

APPROVED AS AMENDED: August 3, 2009

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
May 18, 2009

CALL TO ORDER: President Morgan called the meeting to order at 7:36 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.

ATTENDEES: President: Morgan; Vice President: Kleinman; Council: Borek, Ciccone, Geevers; Mayor: Hsueh; Business Administrator: Marion; Township Attorney: Herbert; Chief Financial Officer: Louth; Township Engineer: Guzik; Manager of Community Development: Surtees; Deputy Township Clerk: Huber

SALUTE TO THE FLAG

Ms. Huber led the salute to the flag.

PUBLIC COMMENT

Mr. Chris Scherer, President of the West Windsor Bicycle and Pedestrian Alliance, commented on the Capital Budget for intersection improvements, which his organization feels should be increased to accomplish the goals set forth in previous presentations, and made suggestions regarding additional funding sources that the Township should pursue.

Mayor Hsueh advised that the Township has received \$90,000 in funds to improve Wallace Road and Dutch Neck School area. He advised that \$200,000 in funds for sidewalk connection between Alexander Road Bridge and the Municipal Complex is available and that currently Administration is working to complete this link.

Mr. Steve Meersma, 23 Berkshire Drive, thanked Council and the Mayor for having the proposed Rite Aid property boarded up. He advised that there are still some outstanding issues to include:

the grass is waist high, dumping of garbage is occurring, and vehicles being parked on the property.

Mr. Marion advised that he will have staff address these items and will provide a follow-up at a future meeting.

President Morgan requested that the budget items for this evening be moved forward on the agenda.

ORDER OF THE AGENDA AMENDED

INTRODUCTION OF ORDINANCES

2009-10 AN ORDINANCE AUTHORIZING A COST OF LIVING ADJUSTMENT (COLA) OF 3.5 PERCENT AND THE RE-ESTABLISHMENT OF CAP BANKING

Mr. Marion gave a brief explanation of Ordinance 2009-10.

Motion to introduce: Borek

Second: Kleinman

RCV: aye Borek
aye Ciccone
aye Geevers
aye Kleinman
aye Morgan

The Public Hearing for this ordinance is scheduled for the Business Session of June 22, 2009.

2009 MUNICIPAL BUDGET INTRODUCTION

President Morgan asked if members of Council had any amendments to the budget.

Discussion ensued regarding President Morgan's budget proposal.

Ms. Kleinman advised that this is the third meeting that Mr. Morgan's proposal has been brought up and that there has already been lengthy discussion on this topic. She noted that Mr. Morgan should have contacted staff to review his proposal.

President Morgan advised that he sent an e-mail to Mr. Marion twelve days ago and ten days ago left a message and no response has been provided to date.

Discussion ensued and a suggestion was made to make a motion on whether or not to keep the AAA Bond rating.

President Morgan advised that he has two issues regarding the budget: the amount of surplus on-hand, and the other is whether the Township is going to work to keep taxes down in the future. He noted that he would like to see if Council is going to do something to help reduce taxes in the future.

Ms. Ciccone advised that she asked Administration to provide her with a zero budget increase. She reviewed it and she is not comfortable with going with a zero budget increase, and she is not in favor of reducing the surplus. Ms. Ciccone advised that she contacted people who have advised her not to reduce the AAA Bond rating. She noted that she is comfortable with the proposed budget.

Ms. Geevers advised that she had meetings with Administration as well and that if the budget is reduced by a million or more the Township could not increase the funds next year. She noted she is comfortable with the proposed budget as is. Ms. Geevers advised that due to the economic times, she would not support reducing the budget any further. She also found no support to reduce the AAA Bond rating.

Mr. Borek noted that currently he cannot support using more surplus especially during these uncertain times. Mr. Borek advised that it is a "responsible" budget.

Motion to add \$100,000 to the Capital Budget for public safety improvements recommended by the WWBPTF: Morgan
Second: no second

Ms. Louth advised that the introduction of the budget has to be done this evening and that the public hearing has to be 28 days after the introduction.

Mr. Marion advised that the capital budget can be amended at any time.

