

APPROVED AS AMENDED: August 25, 2014

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
July 14, 2014

CALL TO ORDER: President Maher called the meeting to order at 6:20 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 noticed on June 30, 2014.

ATTENDEES: President: Maher; Vice President: Geevers; Council Members: Borek, Mendonez, Samonte; Business Administrator: Schmid; Township Attorney: Herbert; Township Clerk: Young, Manager of Land Use: Surtees (left at 7:23 p.m.); Director of Community Development: Ward (left at 7:23 p.m.); Township Engineer: Guzik (left at 7:23 p.m.); Township Assessor: Benner (left at 6:55 p.m.)

CLOSED SESSION

Motion to go into closed session at 6:20 p.m. for the purpose of discussing open space acquisition and an update on various litigation cases: Geevers

Second: Borek

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

Meeting reconvened at 7:34 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

President Maher announced that Resolution 2014-R147 will be pulled for discussion at the Work Session this evening.

President Maher also announced that Resolution 2014-R153, and Ordinances 2014-10 and 2014-11, which relate to the acquisition of the Thompson property, will be deferred until Administration, the West Windsor Citizens Rifle and Revolver Club, and FOWWOS have an opportunity to discuss adding "safety" language to the Agreement of Sale that would satisfy all parties.

PUBLIC COMMENT

Mr. Kamal Khanna, 15 Millbrook Drive, outlined the efforts that went into the preparation of the Memorandum of Understanding (MOU) between the Township and the Cricket Association. He urged approval of the agreement.

President Maher advised that there are several open items in the agreement with the Cricket Association that could lead to misinterpretation. He noted that these items will be discussed during this evening's Work Session.

Mr. John Church, 11 Princeton Place, discussed the Municipal tax rate and provided charts for Council review. He also inquired about the Township audit.

Mr. Robert Murray, 20 Lorrie Lane, spoke to the urgency of adopting Ordinances 2014-10 and 2014-11 for the purchase of the Thompson property. He noted that FOWWOS would also like to expedite the purchase of the parcel.

Ms. Alison Miller, 41 Windsor Drive, discussed the necessity of agreeing on the language changes to work out a compromise between the Township and the Citizens Rifle and Revolver Club which would allow the purchase of the Thompson property to move forward.

Mr. Marshall Lerner, 3 Sapphire Drive, representing the West Windsor Rifle and Revolver Club, noted that the club has an impeccable safety record. He outlined the discussions he had with Administration regarding the "safety" language which should be part of the Agreement of Sale.

Mr. Vineet Anand, 27 Hamilton Drive, appreciated the Council's efforts to create a cricket field and to assist with the preparation of the MOU.

Mr. Pete Weale, 11 Fisher Place, spoke about the Cricket Association MOU, the Township's pocket park, and a problem property located on Washington Road.

#### MAYOR/ADMINISTRATOR COMMENTS

Ms. Schmid advised that the 2013 Annual Audit was completed by June 30, 2014 and is currently being processed. She noted that the Township's recycling pickup day has been changed to Thursdays.

#### COUNCIL MEMBER COMMENTS

Mr. Borek thanked everyone involved in the effort to purchase the Thompson property. He noted that he attended the ground breaking ceremony for the Mosque that will be located in West Windsor.

Mr. Mendonez spoke of the Citizens Rifle and Revolver Club's perfect safety record, the pilot program for the GPS system, the second public hearing for the Municipal Complex renovations, and the School Board's feedback regarding the Howard Hughes land.

Ms. Geevers spoke about the Township Audit and going out for request for proposals on auditing services, the ground breaking for the Mosque, the Thompson property acquisition and the recommended "safety" language, and the pocket park.

#### CHAIR/CLERK COMMENTS

President Maher spoke about the Mayor working with the Council on a design for the Pocket Park that could be funded by the Township. He also thanked Mr. Mendonez for his efforts on working with Administration to get a GPS system for Township vehicles.

President Maher advised that the Township Council worked tirelessly to conclude the budget process with a zero tax increase. He noted that the problem lies at the County level and with the County Library that continuously raise taxes above the 2% cap. President Maher urged residents to vote for change.

CONSENT AGENDA

RESOLUTIONS

2014-R142 Authorizing Refund of Overpaid Property Taxes

2014-R143 Authorizing Refund of Development Plan Review Escrow Accounts

MINUTES

May 27, 2014 - Business Session

June 9, 2014 - Closed Session

BILLS & CLAIMS

Motion to approve the consent agenda: Borek

Second: Mendonez

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2014-R144 Providing for the Insertion of the Alcohol Education, Rehabilitation & Enforcement Fund in the 2014 Municipal Budget - \$2,363.20

2014-R145 Authorizing an Amendment to the Capital Budget to Include Additional Funding for the Bike Lane Extension Program - NJDOT Bikeway Grant - Conover Road, and for Open Space Land Acquisition, and Consultant Fees Related to the Land Acquisition

2014-R146 Authorizing 2015 Recreational Opportunities for  
Individuals with Disabilities Grant Application -  
\$10,000.00

2014-R148 Authorizing the Business Administrator to Execute  
Change Order No. 1 with Frank Lurch Demolition  
Company, Inc. for a Decrease of (0.009%) in Total  
Contract Cost for Final Quantities Adjustment and  
Project Closeout for the Project known as Demolition  
of Township Owned Structures Located at the Grover  
Farmstead - (-\$400.00)

2014-R149 Authorizing the Mayor and Clerk to Execute Contract  
Amendment No. 1 with Roberts Engineering Group for  
Supplemental Work for the Project known as Alexander  
Road Reconstruction Project - \$3,400

2014-R151 Authorizing the Mayor and Clerk to Execute a Contract  
with Earle Asphalt Company for Emmons Drive  
Reconstruction Project - \$298,313.13

Motion to approve Resolutions 2014-R144 through 2014-R146, 2014-R148, 2014-R149 and 2014-R151: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

2014-R150 Authorizing the Mayor and Clerk to Execute a Contract  
with Lucas Brothers, Inc. for the Annual Road  
Improvement Program - \$1,805,555.79

Mr. Borek made it known that Ms. Geevers has her realtor's license and suggested that she recuse herself from voting on this contract and other contracts that involve Township improvements.

