

APPROVED: June 14, 2010

WEST WINDSOR TOWNSHIP COUNCIL
AGENDA SESSION
May 3, 2010

CALL TO ORDER: President Borek called the meeting to order at 7:05 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.

ATTENDEES: President: Borek; Vice President: Geevers; Council: Ciccone, Khanna, Morgan; Mayor: Hsueh; Township Attorney: Herbert; Deputy Township Clerk: Huber

PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, commended Mayor Hsueh for his press release regarding the recent mailings and articles by Mr. Goldin on the redevelopment area and Route 571 conditions. He also thanked Administration and Council for working together to have these areas cleaned up.

Ms. Gerda Duffy, 132 South Mill, spoke about the approved outsourcing of custodians and maintenance staff in the school district.

Mr. Franc Gambatese, 3 Lanark Drive, voiced his concerns about the deplorable conditions of the back portion of the Ellsworth Center, which has never been completed. He noted that sites like these are health hazards and suggested that the Township consider condemnation of the property.

FOR ACTION

CONSENT AGENDA

Resolutions

2010-R100 Refund of Overpaid Limousine License Renewal

Bills and Claims

Minutes

March 1, 2010 - Business Session as amended (also added Ms. Geevers comments)

March 15, 2010 - Agenda Session

Motion to approve the consent agenda: Morgan

Second: Geevers

RCV: Ciccone - abstain

aye Geevers

aye Khanna

aye Morgan

aye Borek

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS:

RESOLUTIONS

ENGINEERING

2010-R101 Granting the Increase in Reservation of Sewer Capacity for the Project Known as CDNJ Plaza, LLC-Office-PB09-10

2010-R102 Denying the Request by Edgewood Properties for a Reduction in Performance Guarantees for WWM Properties-Retail Village Center-PB03-10

2010-R103 Granting the Request by C.B. Structures Inc. d/b/a Doubletree Structures for a Full Release of Performance Guarantees for the West Windsor Township Community Park Pole Barn

2010-R104 Authorizing the Township Engineer to Execute a Treatment Works Approval Application by Sovereign Consulting on Behalf of Motiva Enterprises, LLC for Groundwater Petroleum Cleanup at the Shell Service Station

Mr. Morgan requested that resolution 2010-R105 be pulled for further discussion.

Motion to approve resolutions 2010-R101 thru 2010-R104: Ciccone

Second: Geevers

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

PUBLIC SAFETY

2010-R105 Authorizing the Mayor and Clerk to Execute a Contract with DM Medical Billing, LLC for EMS Billing Service

Mr. Morgan again voiced his concerns about disclosure and that it was agreed at the Public Hearing that a copy of the ordinance should be sent with each billing.

Mr. Herbert advised that Mr. Morgan's point is well taken and amended section 2.1 of the contract to include the following language "the billing agent will include a copy of the Ordinance with all claims".

Ms. Ciccone inquired how many proposals for billing services the Township received.

Mr. Herbert advised that he would request Administration to provide this information to Council.

Motion to approve Resolution 2010-R105 with contract amendment:

Morgan

Second: Geevers

RCV: Ciccone - abstain

aye Geevers

aye Khanna

aye Morgan

aye Borek

FOR DISCUSSION

Mayor/Administrator

ADA Compliance for Township Properties

Mr. Herbert advised that he had received an update from Ms. Pat Ward this afternoon and will share the report with Council

Members of Council requested that this topic be added to the May 17th Business Session.

Sign Ordinance

Mr. Morgan advised that Council is not going to be able to move forward with this ordinance unless Council hears from both the businesses and Administration. He suggested a task force be formed consisting of two members of Council, representatives from the business community, and Administration.

Ms. Ciccone reported that the Planning Board recently approved a sign variance for all the businesses within the Southfield Shopping Center against the advice of staff and professionals. She noted that the Planning Board felt that local businesses were not represented during the previous update of the sign ordinance. Ms. Ciccone advised that Council has an obligation to review this ordinance on behalf of local businesses.

Discussion continued among members of Council on what the best course of action would be in reviewing the sign ordinance.

Mr. Khanna advised that times have changed. Businesses need all the help they can get and Council should listen to the business community.

President Borek requested that the members of the business community present this evening be allowed to speak.

Mr. Franc Gambatese, Grovers Mill Coffee Company, thanked everyone for talking about this and noted that he commends the Planning Board for overruling the existing sign ordinance for the McCaffrey Shopping Center. He reviewed several reasons why signage needs to be addressed especially for shopping areas throughout the Township. Mr. Gambatese advised that he applauds Council for listening and working with the local businesses on this problem. He noted he would be happy to be part of the task force.

Mr. Morgan suggested that Mr. Gambatese speak with Mayor Hsueh regarding the suggestions made this evening and to ask him to have staff participate in this task force.

