

APPROVED AS AMENDED: June 9, 2014

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
April 28, 2014

CALL TO ORDER: President Maher 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 January 3, 2014. Closed Session was noticed on April 21, 2014.

ATTENDEES: President: Maher; Vice President: Geevers; Council: Borek; Mendonez, Jr.; Samonte; Mayor: Hsueh (left at 7:55 p.m.); Business Administrator: Schmid; Township Attorney: Herbert; Township Clerk: Young; Chief Financial Officer: Louth; Township Auditor: Antonides

CLOSED SESSION

Motion to go into closed session at 6:34 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 various litigation matters.

Meeting reconvened at 7:01 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Ms. Sarah Thomson, 113 Cranbury Road, spoke about a few outstanding issues with the signs along Cranbury Road.

Ms. Sandra Shapiro, 15 Wycombe Way, thanked Council for the improvements to Van Nest Park and the Ron Rogers Arboretum.

Ms. Teresa Lourenco, 408 South Post Road, spoke about traffic issues, the amphitheater, and other issues that affect the residents on South Post Road.

Ms. Holly Kelemen, 25 Old Bear Brook Road, advised Council of proposed changes to the plan for the Maneely Tract which are in conflict with the Township's Master Plan.

Ms. Samirah Aklaq, 109 Cranbury Road, spoke about the clean-up project along Cranbury Road and urged Council to keep the sidewalk project a priority.

Ms. Debbie Hepler, 10 Dean Court, commented on the professional services agreement with East Windsor for animal control services, the former animal control officer, and the costs associated with the animal control obligation.

Ms. Ilene Watrous, 131 Cranbury Road, spoke in favor of the former animal control officer, and noted concerns about not having sidewalks on Cranbury Road.

Mr. Marc Siegel, 123 Cranbury Road, expressed gratitude for the work being done to provide sidewalks on Cranbury Road.

Mr. Pete Weale, 144 Fisher Place, spoke about his brush not being picked up, the Township's legal services, and GPS availability for Township vehicles.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh thanked the volunteers for their efforts to make the Arbor Day celebration a success. He made comments regarding the animal control position.

Mr. Herbert suggested that the Mayor not make any comments about the animal control position because the issue is in litigation.

Ms. Schmid advised that the Public Works employees have been working overtime to remove brush and tree debris. She noted that "Dumpster Day" is Saturday, May 3rd from 8 a.m. to 2 p.m. at the Public Works site.

COUNCIL MEMBER COMMENTS

Mr. Borek thanked both the Fire Companies for the good job they did at the house fire at Jefferson Park. He spoke about Arbor Day, the DARE program for 5th graders, stricter speed enforcement, and sidewalk crossing signs for pedestrians.

Ms. Samonte urged residents to stop when a school bus is picking up or dropping off children at a bus stop. She advised that this has become a safety issue for the children. Ms. Samonte noted that she is working with Mr. Mendonez on the matter of having GPS installation on Township vehicles.

Mr. Mendonez spoke about South Post Road and Cranbury Road issues, the noise ordinance, brush along Township roads, the use of GPS in Township vehicles, the Arbor Day celebration, the Farmers' Market, and the Cranbury Road survey.

Ms. Geevers spoke about speeding vehicles on Township roads, the Arbor Day celebration, and the meeting with Mr. Bannon on Mercer County Park issues. She advised of a meeting with President Maher and the Mayor to discuss Township issues. Ms. Geevers proposed to have these meetings continue on a regular basis. She also urged the Mayor to have two representatives from Council on the committee to interview candidates responding to the RFP for legal services.

CHAIR/CLERK COMMENTS

President Maher outlined the various issues discussed at the meeting with Mercer County Park Executive Director Bannon and the South Post Road residents. He affirmed that Mr. Bannon will come out this summer to one of the events at the park to see firsthand how the residents are affected.

President Maher explained the next steps in the process for providing sidewalks along Cranbury Road now that the survey has been completed. He urged the need for enforcement of the brush and leaf ordinance.

President Maher criticized Administration and the Chief Financial Officer for not producing the information requested for tonight's Work Session. He also spoke about the scrutiny level that will be placed on reviewing the RFPs received for Township legal services. President Maher urged the Mayor to allow the Council President to participate in the review of the information, and to be included in the interview process.

PUBLIC HEARINGS

2014-03 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

President Maher opened the Public Hearing.

Ms. Louth provided an explanation for how the ordinance is a planning tool for the future.

Mr. John Church, 11 Princeton Place, made comments regarding the Cap Bank and asked Council not to adopt the ordinance.

Mr. Antonides clarified some of Mr. Church's comments.

Ms. Schmid conveyed to Council that the Division of Local Government Services issued a Finance Notice that outlined the percent increase which is allowed each year and is subject to change from year to year.

Ms. Louth told the Council that this year is the first year in five years that the Township did exceed the cap. She noted that times are changing and it is better to be safe than regret the decisions made.

Ms. Schmid noted that the percentage of increase for out of cap items could vary yearly.

Mr. Mendonez asked about the average percentage of the cap exception from year to year.

Ms. Schmid explained that the percentage is based on the cost of living index which is adjusted annually.

President Maher urged Administration to keep taxes under control. He noted that it was disingenuous to the taxpayer to adopt this ordinance. President Maher instructed Administration to make the tough decisions to control the Township taxes.

