

APPROVED AS AMENDED: June 23, 2014

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
May 12, 2014

CALL TO ORDER: President Maher called the meeting to order at 6:35 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 30, 2014.

ATTENDEES: President: Maher; Vice President: Geevers; Council: Borek, Mendonez, Samonte; Mayor: Hsueh (left at 8:25 p.m.); Business Administrator: Schmid; Township Attorney: Herbert; Township Clerk: Young

CLOSED SESSION

Motion to go into closed session at 6:35 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 potential litigation and other litigation matters.

Closed session adjourned at 7:25 p.m.

CONTINUATION OF BUSINESS SESSION (after Board of Health meeting)

The Business Session was called to order at 7:56 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

President Maher advised that Ordinance 2014-06 will be tabled.

PUBLIC COMMENT

Mr. George Stafford, Outreach Director, NJ Highlands Coalition, spoke about the NJ Highlands Water Protection and Planning Act and asked for support for the resolution he distributed.

Ms. Alison Miller, 41 Windsor Drive, advised that the West Windsor Parking Authority report will not be available this week.

Mr. Donald Watrous, 131 Cranbury Road, addressed questions about the presentations and the information that is to be provided for the Cranbury Road residents.

Ms. Sarah Thomson, 113 Cranbury Road, thanked Council for attending their event, and spoke about the grants available through NJDOT.

Mr. Wesley Mostello, 168 Penn Lyle Road, spoke about the placement of brush along the roadways, and other brush concerns. He inquired about the exorbitant costs for maintaining and testing fire hydrants.

Mr. Russ Kelemen, 25 Old Bear Brook Road, thanked Mr. Maher and Ms. Geever for attending the Planning Board meeting that discussed the plan for the Maneely property.

Ms. Holly Kelemen, 25 Old Bear Brook Road, advised of a lot of misinformation in the professional reports created for the proposed project on the Maneely property.

Mr. John Church, 11 Princeton Place, explained that the cost for maintenance is over \$900 per fire hydrant. He noted that West Windsor pays one of the highest fees in the State for this service.

Ms. Debbie Hepler, 10 Dean Court, spoke about the issue concerning an employee in the Health Division.

MAYOR/ADMINISTRATOR COMMENTS

Ms. Schmid advised of the latest brush schedule, and noted that Council was made aware of Ms. Hepler's concerns regarding the employee in the Health Division.

COUNCIL MEMBER COMMENTS

Mr. Borek spoke about a public comment from a previous meeting pertaining to several Police Officers. He noted that he spoke to the Chief of Police who advised him that the Police Officers were at McCaffrey Supermarket to apprehend a shoplifter and not for the reason speculated during public comment.

Mr. Mendonez made comments and addressed several residents' issues concerning the flood study, and asked for an update of the traffic matters on Washington Road.

Ms. Geevers inquired about a memo prepared by the Township Attorney for the Mayor concerning the Faulkner Act. She asked to have a copy of the memo. Ms. Geevers advised that the Township Code lists various boards and committees, and noted that their terms expire after a designated length of time, and are not considered "holdovers".

Mr. Herbert explained that the length of the term depends on the board and there could be "holdovers" if the position is not filled.

Ms. Geevers explained that the Township Code does not advise of "holdovers", and residents filling new or unexpired terms have always been listed on a resolution for a vote by Council.

Mayor Hsueh noted that an Advisor position is open on the Affordable Housing Committee, and a resolution will be provided for consideration at the next Business Session.

CHAIR/CLERK COMMENTS

President Maher asked Administration to review and resolve the growing bush debris and the speed limit signage along Harris Road. He noted that the Cranbury Road residents removed most of their signage. President Maher also asked if the Police could monitor the speed along Harris Road.

President Maher urged Public Works to get on a regular schedule for brush pickup. He noted that this is a growing concern in the community.

CONSENT AGENDA

RESOLUTIONS

2014-R102 Approving the Request from DARE New Jersey Inc. for
Fireworks Display at Mercer County Park on May 31,
2014, Rain Date June 1, 2014

2014-R103 Providing for the Insertion of the State of New Jersey
Division of Law and Public Safety Drunk Driving
Enforcement Fund in the 2014 Municipal Budget -
\$11,133.28

2014-R104 Providing for the Insertion of the State of New Jersey
Division of Criminal Justice Body Armor Fund in the
2014 Municipal Budget - \$5,865.76

2014-R105 Authorizing the Mayor and Clerk to Execute an Easement
Modification Agreement - 17 Lakeshore Drive

MINUTES

March 31, 2014 - Business Session

March 31, 2014 - Work Session

April 7, 2014 - Business Session

April 7, 2014 - Closed Session

BILLS & CLAIMS

Motion to approve the consent agenda: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2014-R106 Recognizing Municipal Clerk's Week, May 4th through May
10th, 2014

2014-R108 Approving the Revisions to the Township of West
Windsor Employee Policy Handbook and Personnel
Policies and Procedures Manual as recommended by
Municipal Excess Liability Joint Insurance Fund
(MELJIF)

2014-R109 Authorizing the Mayor and Clerk to Execute a
Professional Services Agreement with Roberts
Engineering Group, LLC for Engineering and Surveying
Design Services for the Alexander Road Reconstruction
Project (Easterly Section-Roszel Road and Vaughn
Drive) - \$15,000.00

2014-R110 Authorizing the Business Administrator to Execute Change Order # 1 with Techna-Pro Electric LLC Accounting for a Decrease (.001%) in the Total Contract Costs for Final Quantities Adjustment and Project Closeout for the Project known as South Mill Road and Princeton Hightstown Road Emergency Vehicle Pre-emption Equipment Installation - (-\$123.40)

