

APPROVED: September 6, 2011

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
July 18, 2011

CALL TO ORDER: President Khanna 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 January 7, 2011.

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

ABSENT: Ciccone

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Ms. Alison Miller, 41 Windsor Drive, urged support for Resolution 2011-R149 which is for the construction of bicycle lanes. She also urged support for the introduction of the bond ordinance listed on the agenda.

Mr. John Church, 11 Princeton Place, inquired about the width of the bicycle lanes, and addressed questions of Administration with reference to the Township's sewer rate.

COUNCIL MEMBER COMMENTS

Mr. Borek inquired about the status of the tree removal on Clarksville Road.

Mr. Hary advised that the tree removal will be part of the fall planting program.

Ms. Geevers requested that all supplies for the Township be bought from stores and vendors within the Township. She asked for Administration to provide an update on the InterCap litigation. Ms. Geevers advised that last week's meeting was mishandled. She listed various incidents of discontent with the InterCap settlement agreement discussions.

Mr. Morgan spoke about the July 11th meeting being out of order and noted that there was negotiating going on at the dais which was inappropriate. He advised that he found various discrepancies in the ordinances that were to be introduced this evening. Mr. Morgan asked for an executive session for discussing the next steps in the litigation process and how to begin to move forward, including the preparation of a financial analysis.

Ms. Geevers suggested that two members of Council be at the table for all further negotiations with InterCap.

President Khanna acknowledged that Council needs more time to review the agreement and the ordinances. He suggested that Council send their comments to Mr. Herbert by the end of the week.

Council discussed the litigation and settlement proceedings that occurred at the July 11th Business Session.

CHAIR/CLERK COMMENTS

President Khanna asked Administration to provide an update about the recent burglaries in West Windsor.

Ms. Geevers asked Administration to keep Council informed of these incidents so that they are aware of them before the residents.

Motion to add the PSE&G invoice to the Bills and Claims: Borek

Second: Morgan

RCV: aye Borek
Cicccone - absent
aye Geevers
aye Morgan
aye Khanna

CONSENT AGENDA

BILLS & CLAIMS

Motion to approve consent agenda as amended: Borek

Second: Morgan

RCV: aye Borek
Cicccone - absent
aye Geevers
aye Morgan - abstained on any invoices which would pose a
conflict of interest
aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION

2011-R147 Establishing the 2011 Sewer Rate - \$3.79 per hundred
cubic feet of billing flow

Mr. Hary addressed questions pertaining to the calculation of
the sewer rate.

Motion to approve: Morgan

Second: Borek

RCV: aye Borek
Cicccone - absent
aye Geevers
aye Morgan
aye Khanna

2011-R148 Authorizing the 2012 Municipal Alliance Grant
Certification Application - \$2,870

Motion to approve: Morgan

Second: Borek

RCV: aye Borek

Cicccone - absent

aye Geevers

aye Morgan

aye Khanna

2011-R149 Authorizing the Mayor and Clerk to Execute a Contract
with Jonico, Inc. for the South Post Road Bikeway from
Village Road to Conover Road - \$145,133

Ms. Geevers inquired about the costs of the bids received.

Mr. Hary advised that most projects that have gone out to bid have come in lower than the budgeted amount.

Motion to approve: Geevers

Second: Borek

RCV: aye Borek

Cicccone - absent

aye Geevers

aye Morgan

aye Khanna

INTRODUCTION OF ORDINANCES

2011-14 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS OF THE TOWNSHIP OF WEST WINDSOR, IN THE
COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE
AGGREGATE AMOUNT OF \$3,452,925 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$3,288,500 BONDS OR NOTES OF THE
TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mr. Hary explained that the projects included in the bond ordinance were approved in the Capital Budget. He noted that the weighted average for the period of useful life is thirteen and a half years.

Mr. Morgan advised that items with a period of useful life of five years should not be included in a bond ordinance. He noted that Council has disagreed with this practice in the past.

Ms. Geevers suggested having a Township policy with regard to what can be included in a bond ordinance.

Motion to introduce: Morgan

Second: Geevers

RCV: aye Borek

Ciccione - absent

aye Geevers

aye Morgan

aye Khanna

Ms. Young advised that the Public Hearing for Ordinance 2011-14 will be held at the August 1, 2011 Business Session.

2011-15 CAPITAL IMPROVEMENT ORDINANCE PROVIDING FOR CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN OR FOR THE TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY, APPROPRIATING THE AMOUNT OF \$5,000

Motion to introduce: Borek

Second: Geevers

RCV: aye Borek

Ciccione - absent

aye Geevers

aye Morgan

aye Khanna

Ms. Young advised that the Public Hearing for Ordinance 2011-15 will be held at the August 1, 2011 Business Session.

COUNCIL/CLERK RECOMMENDATIONS

2011-R150 Authorizing the Renewal of the Alcoholic Beverage Licenses for Mac Acquisition of New Jersey, LLC and OTB Acquisition, LLC

Ms. Young explained that the liquor license renewals were for Romano's Macaroni Grill and On the Border Mexican Cantina.

Motion to approve: Morgan

Second: Borek

RCV: aye Borek

Cicccone - absent

aye Geevers

aye Morgan

aye Khanna

COUNCIL REPORTS

Mr. Morgan advised that the Parking Authority agreed to build the larger parking garage which is in the best interest of the Township. He noted that ACT Engineering is to begin working on the project.

President Khanna reminded Council to have their comments to Mr. Herbert by the end of the week.

Ms. Geevers urged that Council members be allowed at the table for negotiations with InterCap.

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, asked for a fiscal analysis to be done at the InterCap site. He addressed additional questions about the sewer rate.

Mr. Alvin Lerner, 67 Rainflower Lane, inquired about the status of the bids for the new consumption liquor license.

Mr. Andy Bromberg, 24 Providence Drive, inquired about the recent burglaries and urged the Township to move ahead with the Transit Village.

Ms. Janet Lerner, 67 Rainflower Lane, spoke about the handling of last week's meeting and the discussions of the InterCap settlement agreement.

ADJOURNMENT

Motion to adjourn: Borek
Second: Morgan
RCV: aye Borek
 Cicccone - absent
 aye Geevers
 aye Morgan
 aye Khanna

The meeting was adjourned at 8:13 p.m.

Sharon L. Young
Township Clerk
West Windsor Township