 006</u>	<u>\$1,623.68</u>
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### CONTRACT AMOUNT:


<u>Original Contract Amount:</u>	<u>\$9,900.00</u>
<u>Contract Amendment No. 1:</u>	<u>\$1,623.68</u>
<u>Final Contract Amount:</u>	<u>\$11,523.68</u>

CONTRACT LENGTH: N/A

### OTHER SUPPORTING INFORMATION ATTACHED:

Resolution	Certification of Funds
Amendment to Agreement for Professional Services	Resolution 2024-R127
Spiezle Letter of Proposal (Exhibit A)	

### COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

	<u>5-6-25</u>
Department/Division Head	Date

APPROVED FOR AGENDA OF: May 19, 2025

By:  5/14/2025  
Marlena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R128

Council Action Taken:

## RESOLUTION

WHEREAS, on May 28, 2024, the Township Council approved Resolution 2024-R127 authorizing a Professional Services Agreement with the Spiezle Architectural Group, Inc. of Hamilton, NJ in the amount of \$9,900.00 for professional architectural services in conjunction with the West Windsor Arts Center Roof Replacement Project; and

WHEREAS, the Township wishes to amend the Professional Services Agreement with the Spiezle Architectural Group, Inc. for additional public bidding packages that were over and above the amount in the original contract; and

WHEREAS, the total revised contract for the Spiezle Architectural Group, Inc. for professional architectural services will not exceed \$11,523.68; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds are available in the following account:

Arts Council Building - General Improvements	405-2024-18 006	\$1,623.68
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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, Amendment #1 to the Professional Services Agreement with the Spiezle Architectural Group, Inc. of Hamilton, NJ, for an amount not to exceed \$11,523.68.
- (2) The Agreement is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law.
- (3) All other terms and conditions of the Agreement with the Spiezle Architectural Group, Inc. dated May 28, 2024, remain in full force and effect.
- (4) An executed copy of the Agreement between the Township and the Spiezle Architectural Group, Inc. and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township



## REQUEST FOR COUNCIL ACTION

Date of Request: April 28, 2025

Initiated By: Brian E. Aronson Division/Department: Buildings & Grounds/Admin.

### ACTION REQUESTED/ EXECUTIVE SUMMARY:

Adoption of a resolution authorizing Amendment No. 1 to the Professional Services Agreement with the Spiezle Architectural Group, Inc. to provide professional architectural services associated with the mobility lift replacement at the West Windsor Arts Center facility. The agreement is being amended to increase the contract total to cover additional public bidding packages that were over and above the amount in the original contract. The Township Facilities Maintenance Manager is recommending a contract amendment be awarded to the Spiezle Architectural Group, Inc. of Hamilton, NJ

### SOURCE OF FUNDING:

#### Original Contract:

<u>Arts Council Building - General Improvements</u>	<u>405-2018-15-005</u>	<u>\$6,200.00</u>
<u>Account Title</u>	<u>Account Number</u>	<u>Amount</u>

#### Contract Amendment No. 1:

<u>Arts Council Building - General Improvements</u>	<u>405-2024-18 006</u>	<u>\$881.03</u>
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### CONTRACT AMOUNT:

<u>Original Contract Amount:</u>	<u>\$6,200.00</u>
<u>Contract Amendment No. 1:</u>	<u>\$881.03</u>
<u>Final Contract Amount:</u>	<u>\$7,081.03</u>

CONTRACT LENGTH: N/A

### OTHER SUPPORTING INFORMATION ATTACHED:

Resolution	Certification of Funds
Amendment to Agreement for Professional Services	Resolution 2024-R079
Spiezle Letter of Proposal (Exhibit A)	

### COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

Brian Aronson 5-6-2025  
Department/Division Head Date

APPROVED FOR AGENDA OF: May 19, 2025

By: Marlena Schmid 05/14/2025  
Marlena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R129

Council Action Taken:

## RESOLUTION

WHEREAS, on March 4, 2024, the Township Council approved Resolution 2024-R079 authorizing a Professional Services Agreement with the Spiezle Architectural Group, Inc. of Hamilton, NJ in the amount of \$400.00 dollars for reimbursable costs in conjunction with the West Windsor Arts Center Mobility Lift Replacement Project; and

WHEREAS, the Township wishes to amend the Professional Services Agreement with the Spiezle Architectural Group, Inc. for additional public bidding packages that were over and above the amount in the original contract; and

WHEREAS, the total revised contract for the Spiezle Architectural Group, Inc. for professional architectural services will not exceed \$7,081.03; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds are available in the following account:

<u>Arts Council Building - General Improvements</u>	<u>405-2024-18 006</u>	<u>\$881.03</u>
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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, Amendment #1 to the Professional Services Agreement with the Spiezle Architectural Group, Inc. of Hamilton, NJ, for an amount not to exceed \$7,081.03.
- (2) The Agreement is awarded without competitive bidding as a Professional Service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law.
- (3) All other terms and conditions of the Agreement with the Spiezle Architectural Group, Inc. dated March 4, 2024, remain in full force and effect.
- (4) An executed copy Amendment #1 to the Professional Services Agreement between the Township and the Spiezle Architectural Group, Inc. and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

## REQUEST FOR COUNCIL ACTION

Date of Request: April 28, 2025

Initiated By: Brian E. Aronson Division/Department: Buildings & Grounds/Admin.

