

APPROVED: December 22, 2014

WEST WINDSOR TOWNSHIP COUNCIL
WORK SESSION
November 24, 2014

CALL TO ORDER: President Maher called the meeting to order at 7:55 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 17, 2014.

ATTENDEES: President: Maher; Vice President: Geever; Council: Borek (left at 8:33 p.m.), Mendonez, Samonte (left at 8:42 p.m.); Business Administrator: Schmid; Township Attorney: Herbert; Township Clerk: Young; Health Inspector: Swanson (left at 8:25 p.m.); Landscape Architect: Dobromilsky (left at 8:50) p.m.

PUBLIC COMMENT

Ms. Alison Miller, 41 Windsor Drive, made comments regarding the nuisance ordinance.

FOR DISCUSSION:

COUNCIL MEMBER/CLERK

Review of Nuisance Ordinance

Ms. Swanson reviewed the ordinance with Council.

Mr. Mendonez inquired about the law regarding electronic cigarettes.

Ms. Swanson advised that usage of electronic cigarettes is covered under the State statute.

President Maher addressed questions regarding chimney smoke and fire pits.

Ms. Swanson explained that the Township responds to issues on a case by case complaint basis. She reviewed a few outstanding issues and noted that she has not received any complaints that pertain to smoke from a fire pit.

President Maher inquired about vehicles parked on private property for extended periods of time that have "for sale" signs on them.

Ms. Swanson advised that the Township does not have an ordinance that governs that issue unless the car is not licensed or registered. She explained that the complaint can then be handled by the Police Division.

Mr. Herbert explained that vehicles parked on private property is a difficult complaint to regulate. He noted that he would review the Department of Environmental Protection's regulations for any assistance.

Review of Noise Ordinance

Mr. Mendonez asked if a certified decibel meter was being used to take the readings, and what type of enforcement of the ordinance is there during the evening hours.

Ms. Swanson advised that the Township uses the State model code for the Township enforcement of noise. She noted that the department does have a certified decibel meter. Ms. Swanson explained that the enforcement of noise during the evening hours is handled by the Police Division. She commented on consistent noise complaints which can be handled and evaluated during regular business hours.

Ms. Geevers asked if the hours in the ordinance could be changed to 6 p.m. on the weekends to prevent residents from carrying out activities such as grass cutting in the evening hours.

Ms. Swanson explained that any changes made to the ordinance would need to have DEP approval.

Mr. Mendonez asked about the penalties of the violations and inquired about distance from point to point of a noise complaint.

Ms. Swanson advised there are variables in the fine based on the number of offenses. She noted that the Judge usually will take the advice of the Health Officer before concluding on a fine amount. Ms. Swanson noted that there are different techniques for calculating background noise.

Discussion ensued about noise issues during the evenings and over the weekends.

Discussion about the Joint Contract Joinder Agreement with NJ Sustainable Energy Joint Meeting (NJSEM)

Mr. Dobromilsky explained that Gabel Associates analyzed the Township's energy supplies and have made some recommendations. He spoke about joining the New Jersey Sustainable Energy Meeting (NJSEM) co-op to participate in future bids and contracts for energy supplies.

Ms. Samonte noted that rates increase based upon usage.

President Maher asked for a better understanding of the urgency to adopt the resolution. He asked to review the data before moving forward.

Mr. Mendonez asked who is the representative for the Township when joining a large cooperative.

Mr. Dobromilsky noted that it is usually the Business Administrator who becomes a member of the co-op and represents the Township. He commented on the consultants that NJSEM has to assist in advising the Township too.

Discussion ensued over the approval of the resolution to join the New Jersey Energy Joint Meeting.

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, added comments regarding the noise ordinance.

Ms. Alison Miller, 41 Windsor Drive, supports allowing lawn cutting until 8 p.m. on the weekends.

CLOSED SESSION

Motion to go into closed session at 8:50 p.m.: Geevers

Second: Mendonez

RCV: Borek, absent

aye Geevers

aye Mendonez

Samonte, absent

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.

Meeting reconvened at: 9:14 p.m.

ADJOURNMENT

Motion to adjourn: Mendonez
Second: Geevers
VV: All approved, Borek, Samonte absent

The meeting was adjourned at 9:14 p.m.

Sharon L. Young
Township Clerk
West Windsor Township