Motion to close public hearing: Borek

Second: Samonte

RCV: aye Borek
aye Geevers
aye Mendonez
aye Samonte
aye Maher

Motion to adopt: Borek

Second: Samonte

RCV: aye Borek
NAY Geevers
NAY Mendonez
aye Samonte
NAY Maher

2014 MUNICIPAL BUDGET - PUBLIC HEARING

President Maher opened the Public Hearing

Ms. Louth outlined the total budget comparison and reviewed the historical budget trends. She presented a comparative schedule of fund balances and the overall Municipal tax impact. Ms. Louth advised that the tax rate is .38 cents, and the average residential household municipal taxes are \$1,983.81.

Mr. Greg Strawn, 21 Sherbrooke Drive, spoke about the various department percentages that affect the total budget increase. He outlined his issues and concerns.

Mr. John Church, 11 Princeton Place, recognized the hard work that went into the budget deliberation, and noted his support for the Municipal Budget.

Motion to close public hearing: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

President Maher recognized the work that went into reaching a flat budget and to have all five Council Members agree to the changes that were made.

Ms. Geevers thanked Council for holding the line on taxes. She supported the process of deliberating the budget.

Mr. Borek advised that Council is working to keep taxes under control. He advised the public that a dialogue should be had with the County and legislators to urge that each entity collect their own portion of taxes.

President Maher commented on both the School Board and the County not making efforts to keep taxes down.

Motion to adopt the 2014 Municipal Budget: Borek

Second: Samonte

RCV: aye Borek
aye Geevers
aye Mendonez
aye Samonte
aye Maher

CONSENT AGENDA

RESOLUTIONS

2014-R091 Granting Release of Performance Surety Bond for Street
Opening Permit No. 2013-05 to Zayo Group - \$58,250.00

2014-R092 Granting Release of Cash Performance Bond for Street
Opening Permit No. 2014-03 to M.J. Grove Inc. -
\$500.00

2014-R093 Authorizing Refund for Development Plan Review Project
to American Properties at West Windsor, LLC -
\$9,858.54

2014-R094 Authorizing Refund for Development Plan Review Project
to Princeton Pong, LLC - \$1,427.52

MINUTES

February 26, 2014 - Budget Work Session #5 - as amended

March 17, 2014 - Business Session - as amended

March 31, 2014 - Closed Session

BILLS & CLAIMS

Motion to approve the consent agenda: Borek

Second: Geevers

RCV: aye Borek
aye Geevers
aye Mendonez
aye Samonte
aye Maher

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

- 2014-R095 Endorsing the Submission of the 2013 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Designating Vickie Felix, Certified Municipal Recycling Coordinator
- 2014-R096 Authorizing the Chief Financial Officer to Process and Make Payment to PSE&G, and Upon Receipt of Payment a Warrant to Satisfy Judgment will be Filed - \$3,000
- 2014-R098 Authorizing the Mayor and Clerk to Execute a Contract with Multi-Temp Mechanical, Inc. for the Project known as Maintain and Service the Heating, Ventilating and Air Conditioning Systems for Various Township Buildings for the period May 1, 2014 through December 31, 2015 - \$80,000
- 2014-R099 Authorizing the Mayor and Clerk to Execute a Contract with TLG Signs, Inc. t/a Fastsigns, for the Production and Delivery of Graphics for the Environmental Education Exhibition at the Schenck Farmstead Barn - \$3,953.34
- 2014-R100 Authorizing the Business Administrator to Execute Change Order No. 1 with D&D Trenchless Solutions, Inc. accounting for a Decrease (1.32%) in total Contract Cost for Final Quantities Adjustment and Project Closeout for the Project known as North Post Road Sanitary Sewer Rehabilitation - (-\$4.149.00)
- 2014-R101 Authorizing Purchase of a 2015 Ford F350 4WD Truck with Plow and Dump Body for the Department of Public Works, under New Jersey State Contract from Cherry Hill Winner Ford - \$58,528.00

Motion to approve Resolutions 2014-R095, 2014-R096, and 2014-R098 through 2014-R101: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

2014-R097 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Michael Melchionne Consultant/Expert in the Roed Lawsuit - \$10,000

Ms. Geevers inquired about adding East Windsor to the Professional Services Agreement. She also asked why the funds for the agreement are coming out of the reserve for animal control instead of the litigation fund. Ms. Geevers suggested some language amendments for the resolution

President Maher advised that he was displeased about the high hourly cost that Mr. Melchionne was charging the Township.

Ms. Geevers asked why East Windsor was not sharing in the cost for the consultant.

Mr. Herbert advised that East Windsor was indemnified against the costs for litigation.

Motion to approve as amended: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

NAY Maher

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, noted that the School Board has not lowered their operating costs causing a significant increase in their taxes.

Ms. Alison Miller, 41 Windsor Drive, advised that the Farmers' Market opens this weekend, and the Bike and Pedestrian Alliance will be holding their annual walk to the Farmers' Market.

REPORTS/DISCUSSION TOPICS/NEW BUSINESS

Mr. Borek informed Council that the Township may not be getting the bidders they anticipate because of the Township's pay-to-play laws. He suggested that Council may want to review the ordinance for reconsideration.

Ms. Samonte spoke about the new COAH regulations, and noted that the Parking Authority is considering a price increase for permits to use train station parking lots.

Mr. Mendonez reminded the residents to vote at all the Elections especially if they are not pleased with the tax increase in the School Board's budget.

Ms. Geevers noted that a sign waiver was approved at the Planning Board meeting.

President Maher advised that three residents received approvals for variances at the Zoning Board meeting.

ADJOURNMENT

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

The meeting was adjourned at 9:00 p.m.

Sharon L. Young
Township Clerk
West Windsor Township