

APPROVED: August 16, 2010

WEST WINDSOR TOWNSHIP COUNCIL
AGENDA SESSION
July 12, 2010

CALL TO ORDER: President Ciccone 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 7, 2010 to the Trenton Times and July 9, 2010 to the Princeton Packet.

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

FLAG SALUTE

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Mr. Michael Ogg, 337 Clarksville Road, advised that it is the 20th anniversary of The Americans with Disabilities Act (ADA). He noted areas of concern within the Township which are not ADA compliant.

Ms. Corinna Bisgaier, 7 Villa Drive, spoke in support of the new Arts Council Center.

Ms. Ilene Dube, 11 Meadow Run Road, spoke in support of the old Princeton Junction Firehouse being utilized as an Arts Center. She asked Council to honor the Memorandum of Understanding with the Arts Council.

Ms. Jen Ping Wang, 9 Scott Avenue, asked for Council support of the Arts Council and to give the Center an opportunity to flourish in the community.

Mr. Al Lerner, 67 Rainflower Lane, spoke about Black Rock Financial coming to West Windsor.

FOR ACTION

CONSENT AGENDA

Minutes

May 28, 2010 - Special Business Session
June 1, 2010 - Business Session
June 14, 2010 - Closed Session

Bills and Claims

Motion to approve the consent agenda: Borek
Second: Geevers
RCV: aye Borek
 aye Geevers
 aye Khanna
 aye Morgan
 aye Ciccone

FOR DISCUSSION

Mayor/Administrator

West Windsor Arts Council Lease

Mr. Hary noted that he has been working on the lease for several months. He advised that the Arts Council building is 95% complete. Mr. Hary distributed a revised draft of the lease for approval at the July 19th meeting.

Mr. Eduardo Garcia, Executive Director of the West Windsor Arts Council, gave Council a short presentation about the Arts Council and the Arts Council facility. He noted that no cash contributions have ever been made to the Arts Council and advised that the Art Council provided \$300,000 in funds toward the reconstruction of the building. Mr. Garcia asked the Township keep in mind all the work and many man hours that went into the project. He advised that the Arts Council is prepared to accept their fair share of the great partnership with the Township.

President Ciccone advised that Council will discuss the details of the lease in closed session later in the meeting.

Walden Woods Status

Ms. Geevers asked if the residents of Walden Woods were qualified to be offered affordable housing services by the Township.

Mr. Hary noted that it is the USDA who would qualify an individual for affordable housing and not the Township.

President Ciccone advised that COAH had provided the Township with the credits for the units.

Ms. Geevers asked if the housing units comply with the Affordable Housing standards.

Mr. Herbert advised that the homes complied with the Affordable Housing standards at the time they were built in 1995.

President Ciccone noted that a resolution setting forth conditions for Walden Woods would be placed on the July 19th agenda for a vote.

Redevelopment Expenses Update

Mr. Hary reviewed the expenses paid to date. He noted that the parking garage at the train station was in progress and the Township was working closely with NJ Transit on the project.

Ms. Geevers noted that 75% of Mr. McManimon's fees for the parking garage project are paid by the Parking Authority.

COUNCIL MEMBER/CLERK

Reimbursement Policy

Mr. Hary noted that the reimbursement policy should not be an ordinance. He advised that he is still working on the document and asked that it be deferred until the August agenda session.

Mr. Morgan suggested that the policy should be codified because it will create a long-term memorialization.

Mr. Herbert agreed that it should be a policy and if Council chooses to codify the policy, he suggested making it part of the Procedural Guidelines which are revised and adopted yearly.

Cable TV Advisory Board - Revisions to Township Code

Mr. Herbert advised that the revisions to the Code were for the purpose of consolidating the Government Channel Committee and the Cable TV Advisory Board.

Mr. Morgan addressed the revisions he recommended and asked for comments on the amendments to allow the process to move forward.

President Ciccone suggested that Mr. Morgan and Mr. Herbert work off-line to continue the discussions around making the amendments to the Township Code.

West Windsor Bicycle and Pedestrian Alliance Resolution

Mr. Hary advised that the Washington Road bicycle lane project as mentioned in the resolution needs to have an appropriate start and end to the route. He noted that he wants to work with the State and incorporate their feedback concerning the bike route crossing over Route 1.

Mr. Borek suggested addressing Alexander Road instead of Washington Road as a better route to get into Princeton. He noted that there is heavy traffic on Washington Road.

President Ciccone noted that West Windsor is working on having all Township roads bicycle and pedestrian friendly.

Ms. Sylvia Ascarelli, 2nd Vice President of the West Windsor Bicycle and Pedestrian Alliance, advised that Washington Road is a safer route into Princeton because there are more opportunities for a bicyclist to make themselves seen. She noted that a lot of pedestrians already use Washington Road to cross over Route 1 to get into Princeton because of the traffic light that stops traffic.