Mr. Borek advised that the Council should wait to amend the Capital budget later in the year.

Motion to add \$50,000 for a new position as 501(c)(3) Director:
Morgan
Second: None

Ms. Ciccone advised that she wants to wait until she has received a memorandum from the Township Attorney regarding 501(c)(3)s and how they would work with the Township.

Mr. Herbert advised that the concept of a 501(c)(3) is to receive tax exempt contributions.

Discussion ensued regarding the 2009 budget to include further discussions on 501(c)(3)s, utilization of additional surplus, and the hiring of additional staff.

Motion to introduce the 2009 Municipal Budget: Borek
Second: Ciccone

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

The Public Hearing is scheduled for the Business Session of June 22, 2009.

ORDER OF AGENDA RESUMED

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh requested that a meeting be scheduled to discuss the next steps for redevelopment and that each Council member should come up with their suggestions for this meeting and forward them to his office. He advised that the Office of Smart Growth, New Jersey Department of Transportation, and New Jersey Transit have hired consultants to work with the Township.

Members of Council agreed to a meeting at 5:00 p.m. on Monday, June 8th, prior to the Business Session.

COUNCIL MEMBER COMMENTS

Ms. Ciccone advised she attended the Striving for Excellence Achievement Awards at West Windsor-Plainsboro High School South. She announced the opening of the Farmers Market and noted that there are now bike racks at the Farmers Market.

Ms. Geevers noted she attended the Farmers Market. She thanked everyone who came out and voted last week and advised she will continue to work hard for the residents.

Ms. Kleinman thanked her Council members for the challenging questions asked about the budget and Administration for their answers. She noted she also attended the opening of the Farmers Market this past Saturday.

CHAIR/CLERK COMMENTS

Ms. Huber announced that the West Windsor Township's Annual Memorial Day Parade will begin at 11:00 a.m. on Monday, May 25th at West Windsor-Plainsboro High School South, with the line up for parade participants starting at 10:15 a.m. She advised that both West Windsor-Plainsboro High School Marching Bands will be participating along with the Police Honor Guard, Boy Scouts, Girl Scouts, the Fire Companies, Veterans and many more. Ms. Huber noted that the Parade will conclude with a ceremony at the Municipal Building, at Noon, followed by refreshments. She noted for more information about the Parade residents can log-on to the Township web-site.

CONSENT AGENDA

RESOLUTIONS

2009-R105 Refund of Overpaid Property Taxes

2009-R106 Authorizing the Appointment of Anna Gostomski as
Advisor to the Local Assistance Board with a Term to
Expire December 31, 2009

2009-R107 Granting the Refund of a Performance Bond Posted by
New Jersey American Water Co. for a Street Opening
Permit No. 2008-03 for Work done on Village Road West

BILLS AND CLAIMS

Motion to approve consent agenda: Geevers

Second: Borek

RCV: aye Borek

aye Ciccone

aye Geevers

aye Kleinman

aye Morgan

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

2009-R108 Requesting Approval of the Director of the Division of
Local Government Services for a Dedicated Trust by
Rider for a Police K-9 Unit

COMMUNITY DEVELOPMENT

2009-R099 Authorizing the Mayor and Clerk to Execute a Contract
with Star of the Sea Concrete Corporation for the
Meadow Road Extension and Duck Pond Run Interceptor-
Phase I

2009-R109 Granting Reservation of Sewer Capacity and Authorizing
the Township Engineer to Execute a TWA Approval for
the Project Known as Penn Lyle Road Reconstruction and
Sewer Extension

2009-R110 Authorizing the Amendment to an Agreement with ACT
Engineers for the Project Known as West Windsor
Outfall Survey

2009-R111 Approving the Commitment of West Windsor Township to
Participate in the Development of the Revised Mercer
County Wastewater Management Plan

2009-R112 Authorizing the Mayor and Clerk to Execute a Land Development Performance Guarantee Agreement with The Church of Saint David the King

2009-R113 Authorizing the Mayor and Clerk to Execute a Developer's Agreement with West Windsor Gardens, LLC

