

APPROVED: October 29, 2012

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
September 20, 2012

CALL TO ORDER: President Khanna called the meeting to order at 6:30 p.m.

STATEMENT OF ADEQUATE NOTICE

This is to advise that the notice requirement provided for in the "Open Public Meetings Act" has been satisfied. Notice of this meeting was properly given and transmitted to The Times and Princeton Packet; filed with the Clerk of the Municipality; and posted in the West Windsor Township Municipal Building at North Post and Clarksville Roads on September 12, 2012. Closed Session for the discussion of potential litigation was noticed on September 12, 2012 to the Princeton Packet and The Times.

ATTENDEES: President: Khanna; Vice President: Geevers; Council Members: Borek (arrived 6:47 p.m.), Maher, Samonte; Mayor: Hsueh (arrived 7:02 p.m.); Township Attorney: Herbert left 6:45 p.m. returned 7:15 p.m.); Business Administrator: Schmid; Special Counsel: Schmierer (left 7:15 p.m.); Deputy Township Clerk: Huber

PUBLIC COMMENT

None.

CLOSED SESSION

Motion to go into closed session at 6:40 p.m.: Geevers

Second: Samonte

RCV: Borek (arrived at 6:47 p.m.)

aye Geevers

aye Maher

aye Samonte

aye Khanna

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

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

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

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

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

Now, therefore, be it resolved that the Township Council of the Township of West Windsor will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: For the discussion of the following litigation: West Windsor Residents Association, Akselrad, Committee of Petitioners, and Roed.

MEETING RECONVENED

Meeting reconvened at: 7:25 p.m.

SALUTE TO THE FLAG

Ms. Huber led the salute to the flag.

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, advised that he is verifying the fire hydrants within the Township and would like an explanation as to why the amount budgeted for this service has been anticipated at \$152,000 more than the actual amount paid yearly over the past several years.

Mr. Russell Keleman, 25 Old Bear Brook Road, voiced his displeasure with the proposed changes to the PRN District which abuts his property.

Mrs. Holly Keleman, 25 Old Bear Brook Road, noted her concern about the impacts of the proposed development and how it will affect not only her but her neighbors as well.

Mr. Pete Weale, 144 Fisher Place, requested notification of future meetings with Penns Neck residents regarding the no left turns on Route One and the impact on their neighborhood.

Mr. Mike Salvo, 253 Fisher Place, noted that the no left turns along Route One have greatly reduced the traffic on his roadway and requested that this change remain in effect.

MAYOR/ADMINISTRATOR COMMENTS

Ms. Schmid reported the following:

- Helicopter Crash on September 15, 2012 - the Township's Emergency Services, Police, Princeton Junction and West Windsor Volunteer Fire Companies, Twin W First Aid Squad and mutual aid companies responded to this unfortunate situation. She advised that a tabletop exercise will take place in the near future to go over the event.
- Updated the Council and residents on the Route One "no left turns" and the effects on the residents in the Penns Neck area. She advised that to date 45 summonses have been issued, 7 accidents have occurred, and the State Police will have more of a presence in the area starting 9/21. The Department of Transportation is reviewing the timing of traffic lights in the area to help keep traffic flowing on both Alexander Road and Washington Road. The Department of Transportation will also be monitoring the traffic via cameras to see the east/west effects on the area.

Mayor Hsueh advised that he attended the Mercer County Advisory Board meeting and that the West Windsor Farmers Market was named Number One in the State, and he thanked those who have worked on this project. He noted that he has met with the residents in the Penns Neck area and that they will be designating a coordinator to work with the Mayor and other area organizations regarding the changes along Route One.

COUNCIL MEMBER COMMENTS

Mr. Maher requested that members of Council be made aware of the meetings that take place with residents regarding Route One. He noted that the Pilot Program should be stopped now. Mr. Maher noted that he attended the hearing on the Mercer County Community College Solar Farm today and that the Judge ruled against the residents. He noted that the Township needs to work on legislation that would prevent the use of farmland for such purposes. Mr. Maher advised that the funding for the fire hydrants is one point he wants to review more thoroughly during the 2013 Budget process.

