

APPROVED: July 7, 2008

WEST WINDSOR TOWNSHIP COUNCIL
AGENDA SESSION
APRIL 21, 2008

CALL TO ORDER: President Anklowitz called the meeting to order at 7:00 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 July 6, 2007.

ATTENDEES: President: Anklowitz; Vice President: Borek; Council: Geever, Kleinman, Morgan; Chief Financial Officer: Louth; Tax Assessor: Benner; Township Attorney: Herbert; Planning Board Attorney: Muller; Business Administrator: Marion; Township Clerk: Young

PUBLIC COMMENT

Mr. Michael Hornsby, 978 Alexander Road, Chairman of the Environmental Commission, expressed his concerns with the Environmental Commission budget being reduced from \$10,000 to \$3,000 and cited several examples as to why it should not be reduced and requested that the amount be reinstated.

Ms. Janet Lerner, 67 Rainflower Lane, voiced her concerns with the presentation from Mr. Goldin of InterCap Holdings. She noted that it did not address two major items with regard to Route 571 improvements or the mass transit needs. Ms. Lerner also suggested that communities surrounding West Windsor need to develop Park and Rides to help reduce the traffic coming into the Township.

Ms. Joan Bharucha, 4 Lake Shore Drive, voiced her opinion on the Council's proposed raises.

Mr. Sal Astarita, 78 Rainflower Lane, voiced his opposition to the fair labor standards resolution before Council this evening.

Mr. Bob Akens, 32 Windsor Drive, voiced his disapproval of the 12% increase in the municipal tax rate for 2008. He noted that he is not in favor of extending the Hillier contract.

Mr. Andy Bromberg, 24 Providence Drive, noted his encouragement with the progress Council has made with the redevelopment plan and encouraged them to continue to work together.

Mr. David Siegel, 17 Berrien Avenue, advised he agrees with Mr. Akens regarding Hillier.

Mr. Herbert requested that the Pay to Play Ordinance be deferred this evening until he has had time to review it.

Mr. Marion requested that resolution 2008-R095 extending the Hillier contract be deferred to another meeting.

Mr. Herbert advised that he is working with Administration and Hillier representatives to amend the Hillier contract to fit the original budgeted amount of \$330,000.

Mr. Morgan advised that the Hillier contract is an important issue and noted that Hillier needs to accomplish the goals within the original contract.

Ms. Geevers advised that Council has discussed this matter and that additional funds will not be added for Hillier.

President Ankowitz advised that Council has previously voted unanimously to stay with the current approved design plan of Route 571 by the County. He noted that Council is looking for Hillier to come in with a final plan as previously approved and within the original contract amount.

Motion to carry resolution 2008-R095 to the May 5th Business Session and the Pay to Play discussion to the June 9th Agenda Session: Geevers
Second: Kleinman
VV: All approved

CONSENT AGENDA

Resolutions

- 2008-R087 Authorizing Refund for a Variation Fee on Permit #20070055 - Boegner
- 2008-R088 Authorizing Refund of Permit Fee #20071709 - Chen
- 2008-R089 Authorizing Refund of Permit Fee #20051762 - AMN Emil Properties
- 2008-R090 Authorizing Refund of Permit Fee #20071128 - Trenton Roofing & Siding
- 2008-R091 Authorizing Refund of Permit Fee #20071901 - Meridian Property Services
- 2008-R092 Authorizing Cancellation of Interest Charge Resulting from a Tax Appeal - 755 Alexander Road
- 2008-R093 Refund of Overpaid Property Taxes

Minutes:

February 11, 2008 - Business Session, as amended
February 25, 2008 - Business Session as amended
March 6, 2008 - Budget Work Session #1
March 10, 2008 - Budget Work Session #2
March 17, 2008 - Closed Session

Bills and Claims

President Anklowitz requested that the submitted corrections to the February 25th Business Session be added for approval.

Motion to approve consent agenda as amended: Kleinman

Second: Geevers

RCV: aye Borek*

aye Geevers

aye Kleinman

aye Morgan**

aye Anklowitz

*Mr. Borek abstained from the March 10 Budget Session #2. He was not in attendance at that meeting.

**Mr. Morgan voted "no" on the Herbert, Van Ness, Cayci and Goodell bill.

2008 MUNICIPAL BUDGET

2008-Municipal Budget Issues - Tax Assessor

Mr. Marion advised that the tax increase for the 2008 Municipal Budget is 3.4 cents per hundred of assessed value.

Mr. Benner handed out a spreadsheet showing the added assessment breakdown from 2001 to date. He went over the spreadsheet and explained how the revenues are derived from rollback assessments and added assessments. Mr. Benner gave a brief overview of the commercial and residential development over the past several years.

Mr. Morgan inquired why the Elements development was not included in the spreadsheet.

