

APPROVED: August 1, 2011

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
June 27, 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; Vice President: Ciccone; Council: Geevers, Morgan; Mayor: Hsueh; Business Administrator: Hary; Township Attorney: Herbert; Township Clerk: Young

ABSENT: Borek

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Mr. Larry Cohen, 233 Fisher Place, presented a petition for traffic calming measures along Fisher Place and Fairview Avenue.

MAYOR/ADMINISTRATOR COMMENTS

Mr. Hary reported on the schedule for completion of the Alexander Road "S" Curve and reviewed the details of the project. He also noted that the summer camps have started.

COUNCIL MEMBER COMMENTS

Ms. Geevers advised that Resolution 2011-R133 pertaining to InterCap litigation will be deferred for further consideration. She also inquired about the possibility of creating a residential property management ordinance.

Mr. Morgan spoke about the importance of traffic calming devices with reference to Fisher Place, and Route 571 and Old Trenton Road through the Edinburg area. He also spoke about the importance of having documentation and information in advance for a thorough review before voting on an issue.

Ms. Ciccone spoke about the Farmer's Market, the GroWW Garden Tour and the Arts Center exhibit. She inquired about the length of time for the reconstruction of Penn Lyle Road. Ms. Ciccone asked Administration about the completion of the Township marquee, and the process for receiving and facilitating the petition received this evening.

Mr. Hary advised that the delay for the Township marquee was due to a mechanical issue and vandalism that occurred to the sign. He noted that he would speak to the Engineering Division about the timeframe for the completion of Penn Lyle Road and report back to Council. Mr. Hary informed Council that the Township Master Plan called for single lanes in both directions for the Old Trenton Road bridge location in Edinburg. He also noted that a property maintenance ordinance does exist in the Township Code but that it is hard to police because of the lack of staffing.

Mr. Morgan asked for the Township's policy of managing traffic and providing pedestrian safety.

Mr. Hary spoke about having County representatives come to a Township meeting to discuss the projects going on within the Township.

#### CHAIR/CLERK COMMENTS

President Khanna asked for comments on the summer meeting schedule.

Ms. Geevers suggested that the budget discussion start sooner rather than later because the meetings are being pushed back.

Mr. Morgan spoke about having discussion surrounding surplus and health care costs.

Mr. Hary suggested that a discussion be held on mutual or joint goals between Council and Administration.

Chief Pica spoke about getting radar on Fisher Place and will also discuss with the Engineering Division additional suggestions for traffic calming in the area.

CONSENT AGENDA

RESOLUTIONS

2011-R132 Refund of Property Tax Overpayments

MINUTES

May 31, 2011 - Closed Session

BILLS & CLAIMS

Motion to approve consent agenda: Geevers

Second: Ciccone

RCV: Borek - absent

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION

2011-R133 Authorizing the Mayor and Clerk to Execute an Amended Settlement and Redeveloper's Agreement with InterCap Inc.

This resolution was deferred until the July 11 Business Meeting.

2011-R134 Requesting Approval of the Insertion of the Alcohol Education, Rehabilitation & Enforcement Grant in the 2011 Budget - \$4,530.52

- 2011-R137 Granting the Request for a Full Release of Performance Guarantees by Asset Management Consultants for Private Site Improvements Associated with the Project Known as Palmer Inn-Keydrocrom, Inc. -PB95-14 - \$2,719.00
- 2011-R138 Authorizing the Mayor and Clerk to Execute Renewal of the Professional Services Agreement with Weber's Training School for Boarding and Care of Stray Animals Taken into Custody - \$8,000.00
- 2011-R139 Authorizing the Mayor and Clerk to Execute Renewal of the Professional Services Agreement with Nassau Animal Hospital for Veterinarian Services - \$8,000.00
- 2011-R140 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Mercerville Animal Hospital for Veterinarian Services - \$10,000.00

Motion to approve 2011-R134 and 2011-R137 through 2011-R140:  
Morgan

Second: Geevers

RCV: Borek - absent

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

- 2011-R135 Supporting the Restoration of \$1 Million in Funding for 2012 to the Transit Village Program run by New Jersey Department of Transportation

Mr. Morgan noted that a resolution for funding for the Transit Village was approved by Council in 2010. He advised that on June 14<sup>th</sup> of last year, Administration could not provide documentation pertaining to the immediate need for the adoption of the resolution and therefore will not support this resolution.