Ms. Samonte extended her condolences to the family of the pilot who perished in the crash this past weekend. She thanked Assemblyman Gusciora for taking a stand against the Route One jughandle closures and requesting that the Pilot Program be stopped. Ms. Samonte thanked Mr. Church for working on the fire hydrant project.

Mr. Borek reported that he witnessed the helicopter crash and was one of the first to arrive on the scene. He noted that everyone involved acted in a very professional manner during this most difficult time. He expressed his frustrations with the Court decision regarding the solar farm.

Ms. Geevers agreed with Mr. Maher that legislation is needed to prevent turning green space into solar farms and also to mandate local review. She suggested getting all the stakeholders together to discuss the Route One Pilot Program. Ms. Geevers advised that she attended the 200th Anniversary of the Princeton Baptist Church. She thanked all those who responded to the crash over the weekend and sent her condolences to the family for their loss. She inquired about the PRN Ordinance and when Council will have the ability to review the changes. President Khanna advised that the changes will have to come before Council once the Planning Board has approved them.

CHAIR/CLERK COMMENTS

President Khanna advised that the outcome of the case today regarding Mercer County Community College was not the desired outcome. He noted that the Township will continue to work on this matter. President Khanna thanked the Administration and Mayor for their work with the residents of the Penns Neck area regarding the traffic impacts in this area due to the Pilot Program along Route One. He extended his condolences to the family who lost a loved one in the crash and thanked everyone who responded to this unfortunate accident.

PUBLIC HEARING

2012-14 TOWNSHIP OF WEST WINDSOR ORDINANCE AUTHORIZING THE ACQUISITION OF TEMPORARY CONSTRUCTION EASEMENTS FROM CREATIVE MARKETING ALLIANCE, INC. LOCATED ON BLOCK 10, LOT 15.01 - 191 Clarksville Road

President Khanna opened the public hearing.

Motion to close public hearing: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

Motion to adopt: Borek

Second: Geevers

Discussion:

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

CONSENT AGENDA

RESOLUTIONS

2012-R210 Granting Release of Performance Bond Posted for
Street Opening Permit No. 2012-15 to Kales Nursery -
4 Meadow Run Road

2012-R211 Granting Release of Inspection Escrow Balance for
Avalon Bay Communities for Avalon Watch - PB08-08

MINUTES

August 6, 2012 - Business Session

August 20, 2012 - Closed Session

BILLS & CLAIMS

Motion to approve consent agenda: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2012-R212 Certification of Compliance with the Promulgation of
the Local Finance Board of the State of New Jersey for
the 2011 Annual Report of Audit

2012-R213 Acknowledging the Implementation of the Corrective
Action Report Prepared in Conjunction with the 2011
Municipal Audit

2012-R214 Authorizing the Mayor and Clerk to Execute a
Professional Services Agreement with T&M Associates
for Construction Related Services for the Duck Pond
Run Sewer Interceptor - Phase II and Pump Station
Decommissioning Project - \$64,944

2012-R215 Authorizing the Township Engineer to Endorse a New Jersey Pollutant Discharge Elimination System Significant Industrial User Application for Process Wastewater Discharge into the Municipal Collection System Associated with Sensors Unlimited - 3490 U.S. Route One

2012-R216 Authorizing the Mayor and Clerk to Execute a Land Development Performance Guarantee Agreement with The Glen at West Windsor, LLC (aka West Windsor Gardens II)

2012-R217 Authorizing the Approval of a Permit for Public Fireworks Display at the Mercer County Italian American Festival Association on September 29, 2012 (rain date September 30, 2012)

2012-R218 Authorizing the Clerk to Execute a Purchase Order with Kofile Preservation for the Preservation of Township Minute Books-\$14,485.00

Motion to approve Resolutions 2012-R212 through 2012-R218: Borek
Second: Maher

RCV: aye Borek
aye Geevers
aye Maher
aye Samonte
aye Khanna

DISCUSSION TOPICS

President Khanna moved this item to after the public comment.

