

APPROVED AS AMENDED: March 17, 2014

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
February 5, 2014

CALL TO ORDER: President Maher called the meeting to order at 6:15 p.m.

STATEMENT OF ADEQUATE NOTICE

This is to advise that the notice requirement provided for in the "Open Public Meetings Act" has been satisfied. Notice of this meeting was properly given and transmitted to The Times and Princeton Packet; filed with the Clerk of the Municipality; and posted in the West Windsor Township Municipal Building at North Post and Clarksville Roads on January 3, 2014. Closed Session was noticed on January 29, 2014. Due to inclement weather the Business Session and the Closed Session were re-noticed on February 3, 2014.

ATTENDEES: President: Maher; Vice President: Geevers; Council: Borek; Mendonez, Jr.; Samonte; Mayor: Hsueh; Business Administrator: Schmid; Township Attorney: Herbert; Township Clerk: Young

PUBLIC COMMENT

None.

CLOSED SESSION:

Motion to go into closed session at 6:23 p.m.: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

Ms. Young 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 litigation update, Union contract negotiations, and land acquisition.

Meeting reconvened at 7:03 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, spoke about Resolution 2014-R041, InterCap redevelopment plans, and tax assessments.

Mr. Donald Watrous, 131 Cranbury Road, noted that he was pleased that the RFP for Cranbury Road was listed on the agenda for consideration.

Ms. Ellen Watrous, 131 Cranbury Road, spoke about the long process to get the Cranbury Road repaired and have sidewalks along the road.

MAYOR/ADMINISTRATOR COMMENTS

Ms. Schmid spoke about the recent snowstorms, the power outages, snow removal, Alexander Road repairs, and the availability of the Senior Center to be used as a shelter for those who are without power.

Ms. Schmid explained that Mr. Jones' guardrail concerns will be reviewed as part of the Cranbury Road study.

Ms. Schmid asked to have Resolution 2014-R037 tabled.

Council agreed.

COUNCIL MEMBER COMMENTS

Mr. Borek addressed issues regarding the recent snowstorms and advised residents to be patient with the snow removal process.

Ms. Samonte informed the public of the salt shortage across New Jersey and noted that West Windsor is using all resources to keep the roads clear.

Ms. Geevers thanked everyone for their work during the storms. She addressed issues that the South Post Road residents were experiencing and asked Administration how the Township could assist.

Ms. Schmid recommended that the South Post Road residents attend the Mercer County Park Commission meetings and voice their concerns.

Mr. Borek suggested that Council address a letter to the Park Commission outlining the residents' concerns and to show support.

Mr. Herbert advised the public of the next two meetings scheduled for the Mercer County Park Commission.

President Maher asked Ms. Geevers to write a letter to the Commission outlining the issues.

Mr. Mendonez outlined several issues and thanked everyone for their feedback and Council input.

Ms. Geevers asked about the contract extension for Spiezle Group Architects. She inquired about the preparation of the report to Council.

CHAIR/CLERK COMMENTS

President Maher thanked the Department of Public Works for the great work on removing the snow. He advised that PSE&G is working hard on restoring the power. President Maher asked how residents can advise the Township of potholes in the community.

Ms. Schmid explained that the Township website has a link to allow an individual to complete a form reporting potholes.

President Maher asked for an update on InterCap Holdings and redevelopment because the Mayor had mentioned the subject in his Town Hall meeting.

CONSENT AGENDA

RESOLUTIONS

2014-R036 Refund of Overpaid Property Taxes

2014-R038 Advice and Consent of the Re-Appointment of Jean Jacobsohn a Resident Representative on the Affordable Housing Committee for the Term January 1, 2014 through December 31, 2016

MINUTES

December 23, 2013 - Business Session  
January 1, 2014 - Inauguration and Reorganization Meetings  
January 6, 2014 - Closed Session

BILLS & CLAIMS

Motion to approve consent agenda as amended: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

ITEMS REMOVED FROM CONSENT AGENDA

2014-R037 Advice and Consent of the Re-Appointment of Lindsay Diehl a Resident Representative on the Affordable Housing Committee for the Term January 1, 2014 through December 31, 2016

Resolution 2014-R037 was tabled.

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2014-R040 Authorizing the Budget Transfer to Provide for the transfer of Funds within the 2013 Municipal Budget - 2013 Utility Expenses-Electric/Natural Gas Budget

2014-R042 Authorizing the Mayor and Clerk to Execute a Contract with Louis Berger Group Inc. for the Cranbury Road Area Bicycle and Pedestrian Mobility Alternatives Study

2014-R043 Authorizing the Mayor and Clerk to Execute a Settlement Agreement with JWT Excavating Inc. and to Process Payment for Settlement - \$44,550.00

Motion to approve: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

2014-R039 Authorizing Policy for the Procedures Leading to the Adoption of the Annual Municipal Budget

Mr. Borek asked the Township Attorney for an opinion on the legal process. He noted that it was done differently in the past, but in recent years the process has followed State statute. Mr. Borek was going to reach out to the Attorney General's Office for an opinion.

Ms. Geevers noted that it becomes Council's budget once it has been provided by the Mayor.

Ms. Geevers advised that Council should deliberate the budget prior to introduction. She informed the public that this is an open process and the public is urged to attend the meetings and be part of the process.

Mr. Herbert explained that the procedure that is being recommended by Ms. Geevers is not illegal but made Council aware that they conduct themselves by Robert's Rules. He advised that what is proposed in the resolution does not fulfill the State statute.

Ms. Samonte noted that there is a lot of ambiguity in the statutes and there needs to be a more transparent process. She spoke of the Faulkner Act and the possibility of a deadlock.

President Maher advised that the proposed process is equally transparent and had worked well in the past.

Motion to approve: Mendonez

Second: Geevers

RCV: NAY Borek

aye Geevers

aye Mendonez

NAY Samonte

aye Maher

2014-R041 Authorizing the Mayor and Clerk to Execute a Contract with Carr & Duff Inc. for the Alexander Road/Bear Brook Road/Vaughn Drive Signal Upgrade Project - \$59,210.00

Ms. Schmid outlined the reasons for the signal upgrade which included a GPS system which was an important element.

Mr. Maher asked why so much time had elapsed since the project was listed in the 2010 Capital Budget.

Ms. Alison Miller, 41 Windsor Drive, explained that a study was conducted because of the many safety issues at this intersection. The study resulted in many upgrades to the project.

President Maher noted that this intersection has a lot of heavy traffic funneling through this area.

Motion to approve: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, outlined the Township's code regarding noise control and asked if the County is exempt from this enforcement. He also spoke about Resolution 2014-R041 regarding the signal upgrade.

COUNCIL REPORTS/DISCUSSION TOPICS/NEW BUSINESS

Mr. Borek spoke about the solar farm and how the Township does not have "home rule" when it comes to matters at the Mercer County Community College. He suggested that the residents reach out to their Senators and Assemblypersons for support.

Ms. Geevers suggested that the Budget Work Session be noticed because the Municipal Budget will be available to Council on February 7<sup>th</sup>. She also spoke about the scanning of the bills and claims.

Mr. Maher suggested that the South Post Road residents get politically active. He noted that the timing of the light at Meadow and Clarksville Roads needs to be adjusted.

ADJOURNMENT

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

The meeting was adjourned at 8:15 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township