2009-R114 Authorizing the Mayor and Clerk to Execute a Land Development Performance Guarantee Agreement with West Windsor Gardens, LLC

PUBLIC SAFETY

2009-R115 Authorizing the Mayor to Execute an Agreement with the New Jersey Department of Transportation to Receive Reimbursement for Wages Paid to Police Officers for the Alexander Road Bridge Construction Project

2009-R116 Authorizing the Mayor and Clerk to Execute the 2009 Shared Services Agreement with Plainsboro Township for Shared Animal Control Services

2009-R117 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Nassau Animal Hospital for Veterinarian Services upon Request of the Township Animal Control Officer

2009-R118 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Princeton Animal Hospital for Veterinarian Services upon Request of the Township Animal Control Officer

2009-R119 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Weber's Training School for Boarding and Care of Stray Animals Taken into Custody by the Township Animal Control Officer

PUBLIC WORKS

2009-R120 Authorizing the Mayor and Clerk to Execute a Contract with H.A. DeHart & Son, Inc. for the Project Known as Provide a 2009 or Newer 4 Ton Diesel Auger Asphalt Dispenser Trailer for the Department of Public Works

2009-R121 Authorizing the Mayor and Clerk to Execute a Contract with Eagle Equipment, Inc. for the Project Known as Provide a 2009 or Newer Sewer Combination Truck for the Department of Public Works

2009-R122 Authorizing the Mayor and Clerk to Execute a Contract with Harter Equipment, Inc. for the Project Known as Provide Three 2009 or Newer 72 inch Side Discharge Riding Mowers for the Department of Public Works

Motion to approve resolution 2009-R099, 2009-R108 through 2009-R122: Borek

Second: Kleinman

RCV: aye Borek

aye Ciccone

aye Geevers

aye Kleinman

aye Morgan

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

Township Sign Ordinance

President Morgan suggested that a couple of members of Council, along with representatives from local businesses, sit with Administration to work on a possible set of amendments.

Ms. Ciccone thanked the candidates for removing the signs so expeditiously.

Mr. Herbert advised that the political signs clause was in the past ordinance. He noted he would review and draft changes to the current sign ordinance and present them to Council for review and/or approval.

Ms. Geevers and Ms. Kleinman volunteered to work with Administration on the amendments.

COUNCIL REPORTS/COMMENTS

Ms. Ciccone advised that as the new person on Council she appreciates all the time that Mr. Marion and Ms. Louth spent with her on the budget process. She also noted her appreciation to the Clerk's Office staff.

Ms. Geevers requested that Mr. Morgan drop the criminal investigation and she would do the same for him. She advised that the Council needs to focus on Township business and noted the hard work done by the Municipal staff.

Ms. Kleinman spoke of a few issues regarding the Municipal Election. She noted that West Windsor should establish a set of standards for the Township's Municipal Election.

Ms. Geevers noted she would like to see that no food be brought into polling places by candidates.

President Morgan advised that candidates have dropped off donuts to poll workers for years. He also advised that he will not drop the criminal investigation of Mr. Hsueh and Ms. Geevers.

A short discussion ensued regarding election standards.

ADDITIONAL PUBLIC COMMENT

Mr. Andrew Hersh, 5 Halstead Place, commended the Mayor for the surplus. He noted there are things that can be done to trim the budget without cutting services. He asked that Council review the budget increases prior to the June 22 adoption.

Mr. Al Lerner, 67 Rainflower Lane, asked several questions regarding funding for Resolution 2009-R099, the extension of Meadow Road and the Duck Pond Run Sewer Interceptor, and inquired if stimulus funding could be applied for this project.

Mr. Bob Akens, 32 Windsor Drive, noted that the tax increase this year is going to be even harder for seniors who will

receive no increase in their Social Security. He requested that the Redevelopment meeting be publicized as soon as possible.

ADJOURNMENT

Motion to adjourn: Borek
Second: Kleinman
VV: All ayes

The meeting was adjourned at 9:11 p.m.

Sharon L. Young
Township Clerk
West Windsor Township