### ACTION REQUESTED/ EXECUTIVE SUMMARY:

Resolution authorizing the Township of West Windsor to enter into a contract with SHI International Corporation to procure Duo Multi-factor Authentication (MFA) software renewals as an Authorized Vendor of Computer Equipment & Peripherals (2024-2026) under the New Jersey Cooperative Purchasing Alliance Contract CK04, Subcontract 24-38 with the County of Bergen.

### SOURCE OF FUNDING:

Electronic Fund Fees	121240	\$17,372.00
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CONTRACT AMOUNT: Increase of \$17,372.00

CONTRACT LENGTH: N/A

### OTHER SUPPORTING INFORMATION ATTACHED:

Resolution  
SHI Quote  
Certification of Funds  
County of Bergen Contract BC-BID- 24-26 Related Documents

### COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW

<u>Brian Aronson</u>	<u>4-28-2025</u>
Department/Division Head	Date

APPROVED FOR AGENDA OF: May 19, 2025

By: <u>Marlena A Schmid</u>	<u>05/14/2025</u>
Marlena Schmid, Business Administrator	

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R130

Council Action Taken:

## 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, the Township needs to purchase annual licensing renewals of Duo Multi-Factor Authentication (MFA) software from SHI International Corp. as an Authorized Vendor of Computer Equipment & Peripherals (2024-2026) under the New Jersey Cooperative Purchasing Alliance Contract CK04, Subcontract 24-38 with the County of Bergen in the amount of \$17,372.00; and
- WHEREAS, as of May 19, 2025 the Township's total aggregate spending with SHI International Corp. as an Authorized Vendor of Computer Equipment & Peripherals (2024-2026) under the New Jersey Cooperative Purchasing Alliance Contract CK04, Subcontract 24-38 with the County of Bergen was as follows:

Purchase Order No.	63166	\$ 9,073.16
Purchase Order No.	63470	\$ 10,720.46
Resolution No.	2025-R077	\$ 16,149.18
Resolution No.	2025-R086	\$ 112,933.61
Resolution No.	2025-R087	\$ 14,000.00
Resolution No.	2025-R112	\$ 34,994.26
		\$ 197,870.67

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

Electronic Fund Fees	121240	\$17,372.00
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NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Business Administrator Marlena A. Schmid is hereby authorized to purchase the above from SHI International Corp. as an Authorized Vendor of Computer Equipment & Peripherals (2024-2026) under the New Jersey Cooperative Purchasing Alliance Contract CK04, Subcontract 24-38 with the County of Bergen for a total not to exceed of \$215,242.67.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19<sup>th</sup> day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

**REQUEST FOR COUNCIL ACTION**

**Date of Request:** May 7, 2025

**Initiated By:** Brian E. Aronson **Division/Department:** Buildings & Grounds/Admin.

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Adoption of a resolution authorizing the rejection of bids for the project known as Senior Center Gazebo Replacement, due to bids received exceeding current capital funding allocations and there being insufficient funds to proceed with an award.

**SOURCE OF FUNDING:** N/A

**CONTRACT AMOUNT:** N/A

**CONTRACT LENGTH:** N/A

**OTHER SUPPORTING INFORMATION ATTACHED:**

Resolution

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Brian Aronson 5-7-2025  
Department/Division Head Date

**APPROVED FOR AGENDA OF: May 19, 2025**

By: Marlena Schmid 05/14/2025  
Marlena Schmid, Business Administrator

**MEETING DATE:** 5/19/25 **Ordinance #** \_\_\_\_\_ **Resolution #** 2025-R131

**Council Action Taken:**

RESOLUTION

WHEREAS, the Township of West Windsor opened and read bids on Thursday, April 24, 2025 for a project known as Senior Center Gazebo Replacement; and

WHEREAS, all three (3) bidders submitted bids that exceeded current capital funding allocations for this project; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that all bids for the project known as Senior Center Gazebo Replacement are hereby rejected.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19th day of May 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

**REQUEST FOR COUNCIL ACTION**

Date of Request: May 2, 2025

Initiated By: Ronnie Quacquarini Division/Department: Recreation and Parks

**ACTION REQUESTED/EXECUTIVE SUMMARY:**

Approval of a resolution authorizing the Mayor and Clerk to execute (4) Facility Use Rental Agreements for use of the West Windsor WaterWorks Family Aquatic Center for two (2) swim teams and two (2) summer camps.

