

APPROVED: October 6, 2008

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
August 18, 2008

CALL TO ORDER: President Morgan called the meeting to order at 6:15 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 July 4, 2008 and the Closed Session was noticed on August 7, 2008.

ATTENDEES: President: Morgan; Vice President: Kleinman; Council: Anklowitz, Geevers; Mayor: Hsueh; Director of Health and Human Services: Hary; Township Attorney: Herbert; Chief Financial Officer: Louth; Deputy Township Clerk: Huber

ABSENT: Borek

CLOSED SESSION

Motion to go into closed session: Anklowitz
Second: Geevers
RCV: aye Anklowitz
 Borek - absent
 aye Geevers
 aye Kleinman
 aye Morgan

Ms. Huber 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 Akselrad Litigation and to review funding for sewer improvements for Meadow Road in conjunction with the Akselrad Settlement.

MEETING RECONVENED

The closed session adjourned at 6:58 p.m. and the meeting was reconvened at 7:00 p.m. in Room A.

BOARD OF HEALTH MEETING

President Morgan requested to move the Board of Health meeting scheduled to start at 7:00 p.m. to after the Council Business Session.

Motion to move the Board of Health meeting to after the Council Business Session: Kleinman

Second: Anklowitz

RCV: aye Anklowitz

Borek - absent

aye Geevers

aye Kleinman

aye Morgan

FLAG SALUTE

Ms. Huber led the salute to the flag.

PUBLIC COMMENT

Mr. Bob Akens, 32 Windsor Drive, expressed his concern regarding the meeting with New Jersey Transit and New Jersey Department of Transportation (NJDOT) in Trenton not being open to the public.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

Ms. Stephanie Maloney and Mr. Matt Schmidt, President and Vice President of the International Association of Firefighters - Local 3610 presented Mr. Jim Yates, Director of Emergency Services with the Life Saving Award for his actions at an accident which occurred on March 3, 2008. Ms. Maloney noted that Mr. Yates reported the accident on Route 571 and then stabilized the patient, Christopher Detrick, until additional help arrived.

Mr. Detrick thanked everyone for their efforts in saving his son Christopher on March 3rd, 2008. He thanked Mr. Yates for his fast thinking and response.

Mr. Yates thanked everyone that responded and noted it was a team effort. He acknowledged his wife Ann, daughters Jamie and Melissa, and friends of the family, Mr. & Mrs. Farletta.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh advised that the meeting held last Thursday with NJDOT was a consultants meeting and he hopes in the future the NJDOT will open the meetings to the public.

Mr. Hary advised that the Grovers Mill dredging project is moving forward.

Mr. Hary reported that discussions continue with DEP and WWM Properties representatives and noted that the State is in favor of the remediation plan presented by WWM Properties and will be approving it shortly.

Mr. Hary advised that the Township received a call from a resident on North Post Road regarding a problem with the Duck Pond sewer line and Public Works was contacted immediately. He noted a series of repairs have been completed and that the total cost of the repairs has not been calculated. Mr. Hary noted that Administration will have a full report for Council at the next Council meeting.

CHAIR/CLERK COMMENTS

President Morgan advised that he thought the meeting held with New Jersey Transit and the New Jersey Department of Transportation was going to be a public meeting. He reminded everyone that the Planning Board and the Township Council have to approve the final redevelopment plan before it is official.

CONSENT AGENDA

RESOLUTIONS

2008-R215 Authorizing the Reappointment of Pawan K. Jain as Alternate 1 on the Affordable Housing Committee for a term to expire June 30, 2011

MINUTES

May 5, 2008 - Business Session
July 7, 2008 - Business Session

BILLS & CLAIMS

Motion to approve consent agenda: Anklowitz
Second: Geevers
RCV: aye Anklowitz
 Borek - absent
 aye Geevers
 aye Kleinman
 aye Morgan

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

2008-R216 Authorizing the Mayor and Clerk to Execute a One-Year Extension of the Contract with Riggins, Inc., to Supply Gasoline and Diesel Fuel through the Mercer Middlesex Cooperative Purchasing System

2008-R217 Authorizing the Mayor and Clerk to Execute the Agreements with The Mews @ Princeton Junction and AvalonWatch Communities for Reimbursement of Solid Waste Collection for 2007

2008-R218 Authorizing the Mayor and Clerk to Execute an Agreement with Colonnade Pointe Condominium Association for Refuse, Recycling Collection and Disposal, and Snow Removal Costs for 2007

2008-R219 Requesting Approval for the Insertion of a Special Item of Revenue for the State of New Jersey Division of Highway Traffic Safety - Over the Limit Under Arrest Grant

2008-R220 Authorizing the Mayor to Execute the 2009 West Windsor-Plainsboro Municipal Alliance Grant Application from the Governor's Council on Alcoholism and Drug Abuse through the County of Mercer

PUBLIC SAFETY

2008-R221 Authorizing the Mayor and Clerk to Execute a Contract with ESI Equipment, Inc. for the Purchase of Holmatro Single Line Rescue Tools or Brand Equivalent for the West Windsor Township Division of Emergency Services

Mr. Ankowitz requested that this resolution be pulled for further discussion later in the meeting along with Ordinance 2008-18.

PUBLIC WORKS

2008-R222 Authorizing the Mayor and Clerk to Execute a Contract with Ditschman/Flemington Ford Fleet Sales for the Purchase of a 2009 Pickup Truck (Ford F250) for the West Windsor Township Department of Public Works

2008-R223 Authorizing the Mayor and Clerk to Execute a Contract with Ditschman/Flemington Ford Fleet Sales for the Purchase of a 2009 Mason Dump Truck (Ford F550) for the West Windsor Township Department of Public Works

2008-R224 Authorizing the Mayor and Clerk to Execute a Contract with Ditschman/Flemington Ford Fleet Sales for the Purchase of Two 2009 Pickup Trucks (Ford F250) for the West Windsor Township Department of Public Works

Motion to approve resolutions 2008-R216 through 2008-R220 and 2008-R222 through 2008-R224: Anklowitz

Second: Kleinman

RCV: aye Anklowitz

Borek - absent

aye Geevers

aye Kleinman

aye Morgan

PUBLIC SAFETY

2008-R221 Authorizing the Mayor and Clerk to Execute a Contract with ESI Equipment, Inc. for the Purchase of Holmatro Single Line Rescue Tools or Brand Equivalent for the West Windsor Township Division of Emergency Services

Mr. Hary gave a brief overview of the resolution and advised that discussion pertaining to this resolution took place today with both Chiefs of the Princeton Junction and West Windsor Fire Companies.

Mr. Anklowitz inquired as to where the funding is coming from for this expenditure.

Ms. Louth advised that funding is from the 2007 and 2008 capital equipment line item.

Motion to approve: Anklowitz

Second: Geevers

RCV: aye Anklowitz

Borek - absent

aye Geevers

aye Kleinman

aye Morgan

AMEND THE ORDER OF THE AGENDA

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

President Morgan requested that the order of the agenda be amended to move Council's recommendation topics to the end of the meeting.

Second: Kleinman

VV: All approved, Borek absent

INTRODUCTION OF ORDINANCES

2008-18 BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 2007-10 OF THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED MAY 14, 2007 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT

Ms. Louth advised that the purpose of this ordinance is to add additional language in the description of the 2007 Capital Budget already approved. She noted that Mr. Yates has requested a name change for the remaining funds which were not expended for the purchase of a rescue/pumper for Station 44.

Mr. Anklowitz requested that this ordinance be reviewed by the Public Safety Committee before coming to Council for action.

President Morgan requested a detailed list of equipment.

Motion to forward Ordinance 2008-18 to the Public Safety Committee for review: Anklowitz

Second: Kleinman

RCV: aye Anklowitz

Borek - absent

aye Geever

aye Kleinman

aye Morgan

2008-19 AN ORDINANCE AMENDING PART 4, "ZONING" ARTICLE XXXIII,
"GENERAL PROVISIONS AND SUPPLEMENTAL REGULATIONS
GOVERNING CERTAIN USES," OF THE CODE OF THE TOWNSHIP
OF WEST WINDSOR (1999) BY PROHIBITING RESIDENTIAL
DEVELOPMENT IN COMMON OPEN SPACE

Motion to introduce: Anklowitz

Second: Geevers

RCV: aye Anklowitz

Borek - absent

aye Geevers

aye Kleinman

aye Morgan

Public Hearing for Ordinance 2008-19 is scheduled for the
September 15, 2008 Business Session.

2008-20 AN ORDINANCE AMENDING CHAPTER 200 OF THE CODE OF THE
TOWNSHIP OF WEST WINDSOR (1999), "LAND USE," PART 1,
"SITE PLAN REVIEW," ARTICLE II, "TERMINOLOGY," AND
ARTICLE XII, "DESIGN STANDARDS FOR SUBDIVISIONS AND
PART 4, "ZONING" ARTICLE XXXIII, "GENERAL PROVISIONS
AND "SUPPLEMENTAL REGULATIONS GOVERNING CERTAIN USES"
BY PROHIBITING FLAG LOTS

Motion to introduce: Anklowitz

Second: Kleinman

RCV: aye Anklowitz

Borek - absent

aye Geevers

aye Kleinman

NAY Morgan

Public Hearing for Ordinance 2008-20 is scheduled for the
September 15, 2008 Business Session.

2008-21 AN ORDINANCE TO AMEND CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999), "LAND USE," PART 1, "SITE PLAN REVIEW", AND PART 3, "SUBDIVISION AND SITE PLAN PROCEDURES," AND PART 4, "ZONING," BY CHANGING MAXIMUM IMPERVIOUS COVERAGE REFERENCES TO MAXIMUM IMPROVEMENT COVERAGE AND CORRECTING AGE RESTRICTION FOR THE PRRC ZONE

Motion to introduce: Anklowitz

Second: Kleinman

RCV: aye Anklowitz

 Borek - absent

aye Geevers

aye Kleinman

aye Morgan

Public Hearing for Ordinance 2008-21 is scheduled for the September 15, 2008 Business Session.

2008-22 AN ORDINANCE AMENDING CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999), "LAND USE," PART 1, "SITE PLAN REVIEW," ARTICLE VI, "DESIGN DETAILS," BY MODIFYING PARKING STANDARDS

Motion to introduce: Geevers

Second: Kleinman

RCV: aye Anklowitz

 Borek - absent

aye Geevers

aye Kleinman

aye Morgan

Public Hearing for Ordinance 2008-22 is scheduled for the September 15, 2008 Business Session.

2008-23 AN ORDINANCE AMENDING PART 4, "ZONING," ARTICLE XXXIII, "GENERAL PROVISIONS AND SUPPLEMENTAL REGULATIONS GOVERNING CERTAIN USES," OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) BY INCLUDING BUSINESS ANTENNAS IN HEIGHT EXCEPTION

Motion to introduce: Anklowitz

Second: Kleinman

RCV: aye Anklowitz

Borek - absent

aye Geevers

aye Kleinman

aye Morgan

Public Hearing for Ordinance 2008-23 is scheduled for the September 15, 2008 Business Session.

2008-24 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999), CHAPTER 200, "LAND USE," PART 4, "ZONING," ARTICLE XXXIII, "GENERAL PROVISIONS AND SUPPLEMENTAL REGULATIONS GOVERNING CERTAIN USES," BY PERMITTING NONCONFORMING SINGLE-FAMILY RESIDENCES AND ACCESSORY STRUCTURES TO BE RECONSTRUCTED AFTER DESTRUCTION

Motion to introduce: Anklowitz

Second: Kleinman

RCV: aye Anklowitz

Borek - absent

aye Geevers

aye Kleinman

aye Morgan

Public Hearing for Ordinance 2008-24 is scheduled for the September 15, 2008 Business Session.

ORDER OF THE AGENDA RESUMED

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

Township Sign Ordinance

Ms. Kleinman advised that her focus with regard to the sign ordinance is the permanent lease signs for commercial property throughout the Township. She noted she would like to see something done to make these signs uniform and inquired about how to move this issue forward.

