

APPROVED AS AMENDED: August 31, 2009

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
July 20, 2009

CALL TO ORDER: President Borek called the meeting to order at 6:45 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 14, 2009. A closed session notice was prepared and sent to the Princeton Packet and The Times on July 15, 2009 for the purpose of discussing potential litigation.

ATTENDEES: President: Borek; Vice President: Geever; Council: Ciccone, Khanna, Morgan; Mayor: Hsueh; Acting Business Administrator: Hary; Township Attorney: Cayci; Chief Financial Officer: Louth; Township Engineer: Guzik; Deputy Township Clerk: Huber

CLOSED SESSION

Motion to go into closed: Morgan  
Second: Ciccone  
VV: All approved

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 potential litigation.

Meeting reconvened at 7:03 p.m.

SALUTE TO THE FLAG

Ms. Huber led the salute to the flag.

PUBLIC COMMENT

Mr. Andrew Hersh, 5 Halstead Place, congratulated everyone this evening who is receiving an award. He advised that the Shared Services agreement with the County for Health Services is a good idea and that the Township should continue to pursue these types of agreements. Mr. Hersh suggested a volunteer committee be established to help raise revenues outside of taxes for the Township.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

GIRL SCOUT GOLD AWARD RECIPIENTS

President Borek called upon Mr. Morgan to present the proclamations to the Girl Scouts being honored this evening.

Mr. Morgan acknowledged each Gold Award Girl Scout recipient and gave a brief explanation of the project they completed. He presented proclamations to the following individuals: Alexandra Nesci, Lauren Mandel, and Jashvina Shah. He acknowledged Marissa Kelly, Danielle Kelly, Varsha Mangal, and Margot M. Louie who also received Gold Awards but were unable to attend this evening's meeting.

RECOGNITION OF PATROLMAN FOW, ANTHONY VELLA AND LOUIS DIMA

President Borek gave a brief explanation of the accident that took place on June 12, 2009 and read the Proclamation into the

record. He and Mayor Hsueh presented the Proclamations to the recipients.

Chief Pica noted that he is honored to be a part of this organization and acknowledged that all the departments work together within West Windsor Township.

Assistant Chief Larry Rubinstein, West Windsor Volunteer Fire Company, acknowledged the great job that was done by the Fire Department, Police Division and Public Works staff.

Mr. Alex Drummond, Director of Public Works thanked Mr. Dima for his service to the community and noted that everyone works together as a team.

Ms. Geever thanked all the professionals and volunteers for being there everyday for the residents and public.

Ms. Ciccone noted she wants to echo Ms. Geever's comments and acknowledged how wonderful it is to have so many residents who volunteer their services to the Township. She also applauded the girl scouts and their parents for their achievements. Ms. Ciccone advised that she is proud to be a part of this community.

Mr. Morgan noted that he has worked with various police departments throughout his career but West Windsor has the best. He noted that the volunteer fire departments are always there for the community. He again acknowledged the girl scouts in the audience and thanked everyone for their service to the community.

Mr. Khanna would like to applaud the good work that was done by all.

#### MAYOR/ADMINISTRATOR COMMENTS

Mr. Hary noted that in the audience this evening were several Public Works employees supporting Mr. Dima. He reported that the Senior Center Project is on schedule and that the building should be occupied in early September. Mr. Hary advised that the Senior Center staff has currently been relocated into Room C for the month of July. He noted that fencing has been installed

at Community Park to help prevent parking in areas along the roadway.

COUNCIL MEMBER COMMENTS

Mr. Morgan advised that he omitted acknowledging Public Works and that he is sorry. He handed out additional information regarding government 501(c)(3)s and requested that it be scheduled into a future budget session.

Mr. Khanna advised that he received calls from residents regarding their tax bills and again advised that government needs to be more efficient, productive, and that Council has to set goals sooner rather than later regarding the budget for 2010.

Ms. Ciccone noted that she is looking forward to the budget process and that Council should come to a consensus and set broad based parameters for Administration to work with. She reported that she is receiving calls from concerned residents regarding the status of the Acme Shopping Center.

