

APPROVED: March 1, 2010

WEST WINDSOR TOWNSHIP COUNCIL
AGENDA SESSION
February 1, 2010

CALL TO ORDER: President Borek called the meeting to order at 7:15 p.m. after the adequately noticed Board of Health meeting.

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.

ATTENDEES: President: Borek; Vice President: Geevers; Council: Ciccone, Morgan; Mayor: Hsueh; Business Administrator: Hary; Township Attorney: Herbert; Township Clerk: Young

ABSENT: Khanna

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, voiced his concern about the recent newspaper article regarding the school budget increase. He noted that a tentative municipal budget is needed so that residents can predict what the cost for municipal taxes is going to be.

PRESENTATION

Dr. Robert Bartolini, Chairman, and John Kantorek, Executive Director, Stony Brook Regional Sewerage Authority

Dr. Bartolini advised that the Township has been participating in this program for the past 40 years and outlined the history of the Stony Brook Regional Sewerage Authority. He reviewed the finances and how it will affect West Windsor Township for 2010.

Mr. Kantorek reviewed the two components of the annual bill which are the base charge and the debt service adjustment and how they impact the cost for West Windsor. He outlined the SBRSA expenses for the 2010 budget year. Mr. Kantorek reviewed

several initiatives that have been implemented to reduce the base charge for participants. He also reviewed the base charge calculation and how each participant is charged by flow calculated on the past five years. Mr. Kantorek advised that West Windsor Township will see an increase for these services of 1.3% over 2009 due to an increase in flow. Mr. Kantorek reviewed the debt service adjustment for participants which is impacted by weather.

Dr. Bartolini reviewed the 12 month average daily flow chart for West Windsor and how it works.

Mr. Kantorek reviewed the amended debt service calculation and the impact it has on West Windsor Township. He advised that the new system now uses a seven-year average flow instead of the previous one-year system. Mr. Kantorek noted that payments for 2010 will be made in 7 installments and that this is the last transition year to the new payment plan.

Members of Council asked various questions of Dr. Bartolini and Mr. Kantorek.

FOR ACTION

Consent Agenda

Resolutions

2010-R034 Authorizing the Appointment of John Currie as
Alternate II to the Board of Recreation Commissioners
with a Term to Expire June 30, 2012

2010-R035 Authorizing the Appointment of Janis DiNatale as
Safety Delegate to the Mid Jersey Joint Municipal
Insurance Fund

Minutes

December 21, 2009 - Agenda Session as amended
December 21, 2009 - Closed Session

Mr. Morgan requested that the Bills and Claims be pulled.

Motion to approve the consent agenda as amended: Ciccone

Second: Geevers

RCV: aye Ciccone

aye Geevers

Khanna - absent

aye Morgan

aye Borek

Bills and Claims

Mr. Morgan inquired about several purchase orders on the Bills and Claims.

Mr. Hary addressed Mr. Morgan's concerns.

Motion to approve the Bills & Claims: Morgan

Second: Ciccone

RCV: aye Ciccone

aye Geevers

Khanna - absent

aye Morgan

aye Borek

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS:

ADMINISTRATION

2010-R036 Budget Transfer Resolution to Provide for the Transfer of Funds within the 2009 Municipal Budget

Motion to approve resolution: Morgan

Second: Geevers

RCV: aye Ciccone

aye Geevers

Khanna - absent

aye Morgan

aye Borek

2010-R037 Authorizing the Mayor and Clerk to Execute a
Professional Services Agreement with Vital
Communications Inc. to Provide Support or Maintenance
of Proprietary Computer Hardware and Software Service

Motion to approve: Morgan

Second: GeEVERS

RCV: aye Ciccone

aye GeEVERS

Khanna - absent

aye Morgan

aye Borek

FOR DISCUSSION

Mayor/Administrator

Mayor Hsueh updated Council regarding receipt of the 2010 budget.

Mr. Hary reported that the Township received a grant in the amount of \$7,000 from the Forest Service Division, New Jersey Department of Environmental Protection, for the management of the Township's Open Space. He noted that he attended the Public Safety Meeting and that the Township is going to help the two fire companies and the first aid squad with fundraising and membership recruitment.

Mayor Hsueh advised he had a meeting with representatives of the proposed Rite Aid development today and they have agreed to a multi-phased approach. He noted that the Acme property owners have changed property management companies and that the Township is trying to schedule a meeting with them in the next two weeks.