The agreements are between the Township and

1. Princeton Tigers Swimming
2. Hamilton Aquatics
3. Cranbury Township Recreation Camp
4. Robbinsville Township Recreation Camp

**SOURCE OF FUNDING:**

<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
Account Title	Account Number	Amount

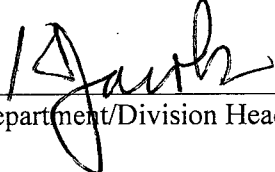
**CONTRACT AMOUNT:**      Various

**CONTRACT LENGTH:**      Various


**OTHER SUPPORTING INFORMATION ATTACHED:**

Four (4) Facility Use Agreements  
Resolution

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

	<u>5/5/25</u>
Department/Division Head	Date

APPROVED FOR AGENDA OF: May 19, 2025

By:  05/14/2025  
Marlena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R132

**Council Action Taken:**

RESOLUTION

WHEREAS, the Township has negotiated Facility Use Rental Agreements (Agreement) for Swim Team use of the lap pool for practice at Water Works by: (1) Princeton Tigers Swim Team and (2) Hamilton Aquatic Club; and

WHEREAS, the Township has negotiated Facility Use Rental Agreements (Agreement) for facility use for open swim at Water Works by: (1) Cranbury Township Recreation Camp and (2) Robbinsville Township Recreation Camp; and

WHEREAS, these Agreements allow swim team and summer recreation camp groups use of the facility for swim practices and open swim time slots during hours when the pool facility is closed to pool members and non-members.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, the Mayor and Clerk are authorized to execute the Agreements contingent upon the Authorized Representative executing their Agreement, including all attachments (Additional Rules and Waiver of Liability) and upon receipt of a check for the non-refundable rental payment.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19<sup>th</sup> day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township



**REQUEST FOR COUNCIL ACTION**

Date of Request: April 30, 2025

Initiated By: Samuel J. Surtees Division/Department: Comm. Dev./Land Use

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

Request Township Council authorization for the Mayor and Township Clerk to execute a Developer's Agreement between West Windsor Township and Benjamin Zaitz (PB19-13 2<sup>nd</sup> Amendment; Block 33, Lot 1.02) pursuant to Township Planning Board condition of approval (Resolution of Memorialization) dated February 19, 2025.

**SOURCE OF FUNDING:** NA

**CONTRACT AMOUNT:** NA

**CONTRACT LENGTH:** NA

**OTHER SUPPORTING INFORMATION ATTACHED:**

Location Map  
Resolution  
Developer's Agreement (4 originals)  
Resolution of Memorialization (PB19-13 2<sup>nd</sup> Amendment)  
Email from Martina Baillie

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

  
Department/Division Head

5.13.25 Samuel J. Surtees 5/13/25  
Date

APPROVED FOR AGENDA OF: May 19, 2025

By: Mardena Schmid 05/14/2025  
Mardena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R133

Council Action Taken:

RESOLUTION

WHEREAS, on February 19, 2025, the West Windsor Township Planning Board approved the application (PB19-13 2<sup>nd</sup> Amendment) Bear Creek Senior Living for amended final major site plan for a 220-unit senior apartment complex on 13.37 acres; and

WHEREAS, a condition of approval is the execution by the Developer of a Developer's Agreement with the Township, as prepared by the Planning Board's counsel; and

WHEREAS, the Developer's Agreement appended hereto has been prepared and executed; and

WHEREAS, the Developer's Agreement accurately reflects the conditions stated in the attached Resolution of Memorialization; and

WHEREAS, it would be in the best interest of the Township to execute the Developer's Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor on this 19th day of May, 2025 that the Mayor and Township Clerk are hereby authorized and directed to execute a Developer's Agreement in the form attached hereto.

ADOPTED: May 19, 2025

I hereby certify this is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 19<sup>th</sup> day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

A RESOLUTION ESTABLISHING AND ADOPTING A  
COMPLETE AND GREEN STREETS POLICY

- WHEREAS, safe, convenient, accessible, equitable, healthy, and environmentally and economically beneficial transportation for all users is a priority of West Windsor Township; and
- WHEREAS, West Windsor's goal is to prevent traffic accidents and fatalities; and
- WHEREAS, in July of 2010, West Windsor Township resolved that all public street projects undertaken by the Township shall be designed and constructed as Complete Streets whenever feasible to do so; and
- WHEREAS, significant accomplishments have been achieved by incorporating pedestrian safety and traffic calming measures for new, reconstructed and existing streets, and the Township wishes to further improve transportation options and safety; and
- WHEREAS, Complete and Green Streets is a means to provide a comprehensive, integrated, connected multi-modal network of transportation options through planning, design, construction, maintenance, and operation of new and retrofit transportation facilities along the entire right-of-way for all roadway users of all ages and abilities; and
- WHEREAS, Complete Streets that incorporate sustainable Green Streets design elements, such as green storm water infrastructure, traffic calming treatments, shade trees, and the use of recycled materials, protect and create a healthier, natural and social environment, improve air and water quality, and reduce localized flooding; and
- WHEREAS, Complete and Green Streets allow for safe, accessible, and convenient travel, reducing serious injuries and fatalities for all users of the roadway; and
- WHEREAS, all users includes motorists, bicyclists, and pedestrians of all abilities, public transportation vehicles and their passengers, persons with disabilities, older adults and commercial vehicles; and
- WHEREAS, Complete and Green Street policies support the goals of the West Windsor Township Master Plan and supporting elements; and
- WHEREAS, Complete and Green Streets implementation enhances access to local businesses, encourages reinvestment, increases property values and employment, and stimulates private investment, especially in retail districts, downtowns, and tourist areas; and