Mr. Gambatese noted he would speak to Mayor Hsueh.

Ms. Ciccone suggested sitting down with area businesses along with a couple of members of Council and then present the proposed changes to the ordinance to the professionals for their review.

Dr. Jonathan Sasportas, Oral & Maxillofacial Surgery of Central New Jersey, 63 Princeton-Hightstown Road, noted that he is located in the Chase Bank Building on Princeton-Hightstown Road and that it is very hard for his patients to see the company name on the sign monument. He expressed his frustration with the boarded up buildings in this area and advised that with the new hospital in Plainsboro being built, a lot of doctors will be looking for office space close to this facility and it really makes sense to clean up this area. Dr. Sasportas noted he is willing to help on the task force too.

Ms. Geever reported that she recently spoke to representatives of the Rite Aid project and that they anticipate breaking ground within the next 60 days. She advised that there is a potential buyer for the Acme Shopping Center property.

President Borek noted that the Township is doing whatever they can to move these projects forward.

Motion to form a Business Task Force with representatives from Council, Administration, the Mayor, and business community:

Ciccione

Second: Morgan

RCV: aye Ciccione

aye Geevers

aye Khanna

aye Morgan

aye Borek

Mr. Khanna and Ms. Ciccione agreed to be the Council representatives on the Business Task Force.

Ms. Ora Klein, 1 Wellesley Court, encouraged the Township to continue to put pressure on developers who do not complete approved projects in a timely fashion.

Ms. Geevers advised that she has been in contact with Senator Goodwin in reference to new legislation to set timeframes on the completion of developments.

Mr. John Church, 11 Princeton Place, noted that the Acme Shopping Center never had a display sign to indicate what businesses were located there.

COUNCIL MEMBER/CLERK

Mayor/Council Member/Administration - Time Limit for Comments

Mr. Morgan noted that the Council is a political body and needs balance and needs to be able to address all the gaps. He advised that in his opinion the current process is working.

Ms. Geevers suggested limiting Council comments to five minutes to help streamline the meetings.

Discussion continued on the subject of time limits for comments from members of Council.

Ms. Ciccione noted her concerns regarding the Mayor's State of the Township Address this past March and that the Mayor is an invited guest of the Council. She suggested that the Mayor's Township Address be the only item on the agenda for that evening

and that an additional meeting could be scheduled for members of Council to respond to the Mayor's comments. Ms. Ciccone suggested that the Council hold a Town Hall meeting similar to that of the Mayor. She advised that in terms of Council Comments, Council are elected to be the voice of residents and if it is a healthy productive dialogue it should be allowed to continue.

Mr. Morgan reminded everyone that Council has adopted Roberts Rules of Order for the conduct of a meeting and he feels they are ignored all the time.

Mr. Khanna advised that he is in favor of time limits.

Mr. Borek suggested that the Council Procedural Guidelines be updated.

Suggestion was made to set the timeframe to five minutes for Council comments per member.

President Borek requested that members of Council provide him with any additional suggestions on this matter.

Procedural Guidelines Amendments/Draft Ordinance Amending
Chapter 4 - Administration of Government

President Borek inquired about the change of the Municipal Election from May to November and how this affects the term of the President and Vice President positions.

Discussion ensued regarding the term for the Council President and Vice President positions and how best to handle the appointments of the various boards, committees, commissions, and authorities.

Ms. Huber advised that after careful review, all terms and incumbents of those positions which end June 30th, 2010 would be extended to December 31, 2010 with the approval of the appointing authorities. At the Reorganization Meeting on January 1, 2011 all appointments would be revised to reflect the new January 1 to December 31 terms. She noted that the draft Council Procedural Guidelines have been set up in a similar

fashion with meetings being scheduled only until the end of 2010.

Mr. Morgan requested that the date in the ordinance be changed from January 1 to "commencing January 1, 2011" in the 2nd and 3rd "Whereas".

REDEVELOPMENT DISCUSSIONS

Ms. Ciccone noted her appreciation for the Mayor's response to the recent advertisements and mailings regarding the deplorable conditions of Route 571 and the redevelopment area. She noted that due to the second round of these publications she felt that it was appropriate for the Council also to send a letter to the newspapers addressing this matter.

Mr. Morgan reminded everyone that the Mayor and Council had agreed to work together on press releases when it came to the redevelopment area to show unity. He agreed that Council should voice its shared concerns and suggested that the Council President re-emphasize with the Mayor and Administration that it had been previously agreed that they would speak as one on redevelopment issues.

Mr. Khanna voiced his concern about jeopardizing a potential settlement by placing such a press release.

Mr. Herbert advised that he has expressed the Township's concerns with the InterCap representatives that this type of publicity is not helpful in settling the matter.

