

APPROVED AS AMENDED: September 2, 2008

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
June 23, 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: Geevers, Kleinman, Morgan; Mayor: Hsueh; Township Attorney: Herbert; Planning Board Attorney: Muller; Business Administrator: Marion; Chief Financial Officer: Louth; Acting Township Engineer: Korkuch; Manager Division of Land Use: Surtees; Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

ORDER OF THE AGENDA AMENDED

President Anklowitz requested that the presentation of the Proclamation for Wilma Black be moved before Public Comment.
Seconded: Kleinman
VV: all ayes

CEREMONIAL MATTERS

Proclamation Honoring Wilma Black for her Years of Service on the Local Assistance Board

President Anklowitz and Mayor Hsueh presented a Proclamation to Ms. Black.

Ms. Black thanked everyone and advised that she has loved serving the Township.

ORDER OF AGENDA RESUMED

PUBLIC COMMENT

Mr. Bob Lowe, 70 Cartwright Drive, Chairman of the Senior Center Advisory Board, urged Council to vote in favor of the contract for the Senior Center expansion.

Mr. Mel Levine, 40 Cardinalflower Lane, spoke about the train station expansion proposed by InterCap Holdings, and his support of the proposed plan.

Ms. Janet Lerner, 67 Rainflower Lane, thanked Council for continuing to move the redevelopment plan forward. She advised that residents support the InterCap Holdings plan.

Mr. Dan Damon, 12 Halstead Place, spoke on behalf of the walk recently conducted by the West Windsor Bicycle and Pedestrian Alliance to evaluate the intersection at Bear Brook Road, Vaughn Drive, and Alexander Road. He noted his support for the proposed changes for this intersection and requested that the speed limit along Bear Brook Road be reviewed.

Ms. Linda Kinzinger, 18 Halstead Place, voiced her support of the improvements proposed by the West Windsor Bicycle and Pedestrian Alliance and suggested using similar lighted crosswalks and signage as Princeton Township has along Harrison Street and Alexander Road.

Mr. Bob Akens, 31 Windsor Drive, advised that the omission of broadcasting of the last Council meeting was a loss and encouraged Council to tape all Business Sessions. He also noted that Edison Township has recently rejected a plan presented by InterCap Holdings due to the volume of housing. Mr. Akens requested that the West Windsor Bicycle and Pedestrian Alliance promote the laws of bicycle safety.

Mr. Robert Cagan, 23 Lake Shore Drive, noted he has been a resident of the Township for 24 years and that he is strongly in favor of moving the redevelopment process forward. He advised that he has been impressed with the InterCap Holdings proposal.

Ms. Kristen Weinstein, 1 Wakefield Circle, voiced her support for redevelopment.

Ms. Janet Lerner, 67 Rainflower Lane, noted that the Township is not talking about forging ahead on redevelopment without negotiation and collaboration.

CEREMONIAL MATTERS

Proclamation Recognizing the Efforts of the West Windsor Bicycle and Pedestrian Alliance

President Anklowitz advised that this whole organization works together for the betterment of bicycle and pedestrian safety throughout the Township.

Mr. Chris Scherer and Ms. Susan Conlon accepted the Proclamation from President Anklowitz and Mayor Hsueh.

Ms. Kleinman thanked the members for all their efforts.

Ms. Geevers thanked the members.

Mr. Morgan noted that this organization shows that the residents assist in running the local government and thanked them for their efforts.

Mr. Borek thanked the group for keeping the pedestrian and bicyclists safe, and for bringing the problems and solutions to the forefront.

Presentation by the West Windsor Bicycle and Pedestrian Alliance

Mr. Ken Carlson, President of the West Windsor Bicycle and Pedestrian Alliance, gave a brief overview of the walk that was held on May 13th at the intersection of Bear Brook Road, Alexander Road, and Vaughn Drive. He handed out the presentation to members of Council and the audience and encouraged the Township Officials to review their proposed suggestions.

Motion to acknowledge the recommendations: Kleinman

Second: Borek

VV: All approved

Ms. Kleinman inquired about having flashing lights installed at the referenced intersection and suggested a strong police presence during rush hours.

Mayor Hsueh advised that improvements such as roadway lights across Bear Brook Road are being reviewed.

Mr. Marion noted that the proposed suggestions will be forwarded to the Township staff and placed in Capital Budget recommendations. He also noted he will contact Chief Pica regarding police presence in this area during peak times.