WHEREAS, Complete and Green Streets encourage an active lifestyle through increased physical activity, social connectivity, and sense of community belonging, thereby lowering risk of obesity, reducing chronic disease, improving mental health, and promoting wellness; and

WHEREAS, Complete and Green Streets implementation provides the opportunity to enhance the historic character of our communities and our understanding of our shared history in a way that promotes the economic and social vitality of our communities and should be considered in the design of infrastructure improvements; and

WHEREAS, a balanced and flexible transportation system where all people can easily and safely walk and bicycle to everyday destinations - such as schools, shops, restaurants, businesses, parks, transit, and jobs - enhances neighborhood economic vitality and livability; and

WHEREAS, the Complete and Green Streets policy applies to new, reconstruction, retrofit, and resurfacing projects, including design, planning, construction, maintenance and operations, for the entire right-of-way; and

WHEREAS all exceptions and recommendations must be approved by the designee appointed by the Township Engineer and the Director of Community Development as per West Windsor Township procedures; and

WHEREAS, all initial planning, concept and design studies of infrastructure projects are to consider design elements that improve public health, environment, economy, equity, and safety.

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Windsor adopts the Complete and Green Streets Policy attached hereto, and is made part of this Resolution.

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to all Township Departments within thirty (30) days of the adoption of this Resolution.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 19<sup>th</sup> day of May, 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

# Complete and Green Streets Policy

## West Windsor Township, Mercer County

West Windsor Township will continue to develop an integrated and connected multimodal transportation system of Complete and Green Streets that serve all neighborhoods and populations. Towards this end:

1. All transportation projects are to result in Complete and Green Streets that allow safe, environmentally healthy, economically sound, equitable, accessible, and convenient travel along and across streets for users of all ages and abilities, whenever feasible to do so, and for all modes of transportation, including motorists, bicyclists, pedestrians, public transportation vehicles and their passengers, and commercial vehicles, and will strive to meet the following goals:
  - a. Environment: Improve air and water quality; reduce flooding; mitigate traffic congestion.
  - b. Safety: Eliminate all road fatalities, significantly reduce crash severity and injury, and improve personal safety through increasing the number of people walking and bicycling.
  - c. Economic: Stimulate economic prosperity.
  - d. Health: Increase physical activity and social connectivity with the goal of lowering the risk of obesity, reducing chronic disease and promoting wellness.
  - e. Equity: Distribute funding and other resources equitably and responsibly within the Township; improve non-motor vehicle transportation systems.
2. This section shall apply to all public and/or private transportation projects, including those using funds awarded by federal, state, regional, county, municipal, or any other public agency. This shall include new construction, reconstruction, resurfacing, restoration, repaving, rehabilitation, private development projects, and maintenance of highways, roads, and streets.
3. The Mayor, Director of Community Development and the Township Engineer's designee shall routinely work in coordination with each other and adjacent jurisdictions, and any relevant advisory committees/teams, to create Complete and Green Streets, and to ensure consistency with the West Windsor Township Master Plan and supporting Elements, and to other known existing Pedestrian/Bicycle/Multimodal Plans, Stormwater Management Plans, municipal Stormwater Pollution Prevention Plan, and Historic Preservation Plans.
4. Within two (2) years of the effective date of this Policy, the Township Engineer shall inventory and audit procedures, policies, plans, documents, training programs, performance measures and other guidance documents to be consistent with this policy. The purpose of this audit is to identify areas where tenets of this policy will need to be incorporated. This includes, but is not limited to, funding, planning, designing, operating, and maintaining transportation infrastructure. The Director of Community Development will use the findings and recommendations of this audit to incorporate this policy as updates to its procedures, plans, policies, etc. as they are scheduled.
5. Transportation projects, the Master Plan and the Capital Improvement Plan shall include, when appropriate, sustainable design elements, including, but not limited to:
  - a. Green stormwater infrastructure practices such as Rain gardens and Bioswales

