

APPROVED AS AMENDED: June 28, 2010

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
May 17, 2010

CALL TO ORDER: President Borek 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 14, 2009.

ATTENDEES: President: Borek; Vice President: Geevers; Council: Ciccone, Khanna, Morgan; Mayor: Hsueh; Business Administrator: Hary; Chief Financial Officer: Louth (left at 7:55 p.m. and returned at 9:06 p.m.); Township Attorney: Herbert (7 p.m. - 9:06 p.m.); Planning Board Attorney: Muller (7:55 p.m. - 9:06 p.m.) Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

Motion to move Ceremonial Matters forward on the agenda: Ciccone

Second: Morgan

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

CEREMONIAL MATTERS

Proclamation - Sharon L. Young, Recognition of Accomplishments

The Township Council of West Windsor presented to Ms. Young a proclamation and congratulated her on her many accomplishments and the prestigious honor of receiving her Master Municipal Clerk Certification.

Ms. Young thanked the Council and the Township for the opportunity to earn her Master Municipal Clerk Certification. She also acknowledged her staff who did a great job of supporting her and working hard to achieve common goals.

PUBLIC COMMENT

None.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh advised that on May 7th the Acme property was purchased by Cyzner Properties. He noted that this property will now be referred to as the Windsor Shopping Plaza. Mayor Hsueh spoke of the Shell Gas Station working with DEP on the cleaning up of the gas seepage. He advised that Rite Aid is working with the Township Engineer on design proposals, and Meadow Road realignment should be complete by Memorial Day weekend.

Mr. Hary noted that he was working with the Arts Council to negotiate a lease agreement for the old Princeton Junction Firehouse.

COUNCIL MEMBER COMMENTS

Mr. Morgan complimented Ms. Young on her accomplishments. He informed Council of the passing of Mr. Michael Lynch, a long time West Windsor resident.

Mr. Khanna congratulated Ms. Young on a job well done. He also thanked everyone involved for making the sale of the Windsor Plaza come together.

Ms. Geever thanked Ms. Young for all her hard work and acknowledged her accomplishments. She spoke of attending the Princeton Regional Chamber of Commerce where Ms. Appelget presented awards to two West Windsor students for their achievements. Ms. Geever advised that she is looking forward to having all the plans for the Windsor Shopping Plaza come to fruition.

Ms. Ciccone congratulated Ms. Young on achieving her MMC status. She advised that she is looking forward to the "new look" to Alexander Road.

CHAIR/CLERK COMMENTS

Mr. Borek congratulated Ms. Young on her achievements through the years. He advised the residents about the upcoming Memorial Day Parade and celebration. Mr. Borek noted that additional information about the event can be found on the Township website.

Ms. Young thanked Council for their kind words and acknowledged her staff for their contribution to the Clerk's office.

PUBLIC HEARINGS

2010-10 AN ORDINANCE AMENDING CHAPTER 165 "TAXICABS AND VEHICLES FOR HIRE" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR REGARDING THE OWNERSHIP AND OPERATION OF TAXICABS, AND CHAPTER 82 "FEES", SECTION 82-21 "TAXICABS AND VEHICLES FOR HIRE; LICENSE FEES"

President Borek opened the public hearing.

Motion to close public hearing: Morgan

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Motion to adopt: Morgan

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

CONSENT AGENDA

RESOLUTIONS

2010-R106 Refund of Construction Permit Fee# 20100291

2010-R107 Refund of Construction Permit Fee# 20091413

2010-R108 Refund of Overpaid Property Taxes

2010-R109 Refund of Veterans Deduction for the Tax Year 2009

MINUTES

April 6, 2010 - Business Session

April 19, 2010 - Closed Session

BILLS & CLAIMS

Motion to approve consent agenda: Geevers

Second: Ciccone

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan - abstain on invoice for Secare, Ryan and Hensel

aye Borek

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

2010-R110 Authorizing the Update of the Township's 457 Deferred Compensation Plan in Order to Comply with Amended Sections of the Internal Revenue Code

2010-R111 Authorizing the Adoption of West Windsor Township's Civil Rights Policy to Fulfill Requirements for the Municipal Excess Liability Joint Insurance Fund for 2010-2011

COMMUNITY DEVELOPMENT

2010-R112 Authorizing the Mayor and Clerk to Execute a Land
Development Performance Guarantee Agreement with
Carnegie Investors LLC

2010-R113 Granting Reservation of Sewer Capacity to T&M
Associates for the Project Known as Princeton
Healthcare Offices