Mr. Morgan advised that during his Chairmanship he felt it was his duty to contact the owner of the property and he has spoken to Mr. Dreher. He noted that the Township should be speaking with Mr. Dreher especially because these properties are in the redevelopment area.

Ms. Geevers noted it would be nice if the owner or developer of these properties would give the Council an update on the status of the project.

President Borek advised that currently the Council has not been made aware if the property has changed hands.

Mr. Hary advised that the Mayor has reached out to the Dreher Group and the Township is trying to keep the property weed and litter free.

Discussion continued on the proposed new Rite Aid site and the Acme Shopping Center properties to include having Council President Borek and Mayor Hsueh contacting the Dreher Group to

discuss the Township's concerns and see if a resolution of the problems can be reached by all parties.

CHAIR/CLERK COMMENTS

CONSENT AGENDA

RESOLUTIONS

2009-R169 Authorizing the Refund of Property Tax Overpayment

2009-R170 Consent to Reappointment of Myra Swanson as an Advisor of the Affordable Housing Committee - Term to expire June 30, 2010

2009-R171 Consent to Reappointment of Ted Begun as a Member of the Site Plan Review Advisory Board - Term to expire June 30, 2012

2009-R172 Consent to Reappointment of Chih-mei "Amy" Huang Hsiao as a Member of the Cable TV Advisory Board - Term to expire June 30, 2012

2009-R173 Consent to Reappointment of Lisa C. Carter as a Member of the Cable TV Advisory Board - Term to expire June 30, 2012

2009-R174 Consent to Reappointment of John Rosko as a Member of the Shade Tree Commission - Term to expire June 30, 2014

BILLS & CLAIMS

Mr. Morgan requested the bills and claims be pulled.

Motion to approve the consent agenda as amended: Geevers

Second: Khanna

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Mr. Morgan inquired about two payments on the bill list one for Avalon Watch Communities and one for Canal Pointe Condominium Association and questioned whether they are both for Kelly Bill reimbursements.

Mr. Hary advised that both are for Kelly Bill reimbursements.

Motion to approve the bills and claims: Morgan

Second: Geevers

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

2009-R175 Authorizing the Reimbursement of Refuse and Recycling Collection/Disposal and Snow Removal Costs for Colonnade Pointe Condominium Association and Windsor Haven Homeowners Association for 2008

2009-R177 Establishing the 2009 Sewer Rate

COMMUNITY DEVELOPMENT

2009-R178 Authorizing the Acting Business Administrator to Execute Change Order 1 with Meco, Inc., for Final Quantity Adjustments and Closeout for the Project Known as Annual Road Improvement Program

2009-R179 Denying the Request by Brinker International for Release of Performance Guarantees Associated with the Project Known as On the Border/Macaroni Grill (PB97-02)

2009-R180 Denying the Request by CDNJ Plaza, LLC for Release of Performance Guarantees Associated with the Project Known as CDNJ Plaza (PB05-01)

2009-R181 Authorizing the Mayor and Clerk to Execute an Amendment to the Settlement Agreement with the Akselrads and West Windsor Gardens, LLC to Allow Payment of Sewer Contribution in Three Installments

HUMAN SERVICES

2009-R182 Authorizing the Mayor to Execute a Shared Services Agreement with the County of Mercer Department of Health for Various Emergency Public Health Services

Mr. Morgan requested that resolution 2009-R176 be pulled for further discussion.

Motion to approve Resolutions 2009-R175, 2009-R177 through 2009-R182: Morgan

Second: Geevers

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

ADMINISTRATION

2009-R176 Authorizing an Amendment to the 2009 Capital Budget for Supplemental Funding for the Princeton Junction Redevelopment Plan and Other Minor Adjustments

Mr. Morgan inquired why this resolution is necessary.

Ms. Louth answered Mr. Morgan's inquiry and noted that this resolution is needed in order to introduce the bond ordinance on the agenda this evening.