Complete and Green Streets Policy  
West Windsor Township, Mercer County

- b. Traffic calming measures
  - c. Street trees and other vegetation
  - d. Permeable pavements — including open graded asphalts, porous concretes, pavers and, where feasible, those made from recycled materials such as rubber, concrete, glass, and plastic.
6. Transportation projects and Master and Capital Plans shall include, where appropriate, pedestrian and bicycle design elements and transit amenities, including but not limited to: curb extensions, sidewalks, radar feedback signs, pedestrian countdown signals, refuge islands, road diets, lane width reductions, chicanes, roundabouts, bike lanes, protected bike lanes, bike parking, street lighting, wayfinding signage, public seating, trash receptacles, transit amenities, etc.
7. The Township Engineer shall utilize the most current editions of guides, manuals, and best practices on street design, historic preservation, construction, operations, and maintenance that apply to bicycle, pedestrian, transit, stormwater and highway facilities. All manuals, standards, and guidelines shall be publicly referenced online.
8. The Director of Community Development shall formally coordinate with the Division of Engineering staff, with advice and input from the Department of Public Works, Police Division and the Environmental Commission, when necessary, to ensure the successful implementation of this Complete and Green Streets policy.
9. The Director of Community Development shall provide an annual report by March 1<sup>st</sup> to the Mayor and Township Council for the purpose of evaluating the implementation of this Complete and Green Streets policy. The report shall include a list of ongoing and completed transportation projects during that fiscal year. If any exceptions are applied to transportation projects pursuant to Exceptions to Complete and Green Streets Requirements herein, such projects and the relevant exceptions should be identified in the annual report. All reports shall be made available on the Township website.

**Exceptions**

1. A transportation project may not be required to accommodate the needs of a particular user group if the Director of Community Development determines in writing that:
  - a. The use of the transportation facility by the particular user group is prohibited by law;
  - b. Regulatory compliance requirements preclude accommodations;
  - c. There is a demonstrated absence of both a current and future need to accommodate the category of user (absence of future need may be shown via demographic, school, employment, and public transportation route data that demonstrate, for example, a low likelihood of bicycle, pedestrian, or transit activity in an area over the next 20 years); or
  - d. The adverse impacts of implementing this Complete and Green Streets Policy significantly outweigh the benefits.
2. Every effort to work within the flexibility allowed should be made, including design exceptions, for roadway projects.

3. An exception shall be granted only if:
  - a. Request for an exception is submitted **in writing** by the designee appointed by the Township Engineer, to the Director of Community Development with supporting documentation; and
  - b. The exception is approved **in writing** by the Director of Community Development.

### **Key Terms & Definitions**

**Complete Streets:** An integrated transportation network designed to enable safe and convenient travel and access along and across streets for all users of all ages and abilities, including pedestrians, bicyclists, motorists, movers of commercial goods, and transit riders.

**Environmental Justice:** Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies. Meaningful involvement means that:

1. People have an opportunity to participate in decisions about activities that may affect their environment and/or health.
2. The public's contribution can influence the regulatory agency's decision.
3. Community concerns will be considered in the decision-making process; and
4. Decision makers will seek out and facilitate the involvement of those potentially affected.

**Green Streets:** Streets with landscaped features and other green stormwater best management practices installed in the rights-of-way that capture and allow stormwater runoff to infiltrate, while still preserving the primary function of a street as a conduit for pedestrians, bicyclists, motorists, and transit riders. Stormwater runoff is excess water generated precipitation events that flows over improved surfaces, such as paved streets, parking lots, and building rooftops, which does not infiltrate into the ground.

**Green Stormwater Best Management Practices:** Includes types of green infrastructure techniques promulgated by the New Jersey Department of Environmental Protection, which are used to manage stormwater runoff, as further defined in Article XXI Stormwater Control of Chapter 200 Land use of the Township Code. These can include, but are not limited to:

1. Street tree trenches/boxes.
2. Bioswales and rain gardens.
3. Vegetated curb bump outs.
4. Permeable pavements.

**Traffic Calming:** A combination of mainly physical measures that aid in reducing the negative effects of motor vehicle use, altering driver behavior, and improving conditions for non-motorized street users.

Complete and Green Streets Policy  
West Windsor Township, Mercer County

U.S. Department of Transportation, Federal Highway Administration's Proven Safety Countermeasures is a recognized source of traffic calming improvements. Traffic calming objectives can include:

1. Achieving slower speeds for motor vehicles
2. Reducing collision frequency and/or severity
3. Increasing the safety and the perception of safety for non-motorized users of the street(s)
4. Reducing the need for Police enforcement
5. Enhancing the street environment for non-vehicular users (e.g., streetscaping)
6. Enhancing motor vehicle operator awareness of multiple modes of transportation
7. Reducing cut-through motor vehicle traffic

**Transit Amenities:** Include seating, shelter and shade, wayfinding signage, trash and recycling cans, lighting, route information, bike infrastructure (lockers, racks, fix-it stations, depots, bikeshare, etc.).

**Transportation Facility:** A facility consisting of the means and equipment necessary for the movement of people or goods; any road, bridge, tunnel, overpass, ferry, airport, mass transit facility, vehicle parking facility, port facility or similar commercial facility used for the transportation of persons or goods together with any buildings, structures, parking areas, appurtenances, and other property needed to operate such facility; however, a commercial or retail use or enterprise not essential to the transportation of people or goods shall not be considered a transportation facility.

**Transportation Project:** Any public and/or private land development, project, program, or practice that affects the transportation network or occurs in the public right-of-way, including any construction, reconstruction, retrofit, signalization operations, resurfacing, restriping, rehabilitation, maintenance (excluding routine maintenance that does not change the roadway geometry or operations, such as mowing, sweeping, and spot repair), operations, alteration, and repair of any public street or roadway within a jurisdiction (including alleys, bridges, frontage roads, and other elements of the transportation system).