Motion to approve Resolutions 2010-R110 through 2010-R113:
Ciccone

Second: Geevers

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

INTRODUCTION OF ORDINANCES

2010-11 AN ORDINANCE AMENDING CHAPTER 4 "ADMINISTRATION OF
GOVERNMENT" OF THE CODE OF THE TOWNSHIP OF WEST
WINDSOR, ARTICLE III "COUNCIL", AND ARTICLE XIII
"SEPARATE AGENCIES AND BOARDS NOT ASSIGNED", AMENDING
ANNUAL ORGANIZATIONAL MEETING DATE AND TERMS OF
MEMBERS OF VARIOUS BOARDS AND AGENCIES

Mr. Morgan confirmed that the ordinance extends all the existing
terms for an additional six months.

Motion to introduce: Morgan

Second: Geevers

RCV: aye Ciccone

aye Geevers

aye Khanna

aye Morgan

aye Borek

Public Hearing is scheduled for the June 1, 2010 Business
Session.

COUNCIL REPORTS/COMMENTS

Mr. Khanna advised that he was in attendance at the Affordable Housing Committee meeting. He outlined a few details of the meeting.

Ms. Ciccone commented that a sample wind ordinance from Hillsborough Township was reviewed at the Environmental Commission meeting. She advised that a special meeting for the Commission will be held to review the Sustainable Jersey application for September certification deadline.

Ms. Geevers noted that comments will still be taken from residents regarding the 2010 Municipal Budget.

Mr. Borek noted that Council will amend the agenda to go into budget discussion and a closed session will also be held for the discussion of litigation.

AGENDA AMENDMENT

Motion to add Budget Discussion to the agenda: Morgan
Second: Geevers
VV: All ayes

BUDGET DISCUSSION

Mr. Hary reviewed the follow-up he had provided Council since their last budget meeting. His revisions included overtime, staffing, furlough days and the impact of them, and healthcare contributions.

Ms. Ciccone spoke of the need to still reduce the overall budget even further than the provided suggestions.

Mr. Borek spoke of federal regulation with regard to overtime for emergency personnel.

Mr. Morgan suggested that the Township consider the use of mutual aid or regional solutions to reduce overtime.

Ms. Geevers requested an efficiencies report through all shifts involved in emergency situations.

Mr. Hary noted that overtime will be reduced by approximately \$91,000. He advised that overtime for the dispatcher would need to be resolved through Union negotiations.

Ms. Ciccone suggested the use of flex time to reduce the Township's overtime issues.

Mr. Hary noted that the discussion of flex time would also be part of Union negotiations.

Mr. Borek advised that the Township Planning Board Attorney had arrived for the closed session.

PUBLIC COMMENT

Mr. Alvin Lerner, 67 Rainflower Lane, noted how gratifying it was to hear about the purchase and revisions to the Windsor Plaza. He also suggested that a regional emergency services study be performed to help create better efficiencies.

CLOSED SESSION

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 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 purpose of discussing InterCap and Akselrad litigation.

Motion to go into closed session at 7:55 p.m.: Morgan
Second: Ciccone
VV: All ayes

MEETING RECONVENED

The Budget Work Session reconvened at 9:06 p.m.

BUDGET DISCUSSION CONTINUED

Discussion resumed about the Township's overtime.

Ms. Ciccone asked what the bottom line number is for the reduction of overtime. She also inquired if a policy has been set to communicate the elimination of overtime for all non-emergency personnel.

Mr. Hary advised that the bottom line in savings from the reduction of overtime would be around \$80,000.

Mayor Hsueh noted that the Department and Division Heads have been advised to eliminate overtime.

Ms. Ciccone asked when the elimination of overtime went into effect.

Mr. Hary noted that it went into effect as of May 10, 2010. He also spoke briefly about the elimination of non-essential part-time employees. Mr. Hary outlined the savings if one furlough day a month was implemented. He advised that it would be approximately \$260,000 savings for 2010.

Mr. Khanna inquired about the impact it would have on services.

Mr. Hary advised that besides the Township Building being closed one day a month, it would also mean a reduction in services. He noted that Public Works was already behind in their brush and leaf pickup. He informed Council that furlough days would need to be negotiated with the Unions. Mr. Hary reminded Council that he would be speaking with the Union representatives tomorrow.

Ms. Geevers also suggested speaking to the Union representatives about wage freezes and healthcare contributions.

Mr. Borek suggested hiring an efficiency auditor to determine the needs of the Township. He asked if Administration would abide by recommendations made by the auditor.

Mayor Hsueh agreed to move forward with Mr. Borek's recommendation.

Ms. Geevers suggested that the study should do a thorough review of Code Enforcement and Emergency Services.

