

APPROVED: September 7, 2010

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
June 28, 2010

CALL TO ORDER: Vice President Geevers called the meeting to order at 7:20 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 and the Closed Session was noticed on June 17, 2010.

ATTENDEES: President: Borek (via telephone); Vice President: Geevers; Council: Ciccone, Khanna, Morgan; Mayor: Hsueh; Business Administrator: Hary; Township Attorney: Herbert; Chief Financial Officer: Louth; Township Auditors: Antonides Sr. & Jr.; Township Clerk: Young

FLAG SALUTE

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Mr. Simon Pankove, 14 West Cartwright Drive, spoke of the Cable TV Committee being dissolved and was in total disagreement.

John F. Vassallo Jr., Esq., Attorney for Wegmans Food Markets, noted that an objection was filed with West Windsor Township in regard to the renewal of Wegman's liquor license. He noted that the Township should not be responsible for determining the outcome of the objection.

Mr. Herbert stated that a letter was sent to Peter M. Rhodes Esq., who represents the New Jersey Liquor Store Alliance and filed the objection to the renewal, and he is waiting for a response. He noted that the hearing cannot be held this evening.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh spoke of promoting business within the Township and the coalition of surrounding Mayors to work on local issues.

COUNCIL MEMBER COMMENTS

Mr. Morgan commented on requesting information from Administration and their non-responsiveness to his requests.

Ms. Ciccone attended the GroWW Garden Tour and noted that this was a very well organized community event.

CHAIR/CLERK COMMENTS

Vice President Geevers noted that the Reorganization meeting will be held on July 1<sup>st</sup> at 7:00 p.m. and the grand opening for the West Windsor Arts Council will be held in September.

Mr. Herbert stated that Mr. Borek is allowed to participate and vote on the items on the agenda via teleconference.

PUBLIC HEARINGS

2010-12 AN ORDINANCE TO RELEASE, VACATE, AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN LOETSCHER PLACE R.O.W. AND IN PORTIONS OF EMMONS DRIVE R.O.W. AND FARBER ROAD R.O.W. AND TWO TEMPORARY CUL-DE-SAC EASEMENTS

Vice President Geevers opened the public hearing.

Motion to close public hearing: Ciccone

Second: Khanna

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Motion to adopt: Khanna  
Second: Morgan

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

2010-13     AN ORDINANCE AUTHORIZING A COST OF LIVING ADJUSTMENT  
(COLA) OF 3.5 PERCENT AND THE RE-ESTABLISHMENT OF CAP  
BANKING

Vice President Geevers opened the public hearing.

Motion to close public hearing: Morgan  
Second: Khanna

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

Motion to adopt: Khanna  
Second: Ciccone

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

2010 MUNICIPAL BUDGET - PUBLIC HEARING

Ms. Louth presented a PowerPoint presentation on the 2010 budget.

Ms. Louth reviewed the following:

- Total operating expenses totaled \$24,825,237
- Salary and wages declined by 1.15%
- Public Safety represents the largest portion to total budget cost equaling 19.7%
- The four largest costs to the total budget are debt services, insurance, Stony Brook Regional Sewerage Authority and the retirement system, which is statutory.
- \$500,000.00 in decreases were seen in the budget appropriations under revaluation, salaries and wages, garbage removal, recycling, and gasoline.

Ms. Louth further explained that the Municipal Tax Rate is 34.5 cents or \$74.87 for the average residential household. She noted that the tax levy is under the state-mandated 4% cap.

Mr. Bob Akens, 32 Windsor Drive, noted that the last budget meeting he attended the increase to tax was just 1.9% over the previous year budget. He asked for an explanation for the difference in tax levy.

Motion to close Public Hearing: Morgan

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Ms. Louth explained that the tax levy itself is the number that has been discussed in the various budget work sessions; the levy is a 1.9% increase. When that is distributed and converted to a tax rate, it then becomes a 4% increase overall based upon assessed values.

Mr. Morgan noted that he does not agree with using a capital asset to reduce the Municipal Budget. He advised that the fund balance is extremely high and is double what is required of the Township. He stated that there are numerous unanswered questions and cannot vote in support of this budget.

Mr. Khanna advised that the budget process was a learning exercise for him. Mr. Khanna noted that in his opinion there are only two ways to reduce taxes and that is by increasing revenues or lowering costs.

Mr. Borek stated that the budget process began last year and noted that it was a very tedious exercise.

Ms. Ciccone thanked Administration, Council and the residents for their input. She noted that she wanted to get to a zero based budget and did not want to pass the loss of State aid and revenue from the State on to the residents. She suggested preserving existing services, try to reduce energy costs, and look into shared services going forward into 2011.

Vice President Geevers noted that she was concerned with the overall 4% increase to the taxpayers.

