

APPROVED: November 23, 2009

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
October 13, 2009

CALL TO ORDER: President Borek 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 14, 2009. A Closed Session was noticed on October 9, 2009 to the Princeton Packet and Trenton Times starting at 6:15 p.m. for the discussion of personnel.

ATTENDEES: President: Borek; Vice President: Geevers; Council: Ciccone, Khanna, Morgan; Mayor: Hsueh; Business Administrator: Hary; Township Attorney: Herbert; Community Development Coordinator: Ward; Deputy Township Clerk: Huber

CLOSED SESSION

Motion to go into closed session: Morgan  
Second: Ciccone  
RCV: aye Ciccone  
aye Geevers  
aye Khanna  
aye Morgan  
aye Borek

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 personnel issues.

MEETING RECONVENED

The meeting reconvened at 7:00 p.m.

SALUTE TO THE FLAG

Ms. Huber led the salute to the flag.

PUBLIC COMMENT

Ms. Ruth Kusner-Potts, 11 Penn Lyle Road, noted that this is a momentous night for the Township and the West Windsor Arts Council because of the awarding of a contract for improvements to the old fire house on Alexander Road. She read the Arts Council's Mission Statement and gave a brief history of how with the cooperation of the Township they have come to this point. Ms. Kusner-Potts reported on how this organization is going to move forward with fundraising for the future.

Mr. Al Lerner, 67 Rainflower Lane, voiced his displeasure with Mr. Morgan's comments in the newspaper with regard to the outcome of the Mercer County Prosecutor's review of allegations made against candidates in the 2009 Municipal Election.

Mr. Andrew Hersh, 5 Halstead Place, voiced his support for the award of the contract on this evening's agenda for work to be conducted at the old fire house on Alexander Road. He advised he wants to submit a petition to the Township with over eighty signatures calling for the Township to improve Route 571 between Wallace Road and Alexander Road before moving forward with any additional building or improvements within the Township. Mr.

Hersh noted it was time to take action in this part of the Township.

Ms. Sharon Gladwin, 151 Penn Lyle Road, voiced her endorsement of Resolution 2009-R248 granting a one-year extension of the Penn Lyle Road grant. She advised that she hopes this will allow the Township and residents to resolve the sewer and water issues along Penn Lyle Road. Ms. Gladwin requested that the Township Council find ways to fund the installation of the water and sewer lines for the Penn Lyle Road project to ease the burden on the residents of this area.

Mr. Eduardo Garcia, Executive Director of the West Windsor Arts Council, noted that everyone is here this evening to celebrate the awarding of a contract to begin renovations to the old Princeton Junction Fire House and thanked everyone for their continued support of this project. He reviewed what the Arts Center will give back to the Township as it evolves.

Ms. Holly Kelemen, 25 Old Bear Brook Road, voiced her concerns regarding the Ordinance establishing a new PMN District and that the current language does not address sufficient buffering between her home and the proposed new development. She noted her additional concerns regarding the proposed development and how it will affect this small neighborhood.

Mr. Paul Eland, 15 Windflower Lane, voiced his opinion on the two articles in the two local newspapers regarding the investigation by the Mercer County Prosecutor's Office with regard to the Municipal Election. He noted that people need to have respect for each other.

Ms. Heidi Kleinman, 131 South Mill Road, voiced her approval for the resolution before Council for the old Princeton Junction Fire House first because it will preserve the history of the building and second because the approval of this contract will enhance the cultural diversity of our community. She thanked everyone for their continued support of the West Windsor Arts Council.

Mr. Wesley Mostello, 168 Penn Lyle Road, advised that when the question was asked if there was stimulus funding to help with

the installation of the sewer and water line on Penn Lyle Road the answer was no. He noted that he did some research and there are or were funds available. Mr. Mostello noted that there is misinformation being given to residents regarding this project and he voiced his concern regarding this issue.

Ms. Julia Rhodes, 31 Scott Avenue, thanked members of Council regarding the award of the contract to start renovating the old fire house and for moving the project forward.

Mr. Patrick Boyle, 1252 Windsor Road, noted that the section of Route 571 between Wallace Road and Alexander Road needs improvement, but that we have to continue working with New Jersey Transit and others within the redevelopment area as well. Mr. Boyle reported that New Jersey Transit is moving forward with a parking garage and that the West Windsor Parking Authority is working with them to ensure the best for West Windsor residents. He advised that Duck Pond Park has opened and that currently three soccer fields are being utilized.