Motion to approve: Ciccone

Second: Khanna

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

INTRODUCTION OF ORDINANCES

2009-14     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 \$4,816,625 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$4,286,100 BONDS OR NOTES  
OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mr. Morgan inquired about Municipal Facilities Improvements and what this incorporated.

Mr. Hary advised that these funds are so the Township can review the reconfiguration of the old police side of the municipal building.

Motion to introduce: Morgan

Second: Khanna

RCV: aye Ciccone  
      aye Geevers  
      aye Khanna  
      aye Morgan  
      aye Borek

Public Hearing for this ordinance is scheduled for the August 3, 2009 Business Session.

2009-15     BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION  
OF \$210,000 FOR THE PRINCETON JUNCTION REDEVELOPMENT  
PLAN IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE  
COUNTY OF MERCER, NEW JERSEY AND AUTHORIZING THE  
ISSUANCE OF \$200,000 BONDS OR NOTES OF THE TOWNSHIP  
FOR FINANCING PART OF THE APPROPRIATION

Mr. Morgan inquired if Mr. McManimon's firm is preparing the bonds and what the expenditure will be for these bonds.

Ms. Louth advised that there is no change to his rate schedule from last year and noted that fees are based on the size of the bond issue.

Mr. Morgan requested Administration to ask Mr. McManimon to waive their fees.

Discussion ensued regarding the waiving of fees for McManimon and Scotland.

Motion to introduce: Khanna

Second: Geevers

RCV: aye Ciccone

aye Geevers

aye Khanna

NAY Morgan

aye Borek

Public Hearing for this ordinance is scheduled for the August 3, 2009 Business Session.

2009-16      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 \$30,000 - WaterWorks Aquatic Complex Improvements

Motion to introduce: Geevers

Second: Khanna

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Public Hearing for this ordinance is scheduled for the August 3, 2009 Business Session.

COUNCIL REPORTS/COMMENTS

Ms. Ciccone advised that SPRAB, the Planning Board, and Township Council had advised that no work be done between May 15<sup>th</sup> and August 15<sup>th</sup> within the area of the rookery on Meadow Road. She noted that clearing of the woods has continued even after talks with PSE&G.

Mr. Hary advised that he will speak to Mr. Dobromilsky regarding this and report back to Council.

President Borek inquired about the policy of the Engineering Department on inspection of these projects and voiced again his concern with the heavy truck traffic along Clarksville Road and whether the Township can ask our contractors to use specific roadways instead.

Mr. Hary reported that staff is out to review projects on a consistent basis.

Discussion ensued regarding traffic along Clarksville Road.

Mr. Morgan inquired about the traffic light that will be installed on Clarksville Road in the area of Meadow Road and voiced his concern with the configuration. He also requested that Public Works trim the trees along Route 571 near the Township tennis courts because the "school zone" sign is obscured by tree limbs.

Mr. Hary advised he will report this to Public Works to take care of immediately.

Ms. Geevers inquired about the guardrails along Meadow and Clarksville Roads and the need for new ones.

Mr. Khanna inquired about grant programs for "green" projects.

Mr. Hary advised that the Township is in the process of submitting grant applications for these types of projects.

ADDITIONAL PUBLIC COMMENT

Mr. Voytek Trela, 70 Bear Brook Road, inquired if the presentation by Mr. Muller to Council on Walden Woods has been scheduled.

Mr. Hary advised that at the August 17<sup>th</sup> meeting a discussion regarding this topic will be conducted in executive session.

Closed Session

Mr. Morgan requested a closed session to discuss a personnel matter.

There was no second to his motion.

Ms. Cayci advised that if it is a personnel matter notice must be given to the individual.

Mr. Morgan requested that the Chair notice a closed session for the August 3<sup>rd</sup> Business Session to discuss a personnel matter.

ADJOURNMENT

Motion to adjourn: Morgan

Second: Khanna

VV: All approved

The meeting was adjourned at 8:10 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township