### **Effective Date**

The Complete and Green Streets Policy shall take effect upon adoption by the Governing Body of said policy, provided that it shall not apply to any transportation project for which a preliminary engineering design has been completed on or before adoption of this policy.



**TOWNSHIP OF WEST WINDSOR**  
*Community Development Department*  
*Division of Engineering*

**MEMORANDUM**

**TO:** Marlena Schmid, Business Administrator

**FROM:** Francis A. Guzik, P.E., C.M.E.  
Director of Community Development and Township Engineer

**SUBJECT:** **Complete and Green Streets Resolution and Policy**  
Sustainable Jersey Recertification

**DATE:** May 9, 2025

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As previously advised, staff has undertaken a review of the Township's 2010 Complete Streets resolution, in conjunction with the current Sustainable Jersey recertification initiative, and has prepared an updated Complete and Green Street Resolution and companion policy. The policy will be a document available to staff for guidance outlining how municipal transportation improvement projects are to be undertaken within the community to strive towards the goal of complete and green streets.

The proposed resolution and policy were reviewed with Township Council during a work session on May 5<sup>th</sup>, and with the Township Environmental Commission on May 8<sup>th</sup>. Comments and suggestions received have been incorporated into these documents.

I am recommending the Township adopt the updated resolution, with the companion Complete and Green Street Policy, to reinforce West Windsor's practice of providing, "...safe, environmentally healthy, economically sound, equitable, accessible, and convenient travel along and across streets for users of all ages and abilities, whenever feasible to do so, and for all modes of transportation, including motorists, bicyclists, pedestrians, public transportation vehicles and their passengers, and commercial vehicles..." Adoption will also aid in receiving points from Sustainable Jersey necessary to achieve recertification at the Silver level.


FG

## **TOWNSHIP OF WEST WINDSOR**

*Community Development Department  
Division of Engineering*

### **MEMORANDUM**

**TO:** Marlena Schmid, Business Administrator

**FROM:** Francis A. Guzik, P.E., C.M.E.   
Director of Community Development and Township Engineer

**SUBJECT:** **Complete and Green Streets Policy**  
Environmental Commission Support

**DATE:** May 9, 2025

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At the May 8, 2025 regular meeting of the West Windsor Environmental Commission the proposed West Windsor Complete and Green Streets Policy was discussed. It was explained how the initiative was related to the Sustainable Jersey program, how that program's template was utilized to prepare the proposed West Windsor "Complete and Green Street Policy," and how the policy will be utilized by the administration and staff when municipal transportation improvement projects are undertaken within the community.

The Commission members voted unanimously to approve a resolution in support the Township's adoption of the proposed Complete and Green Streets Policy. A copy of their resolution is attached hereto.

FG

Enclosure

Cc: Dr. Ephraim Buhks, EC Chair

**RESOLUTION OF THE  
WEST WINDSOR TOWNSHIP ENVIROMENTAL COMMISSION  
ENDORISING THE  
COMPLETE AND GREEN STREETS POLICY**

**WHEREAS** it is the desire of the West Windsor Township Environmental Commission to promote matters which enhance the health, safety, quality of life, and environment of the community; and

**WHEREAS** amongst the purposes of the West Windsor Township Environmental Commission is offering advice and recommendations to the West Windsor Township Administration, Mayor and Township Council regarding matters related to the environment; and

**WHEREAS** in 2010 the Township of West Windsor adopted a Complete Streets resolution as a means to ensure the provision of a comprehensive, integrated, network of transportation options for all roadway users of all ages and abilities within the Township; and

**WHEREAS** since that adoption the New Jersey Department of Environmental Protection has promulgated amendments to the stormwater control regulations for municipalities within the State that reflect the use of “green” stormwater best management practices which mimic natural hydrologic conditions and, thus, typically incorporate infiltration and/or vegetation more than traditional stormwater management methods; and

**WHEREAS** designs for roadways can include Green Streets design elements, such as aforementioned green stormwater infrastructure, along with traffic calming treatments, shade trees, and the use of recycled materials, so as to create a healthier natural and social environment, and improve air and water quality; and

**WHEREAS** the Sustainable Jersey program has promulgated an action for municipalities to adopt a Complete and Green Streets Policy which combines these goals of an integrated transportation network for all users of all abilities which incorporates green design elements; and

**WHEREAS** the draft West Windsor Township Complete and Green Streets policy, was reviewed at a meeting of the Environmental Commission on May 8, 2025, with minor comments and suggestions on the draft provided by Commission members to Township staff.

**NOW, THEREFORE, BE IT RESOLVED**, that the West Windsor Township Environmental Commission endorses the adoption of the 2025 draft Complete and Green Streets Policy by the West Windsor Township Council.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to the Mayor, the Township Council, and the Business Administrator.

Motion to Approve the Resolution moved by Larry Katz.