President Anklowitz thanked the members of the Alliance for attending this evening's meeting.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh advised that the Alexander Road Railroad Bridge will be closed from June 27th through September 24th. He also advised that meetings with the State agencies with regard to the redevelopment project will include Members of Council and that he will make sure that State agencies receive copies of the studies and materials prepared by RMJM Hillier and InterCap Holdings.

Mr. Marion advised that the Township has received calls regarding the web-site, maps, and questions of public safety regarding the Alexander Road Bridge project. He advised that updates will be placed on the Township web-site and Channel 27 to keep residents informed. Mr. Marion requested that two items be placed on the agenda: a contract for Urbitran and a contract for Maser Consulting.

President Anklowitz asked which department or individual can residents contact with regard to the bridge and road closures.

Mr. Marion advised either the Township Engineer or the New Jersey Department of Transportation Engineer.

COUNCIL MEMBER COMMENTS

Ms. Geevers advised that the West Windsor-Plainsboro School Board will be voting on the teachers' contract tomorrow evening. She congratulated all the graduates of both High Schools.

CHAIR/CLERK COMMENTS

Motion to add Resolution 2008-R161 and 2008-R162 to the agenda:
Kleinman
Second: Borek
VV: All approved.

PUBLIC HEARINGS

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 OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

President Anklowitz opened the public hearing.

Mr. Marion gave a brief overview of the ordinance before Council.

Motion to close public hearing: Morgan
Second: Borek
RCV: aye Borek
 aye Geevers
 aye Kleinman
 aye Morgan
 aye Anklowitz

Motion to adopt: Morgan
Second: Geevers
RCV: aye Borek
 aye Geevers
 aye Kleinman
 aye Morgan
 aye Anklowitz

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"

President Anklowitz opened the public hearing.

Mr. Bob Akens, 32 Windsor Drive, inquired if the Township is changing the current practice for brush and leaf pickup. He noted this ordinance advises that brush and leaf debris will not be picked up under this.

Mr. Marion advised that this ordinance is from the Mercer County Improvement Authority and is for recycling, not brush and leaf collection.

Motion to close public hearing: Borek

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Ms. Kleinman noted that every effort should be made to educate residents on how to recycle and advised that the Township receives a rebate based on the volume of the recycling collected. She encouraged all residents to recycle.

Mr. Morgan inquired if this ordinance includes apartment complexes and asked who is responsible for implementing their recycling.

Mr. Marion advised that the issues raised by Mr. Morgan previously are being reviewed by staff. He suggested having Public Works give a presentation on recycling procedures at a future meeting.

Mr. Herbert advised that currently apartment complexes would be covered by this ordinance.

Ms. Geevers inquired if there is information that could be given to the property management company for these apartment complexes to handout to all new residents.

President Anklowitz advised that this ordinance does not cover commercial facilities.

Mr. Marion advised that recycling responsibilities are under the Mercer County Improvement Authority (MCIA) and not the Township.

Mr. Marion requested that this item be placed on the July 7th, 2008 Business Session for approval.

Mr. Morgan reminded residents that the next Mercer County Improvement Authority Household Hazardous Waste Day is scheduled for June 28th at the Dempster Fire School in Lawrence Township.

Motion to adopt: Kleinman

Second: Borek

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

Ms. Kleinman advised that the Planning Board at their July 2nd meeting will be discussing LEED standards and how to encourage recycling to the commercial element of the Township.

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

President Anklowitz opened the public hearing.

Mr. Marion gave a brief explanation regarding the proposed improvements to Meadow Road.

Mr. Al Lerner, 67 Rainflower Lane, inquired if these funds are already part of the Township's 2008 budget.

Mr. Marion advised that this is a fully funded project.

Motion to close public hearing: Borek

Second: Morgan

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

Motion to adopt: Morgan

Second: Geevers

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

CONSENT AGENDA

RESOLUTIONS

2008-R143 Authorizing the Mayor and Clerk to Execute an Easement Modification Agreement with David and Mary Spence - 3 Emily Court

2008-R144 Granting the Refund for a Zoning Permit - East Coast Heating

2008-R145 Consenting to the Appointment of Alexander Drummond to the position of Director of Public Works

Minutes

April 3, 2008 - Budget Work Session #5

April 3, 2008 - Closed Session

April 7, 2008 - Business Session

Bills & Claims

Ms. Geevers requested that the payment to Mr. Morgan be removed for further discussion.

