

APPROVED AS AMENDED: July 18, 2016

WEST WINDSOR TOWNSHIP COUNCIL

WORK SESSION

May 31, 2016

CALL TO ORDER: President Geever called the meeting to order at 9:15 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 May 27, 2016.

ATTENDEES: President: Geever; Vice President: Marathe; Council: Hamilton, Mendonez, Miller; Mayor: Hsueh; Business Administrator: Schmid; Township Attorney: Herbert; Township Clerk: Young

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, spoke about the "gift statute" in the Faulkner Act of the New Jersey State Statutes. He advised that this donation of a gift should be done by ordinance.

Mr. Andrew Kulley, 6 Jill Drive, asked that the resolution pertaining to acceptance of gifts for the Township should be withdrawn from consideration.

Mayor Hsueh agreed with Mr. Kulley that the resolutions should be withdrawn. He noted that Council never questioned the need for a resolution or ordinance for accepting gifts or donations in the past.

Ms. Kristin Epstein, 11 Madison Drive, explained that part of her job responsibility is to accept donations for the non-profit agency that she works for. She asked why the Township would limit the opportunity to solicit donations.

Ms. Yunging Li, 5 Benford Drive, agreed with the previous speakers. She asked that the procedures for accepting gifts should not be imposed.

FOR DISCUSSION:

COUNCIL MEMBER/CLERK

Discussion on the acceptance of gifts to the Township and establishing a policy.

2016-R134 Requesting a Policy be Established for the Acceptance of Gifts to the Township

Mayor Hsueh advised that gifts and donations to the Township were never approved by Council via ordinance or resolution.

Mr. Herbert clarified the reasons why the Township needs to adopt an ordinance for the distribution of the Grover Farm stones. He noted that a need for a resolution to accept the pavilion as a gift is subject to debate.

Mr. Marathe advised that asking for a gift policy should not be viewed as something negative because it should be proper government procedure.

Ms. Hamilton noted that Mr. Marathe is raising a good question in support of a policy, and suggested that a policy be designed within the parameters of the law. She addressed questions to Mr. Herbert regarding the State Statutes and the Township ordinances. Ms. Hamilton noted concerns on whether a resolution or ordinance would be legal.

Mr. Herbert addressed Ms. Hamilton's questions and spoke about her concerns.

Discussion ensued about contract law and the Township's form of government.

Mr. Herbert would like to revisit the need for a policy to accept gifts.

Ms. Miller advised that absent a policy adopted in written form, the Mayor has the right to accept donations on behalf of the Township.

Ms. Miller explained that the Grover Farm stones or the maintenance of property does not apply in this situation. She noted that the resolution targets a particular acquisition.

Ms. Miller suggested that a sub-committee should be formed for the discussion of a policy.

Mr. Mendonez advised that it is important to have a policy. He suggested that Ms. Hamilton work with Administration on developing the policy.

Mr. Hebert suggested that the policy be developed by the Mayor and Administration with Council's input and consultation. He noted that he was not comfortable with the resolution as presented.

Ms. Miller suggested that the subcommittee should include Ms. Hamilton and the policy once developed could be discussed at a Work Session.

Motion to table Resolution 2016-R134: Mendonez

Second: Miller

RCV: aye Hamilton

NAY Marathe

aye Mendonez

aye Miller

aye Geevers

Ms. Geevers advised that a policy will be developed and presented to Council within the next couple of weeks.

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, addressed additional comments regarding the policy for gifts and donations.

Mr. Yingchao Zhang, 3 Finley Lane, asked Council to work together to make it work so that the Township could accept the gift of the pavilion.

Mr. Andrew Kulley, 3 Jill Drive, asked if this proposed policy has been followed in the past. He noted that this discussion will look terrible to those viewing this on television.

ADJOURNMENT

Motion to adjourn: Miller
Second: Marathe
VV: All approved

The meeting was adjourned at 10:40 p.m.

A handwritten signature in cursive script that reads "Sharon L. Young". The signature is written in black ink and is positioned above the printed name and title.

Sharon L. Young
Township Clerk
West Windsor Township