Seconded by Anis Baig.

Roll Call Vote:	E. Buhks, Chair	YES
	E. Gordon, Vice Chair	YES
	A. Baig	YES
	L. Katz	YES
	I. Singh	YES
	M. Tomar	Absent

Date: May 8, 2025

## REQUEST FOR COUNCIL ACTION

Date of Request: May 5, 2025

Initiated By: Ronnie Quacquarelli Division/Department: Recreation and Parks

**ACTION REQUESTED/ EXECUTIVE SUMMARY:** Resolution authorizing the Township of West Windsor to enter into contracts with MRC, Inc. to purchase new fitness equipment and surfacing for Community Park under Educational Services Commission (Co-op #65MCESCCPS) Contract #ESCNJ 24/25-01 and NJ State Contract #16-FLEET-00121.

The fitness equipment and surfacing at Community Park is more than 25 years old and needs to be replaced.

### SOURCE OF FUNDING:


<u>Open Space Development</u>	<u>405-2017-20-003</u>	<u>\$55,107.57</u>
Account Title	Account Number	Amount

**CONTRACT AMOUNT:** \$55,107.57

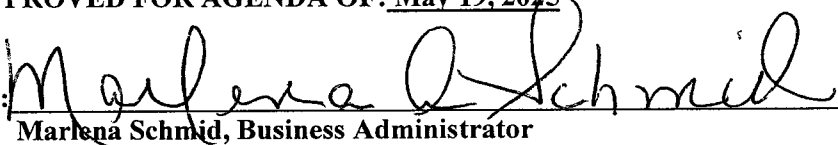
**CONTRACT LENGTH:** N/A

**OTHER SUPPORTING INFORMATION ATTACHED:** Memo, Price Sheet, MRC Quote, ESCNJ Co-op Pricing, Resolution and State Contract Pricing

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

	<u>5/14/25</u>
Department/Division Head	Date

**APPROVED FOR AGENDA OF:** May 19, 2025

By:  05/14/2025  
Marlena Schmid, Business Administrator

MEETING DATE: 5/19/25 Ordinance # \_\_\_\_\_ Resolution # 2025-R135

Council Action Taken:

## RESOLUTION

WHEREAS, fitness equipment and surfacing at Community Park is more than 25 years old and needs to be replaced; and

WHEREAS, the Township of West Windsor wishes to purchase new fitness equipment, including installation services, and surfacing and other line items such as playground border, safety curb and remove and dispose of the existing equipment and surfacing (Non-Contract Item); and

WHEREAS, West Windsor Township is a member of the Educational Services Commission of New Jersey (ESCNJ) Cooperative; New Jersey State Approved Co-op #65MCESCCPS; and

WHEREAS, ESCNJ has a contract with MRC Inc, PO Box 106, Spring Lake, NJ 07762, under Playground Equipment, Bid #ESCNJ #24/25-01; and

WHEREAS, MRC Inc Quote #117485 dated 04/24/2025 includes:

Fitness Equipment, Installation, Other Line Items & Freight	\$47,610.17
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Non-Contract Item:

Removal/Disposal of Existing Equipment & Surfacing	\$4,500.00
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	\$52,110.17
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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 under the State of New Jersey Cooperative Purchasing Program from any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, MRC Inc is an authorized NJ State Contract Vendor under Park and Playground Equipment Contract #16-FLEET-00121; and

WHEREAS, MRC Inc Quote #117485-02-01 dated 04/24/2025 includes:

Surfacing	\$2,997.40
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<b>Total Cost</b>	<b>\$55,107.57</b>
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WHEREAS, the Chief Financial has certified funds are available in the following account:

Open Space Development	405-2017-20-003	\$55,107.57
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NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that Business Administrator, Marlena Schmid is authorized to purchase new Fitness Equipment and Surfacing through under Educational Services Commission (Co-op #65 MCESCCPS) Contract #ESCNJ 24/25-01 and NJ State Contract #16-FLEET-000121 for a total of \$55,107.57 from MRC Inc, PO Box 38, Spring Lake, NJ 07762.

Adopted: May 19, 2025

I hereby certify the above Resolution was adopted by the Township Council of the Township of West Windsor at their meeting held on the 19th day of May 2025.

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Allison D. Sheehan  
Township Clerk  
West Windsor Township

**REQUEST FOR COUNCIL ACTION**

Date of Request: April 29, 2025

Initiated By: Chief Robert Garofalo Division/Department: Police

**ACTION REQUESTED/ EXECUTIVE SUMMARY:**

I respectfully request Council to amend the Police Division Structure Ordinance 4-37 (paragraph E) to reflect two officer positions be added.