2014-R111 Granting the Request by 99 Clarksville LLC for Reduction of Performance Guarantees for the Private and Public Improvements for the Project known as United Jewish Federation of Princeton Mercer Bucks PB07-06

2014-R112 Authorizing the Mayor and Clerk to Execute a Contract with RVAJR, LLC to Provide Food Services at "WaterWorks" at West Windsor Community Pool for the period May 15, 2014 through September 12, 2015

2014-R113 Authorizing the Mayor and Clerk to Execute a Contract with Irvin Raphael, Inc. to Provide School Bus Transportation Services for the Township Division of Recreation and Parks for the Period June 23, 2014 through August 15, 2014 - not to exceed \$45,000.00

2014-R114 Authorizing the Mayor and Clerk to Execute a Contract with A-1 Limousine, Inc. to Provide Motor Coach Transportation Services for the Township Division of Recreation and Parks for the Period June 23, 2014 through August 15, 2014 - not to exceed \$20,000.00

Motion to approve Resolutions 2014-R106, and 2014-R108 through 2014-R114: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

2014-R107 Authorizing the Mayor and Clerk to Execute a
Professional Services Agreement with William John
Kearns, Jr. of Kearns, Reale & Kearns as Special
Counsel through December 31, 2014 - \$7,500.00

Ms. Geevers asked why Mr. Kearns' services are needed. She inquired if Mr. Kearns would be interested in speaking to the Council regarding the Faulkner Act.

Ms. Schmid advised that Mr. Kearns would be retained in case the evaluation committee has questions relative to how the process ought to work or if there are questions about the Faulkner Act. Mr. Kearns would be consulted on an as needed basis if any member of the committee had questions.

Ms. Geevers asked if Township residents who also work as attorneys were considered for this position.

Ms. Schmid explained that this was a recommendation by the Mayor.

Mr. Maher asked why the Mayor did not seek a resident to assist with this potential need, and suggested that the resolution be deferred until the Mayor has an opportunity to speak to Council about his request.

Ms. Geevers urged the Mayor to consider having two Members of Council on the review board. She noted she would appreciate the show of solidarity between the legislative branch and the executive branch of the Township.

Motion to defer the resolution until the Mayor has the opportunity to address Council about the agreement: Mendonez

Second: Geevers

RCV: NAY Borek

aye Geevers

aye Mendonez

NAY Samonte

aye Maher

2014-R115 Approving Ratification of Memorandum of Agreement
between Township of West Windsor and Communications
Workers of America (CWA) Local 1032, for the Period
from January 1, 2013 through December 31, 2015

President Maher commented that Council and Administration continue to tighten the language in the agreement. He advised that holidays will be a topic for discussion during the next round of negotiations. President Maher acknowledged that overall this was a good agreement.

Motion to approve: Borek

Second: Samonte

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

INTRODUCTION OF ORDINANCES

2014-04 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 168,
"TRAFFIC AND PARKING," OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR - Bus Stops

Motion to introduce: Geevers

Second: Borek

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

The Public Hearing will be held on May 27, 2014.

2014-05 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 82,
"FEES", SECTION 82-20 "SEWER USER CHARGES" OF THE CODE
OF THE TOWNSHIP OF WEST WINDSOR

Motion to introduce: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

The Public Hearing will be held on May 27, 2014.

2014-06 AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE
TOWNSHIP OF WEST WINDSOR AMENDING THE PRINCETON
JUNCTION REDEVELOPMENT PLAN

This ordinance was tabled.

2014-07 AN ORDINANCE TO ESTABLISH A SALARY AND WAGE PLAN FOR
THE TOWNSHIP OF WEST WINDSOR AND PROVIDE FOR THE
ADMINISTRATION THEREOF

Motion to introduce: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

The Public Hearing will be held on May 27, 2014.

ADDITIONAL PUBLIC COMMENT

Mr. Wesley Mostello, 168 Penn Lyle Road, asked about the resolution for the concession stand at West Windsor WaterWorks.

President Maher noted that the vendor is paying West Windsor for the use of the concession stand.

Mr. John Church, 11 Princeton Place, spoke about the terms for the Affordable Housing Committee, and noted his agreement with Council's decision to table resolution 2014-R107.

Ms. Debbie Hepler, 10 Dean Court, spoke about brush issues, and using the GPS system on Township vehicles.

COUNCIL REPORTS/DISCUSSION TOPICS/NEW BUSINESS

Mr. Borek spoke about the State's structural deficit and the elimination of many grants. He noted that difficulties at the State level will affect the Township.

Ms. Samonte spoke about the memo regarding the proposed COAH regulations, and suggested that the Council discuss their effect on the Township at a future Work Session.

Mr. Mendonez advised that he will be speaking with Chief Pica regarding the use of GPS on Township vehicles not only for tracking but also for safety purposes too. He also addressed the need to enforce the sign ordinance.

Ms. Geever noted that with the upcoming Capital Budget discussions, it would be a good time to also talk about the use of GPS on Township vehicles. She advised that the plan for the Maneely tract was discussed at the last Planning Board meeting, and she reviewed the basics of the plan.

President Maher urged realtors not to place their signs in the middle of Village Road. He also confirmed that the signs should not go on the islands located in the middle of the roads. President Maher reported that some residents are abusing the brush and leaf ordinance, and asked Administration to address the abuse and enforce the ordinance.

ADJOURNMENT

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

The meeting was adjourned at 9:15 p.m.

Sharon L. Young
Township Clerk
West Windsor Township