Motion to approve consent agenda as amended: Borek

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan*

aye Anklowitz

*Mr. Morgan advised that he votes yes to all expenditures with the exception of the Herbert, Van Ness, Cayci and Goodell voucher.

Items Removed from Consent Agenda

Ms. Geevers inquired why the Township is paying Mr. Morgan for the lunch with Mr. Gardner. She advised that this is just another reason why Council needs a reimbursement policy and does not agree with the payment being made.

Ms. Kleinman inquired why Ms. Geevers or Administration did not address this issue until now.

Mr. Marion advised that both the lunch and the phone conference bills were charged to the Council's operating budget appropriation reserve accounts for 2007 - meals and technical supplies.

Mr. Morgan advised that the draft ordinance submitted by Ms. Geevers would authorize this reimbursement in full. He noted that he submitted two expenses in January and is still waiting for reimbursement. Mr. Morgan advised that he did not disapprove of a meal reimbursement that Ms. Geevers put in for nearly \$200.00 while participating at the League of Municipalities Conference last November.

Ms. Geevers noted that she was in favor of reimbursing out-of-town expenses for distant travel, but indicated that local meal expenses should not be reimbursable. She advised that all reimbursements that she has received were approved by Council and that to her knowledge there was no single meal reimbursement for \$200.00. Ms. Geevers again voiced the need for a reimbursement policy for Council expenses.

Motion to approve Mr. Morgan's voucher: Kleinman

Second: Borek

RCV: aye Borek

NAY Geever

aye Kleinman

Morgan - abstain

aye Anklowitz

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

2008-R146 Authorizing the Mayor and Clerk to Execute an Agreement with Tri-Form Construction, Inc. for the Project known as Senior Center Expansion - Phase I

2008-R147 Request to Approve the Insertion of the State of New Jersey 2008 Child Passenger Safety Education Grant in the 2008 Municipal Budget

COMMUNITY DEVELOPMENT

2008-R148 Authorizing the Mayor and Clerk to Execute a Developer's Agreement with Umberto Pirone

2008-R149 Authorizing the Mayor and Clerk to Execute a Land Development Performance Guarantee Agreement with Boston Properties, L.P. - Carnegie Center West - Phase C - Building 701

2008-R150 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Robert Korkuch, ACT Engineers, Inc. for Interim Township Engineer Services

2008-R151 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with James Parvesse for Consulting Engineering Services

2008-R152 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Urbitran Associates for the Meadow Road Reconstruction Project

- 2008-R153 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with T&M Associates for the Final Design of the Duck Pond Park Rear Soccer Fields
- 2008-R154 Granting Additional Reservation of Sewer Capacity for the Project known as Schlumberger Technology Corporation
- 2008-R155 Denying the Request for Release of Performance Guarantees Associated with the Project known as Daniel and Rosa Espinosa - ZB00-08
- 2008-R156 Granting the Request for a Full Release of Performance Guarantees to Hilton - 902 Carnegie Center, LLC for the Project known as Carnegie Center West - Building 902
- 2008-R157 Granting the Request for a Reduction of Performance Guarantees Associated with the Project for Dr. Timothy Tuttle - PB06-05
- 2008-R158 Granting the Request for a Full Release of Performance Guarantees Associated with the Project for Umberto Pirone - PB06-03
- 2008-R161 Approving Supplemental Professional Services Agreement with Urbitran to Assist in the Formulation of the PJ Redevelopment Plan
- 2008-R162 Approving Supplemental Professional Services Agreement with Maser Consulting, P.A. to Assist in the Formulation of the PJ Redevelopment Plan

Discussion of Resolution 2008-R146 Tri-Form Construction, Inc. for the Project known as Senior Center Expansion - Phase I

Ms. Kleinman advised that six bids were received and that a fiscal plan for Phase II of this project needs to be discussed.

Mr. Marion noted that additional funding will be marked in the current six-year Capital Budget for Phase II of the Senior Center Expansion. He advised that a timeframe will be presented to Council after the pre-build meeting.

Motion to approve Resolutions 2008-R146 through 2008-R158, 2008-R161, and 2008-R162: Kleinman

Second: Morgan

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

2008-R159 Authorizing the Person-to-Person Transfer of the Hotel/Motel Consumption License from Charlie Brown's of West Windsor to the Palmer Inn Restaurant LLC

Ms. Young advised that all the appropriate approvals have been received.