Mr. Boyle requested that Mr. Morgan stop with the charges and lawsuits against Council members and the Mayor and noted how the allegations spoil the good work that Mr. Morgan has done on the redevelopment area and other projects over his years on Council. He noted he fully supports the resolution before Council with regard to the renovations of the old Princeton Junction Fire House for the West Windsor Arts Council.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh requested time at a future Council meeting to give an update on redevelopment which will include proposed improvements to the Route 571 area. He spoke of a scheduled meeting with area Mayors to discuss traffic improvements. Mayor Hsueh noted that there are three new sports fields opened at Duck Pond Park in accordance with the West Windsor-Plainsboro Soccer Association agreement. He advised he is looking for additional funding from the County for further improvements to the Duck Pond Park. Mayor Hsueh addressed stimulus funding for the Heatherfield Sewer Project and advised that the Township did

not meet the criteria at the time. He noted that staff is reviewing funding sources for water and sewer improvements in several areas of the Township to include stimulus funding.

Mr. Hary reported that the GroWW Festival held last week was once again a success. He noted Administration met with the Dreher Group and they are hoping to move forward with the new Rite Aid site. Mr. Hary advised that the Township is going to meet with representatives of the Council on Affordable Housing to work on a resolution for the Walden Woods Development. He advised that staff met with residents of Penn Lyle Road regarding the sewer and water improvement issues and that as part of that meeting a second survey is being conducted of these residents. Mr. Hary noted that the Meadow Road micro-tunneling is fifty percent complete and that the remaining part of the project should be completed by early 2010. Lastly, he noted that Heatherfield Development residents can start hooking into the sewer lines.

Mr. Hary reported that the Senior Center flu shots are scheduled for October 15<sup>th</sup> and 23<sup>rd</sup> and residents should view the Township web-site for more details. He noted the Township's Recreation Department's Annual Halloween Parade is scheduled for Saturday, October 24<sup>th</sup>.

Mr. Hary reported that he attended the Public Safety meeting this past Wednesday and that he is impressed by the services provided to the residents of this town by the volunteers of the West Windsor Volunteer Fire Company, Princeton Junction Volunteer Fire Company, and the Twin-W First Aid Squad.

#### COUNCIL MEMBER COMMENTS

Mr. Khanna noted that the GroWW event was very impressive and advised that Administration is currently working on an energy audit for the buildings owned by the Township and he looks forward to reviewing the results.

Ms. Ciccone also commented on the outstanding success of the GroWW Festival and thanked Ms. Kleinman for her participation in this event and also thanked the young people who came out and volunteered to help with this event. She thanked everyone

involved in making this event a success for the second year. Ms. Ciccone thanked the West Windsor Arts Council for their dedication and hard work to develop programs for the residents of the community. She advised that she is glad to hear that the energy audit is moving forward.

Mr. Morgan advised that he heard the GroWW event was great and he was sorry he was unable to attend. He thanked the West Windsor Arts Council for the great job they do for the residents of the community as well as the many contributions made by the sports organizations. Mr. Morgan expressed his views on comments made by the public this evening with regard to the recently released Mercer County Prosecutor's report on allegations made by him.

Ms. Geevers reported that she attended a seminar held by the New Jersey League of Municipalities on the current state of the economy and that the League is forecasting that unemployment will improve in the latter part of 2010. She noted she also attended a meeting held at Princeton University regarding stimulus funding being filtered down to the municipal level. Ms. Geevers spoke of the Township working with the developers of the proposed new Rite Aid on Princeton Hightstown Road. She advised that Administration is working on the sewer and water issues for residents of Penn Lyle Road and that the Township has contacted Rush Holt's Office to seek stimulus funding for the Township. Ms. Geevers thanked Ms. Kleinman for again Chairing the GroWW Festival. She also thanked the Mercer County Prosecutor's Office for their work on clearing the allegations made and commended Ms. Louth for her continued dedication to the Township. Ms. Geevers advised that members of Council need to focus on the key issues before the Township.

#### CHAIR/CLERK COMMENTS

President Borek thanked the membership of the West Windsor Arts Council for their hard work and dedication. He thanked Ms. Kleinman for the GroWW event. He noted that there is a bill before the Senate to give New Jersey Transit the ability to build whatever they want without having to work with the Municipality. President Borek requested that a resolution be

drafted for Council consideration that would be forwarded to the Senate and Assembly.

CONSENT AGENDA

RESOLUTIONS

2009-R243 Refund of Overpaid Sewer Rent

2009-R244 Refund of Overpaid Property Tax Payments

BILLS & CLAIMS

Motion to approve consent agenda: Khanna

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

2009-R245 Authorizing the Mayor and Clerk to Execute an Agreement with the Metro Employee Assistance Service (MEAS) for Employee Assistance Program Services

2009-R246 Authorizing the Approval of Change Order No. 5 for the Senior Center Expansion in the Amount of \$12,470 - Tri-Form Construction

COMMUNITY DEVELOPMENT

2009-R247 Authorizing the Mayor and Clerk to Execute a Contract with Dell-Tech, Inc. for the Alterations to the Princeton Junction Firehouse for the West Windsor Arts Council