Ms. Ciccone advised that there is a concerted attempt for positioning going on and Council has an obligation to the residents to advise them that the InterCap litigation is not connected with the Rite Aid or Acme Shopping Center projects.

Mr. Khanna requested that Council, Administration, and the Mayor unite to create a press release.

President Borek advised that it is prudent that Administration and the Mayor be advised that Council will be sending this letter, and will request that the Mayor sign as well to show a united front.

Discussion continued regarding the release of information on the redevelopment project and President Borek advised that he will speak to the Mayor and Administration about future correspondence being sent from both Council and the Mayor to show a united front as previously agreed to.

Ms. Geever and Ms. Ciccone will update the draft letter and forward to the Council and Mayor for review in an effort to clarify any misunderstandings the recent mailings and articles have created with residents.

President Borek noted that once the Acme Shopping Center has been formally sold he would like to invite the new owner to a Council meeting to give a presentation on what they envision for the Center.

MAYOR/ADMINISTRATOR COMMENTS

COUNCIL COMMENTS

Ms. Ciccone reported that she recently attended the Township's Annual Arbor Day Ceremony at the Ron Rogers Arboretum, and the Truck Dedication at the Princeton Junction Volunteer Fire Company. She noted that Chief Huber expressed the Fire Company's appreciation for the support given to them by the Township.

Ms. Ciccone advised that she attended the Teal Tea Foundation's Awareness for Ovarian Cancer event at the Princeton Hyatt Regency Hotel. She also reported that this past Saturday she participated in the annual cleanup along the D&R Canal sponsored by the Environmental Commission and the Stony Brook-Millstone Watershed Association and they collected 29 bags of trash.

Ms. Ciccone announced that on May 18th at 8:30 a.m. at the Princeton Junction Train Station there will be a ribbon cutting for the new bicycle lockers and racks which have been recently installed. She requested that a proclamation from the Council be prepared for this event.

Ms. Geever reported that the West Windsor Community Farmers' Market opened this past weekend.

Mr. Khanna noted that a concerted effort must be made by the Township to work with local businesses and address their signage concerns.

COUNCIL REPORTS

Ms. Ciccone reported that the Planning Board reviewed three sign variances to include the McCaffrey's Shopping Center which was approved as previously discussed this evening. She noted that an application to increase the size of lettering on the Home Goods store at Nassau Park was denied.

Ms. Geevers reported that she attended the West Windsor-Plainsboro School Board Meeting on April 27 and that the Board voted nine to zero to outsource the custodial and maintenance positions. The Board reviewed thoroughly the last proposal from the Service Association and approved the contract.

Mr. Borek noted that there was a lacrosse tournament held at Community Park this past weekend and he noticed there is little signage for the facility and requested that Administration review this. He also advised that he spent an hour and a half picking up eighty "going out of business" signs and delivered them to the Community Development Department.

BUDGET DISCUSSION

Motion to add budget discussion to agenda: Ciccone

Second: Khanna

VV: All approved

Ms. Geevers suggested that Administration speak to staff about freezing salaries.

Ms. Ciccone requested updated 2009 figures before the next budget session.

Mr. Morgan suggested 2006, 2007, and 2008 actual budget figures be included for review.

Discussion ensued regarding what is necessary to get the 2010 budget to a zero percent increase. In addition, Council President Borek will request Administration to provide the mean and deviation standards for calculating surplus. Council also requested that President Borek request Administration to provide all backup documents for the May 10th budget session prior to that date so that Council has time to review.

Council asked to have a meeting with Administration prior to union contract negotiations to discuss policy issues. Council also suggested that professional service contract rates be reviewed and discussed with Administration.

PUBLIC COMMENT

Mr. John Church 11 Princeton Place, voiced his appreciation for all the hard work being done on the budget. He suggested that the Mayor's State of the Township Address be held separate from the Council meeting.

Ms. Ora Klein, 1 Wellesley Court, expressed her concerns about the budget process and requested that taxes be reduced.

Mr. Alvin Lerner, 67 Rainflower Lane, approved the Council and Mayor issuing a joint press release and also suggested a full page ad so that everyone sees it.

Mr. Bob Akens, 32 Windsor Drive, noted his excitement in hearing that Rite Aid will be breaking ground soon. He suggested that the Task Force working with the business community get the feel of how they view West Windsor government and what the Township can do for them.

Ms. Janet Lerner, 67 Rainflower Lane, noted she is glad to hear of the joint statement from Council and Mayor to show unity on the Route 571 issue.

ADJOURNMENT

Motion to adjourn: Morgan
Second: Ciccone
VV: All ayes

The meeting was adjourned at 10:11 p.m.

Sharon L. Young
Township Clerk
West Windsor Township