Ms. Louth explained that the tax discussion during the budget sessions was focused on the tax levy which is 1.9%. She noted that the Tax Assessor, Mr. Benner, explained the process of adjusting assessments.

Ms. Ciccone advised that she recalls the discussion with Mr. Benner and she was led to believe that there would only be a 2% increase. She is very disappointed about the 4% tax levy.

Mr. Hary stated that tax rate versus tax levy are two separate issues.

Mayor Hsueh explained that he believes the confusion comes from the terminology.

Vice President Geevers noted that everyone should try working together going forward and spoke of the difficulty of union contract negotiations and the potential hard cap that may be imposed for 2011.

Motion to adopt the 2010 Municipal Budget: Khanna

Second: Borek

RCV: Ciccone - abstain

aye Geevers

aye Khanna

NAY Morgan

aye Borek

CONSENT AGENDA

MINUTES

May 17, 2010 - Closed Session as amended

May 17, 2010 - Business Session as amended

May 24, 2010 - Budget Work Session #4 as amended

BILLS & CLAIMS

Motion to approve consent agenda: Khanna

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

Morgan - abstain

aye Borek

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

2010-R137 Authorizing the Mayor and Clerk to Execute an  
Amendment to the Township's Flexible Benefit Plan

2010-R138 Authorizing the Reimbursement of Solid Waste  
Collection Costs for the Calendar Year 2009 for Avalon  
Watch Communities, Inc. and Windsor Woods Luxury  
Apartments

2010-R139 Authorizing the Reimbursement of Recycling Collection and Disposal, and Snow Removal Costs for the Calendar Year 2009 to Various Condominium Associations and a Prorated Portion of 2010 for Windsor Haven because the Township began Picking up the Recycling on May 2010

COMMUNITY DEVELOPMENT

2010-R140 Authorizing the Business Administrator to Execute Change Order No. 1 for Final Quantities Adjustment for Authentic Construction Inc. for the Project known as Renovations to the Artifacts Area of the Schenck Barn, Wagon House Foundation, School House Foundation and Hardscape

2010-R141 Authorizing the Mayor and Clerk to Execute a Contract with Rusling Paving & Concrete for the West Windsor Township Public Works Facility-Pole Barn Finished Floor

Motion to approve Resolutions 2010-R137 through 2010-R141:

Morgan

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

RECOMMENDATIONS FROM COUNCIL AND/OR CLERK

2010-R142 Authorizing the Renewal of the Consumption License for Mac Acquisition of New Jersey, LLC from July 1, 2010 through June 30, 2011

Motion to approve: Morgan

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Ms. Young explained that Mac Acquisition needed their tax clearance certificate, which has been received and they are now in compliance.

2010-R143 Urging Federal, State and Local Governments to Work to Create Plans and Legislation to Significantly Reduce Dependency on Oil in all Government Buildings, Facilities, and Modes of Transportation and to Ensure that the Oil Spill in the Gulf of Mexico is Safely Contained and Cleaned up without Causing Additional Ecological Damage through the Introduction of Toxic Dispersants and Untested Chemicals

Vice President Geevers suggested that this resolution be deferred due to some of the wording and the need for further discussion.

Ms. Ciccone noted that the resolution is appropriate to support as a Municipal Government.

Motion to approve: Morgan

Second: Ciccone

RCV: aye Ciccone

NAY Geevers

aye Khanna

aye Morgan

aye Borek

#### INTRODUCTION OF ORDINANCES

2010-14 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 168, "TRAFFIC AND PARKING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR - Stop Intersections

Motion to introduce: Morgan

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Public Hearing is scheduled for July 19, 2010.

Council Reports/Comments

Mr. Morgan thanked Mr. Herbert for re-submitting his professional services agreement with the cap in cost for evening Council meetings.

Mr. Herbert stated that if he exceeds the cap amount of \$20,000 he will not charge anything extra although, he advised, he may need to reduce the number of meetings at which he will be in attendance.

Ms. Ciccone noted that she appreciates Mr. Herbert listening to Council's concerns.

Mr. Herbert advised that he reviewed the Wegman's liquor license issue and noted that the objectors will respond and he recommended that Mr. Vassallo get an ad interim permit to extend the working term of the license.

Mr. Hary advised that the update on the Redevelopment Budget will be provided on July 12<sup>th</sup>.

ADDITIONAL PUBLIC COMMENT

Mr. Alvin Lerner, 67 Rainflower Lane, congratulated Council on a great job with the budget.

Ms. Janet Lerner, 67 Rainflower Lane, noted that this year was a very difficult budget year and that layoffs were avoided and services were maintained.

Mr. Bob Akens, 32 Windsor Drive, noted that there is a disconnect between a 2% and 4% levy and cautioned the use of debt service.

ADJOURNMENT

Motion to adjourn: Morgan  
Second: Ciccone

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

The meeting was adjourned at 9:20 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township