Mr. Benner advised that the development is not large enough to make a significant impact on added assessments.

Mr. Borek questioned the occupancy rate of the commercial buildings throughout the Township.

Mr. Benner advised that this data is not kept by his office.

Mr. Borek voiced his concern that if commercial buildings are not fully occupied that reductions in assessments will be requested.

Discussion ensued regarding assessments and how the economic climate could affect them.

Ms. Louth voiced her concerns about the new legislation and the unknowns of the new legislation and how it will affect future budgets. She noted that the first action needed this evening by Council is to introduce the Cost of Living Adjustment ordinance

and the second action required is the passage of the Local Examination of the budget, which is required by the State every three years. Ms. Louth advised that the final action needed this evening is the Introduction of the 2008 Municipal Budget, with adoption scheduled for the May 19th Business Session.

Mr. Morgan inquired what the impact would be on the Township if Ordinance 2008-07 (cost of living adjustment) was not passed.

Ms. Louth advised that the budget could not be introduced this evening, additional cuts would be necessary, it would place restrictions on the 2009 budget, and the Township would lose its Cap Banking.

Ms. Geevers voiced her disapproval of the proposed salary increases for Council.

Ms. Kleinman advised that she supports reinstating the \$10,000 for the Environmental Commission budget.

Mr. Marion advised that the budget reduction for the Environmental Commission was based on prior years history and that if additional funds are needed, Administration will work with the Environmental Commission to resolve the matter.

Mayor Hsueh advised that he did not support the cut to the Environmental Commission's budget.

Discussion ensued over what funds could be used to help support the Environmental Commission's sustainability projects and that departments should be held to their line item budgets.

Mr. Marion advised that staff manage their budgets responsibly and that the majority of transfers at the end of the year are for utility and pension costs not anticipated.

President Anklowitz voiced his support of the Environmental Commission, but noted that they have only spent \$3,000 of their budget over the past several years.

Ms. Geevers suggested that the Chairperson of each Committee and/or Commission be involved in the budget process in 2009.

Mr. Marty Rosen, Member of the Environmental Commission, advised that starting this year, and each subsequent year thereafter, the Environmental Commission has a plan to make West Windsor sustainable. He noted that resources are necessary to make this a goal and that the Environmental Commission will work with Council on moving it forward.

Ms. Kleinman advised that the Township needs to review their energy expenses to help defray costs.

Discussion continued regarding the Environmental Commission's sustainability projects and where the funding for 2008 could be found.

Ms. Kleinman voiced her support of raises for the Council.

Mayor Hsueh advised that he supports cost of living adjustments for Council and the Mayor, but does not support the proposed salary increases.

Ms. Kleinman inquired if the Mayor's salary is increased, would he forgo his monthly reimbursement.

Mayor Hsueh advised that he will not take an increase over his current salary and stipend.

Ms. Geevers advised that she had requested to review the reimbursement policy currently in effect and was advised there was no formal policy. She noted that she would work with Administration to establish such a policy.

Ms. Kleinman inquired if Ms. Geevers is pledging not to take the salary increase if approved.

Discussion ensued over reimbursements for Council and the proposed salary increase.

Ms. Geevers advised that she will pledge not to take her raise if approved in the 2008 Municipal Budget.

2008-07 COST OF LIVING ADJUSTMENT (COLA) OF 3.5 PERCENT AND
THE RE-ESTABLISHMENT OF CAP BANKING

Motion to introduce: Morgan

Second: Kleinman

RCV: aye Borek
aye Geevers
aye Kleinman
aye Morgan
aye Anklowitz

Public Hearing for this ordinance will be held at the May 19,
2008 Business Session.

2008-R094 Authorizing Local Examination of the 2008 Budget

Motion to approve: Borek

Second: Morgan

RCV: aye Borek
aye Geevers
aye Kleinman
aye Morgan
aye Anklowitz

2008 MUNICIPAL BUDGET INTRODUCTION

Motion to introduce: Kleinman

Second: Borek

RCV: aye Borek
NAY Geevers
aye Kleinman
NAY Morgan
aye Anklowitz

Ms. Kleinman voiced her support of reinstating the appropriation
for the Environmental Commission to \$10,000.

Mr. Borek thanked staff for their hard work and efforts in
controlling increases in the 2008 budget.

President Anklowitz voiced his support of the 2008 Municipal Budget as introduced and advised that the Public Hearing is scheduled for the May 19th Business Session.

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

2008-R095 Authorizing the Mayor and Clerk to Execute an Extension to the RMJM Hillier Contract

This item was deferred to the May 5th Business Session.

FOR DISCUSSION

Discussion regarding Inspections of Affordable Housing Units for Rent or Resale was deferred to the June 9th Agenda Session.