Mr. Ben Tufford, 37 Amesburg Court, noted that Washington Road is the preferred crossing of Route 1 because the light slows the traffic down.

Mr. Arnold Kelly, 8 Hathaway Drive, agreed that Washington Road is safer because on Alexander Road cars come from all directions.

Mr. Mark Shallcross, 12 Jeffry Lane, advised that crossing Route 1 on Alexander Road is deadly and supports the Washington Road crossing.

Mr. Paul Cerna, 955 Alexander Road, advised that the safest way to travel by foot or bicycle on Alexander Road is on the dirt path. He noted that Washington Road has a six-foot bike lane and much safer to travel.

MAYOR/ADMINISTRATOR COMMENTS

Mr. Hary reviewed the agenda items for July 19th and August 2nd.

President Ciccone asked Council to direct questions and concerns about the agenda items to Mr. Hary prior to the meeting.

COUNCIL COMMENTS

Ms. Geevers spoke of the Bill pertaining to the 2% cap that passed the Assembly and is now on the Governor's desk for his signature.

Mr. Borek questioned whether the Union contracts are exempt from the 2% cap limitation. He advised that the Attorney General needs to provide an opinion on this matter.

Mr. Khanna thanked the Arts Council members for the tour of their new Arts Center.

President Ciccone asked Council to come prepared at the August agenda session with questions for the vendor who will conduct the efficiency study.

Mr. Hary noted that Mr. Khanna will be assisting with finding a vendor to complete the study.

COUNCIL REPORTS

Mr. Borek advised that the Affordable Housing Committee was awaiting the outcome to what is going to happen to COAH. He also noted that the Committee is aware of the issues surrounding Walden Woods. Mr. Borek spoke about the impact the 2% cap will have on West Windsor.

Mr. Hary noted that the Mayor has received a letter from the Governor pertaining to the cap. Mr. Hary advised that the Mayor is of the opinion that a one-size cap does not fit all municipalities especially those that are still growing.

President Ciccone asked Mr. Borek to prepare a resolution advising the Governor and Legislators of West Windsor's concerns. She also noted that the Environmental Commission will be giving a presentation on July 19th pertaining to the Sustainable New Jersey Plan.

Mr. Khanna commented that the Zoning Board cancelled their first meeting and noted that he was unable to attend the meeting because of short notice.

Hearing for the Objection to Renewal of the Wegman's Food
Markets Distribution License

Mr. Herbert introduced:

Mr. John Takacs, Counsel representing New Jersey Liquor Store
Alliance, and

Mr. John Vassallo, Counsel representing Wegman's Food Markets.

Mr. Herbert outlined the history of the objection brought forward by New Jersey Liquor Store Alliance. He advised that both Counsels agreed to waive sworn testimony.

Both attorneys presented their cases and Council addressed several questions to both attorneys.

President Ciccone explained that this case is broader than anticipated and beyond Council discretion. She advised that the objections to the renewal of the Wegman's Liquor License should be handled by the Division of Alcoholic Beverage Control. President Ciccone noted that the Division has investigators to properly address this case.

Mr. Herbert recommended the granting of the renewal of the liquor license and passed out a resolution for approval. He agreed that the Division of Alcoholic Beverages should be handling this investigation.

2010-R157 Authorizing the Renewal of the Wegman's Distribution
Liquor License for the Term of 2010-2011

Motion to approve resolution 2010-R157: Borek

Second: Khanna

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

PUBLIC COMMENT

Mr. Al Lerner, 67 Rainflower Lane, spoke of how the 2% cap will affect West Windsor.

Mr. John Church, 11 Princeton Place, noted his concerns with bicyclists crossing Route 1 and advised that it is a safety hazard.

Mr. Paul Cerna, 955 Alexander Road, noted that the Arts Council will bring jobs to West Windsor Township.

CLOSED SESSION

Motion to go into closed session at 9:35 p.m.: Khanna
Second: Borek
VV: all ayes

Ms. Young 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 as outlined in N.J.S.A. 10:4-12: For the discussion of contract negotiations pertaining to the West Windsor Arts Council lease for the old fire house, and an update on outstanding litigation.

MEETING RECONVENED

The public portion of the meeting reconvened at 10:32 p.m.

President Ciccone asked for a motion for Administration to negotiate the lease with the West Windsor Arts Council for further consideration and approval at the July 19th Business

Session: Khanna

Second: Geevers

RCV: aye Borek

aye Geevers

aye Khanna

aye Morgan

aye Ciccone

ADJOURNMENT

Motion to adjourn: Borek

Second: Khanna

VV: All ayes

The meeting was adjourned at 10:38 p.m.

Sharon L. Young
Township Clerk
West Windsor Township