**SOURCE OF FUNDING:**

Operating

**CONTRACT AMOUNT:**

N/A

**CONTRACT LENGTH:**

N/A

**OTHER SUPPORTING INFORMATION ATTACHED:**

S:\AGENDA INBOX (file name) \_\_\_\_\_

**COMPLETE AND READY FOR ADMINISTRATOR'S REVIEW**

Chief Robert Garofalo

April 29, 2025

Department/Division Head

Date

APPROVED FOR AGENDA OF: \_\_\_\_\_

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: 5/19/25 Ordinance # 2025-08 Resolution # \_\_\_\_\_

Council Action Taken:



# WEST WINDSOR POLICE DEPARTMENT

## MEMORANDUM

**SUBJECT:**

Amendment to Section E of Ordinance 4-37 — Police Division Staffing Levels

**Date:**

April 29, 2025

**To:**

Marlena Schmid, Business Administrator

**From:**

Chief Robert Garofalo PhD(c)

Pursuant to the directive of Mayor Marathe, and in response to the public safety goals for the coming fiscal year, the following report is respectfully submitted regarding the proposed amendment to Chapter 4, Section 4-37, Subsection E of the Township Code.

As part of the Township's continued commitment to ensuring the safety and well-being of our residents, and in recognition of increasing demands on law enforcement services, the Mayor has authorized the addition of **two (2)** patrol officer positions to the Division of Police for the 2025 calendar year.

**Proposed Amendment:**

The current ordinance language of Section 4-37E reads as follows:

"E. The Police Division shall consist of no more than one Chief of Police, four Lieutenants, 11 Sergeants, **36 patrol officers**, and 10 special law enforcement officers Class III (SLEOIII)."

To reflect the Mayor's authorization and updated staffing plan, the following amendment is recommended:

**E. The Police Division shall consist of no more than one Chief of Police, four Lieutenants, 11 Sergeants, 38 patrol officers, and 10 special law enforcement officers Class III (SLEOIII).**

This change will officially raise the maximum authorized number of patrol officers from **36 to 38**, allowing the department to expand its patrol capabilities, enhance community policing efforts, and maintain a robust response capacity across the Township.

**Conclusion:**

In light of the Mayor's authorization and the compelling public safety rationale, I respectfully recommend that the Township Council approve the proposed amendment to Section 4-37E at the next scheduled meeting. This staffing adjustment positions the Police Division to better serve the residents of West Windsor while maintaining the high standards of professionalism and community partnership we have always upheld.

ORDINANCE 2025-08

AN ORDINANCE AMENDING AND SUPPLEMENTING PART II "GENERAL LEGISLATION" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY (1999) CHAPTER 4; "ADMINISTRATION OF GOVERNMENT" SECTION 4-37 "POLICE DIVISION" OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR

WHEREAS, it is recommended by the New Jersey Attorney General that all municipalities in New Jersey have certain ordinances in effect regarding Police Division structure; and

WHEREAS, it is prudent that the Township's ordinance regarding the structure of the Police Division be current and appropriate.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, that the following amendment be made:

4-37 Police Division

- A. The Police Division of the Township is hereby established with such number of subordinate police officers and sworn police positions as designated by the Mayor and authorized by the Council. The Police Division shall be headed by a Chief of Police or ranking sworn officer, who shall be appointed by the Director of Public Safety and whose duties and responsibilities shall be those governed by law, Township Code, where applicable, and the rules and regulations of the West Windsor Police Division.
- B. Each regular police officer shall hold office and continue in said employment during good behavior and efficiency after having properly completed a one-year probationary period, pursuant to law, and no police officer shall be removed from office or employment for any causes other than incapacity, misconduct, neglect of duty, conduct unbecoming a police officer or disobedience of the rules and regulations established and hereafter established for the Division or absence from duty without just cause.
- C. Any permanent member of the Police Division may be suspended, removed/discharged, fined or reduced in rank from or in office for just cause upon due notice and written charges filed with the Director of Public Safety or designee and served upon the member so charged with notice of a hearing thereon. The Director of Public Safety or designee shall have the power to suspend without pay the member so charged, pending determination of such charges. The hearing shall be held not less than 10 nor more than 30 days from the date of service of the complaint. Said hearing shall take place pursuant to the rules and regulations of the Police Division.
- D. The Mayor of the Township shall serve as Public Safety Director and as the appropriate authority responsible for adopting and promulgating the rules and regulations of the Police Division.

- E. The Police Division shall consist of no more than one Chief of Police, four Lieutenants, 11 Sergeants, [36] **38** patrol officers, and 10 special law enforcement officers Class III (SLEOIII).
- F. To maintain effective staffing levels within the Police Department, the Chief of Police, with written consent from the Director of Public Safety, may fill the position of a retiring officer on terminal leave with a police recruit who will concurrently enter the Police Academy. The police recruit shall be assigned to the Police Academy and shall not be included in the total Police Division count listed in Subsection E because they do not possess a New Jersey Police Training Commission Certification and therefore cannot function in the capacity of a sworn police officer. All employees of the Department shall be subject to the rules and regulations of the Department, but only sworn officers shall be considered as police officers.

This Ordinance shall take effect twenty (20) days after action or inaction by the Mayor as provided by law as an override of a mayoral veto by Council, whichever is applicable. Publication shall be in accordance with law.

INTRODUCTION:

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE: