

APPROVED: August 4, 2008

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
June 9, 2008

CALL TO ORDER: President Anklowitz called the meeting to order at 7:23 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 15, 2008.

ATTENDEES: President: Anklowitz; Vice President: Borek; Council: GeEVERS, Kleinman, Morgan; Mayor Hsueh; Township Attorney: Herbert; Business Administrator: Marion; Chief of Police Pica; Chief Financial Officer: Louth; Coordinator of Community Development: Ward; Construction Code Official: Valeri; Landscape Architect: Dobromilsky; Director of Human Services: Hary; Township Clerk: Young

President Anklowitz advised the public that ordinance 2008-09 providing for future salary adjustments for Mayor and Council would be permanently tabled for any future discussion.

PUBLIC COMMENT

Mr. Franc Gambatese, 3 Lanark Drive, wanted to confirm that the salary ordinance had been removed from the agenda for discussion. He also suggested changing the form of government for better efficiency.

Ms. Ina Marx, 101 Claridge Court, spoke against the salary increases and reimbursements.

Ms. Mary-Anne Pedee Siegel, 17 Berrien Avenue, noted that she had the utmost respect for Council, the Mayor, and for Administration.

Mr. David Siegel, 17 Berrien Avenue, advised that he did not recommend a change in the current form of government. He also inquired about the Hillier contract.

Mr. Ed O'Mara, 28 Grande Boulevard, noted that the roadway by Bear Brook Bridge was prematurely eroding.

Ms. Andrea Pitluk, 69 Rainflower Lane, spoke against the salary increases.

Mr. Ray Jones, 2 Coneflower Lane, spoke in favor of moving the redevelopment process forward.

Mr. Al Lerner, 67 Rainflower Lane, noted that the redevelopment statute should be protected.

Mr. Pete Weale, 144 Fisher Place, outlined several issues that he had concerns about.

Mr. Michael Ranallo, 15 Cornwall Drive, thanked Council for removing the salary ordinance off the agenda for further discussion.

Mr. Richard Eland, 4 Courtney Drive, urged Council to make a decision about the redevelopment at the train station.

MAYOR/ADMINISTRATOR COMMENTS

Ms. Ward noted that the road repairs needed by the Bear Brook Bridge were reported to the County.

COUNCIL MEMBER COMMENTS

Mr. Morgan spoke about his donations to the Friends of West Windsor Open Space. He also advised that reimbursements to the Township's Elected Officials should be reviewed. Mr. Morgan spoke about the salary ordinance and the decision to remove it from discussion this evening.

Ms. Geevers spoke about bringing closure to the salary ordinance and reimbursement policy discussions.

Ms. Kleinman noted that the roles of Council are constantly changing, and a lot of time goes into being available to the residents, meeting preparations, Council meeting attendance, and

the participation in other board and committees. She spoke about fair compensation for elected officials.

President Anklowitz explained some of the many reasons he decided to run for Council. He noted that redevelopment was not the only topic, and he wanted to focus on all the issues within the Township to enable him to better serve the residents.

CLERK/CHAIR COMMENTS

President Anklowitz advised that he wanted to add a presentation from Mr. Piazza to the Business Session agenda.

Motion to approve adding the presentation: Morgan

Second: Geevers

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Presentation by Mr. Frank Piazza, Affordable Housing Consultant

Mr. Piazza explained that he administers the affordable housing units as well as overseeing the units for resale. He noted that issues were arising in the sale of the affordable units because it was difficult for the owners to make investments into their units to help enhance the value of the home. Mr. Piazza suggested creating an account to assist in helping to fix or upgrade some of the affordable units.

Mr. Marion suggested creating guidelines for the replacement of the items such as windows and air conditioning units to assist with keeping the homes up to date. He noted that the policy would offer assistance to the homeowner. Mr. Marion explained that a policy will be developed and brought before Council for review.

Ms. Kleinman asked why the rental units were not addressed. She noted that individuals who are renters need advocates on their behalf to manage the affordable units to help keep the utilities affordable too.

Mr. Piazza suggested taking the same approach for the rentals as with the resale units.

Ms. Geevers asked that the issues at the Hamlet at Bear Creek be reviewed.

President Anklowitz inquired about the inspection of the units that are on the market for sale.

Mr. Hary noted that fire inspections are carried out by the Township for the units that are for resale.

Mr. Valeri explained that new units require certain inspections by the State. He noted that the policy adopted in Plainsboro duplicates the State's efforts. Mr. Valeri agreed with having an account to assist with the upgrades.

Mr. Hary also agreed with the proactive approach of setting funds aside for repairs and upgrades. He noted that the Township has a nuisance code which governs at a minimum the heat and water which is required from certain landlords.

Ms. Ward advised that the Township is actively pursuing the illegal rental units.

In an effort to have the paid consultants be excused from the meeting, President Anklowitz suggested that the following topics listed for discussion at the Agenda Session be moved forward: Supporting the Left turn off of Route 571; Township Street Tree Planting and Maintenance Practices; and the Draft Street Tree Ordinance.

Motion to approve adding to the Business Session agenda these three items: Borek

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

2008-R142 Requesting Mercer County to Establish a Left Turn
Stacking Lane on Princeton-Hightstown Road into
Bentley Drive

Mr. Korkuch, Assistant Engineer, noted that he reviewed the accident data and since the installation of the "No Left Turn" sign, there have been no accidents. He explained that structural changes would have to be made along with the widening of the road to better correct this situation.

Chief Pica noted that the residents of the Grovers Mill Estates development find it an inconvenience not to be able to make a left hand turn onto Bentley Drive. Chief Pica noted that what the residents do is either make an illegal turn or go down the road and turn around. He did not recommend the removal of the sign but noted that he was in favor of widening the road and adding a traffic light at the intersection.

Ms. Ward noted that there would be a huge cost associated with these changes and after speaking to the County, she advised that this project was not on the County's priority list.

Motion to approve resolution 2008-R142: Geevers

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Township Street Tree Planting and Maintenance Practices

Mr. Dobromilsky outlined the strategy of the Shade Tree Commission's policy for planting trees within the Township. He spoke of the maintenance costs incurred, and noted the inherent problem for sidewalks due to tree roots. He noted that planting trees with shallow roots to eliminate sidewalk repair is not an option because all trees have relatively shallow roots. Mr. Dobromilsky outlined some potential solutions that were evaluated by the Shade Tree Commission to include changing the material that sidewalks are made from and moving the sidewalks back to create a better environment for the tree. He noted that

the Commission will continue to monitor the situation and recommend appropriate findings for sidewalk replacement.

Several members of the Shade Tree Commission addressed the Township Council.

Motion to accept the Shade Tree Commission's Policy: Geevers

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

INTRODUCTION OF ORDINANCE

2008-15 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999), CHAPTER 170, "TREES," AND CHAPTER 200, "LAND USE", PART 4, "ZONING", ARTICLE XXXIV, "ADMINISTRATING PROCEDURES", BY CLARIFYING OBLIGATIONS WITH RESPECT TO AND PENALTIES FOR VIOLATIONS OF CONSERVATION AREA RESTRICTIONS AND OTHER LAND USE BOARD CONDITIONS AND BY LIMITING TREE CLEARING ON SINGLE-FAMILY LOTS

Mr. Dobromilsky noted that property owners are exempt from applying for a permit to remove trees that are on their property. He explained that the newer subdivisions with wooded lots are exempted from the Township Code because they had conservation efforts placed on them.

Mr. Dobromilsky advised that he was going to review the Code and redefine the definition to make the area around the house exempt from permitting removal but beyond that limitation the homeowner would be required to apply for a permit from the Township.

Motion to introduce ordinance 2008-15: Geevers

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

The public hearing will be held on June 23, 2008.

PUBLIC HEARINGS

2008-10 AN ORDINANCE TO ESTABLISH A SALARY AND WAGE PLAN FOR
THE TOWNSHIP OF WEST WINDSOR AND PROVIDE FOR THE
ADMINISTRATION THEREOF - Emergency Services
Specialists and Lieutenants

President Anklowitz opened the public hearing.

Motion to close public hearing: Morgan

Second: Geevers

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Motion to adopt: Morgan

Second: Geevers

RCV: Borek - abstain

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Mr. Borek abstained because he himself is a firefighter.

CONSENT AGENDA

Resolutions

2008-R130 Requesting Approval of the Insertion of the Click It
or Ticket Grant in the 2008 Municipal Budget

2008-R131 Requesting Approval of the Insertion of the Alcohol
Education & Rehabilitation Fund in the 2008 Municipal
Budget

- 2008-R132 Requesting Approval of the Insertion of the State of New Jersey, Department of Health and Senior Services, Pandemic Influenza Preparedness Grant in the 2008 Municipal Budget
- 2008-R133 Authorizing the Refund of Overpaid Property Taxes
- 2008-R141 Opposing Assembly Bill 2896 Preventing a Township from Establishing a Minimum Bid for a Hotel/Motel Consumption License

Bills & Claims

Motion to add resolution 2008-R141 and approve consent agenda as amended: Kleinman

Second: Borek

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan*

aye Anklowitz

*Mr. Morgan abstained from voting on invoices for the law firm of Herbert, Van Ness Cayci & Goodell

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

- 2008-R134 Requesting Approval of the Director of the Division of Local Government Services for a Dedicated Trust by Rider for an Environmental Education Fair and other Miscellaneous Environmental Educational Items
- 2008-R135 Authorizing an Amendment to the 2008 Capital Budget
- 2008-R136 Approving the Extension of Professional Services Agreement with McEnerney, Brady & Company to Continue to Serve as an Expert Witness in a Tax Court Appeal

HUMAN SERVICES

2008-R137 Authorizing the Mayor and Clerk to Execute an Agreement with George Dapper, Inc. to Provide School Bus Transportation Services for the Division of Recreation and Parks for the Period of June 23, 2008 through May 31, 2009

2008-R138 Authorizing the Mayor and Clerk to Execute an Agreement with Academy Express, LLC. to Provide Motor Coach Transportation Services for the Division of Recreation and Parks for the Period of June 23, 2008 through August 14, 2008

PUBLIC SAFETY

2008-R139 Approval of a Shared Services Agreement with the County of Mercer for New Jersey State Police Communications Migration to County Network

Motion to approve resolutions 2008-R134 through 2008-R139: Borek
Second: Kleinman

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

2008-R140 Approving the Re-Engagement of RMJM Hillier to Complete the Redevelopment Plan for the Princeton Junction/West Windsor Redevelopment Area

Ms. Geevers recommended adopting the resolution and contract at the June 23rd Business Session.

Ms. Kleinman noted that Council has been discussing the terms of the contract for months. She advised that the funding has remained the same, and she was comfortable voting on the new contract this evening.

Mr. Morgan noted that there will be a meeting with all the key parties to collaborate and pull the best ideas to allow the plan to proceed.

President Anklowitz asked if the public had any comments they would like to address with regard to the Hillier contract.

Mr. Al Lerner, 67 Rainflower Lane, noted that he was in favor of moving the project forward and was pleased that the Township was working with RMJM Hillier.

Ms. Barbara McCarthy, 46 Nestlewood Way, asked Council to make something important happen out of the redevelopment.

Mr. Ed O'Mara, 28 Grande Boulevard, was pleased to see the redevelopment process was going to move forward again.

Mr. Morgan spoke about the progress the Redevelopment Finance Committee has made in their meetings. He spoke about using tax increment financing for the redevelopment at the train station.

Ms. Louth confirmed that the \$50,000 in funds required for the contract was available for the project.

Motion to approve 2008-R140: Morgan

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

2008-09 AN ORDINANCE PROVIDING FOR FUTURE SALARY ADJUSTMENTS
FOR THE MAYOR AND COUNCIL

President Anklowitz explained that this ordinance was approved by the Council, vetoed by the Mayor, and was on the agenda this evening for discussion. He advised that this ordinance has been permanently tabled.

INTRODUCTION OF ORDINANCES

2008-11 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$5,673,680 AND AUTHORIZING THE ISSUANCE OF \$5,363,600 IN BONDS OR NOTES

Motion to introduce: Borek

Second: Morgan

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Public Hearing is scheduled to be held June 23, 2008.

2008-12 AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF WEST WINDSOR TOWNSHIP PART II "GENERAL LEGISLATION", CHAPTER 148 "SOLID WASTE", ARTICLE III "RECYCLING"

Motion to introduce: Borek

Second: Morgan

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Public Hearing is scheduled to be held June 23, 2008.

2008-13 CAPITAL IMPROVEMENT ORDINANCE PROVIDING FOR 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 \$535,000

Motion to introduce: Morgan

Second: Geevers

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Public Hearing is scheduled to be held June 23, 2008.

2008-14 AN ORDINANCE TO AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)
AMENDING CHAPTER 34: "ALARM SYSTEMS", SECTION 34-3
REGISTRATION OF ALARM DEVICE OR ALARM SYSTEM; FEES"

Discussion ensued about the elimination of the alarm registration fee.

Chief Pica outlined all the reasons for the adoption of the ordinance several years ago. He noted that the funds received from the ordinance help pay for the cost of maintaining the alarm registration.

Mr. Herbert advised that a waiver for senior citizens was not advisable.

Ms. Kleinman inquired further for the need of the alarm registration fee and noted that it would not be feasible to have all the residents in the Township be burdened with the cost of maintaining the alarm registration records. She noted that she was in favor of leaving the ordinance as is.

Council agreed and the ordinance was tabled.

COUNCIL REPORTS/COMMENTS

Mr. Borek thanked the Township volunteers for all their efforts and also acknowledged all those who came out to attend the Memorial Day Parade.

Ms. Geever discussed the issue of the schools being used as polling locations, and also spoke of the upcoming school contract negotiations.

Ms. Kleinman noted that the task group was working on the website for the September 20th Environmental Fair.

President Ankowitz reminded everyone of a June 19th meeting with NJ Transit and other key landowners to discuss the redevelopment plan, and noted that the Steering Committee members were going to attend the meeting.

Motion to adjourn: Morgan
Second: Borek
VV: All approved.

ADJOURNMENT

The meeting was adjourned at 10:58 p.m.

Sharon L. Young
Township Clerk
West Windsor Township