2009-R248 Endorsement of a One-Year Extension for a NJDOT  
Municipal Aid Grant for Penn Lyle Road Improvements -  
Phase I

2009-R249 Granting Full Release of the Cash Maintenance  
Guarantee to Hilton Realty Corporation for Sewer  
Infrastructure Improvements Associated with Princeton  
Arms Center

2009-R253 Granting an Extension of Reservation of Sanitary  
Sewer Capacity for the project known as Greenview  
Corporate Park aka Switzenbaum

HUMAN SERVICES

2009-R250 Authorizing a One-Year Extension of Contract with  
Aquatic Service Inc. for Services in Connection with  
the Closing, Opening, Painting, and Seasonal  
Maintenance of the West Windsor WaterWorks from Fall  
2009 through Labor Day of 2010

PUBLIC WORKS

2009-R251 Authorizing a One-Year Extension of Contract with  
Scheideler Excavating Co. for Snow Removal Services  
for the Period November 1, 2009 through October 31,  
2010

Motion to add resolution 2009-R253 to the agenda: Morgan

Second: Ciccone

VV: All approved

Motion to approve Resolutions 2009-R245 through 2009-R251 and  
2009-R253: Ciccone

Second: Khanna

RCV: aye Ciccone

aye Geever

aye Khanna

aye Morgan

aye Borek

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

2009-R252 Calling Upon the New Jersey Legislators to Amend  
Statutes that Require Municipalities to Waive Certain  
Construction Related Agency Fees

Motion to approve: Geevers

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

INTRODUCTION OF ORDINANCES

2009-20 AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 36-3  
OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR TO COMPLY  
WITH CHAPTER 83 OF THE LAWS OF 2009 CONCERNING PLENARY  
CONSUMPTION LICENSES TO QUALIFIED HOTELS AND MOTELS

Mr. Morgan requested that it be placed on the record that if a change is made within the hotel (i.e. restaurant or bar is added to the establishment) then the applicant has to come back for an amendment to their application seeking a bid for the full hotel consumption license.

Motion to introduce: Geevers

Second: Khanna

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Public Hearing is scheduled for the October 26, 2009, Business Session.

COUNCIL REPORTS/COMMENTS

Ms. Ciccone reported that the Environmental Commission participated in the GroWW Festival. She advised that the Environmental Commission is concerned about idling vehicles, especially at the train station, and will be working on a campaign to have people conform to the State Statute that allows only four minutes of idling. Ms. Ciccone reported that the Planning Board will be conducting a public hearing on "sustainability" for the Master Plan. She advised that Princeton University came before the Planning Board with an application to enhance their storage facilities on Lower Harrison Road and that the Planning Board, as part of the conditions, is requesting the University to clean up this area.

Mr. Morgan advised that he has no reports, but that the Council needs to address Ms. Kelemen's concerns with the PMN ordinance. He requested the minutes from the Planning Board Public Hearing on this ordinance be made available for Council members to review. He suggested that members of Council go out to this area and see for themselves what is being proposed.

Ms. Geevers noted that this is a big issue for the Township and that pictures should be made part of the presentation. She noted that the Parking Authority meets tomorrow.

President Borek reported that he attended the Public Safety meeting this past week and that the volunteer fire companies and the rescue squad donations are down significantly. He suggested that the Township work on a public relations campaign along with the volunteers to help increase their fund drives. President Borek advised that these organizations help keep the cost of fire and first aid costs down by volunteering their services to the Township.

ADDITIONAL PUBLIC COMMENT

Mr. Andrew Hersh, 5 Halstead Place, advised that he agrees with President Borek that volunteers help keep costs down. Mr. Hersh noted that he is glad to hear that Route 571 is a top priority. He announced that a group of residents will be meeting with the

property management of the Acme Shopping Center on Sunday, October 25<sup>th</sup> and invited all to attend.

Mr. Al Lerner, 67 Rainflower Lane, inquired about the Princeton University property and the potential for flooding.

Ms. Janet Lerner, 67 Rainflower Lane, advised that she supports the prosecutor's decision. She also commented on Mr. Morgan's check and balances and advised that respect is a two-way street.

Mr. Wesley Mostello, 168 Penn Lyle Road, inquired as to when the Township requested stimulus funding for the Heatherfield sewer project.

Ms. Sharon Gladwin, 151 Penn Lyle Road, thanked the Council for passing Resolution 2009-R248 for the one-year extension for improvements to Penn Lyle Road. She again urged that this extension not just be a gesture, but a time spent actively seeking funding.

Ms. Ruth Kusner-Potts, 11 Penn Lyle Road, again thanked everyone for their support on behalf of the West Windsor Arts Council.

ADJOURNMENT

Motion to adjourn: Ciccone  
Second: Geevers  
VV: All approved

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

---

Sharon L. Young  
Township Clerk  
West Windsor Township