COUNCIL REPORTS

Mr. Maher reported that at the last Zoning Board of Adjustment meeting they approved an addition to a single family home on Alexander Road.

Ms. Samonte reported that at the last Planning Board meeting they approved the re-tenanting at the Market Fair. She noted the Planning Board did an informal review of the sign ordinance, which will be coming to the Township Council for introduction.

Ms. Geevers reported she attended the West Windsor-Plainsboro Board of Education meeting regarding Special Education and that the report can be viewed on the school's website. She noted that Pawan K. Jain, a member of the Affordable Housing Committee, passed away and requested that the vacancies on this Board be filled. Ms. Geevers reported that Mr. Piazza is working with Windsor Haven, Windsor Ponds, and the Village Grande residents who have hot water heaters, and HVAC units which are 10 years or older to have them replaced under the agreements for the affordable housing units.

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, reported that he has contacted New Jersey American Water regarding a complete list of fire hydrants within West Windsor. He inquired about the flood study that was to be conducted as a result of the Hurricane last year.

Ms. Teresa Lourenco, 408 South Post Road, thanked Council for their support and gave a brief summary of today's court case and decision. She inquired about what changes Mr. Dobromilsky and Ms. Ward suggested to the College.

Ms. Holly Keleman, 25 Old Bear Brook Road, again voiced her concerns regarding the changes being proposed to the PRN District which borders her property.

Mr. Pete Weale, 144 Fisher Place, voiced his opinion on the solar farm and encouraged the Township to help the residents by reducing their property taxes.

Ms. Debra Hepler, 10 Dean Court, expressed her views on the solar farm project.

Mr. Jonathan Word, 16 Eastern Drive, noted his frustration with a request for information filed in August regarding a breakdown of how the open space funds are expended. He suggested that a member of Council request the information for the Grover Farm Restoration Committee.

DISCUSSION TOPICS

Update by the Grover Farmstead Restoration Committee

Ms. Suzanne Dicker, a member of the Restoration Committee, suggested using the farmhouse as a rental property for a Veteran. She noted that she has contacted the American Legion who has funds they would be willing to donate to this cause. Ms. Dicker advised that the rumor of making this a parking lot is false.

Mr. Pete Weale, Vice Chairman of the Restoration Committee, gave a brief history of the farmstead. He advised that he has requested the State Attorney General's Office conduct an investigation regarding the missing items from the house since Mrs. Grover moved out in 2009. Mr. Weale noted that Mrs. Grover lost a son in the Vietnam War who received 2 Purple Hearts and 1 Silver Star and that the Township should honor his home by restoring it.

Mr. Herbert advised that he cannot proceed with the Township investigation until the Attorney General gives the Township permission.

Mr. Maher noted his frustration with how a Township asset could be stripped without any accountability. He requested that a full report be submitted once the Attorney General's report has been received.

Ms. Debbie Hepler, Secretary for the Restoration Committee, requested that the list received from the Historical Society have values placed on the items.

Mr. Rocco Procaccini, Chairman of the Restoration Committee, advised that the committee needs answers to the various questions regarding the farm and they have been unable to get them. He requested an extension of time since the information they need to finalize their report has not been received to date.

Discussion ensued between members of the Council and members of the Restoration Committee.

Mr. John Church advised that a lot of valuable materials were taken and that an investigation needs to be conducted on the local level. He requested the possible use of the \$60,000.00 budgeted to raze the structures be allocated as start-up funding for repairs to the farm house.

Mr. Maher advised that he would want a business plan presented if the Committee is seeking funding from the Township.

Mr. Weale gave a final summary of what the Committee needed from the Township to finish their objective.

ADJOURNMENT

Motion to adjourn: Borek

Second: Geevers

VV: All approved

The meeting was adjourned at 9:45 p.m.

Sharon L. Young
Township Clerk
West Windsor Township