Motion to approve: Borek

Second: Morgan

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

aye Anklowitz

2008-R160 Support for Having the Choice of Non-Partisan Elections in Either May or November

President Anklowitz advised that he would like to see this issue placed on a referendum to the voters for their input.

Mr. Borek advised that this Bill passed today in the Assembly. He advised under this Bill, West Windsor Township would not be eligible to have their election in November due to a population cap written into the Bill. He did suggest forwarding a letter of support to the Senate to make the necessary amendments so that those municipalities like West Windsor Township would have the option.

Ms. Kleinman advised that our community voted in favor of a non-partisan form of government and asked for more time to review the Bill.

Ms. Geever noted that the Township could save \$40,000 or more if the Municipal Election was moved to November.

Ms. Janet Lerner, 67 Rainflower Lane, voiced her views that this change could affect the Township by going to a partisan election versus a non-partisan election.

Mr. Morgan noted that he supports this reform.

President Anklowitz advised that he ran in both November and May and did not feel voters were hindered because the local issues were voted on as part of the General Election. He noted the voters should have the right to decide.

Mr. Borek advised that residents came in during the budget process requesting the Township find ways to cut the Municipal Budget; this could potentially save the Township \$100,000 if the School and Municipal Elections were moved to November. He noted his support of the resolution.

Ms. Kleinman again noted that by holding the Municipal Election in May it helps to promote Township issues instead of State, County, or Federal issues.

Motion to approve: Morgan

Second: Borek

RCV: aye Borek

aye Geevers

NAY Kleinman

aye Morgan

aye Anklowitz

COUNCIL REPORTS/COMMENTS

Ms. Geevers announced that the Planning Board will be having a presentation for the Maneely site.

School Board

Mr. Borek asked Ms. Geevers, Liaison to the School Board, what the impact of the teachers' contract is on the taxpayers.

Ms. Geevers advised that information is still privileged and will be released after the School Board votes on it.

Mr. Borek noted that basic contractual information should be made public so the residents are aware of basics which will affect their taxes. He also thanked President Anklowitz for a job well done this past year serving as Council President.

Old Firehouse Renovations

Ms. Kleinman advised that several meetings on the renovations to the old firehouse have taken place and the project is moving forward. She noted that the West Windsor Arts Council is focusing on fundraising for the next year. Ms. Kleinman noted that the Arts Council wants to pay homage to the original use of the building and is looking for items that could be "reborn" to decorate the building.

Schenck Farmstead

Ms. Kleinman advised that meetings on the Schenck Farmstead are moving forward and that a meeting has been tentatively scheduled for August 19th for the public presentation of the proposed project.

Glen Acres

Ms. Kleinman advised that the Glen Acres development will be celebrating their 50th Anniversary. She noted that this celebration will be held on September 6th and she would like Council to have a proclamation prepared for this event.

Redevelopment

Mr. Morgan advised that he would like to elaborate on the meeting with the New Jersey Department of Transportation and New Jersey Transit. He noted that a couple of significant issues came out. He advised that West Windsor would be the leader in making the process move forward and that there is an agreement with NJDOT to review the Township's traffic numbers and receive their input. Mr. Morgan advised that there is a lot of activity going on with regard to the redevelopment project.

President Ankowitz thanked Council, the residents, Mayor Hsueh, the Clerks Office, the Business Administrator, and the Municipal staff for all their suggestions and support during his term as Council President. He noted it has been a privilege and honor to serve as Council President this past year.

ADDITIONAL PUBLIC COMMENT

Mr. Al Lerner, 67 Rainflower Lane, suggested, as Mayor Fried advised, that the Township needs to receive everything in writing for the various State and County agencies to ensure who is funding what projects within the redevelopment area.

Mr. Bob Akens, 32 Windsor Drive, noted that he agrees with Mr. Lerner one hundred percent. He asked whether the June 19th and the July 17th meetings were public meetings.

Ms. Kleinman advised that there were no decisions made about the redevelopment project. She noted that it was a discussion of the process and having the players all together to build a consensus.

ADJOURNMENT

Motion to adjourn: Morgan
Second: Kleinman
VV: All approved

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

Sharon L. Young
Township Clerk
West Windsor Township