COUNCIL MEMBER/CLERK

General Penalty Ordinance

President Anklowitz advised that this would increase the general penalty allowed by the municipality to \$2,000 which brings it into compliance with the State. He requested that this item be placed on the May 5th Business Session agenda for introduction and that the public hearing be scheduled for the May 19th Business Session.

Quality Bidder Resolution

President Anklowitz gave a brief explanation of this resolution to include that the Township could request that bidders over projects of \$21,500 have pension plans, training, etc. He noted that the resolution gives Administration the right to decide whether to implement these requirements or not.

Mr. Marion advised that he cannot determine what the impact would be on the Township and that further review of the language for the executive order needs to be discussed with the Township Attorney and the Mayor.

Ms. Kleinman inquired when the Senior Center Expansion bids are being accepted.

Mr. Marion advised that the final changes are being made to the bid documents and that the bid opening will be in late May.

Ms. Geevers voiced her concerns with the proposed quality bidder resolution and inquired why it is necessary to change the current policy.

Discussion ensued over the Quality Bidder resolution.

President Anklowitz requested that this item be placed on the May 5th Business Session for action.

Pay to Play Ordinance Discussion

This item was deferred to the June 9th Agenda Session.

Soil Removal and Deposit Ordinance

Mayor Hsueh advised that this ordinance was reviewed by the Environmental Commission and that he would like to have it acted on as soon as possible.

Ms. Kleinman inquired if there is a minimum number of truck loads permitted.

Mr. Borek inquired about the monitoring of the soil coming in for the new railroad bridge project.

Mayor Hsueh advised that New Jersey Transit and the New Jersey Department of Environmental Protection are overseeing the project.

Discussion ensued regarding this ordinance.

President Anklowitz requested that this ordinance be placed on the June 9, 2008 Agenda Session for further discussion.

Opposing New Jersey American Water Tariff Rate Increase

President Anklowitz reported that New Jersey American Water is proposing a 23.9 percent rate increase. He requested that a

resolution be placed on the May 5, Business Session agenda opposing the rate increase.

Ms. Geevers voiced her approval of opposing the rate increase.

Ancillary Structures Ordinance

President Ankowitz advised that the Planning Board is currently working on an ordinance and requested that this item be deferred to a future meeting.

Discussion ensued over this topic. It was decided that Mr. Morgan would address this topic with Mr. Surtees, Mr. Gardner and Mr. Muller and share Council's concerns with them and report back to Council on the matter.

UPCOMING ADMINISTRATION REQUESTS FOR COUNCIL ACTION

Mr. Marion requested that the contract for International Association of Firefighters and corresponding salary ordinance be placed on the May 5, 2008 Business Session agenda for action.

COUNCIL REPORTS

Ms. Geevers reported that she attended the Parking Authority meeting and they are currently reviewing RFPs submitted for a parking facility at the train station. She attended the Congressman Rush Holt meeting held at the Senior Center where residents addressed their concerns with the high cost of living in New Jersey. Ms. Geevers noted that she attended a meeting on April 15th regarding the Senior Center Expansion and that bids will be available on April 29th with the bid opening anticipated in May, award of contract in June, and construction to begin in July. She noted that she met with the Historical Society regarding the layout of the Schenck Farmstead and that a plan will be presented to Council and the public shortly.

Mr. Borek advised that the barn project at the farmstead is moving forward.

Mr. Marion advised that all four concepts will be presented to Council and the public at a future meeting.

President Ankowitz requested that this item be placed on the June 9th Agenda Session for further discussion.

Mayor Hsueh advised that Mr. Zellner, Policy Director, Office of the Governor, will be making a presentation on the State's policy regarding Smart Growth in West Windsor on May 1st at 7:00 p.m. here at the Township.

Mr. Morgan gave a brief update on the Redevelopment Finance Committee and advised that a report from this Committee will be submitted to Council.

ADDITIONAL PUBLIC COMMENT

Mr. Paul Pitluk, 69 Rainflower Lane, voiced his support of Ms. Geever's comments regarding Council's salary increase. He noted that if the salary increase passes it will send a bad message to the residents.

Mr. Andy Bromberg, 24 Providence Drive, noted that this was a very informative meeting. He advised that the budget presentation was good and that the Township should be conservative with the surplus. Mr. Bromberg expressed his concerns with the Council salary issue and the possible political backlash. He voiced his concerns on the proposed Quality Bidder Resolution.

Mr. David Siegel, 17 Berrien Avenue, expressed his support of the Quality Bidder resolution.

Mr. Bob Akens, 32 Windsor Drive, voiced his opinion on Council's proposed salary increase and noted his disapproval of a twelve percent budget increase for 2008.

Motion to adjourn: Morgan

Second: Borek

VV: All approved

ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

Sharon L. Young
Township Clerk
West Windsor Township