President Borek inquired if the developers of Rite Aid are going with the plan that was approved by the Planning Board.

Mayor Hsueh advised that they are using the plan approved by the Planning Board.

Council Member/Clerk

Discussion of Nuisance Law

Mr. Morgan advised that the Township has received several noise complaints to include the Dinky train, computer servers in garages, and the paper distribution center on Alexander Road. He noted that given the continued complaints the Council needs to review the ordinance he provided and discuss whether the Township's current ordinance needs to be revised.

Mr. Hary advised that the ordinance provided by Councilman Morgan would not be helpful for the situations that were discussed this evening. He noted that the complaints are more of a nuisance than a noise complaint. Mr. Morgan's proposed ordinance monitors noise compilations by decibel levels and therefore would not be useful in these situations.

Revisions to the Sign Ordinance: Political Signs

Discussion ensued regarding the proposed revisions to the temporary political signs to include the number of signs to be permitted on private property, the possibility of placing political signs on Township property, and limiting the number and size of the signs.

Council agreed to the following conditions: installation of signs no sooner than 30 days prior to an election; removal of signs within 7 days after an election; size of sign; placement of signs on medians; no signs within the site line of medians; limiting the number of signs within the medians; signs on public property; one sign per candidate at entrances to Township Parks; and signs to be no larger than 16 x 48 inches. Council also requested the definition of a "political sign" versus a "political statement" sign.

Ms. Ciccone voiced her opinion against placing signs on public property.

Mr. Herbert was requested to make the necessary revisions and send the proposed ordinance to Council for review and placement on a future agenda.

Cable Television Ordinance Revisions

Mr. Herbert advised that Council members requested review of this ordinance due to public comment that took place prior to the last General Election where a vacancy for Council was filled.

Mr. Morgan reminded everyone that the cable television channel is not a public access channel but a government access channel.

Discussion ensued regarding what changes might be necessary to prevent campaigning on the cable station.

Mr. Herbert will review this issue with Mr. Goodell and also the possible elimination of the Cable TV Advisory Board.

Mr. Hary advised that the Mayor has been reviewing the possibility of eliminating this Board and instead having a member of Administration, the Mayor or designee, and the Council President or designee to address programming issues.

Update on Amending Tree Removal Ordinance

Ms. Ciccone reported that the Environmental Commission and Mr. Dobromilsky feel that the current ordinance is sufficient. She noted that the Environmental Commission will be reviewing the possibility of extending the greenbelt throughout the Township during 2010.

Discussion ensued regarding what needs to be done to help eliminate the destruction of trees outside of greenbelt areas.

Ms. Ciccone and Mr. Morgan will review and bring forward a proposed ordinance at a future meeting.

Ordinance Establishing Municipal Elections in November

Discussion ensued regarding the moving of the non-partisan municipal election from May to November, with terms running from

January 1st through December 31st. Ms. Young and Mr. Herbert advised that review of the various sections of the Code for amendments will be done after the adoption of the ordinance moving the Municipal Election date to November.

Mr. Herbert will revise the ordinance for introduction at the February 16, 2010 Business Session.

COUNCIL COMMENTS

Ms. Ciccone advised that she had the pleasure of attending the installation dinners of the two fire companies and the first aid squad. She reported that she attended a seminar held by the New Jersey Clean Communities regarding sustainability with the Chairman of the Environmental Commission, Mr. Mike Hornsby.

Ms. Geevers thanked the volunteers as well and advised that she and other members of the Council attended the Chinese School New Year's Eve celebration this past Sunday.

COUNCIL REPORTS

Ms. Geevers reported that the West Windsor-Plainsboro School District has started holding their budget sessions and that there is the possibility of the State approving a new charter school in the area, which could reduce State aid to the school district. She noted that currently the school district is proposing a 3.4% budget increase for 2010/2011.

Ms. Ciccone reported that the Planning Board passed the revised cell tower ordinance. She noted that the issue of "not within a 1000 feet of a residence" was not made part of the current ordinance. Ms. Ciccone advised that Council will have to decide on this policy issue.

Mr. Borek noted he attended the Public Safety meeting and that discussion took place on ways the Township can help the two fire companies and the first aid squad with raising funds.

ADJOURNMENT

Motion to adjourn: Morgan
Second: Ciccone
VV: All approved - Khanna, absent

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

Sharon L. Young
Township Clerk
West Windsor Township