Ms. Geevers advised that she has had her license for over nine years.

President Maher advised that this circumstance that Mr. Borek is suggesting is a little bit of a stretch. He outlined other circumstances where a Member of Council voted on an agenda item that could have been considered a conflict.

Motion to approve: Borek

Second: Samonte

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

2014-R152 Authorizing the Purchase of Model U55-4R3AP Kubota Excavator under the Middlesex County Cooperative Purchasing Program for the Department of Public Works - \$71,497.13

Mr. Mendonez asked for a spreadsheet that listed all the vehicles and equipment in the Department of Public Works.

President Maher noted that details were provided to Council outlining the need for this piece of equipment.

Motion to approve: Borek

Second: Geevers

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

#### INTRODUCTION OF ORDINANCES

2014-12 CAPITAL IMPROVEMENT ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN OR FOR THE TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY APPROPRIATING THE AMOUNT OF \$550,000

Motion to introduce: Borek  
Second: Geevers  
RCV: aye Borek  
aye Geevers  
aye Mendonez  
aye Samonte  
aye Maher

The Public Hearing will be held on August 4, 2014

2014-13     BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY APPROPRIATING \$3,756,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,578,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Motion to introduce: Borek  
Second: Samonte  
RCV: aye Borek  
aye Geevers  
aye Mendonez  
aye Samonte  
aye Maher

The Public Hearing will be held on August 4, 2014

2014-14     BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SWIMMING POOL COMPLEX IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$50,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$47,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST 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 August 4, 2014

2014-15     AN ORDINANCE AMENDING CHAPTER 165 "TAXICABS AND  
VEHICLES FOR HIRE" AND CHAPTER 82 "FEES" OF THE  
REVISED GENERAL ORDINANCES OF WEST WINDSOR TOWNSHIP

Motion to introduce: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

The Public Hearing will be held on August 4, 2014

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, thanked Ms. Schmid for the update regarding the Township Audit. He spoke about the Township Auditor's common practice of not reviewing all the invoices for a particular line item and rather accepting the numbers provided by the Finance Division. Mr. Church addressed the subject of conflict of interest.

Mr. John Jones, 252 Cranbury Road, asked for the date and time of the next public Cranbury Road meeting.

Ms. Schmid advised that Administration must work with the County on a few issues prior to the public meeting, which will be noticed to the public.

Mr. Marshall Lerner, 3 Sapphire Drive, spoke about a conflict of interest that occurred during redevelopment discussions and the outcome. He noted that the individual with the conflict must have a financial interest or transaction.

Mr. Pete Weale, 144 Fisher Place, spoke about the pocket park, the stormwater management study, the blight behind the Ellsworth Center, Emmons Road repairs, Township's legal services, and the Grover House.

President Maher noted that the Request for Proposals for Legal Services are in the hands of the Mayor. He noted that Council is waiting for the Mayor to bring forth a recommendation.

Mr. Andy Bromberg, 24 Providence Drive, spoke about the costs for one-day passes at the West Windsor Water Works.

COUNCIL REPORTS/DISCUSSION TOPICS/NEW BUSINESS

Ms. Samonte explained that the Parking Authority is creating a sub-committee to evaluate the potential of a rate increase. She also noted that they are looking into vendors for information technology services.

Mr. Borek advised that the School Board meetings held with Howard Hughes should have been taped.

Mr. Mendonez advised that the School Board does not tape their meetings. He noted that he will reach out to the School Board for their findings.

Ms. Geevers explained that the Planning Board approved site plans for Boston Properties and Carnegie Center West. She spoke about plans for the Market Fair.

President Maher urged the Parking Authority to reconsider increasing fees and outlined his reasons against the increases.

ADMINISTRATIVE UPDATES

Ms. Schmid advised that the Mayor will hold Town Hall meetings every other month or as needed. She noted that he is also setting aside hours to speak with residents.

MOTION TO RECESS

Motion to recess the Business Meeting to go into a Work Session:  
Borek  
Second: Samonte  
VV: All approved

The Business Session went into recess at 9:10 p.m.

Council extended the clock while in Work Session until 11:15 p.m.

MEETING RECONVENED

The Business Session reconvened at 11:03 p.m.

After discussion in the Work Session, Council added Resolution 2014-R147 back on to the agenda for further consideration.

2014-R147 Authorizing the Mayor and Clerk to Execute the General Agreement and Memorandum of Understanding with the West Windsor Cricket Association

Motion to approve as amended: Borek

Second: Mendonez

RCV: aye Borek

aye Geevers

aye Mendonez

aye Samonte

aye Maher

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, asked why Capital Health is responding to emergencies rather than Twin W.

Mr. Mendonez commented that the Twin W are volunteers who work evenings.

Mr. Borek further explained how Emergency Services are dispatched.

ADJOURNMENT

Motion to adjourn: Mendonez

Second: Geevers

VV: All approved

The meeting was adjourned at 11:07 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township