Mr. Borek inquired about the loss of funds due to a settlement that will not proceed because of the stringent Green Acres regulations.

Ms. Louth noted that there is not a loss of revenue because the funds have not been realized for 2011.

Ms. Geevers informed Council that not even a penny has been reduced from the budget. She noted that revenues are decreasing causing most of the decline. Ms. Geevers advised that if revenues decline then so should the Township's expenses.

Ms. Ciccone commented that a zero percent increase to the budget may not be realistic but the residents of this town want the Council to try harder to reduce the tax rate. She advised that 5.8 percent is not something the Township should ask the residents to pay.

Mr. Khanna noted that Council will be more informed once Mr. Hary has had discussion with the Unions. He recommended the implementation of an efficiency audit for long-term savings.

Mr. Morgan again inquired about the reduction of the fund balance and noted that the funds would decrease quarterly then rise when taxes are paid. He advised that the fund balance could be held at a lower percentage. Mr. Morgan also asked the basis for the rationale to pick \$4.4 million to utilize for the 2010 budget.

Mr. Hary advised that Administration does not monitor the fund balance on a monthly basis but that Administrations does attempt to rely as little as possible on the account.

Ms. Louth advised that the Township wants to be less reliant on using the fund balance as revenue. She noted that surplus has been reduced over \$400,000 a year for the past two years. Ms. Louth explained that there are so many variables such as the loss of State aid, the reduction in grant funds, and the loss of revenues. She informed Council that Administration's goal was to use less surplus in striking a tax rate.

Mayor Hsueh spoke of all the State reductions that affect the Municipal budget. He noted that the budget must be introduced soon so that the Township is not in violation with the Department of Community Affairs.

Ms. Geevers suggested getting more resolution from the Unions.

Mayor Hsueh informed Council that he wants to keep the Township moving in the right direction and did not want to sacrifice the residents' future standard of living.

Mr. Borek suggested that Administration get an indication of what the Unions will have to offer. He noted that this information may assist Council in making some budget decisions.

Mr. Hary informed Council that any savings that the Township would receive from the Unions would not be that significant to reduce the 2010 budget by a penny.

Ms. Ciccone suggested taking additional funds from surplus or from the capital budget to assist in reducing the budget. She also asked to take some of the income earned from the sale of the liquor license to help reduce the tax rate.

Mr. Borek asked if Administration could make a commitment to reduce the Township budget by another penny.

Mr. Morgan noted that he needed to have a better understanding of the fund balance numbers.

Ms. Ciccone asked about the difference between a reduction in pennies versus a reduction by a certain percentage and how it will affect the budget.

Mr. Hary noted that to get to a 2 percent increase of the Municipal Budget, it would need to be reduced by an additional \$800,000.

Mr. Khanna commented that through all the deliberations and budget line item reviews, how can Council still ask Administration to reduce the budget by another \$400,000.

Ms. Ciccone noted that Council has been asking Administration for certain information since last September so that Council could have a better understanding of the budget numbers.

Mr. Khanna advised that the department and division heads know their budgets, and have the best experience to know where reductions can be made. He noted that change for long term savings cannot be made overnight. Mr. Khanna informed Council that it could be up to several years to realize the savings from the Council's recommendations.

Mayor Hsueh again advised Council that cuts in State aid were never anticipated.

Ms. Geevers recommended using some of the revenue from the sale of the liquor license to reduce the budget.

Mayor Hsueh advised that one-shot revenue deals will never work and often create long term financial problems. He commented that Administration will make a final proposal based on discussion with the Unions.

Ms. Louth informed Council that a tax rate cannot be cut, tax bills cannot be sent out, and the Township will not be able to collect the taxes from the County and the School Board if a budget is not adopted by the end of June.

Discussion ensued around reducing the replenishment of the fund balance to 15 percent as recommended by Standard and Poor's.

Mr. Borek asked for a full penny reduction to the budget.

Mr. Hary noted that an additional \$400,000 will need to found and reduced from the budget to reach that goal.

Mayor Hsueh advised Council that he proposed a reasonable budget. He noted that he did not agree with using the funds from the sale of the liquor license to assist in reducing the budget and advised that this type of decision will cause the Township long term financial damage.

Mr. Borek noted that Council could not agree collectively on how to reduce the budget. He suggested having another meeting on Monday, May 24th for continued discussions.

ADDITIONAL PUBLIC COMMENT

None.

ADJOURNMENT

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

The meeting was adjourned at 10:37 p.m.

Sharon L. Young
Township Clerk
West Windsor Township