Mayor Hsueh advised that he spoke with Mr. Surtees regarding the sign ordinance and he is concerned about the cost for the Planning Board consultants. He noted that if it is a low cost item he would have the Planning Board consultants review and make a proposed ordinance amendment.

Ms. Kleinman advised that this has been discussed for the past three years and she would like to see the entire ordinance reviewed but understands the complexity of it. She requested that the commercial property lease signs be addressed now.

Mayor Hsueh advised that he will follow up with Mr. Muller on how the Township can do this and again addressed budget constraints.

Mr. Anklowitz expressed his views to the Mayor regarding the Planning Board's budget being reduced. He advised that he wants to see Council's concerns being addressed.

President Morgan advised that the Council can direct Mr. Herbert to speak with Mr. Muller to help move the sign ordinance forward. He agrees with Mr. Anklowitz about Administration's budget excuses and that Council has been asking for this sign ordinance to be reviewed for years. President Morgan advised that if the Planning Board needs additional funding for this ordinance the Council could approve it.

Council Town Hall Meetings

President Morgan inquired if this type of meeting is warranted.

Ms. Kleinman suggested that these be scheduled with redevelopment subjects as they develop over the next few months.

Mr. Anklowitz voiced his agreement.

Ms. Geevers suggested dedicating the first hour of a meeting as an open forum for the public.

Post Office Hours

Ms. Kleinman advised that the post office has changed the opening time from 8:30 a.m. to 10:00 a.m. She requested a letter be sent by Council expressing their disappointment in this decision and request that the hours be changed back.

Mayor Hsueh advised that he will have Mr. Marion speak with the Post Master General and report back to Council.

Township Council Meeting Follow-up

President Morgan advised that this discussion will be held off until the September 2nd, Agenda Session.

Topics for Future Agenda Sessions

President Morgan advised members to let him know of any future agenda topics.

COUNCIL REPORTS/COMMENTS

ANKLOWITZ

Mr. Anklowitz noted he received a response from the County Engineer regarding Bentley Drive advising that there is not enough roadway to put a turning lane into the Grovers Mill Estates development. He advised that he will be sending a letter to County Executive and Freeholders asking for their assistance in this matter.

Mr. Anklowitz advised that he received a letter from residents on Clarksville Road regarding 18 wheel trucks on the Clarksville Road Bridge and requested that Chief Pica coordinate with the State Police on addressing this issue.

Mr. Anklowitz noted he visited residents on Harris Road to hear their concerns regarding additional traffic and speeding along the roadway since the temporary closure of the Alexander Road Bridge. He suggested additional patrols on the street and cautioned residents to be careful on internal roadways.

Mr. Anklowitz advised that he had a meeting with Mr. Marion, Mayor Hsueh, and Mr. Korkuch to review the Township's policy on water and sewer line installation throughout the Township.

KLEINMAN

Ms. Kleinman reported that she meet with Mr. Jim Foran, of Fett and Foran, and the Arts Council regarding the Alexander Road Firehouse. She requested Administration to look into why there is a dump truck parked in the parking lot of the old firehouse.

Ms. Kleinman advised that the Senior Center ground breaking ceremony was great and that she looks forward to seeing the completed project.

Ms. Kleinman advised that the GroWW Environmental Fair, Committee continues to evolve, and that the press is giving great coverage. She noted that Channel 27 will have a commercial regarding the event shortly.

GEEVERS

Ms. Geevers reported that the Parking Authority reviewed the Desman Report in executive session at their last meeting and hope to hold a public meeting on August 27th regarding the report.

Ms. Geevers advised that in September she will be meeting with Administration regarding Penn Lyle Road Parking Lot at High School South.

President Morgan inquired if additional pedestrian signage could be placed on Harris Road to help slow the traffic down.

ADJOURNMENT

Motion to adjourn: Anklowitz
Second: Kleinman
VV: All approved, Borek absent

The meeting was adjourned at 8:37p.m.

Sharon L. Young
Township Clerk
West Windsor Township