

APPROVED: January 6, 2014, and AMENDED: June 23, 2014

WEST WINDSOR TOWNSHIP COUNCIL
WORK SESSION
December 9, 2013

CALL TO ORDER: President Borek called the meeting to order at 6:33 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 November 21, 2013. Closed Session was noticed on December 4, 2013.

ATTENDEES: President: Borek; Vice President: Samonte; Council Members: Geevers, Khanna, Maher; Mayor Hsueh (left at 8:35 p.m.); Business Administrator: Schmid; Township Attorney: Herbert Jr.; Manager of Land Use: Surtees (left at 8:05 p.m.); Health Officer: Swanson (left at 8:30 p.m.) Township Clerk: Young

CLOSED SESSION

Motion to go into closed session at 6:33 p.m. for the discussion of Union contract negotiations and other contract matters:

Khanna

Second: Geevers

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Meeting reconvened at 7:09 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, urged Council to make sure the Historical Society is a registered non-profit organization in order to approve the lease to utilize the Schenck Farm.

Mr. Jeff Shanker, 13214 Taylor Court, advised that he is Executive Vice President of A-1 Limousine. He noted concerns with the language of the taxi ordinance that was on the Business Session agenda for adoption.

Mr. Martin Rexroad, Leader of Boy Scout Troop 40, spoke about the various activities the Troop engages in. He asked for support for the lease to enable the Troop to store their equipment at the Schenck Farm.

Mr. Michael Rexroad, 41 Highmont Avenue, advised Council of the various activities the Troop does throughout the year. He outlined the equipment used in many of the activities.

Mr. Marshall Lerner, 3 Sapphire Drive, spoke about the agreement between the Township and the Historical Society.

Mr. Donald Watrous, 131 Cranbury Road, asked for feedback regarding the consultants who responded to the Cranbury Road RFP. He asked how the holidays will affect the timeline for the project.

Ms. Sarah Thomson, 113 Cranbury Road, asked to have a meeting with Mr. Maher and asked how the Cranbury Road RFP is progressing.

Mr. Alvin Lerner, 63 Rainflower Lane, supports the introduction of Ordinance 2013-18.

Mr. Pete Weale, 144 Fisher Place, advised that he submitted requests for information and did not receive any documentation.

DISCUSSION:

Council Member/Clerk

West Windsor Parking Authority Vacancy

Mr. Maher noted that he supports the appointment of Mr. Pat Boyle to the Parking Authority and advised that he is an outstanding citizen.

Mr. Khanna also agreed with the recommendation.

Ms. Geevers thanked Mr. Rumack for his services and also supported the appointment of Mr. Boyle to fill Mr. Rumack's unexpired term.

Ms. Samonte agreed with the recommendation and also supported appointing Mr. Rumack as an advisor to the Parking Authority.

President Borek also recommended Mr. Pat Boyle to fill the unexpired term and asked that the resolution be added to the Consent Agenda portion of the evening's Business Session.

Ordinance 2013-17 AN ORDINANCE AUTHORIZING EXECUTION OF A LEASE OF LAND BETWEEN THE HISTORICAL SOCIETY OF WEST WINDSOR AND THE TOWNSHIP OF WEST WINDSOR FOR LANDS AND BUILDINGS COMMONLY KNOWN AS THE SCHENCK FARMSTEAD, 50 SOUTHFIELD ROAD; BLOCK 28.02, LOTS 8.01 AND 31.03 WEST WINDSOR, NEW JERSEY

President Borek asked Mr. Surtees to address the issue of the Historical Society being registered as a non-profit organization.

Mr. Surtees advised that the Historical Society is not a registered 501(c)(3) organization but they are registered as a non-profit organization through the Division of Revenue.

President Borek asked if their registration with the Division of Revenue will satisfy the terms of the lease.

Mr. Herbert read the State statute as it pertains to leasing Township property and affirmed that the organization must have non-profit status to meet both the State and Federal law.

Mr. Maher noted that he has a lot of questions regarding the Historical Society overseeing the Schenck House. He advised that a business plan is still not available, and the Society have not been good at keeping proper records and producing a paper trail.

Ms. Samonte advised that the Historical Society should also be registered with the Federal Government as a 501(c)(3). She urged that all paperwork be in order before the lease is signed.

Ms. Geevers asked for verification on what was being leased, and inquired about a business plan and fee schedule.

Mr. Surtees noted that the business plan is separate from the lease agreement. He commented that these documents will be provided along with the fee schedule. Mr. Surtees explained that the fees for the use of the Schenck House would come to the Township.

Ms. Samonte informed Council that the Deed states that the property is to be leased by the Historical Society. She urged the need to get the documents in order.

Mr. Surtees confirmed that he will forward the documents to Administration and Council once he receives them.

Mr. Maher asked who owns the items in the Schenck House, and inquired about the security of the items.

Mr. Surtees advised that photos are being taken and a list is being prepared of all the items on the farm. He explained that the items in the house are either owned by the Historical Society or they are being leased.

Ms. Schmid recommended further discussion on this topic with the incoming Council President, and have it placed on an agenda for further review.

Draft No-Smoking Ordinance

Ms. Swanson reviewed the ordinance and advised that the ordinance will help regulate smoking on Township property. She noted that this would include smoking in Township vehicles and is in line with State and Federal regulations.

Mr. Khanna urged support for the ordinance because of the effects of second-hand smoke.

Mr. Maher explained that he is an advocate of individuals' rights. He noted his satisfaction with the refined version of the ordinance. Mr. Maher noted an additional language change and asked for a reduction in the fines that would be issued.

Ms. Geevers asked how the ordinance was going to be enforced. She commented that the issue was being treated more as a nuisance than the potential to be life threatening. Ms. Geevers recommended banning smoking on all Township property to promote good health.

Ms. Samonte supports the language in the ordinance. She explained that it was not the State Legislators' intent to ban smoking in outdoor places. Ms. Samonte advised that the Township ordinance mirrors the State regulations.

Discussion ensued regarding the no-smoking ordinance.

President Borek advised that the language changes and the amendments to the fines will be made and the ordinance will be introduced at the Business Session this evening.

Chapter A205. Council Procedural Guidelines

Mr. Maher made some amendments to the "Order of Business".

Ms. Samonte endorsed Mr. Maher's suggestions to the agenda order. She noted that she was in favor of adding Work Sessions after the close of a Business Session rather than having a separate meeting.

Ms. Geever noted that she was not in favor of the order of business this evening. She recommended that Work Sessions be held at the close of the Business Session.

President Borek suggested having meetings every three weeks during the summer months of July and August.

Mr. Maher reviewed the meeting dates with Council and all agreed to the meeting schedule.

President Borek commented that the taping of Work Sessions should be at the discretion of the Council President.

Discussion ensued over individuals in the audience taping the meetings.

Mr. Herbert advised that Council can regulate the manner in which an individual is taping the meeting but they cannot prevent the individual from taping.

Council agreed not to add any additional language with the rights of individuals taping the meeting and would be handled on a case-by-case basis.

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, spoke against the adoption of the no-smoking ordinance.

Ms. Alison Miller, 41 Windsor Drive, spoke about the grammar in the no-smoking ordinance and offered some suggestions.

Mr. Marshall Lerner, 3 Sapphire Drive, advised that it would be an injustice if the no-smoking ordinance is adopted if it cannot be enforced.

ADJOURNMENT

Motion to adjourn: Khanna
Second: Geevers
VV: All approved

The meeting was adjourned at 9:04 p.m.

Sharon L. Young
Township Clerk
West Windsor Township