Ms. Geevers advised that she supports the resolution because of the various needs that this funding can be used for including environmental necessities.

Motion to approve: Ciccone

Second: Geevers

RCV: Borek - absent

aye Ciccone

aye Geevers

NAY Morgan

aye Khanna

2011-R136 Authorizing the Mayor and Clerk to Execute a Contract with Ground Force Corporation on an Emergency Services to Repair Delinquent Work under the 2011 Public Lands Maintenance Detention Basin and Open

Mr. Hary explained how the vendor awarded the project defaulted on the contract and therefore Ground Force will assist with the services through August 1<sup>st</sup>.

Ms. Ciccone inquired about the potential of collecting funds for damages from defaulting on the contract. She also asked if Public Works could assist with some of the work.

Mr. Hary advised that new bid documents are being prepared for the project and the vendor who is awarded the contract will pickup the services as of August. He noted that there are no damages that could be collected from defaulting on the work.

Mr. Morgan asked why funds from the Open Space Trust Fund are being utilized to cover the cost for the services to public lands.

Mr. Hary explained that developer funds are used to cover the cost for the maintenance which is permitted under the developers' agreements.

Ms. Ciccone asked for a cost accounting and a copy of the developer's agreement to verify the source of funding for the maintenance.

Motion to approve: Ciccone

Second: Geevers

RCV: Borek - absent

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

2011-R110 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Van Cleef Engineering Associates for South Post Road Wastewater Pumping Station Rehabilitation - \$30,584.00

Ms. Geevers thanked Administration for encouraging Van Cleef Engineering to reduce their price on the project.

Motion to approve: Ciccone

Second: Morgan

RCV: Borek - absent

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

2011-R141 Authorizing the Mayor and Clerk to Execute Renewal of the Professional Services Agreement with Herbert, Van Ness, Cayci & Goodell - \$243,920.00 (7/1/11-6/30/12)

Mr. Herbert advised that this is a new professional services agreement which runs through June of 2012.

Ms. Geevers noted that there was no increase in his hourly fees.

Mr. Morgan suggested that Administration ask for proposals for all professional services agreements including the agreement for the Township Attorney.

Mr. Herbert explained that he is to serve for the term of the Mayor. He advised that a cap of \$20,000 was set on his fees and therefore expenditures will not be charged to the Township for May and June. Mr. Herbert noted that the cap is a greater reduction versus the 5% decrease in fees.

Motion to approve: Geevers

Second: Ciccone

RCV: Borek - absent

aye Ciccone

aye Geevers

NAY Morgan

aye Khanna

#### COUNCIL REPORTS

Ms. Geevers asked for an update on the installation of the handrail at the Arts Center.

Mr. Hary advised that the project is moving forward and the total cost for the railing is around \$4,000.

Ms. Ciccone inquired about the installation of the bike rack that was donated by the Bicycle and Pedestrian Alliance.

Mr. Hary noted that he was reviewing the status of the installation and will advise Council.

#### ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, spoke about the housing component at the InterCap site.

Mr. Pete Weale, 144 Fisher Place, spoke about the need for a feasibility study for the InterCap site and elaborated on the Township's Capital Improvements program.

Mr. Bryan Maher, 135 Penn Lyle Road, spoke about the traffic that will be generated at the InterCap site. He inquired about the contributions InterCap is bringing to the redevelopment area.

Mr. Alvin Lerner, 67 Rainflower Lane, spoke about obtaining funding for the Transit Village.

Mr. Pete Weale, 144 Fisher Place, clarified the purpose for Resolution 2011-R135.

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 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(s) as outlined in N.J.S.A. 10:4-12: For the discussion of InterCap litigation.

Motion to go into closed session at 8:28 p.m.: Ciccone

Second: Geevers

RCV: Borek - absent

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

MEETING RECONVENED

The meeting reconvened at 9:17 p.m.

ADJOURNMENT

Motion to adjourn: Morgan

Second: Ciccone

RCV: Borek - absent

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

The meeting was adjourned at 9:17 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township