

APPROVED AS AMENDED: April 25, 2011

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
March 21, 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: Borek, Geevers; Morgan; Business Administrator: Hary; Township Attorney: Herbert; Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Ms. Barbara Wethe, 59 Southfield Road, noted her concerns for the animals with the loss of the Animal Control Officer position.

Ms. Elyse Gottesman, 6 Colt Circle, spoke about how Ms. Roed found her lost pet in Mercer County Park and supports keeping Ms. Roed's position.

Ms. Kim White, 54 Montgomery Street, asked Council to reverse the decision for approving the shared services agreement for animal control.

Ms. Anne Soden, resident of East Windsor, spoke about the services Ms. Roed provides for West Windsor Township.

Ms. Emily Epstein, 42 Lakeshore Drive, spoke of the high cost of using Princeton Animal Hospital for township services.

Mr. Mike Leahy, 20 Brookfield Way, informed Council of the change in points related to LOSAP.

Ms. Tatiana Chan, 118 N. Barrow Place, spoke about the experience Ms. Roed has in performing her job as an Animal Control Officer.

Mr. Patrick Chan, N. 118 Barrow Place, spoke about the number of calls an ACO receives and the potential response time for each.

Ms. Liz Bennett, 29 Princeton Road, spoke about the vote taken for the shared services agreement and the information provided to make that decision.

Mr. Al Kaemmerlen, resident of Plainsboro, spoke about the need for a professional to handle the feral cat problems in the Township.

Mr. Ira Nahoum, 4 Remington Circle, spoke about having a squirrel's nest in his son's outdoor playset and how helpful Ms. Roed was with the issue.

Mr. William Sautleurle, 630 Lake Drive, Princeton Township, advised that Ms. Roed provided outstanding services for the Township. He urged the Council to reverse their decision.

Mr. Andrew Hersh, Windsor Haven, suggested that Council take the opportunity to review contracts and their existing language prior to going out to bid for the service.

Motion to extend public comment: Morgan

Second: Borek

RCV: aye Borek

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

Ms. Violetta Argueta, 24 Landing Lane, urged Council to reconsider the elimination of Ms. Roed's position and to continue to look at other alternatives.

Mr. Art Harvey, 8 Berrien Ave., asked for the saving per household the resident would see in their tax bill with the elimination of the Animal Control Officer position.

Ms. Tari Pantaleo, Plainsboro Township, advised that Ms. Roed is incredibly dedicated to her position and also asked why the Mayor was not in attendance this evening.

Mr. Pete Weale, 144 Fisher Place, explained that because of the form of government, the Mayor is not always in attendance at Council meetings. He also noted his support for Ms. Roed.

Ms. Jeanette Roed, South Brunswick Township, advised that the taxpayers deserve an Administration that provides explanations for their questions. She supports the reinstatement of the Animal Control Officer position.

President Khanna advised that Administration presented Council with alternatives to the situation and asked Council for their recommendation. He noted that Administration provided the shared services agreement as the best alternative.

Mr. Morgan advised that the Council authorized the Mayor and Clerk to execute the shared services agreement with East Windsor and did not vote to eliminate the Animal Control Officer position. He explained the separation of power between the Township Council and the Mayor. Mr. Morgan noted that Plainsboro Township did not want to continue to participate with West Windsor Township in the shared services agreement that funded the salary for the Animal Control Officer's position. Mr. Morgan advised that the Township could not terminate the contract with East Windsor because it has already been signed and initiated. Mr. Morgan outlined several options that the Township could proceed with.

Ms. Ciccone acknowledged that Council knew of the effect of their vote for the shared services agreement with East Windsor.

Mr. Morgan asked for a motion to go into executive session to discuss personnel.

There was no second. Motion did not carry.

Mr. Morgan asked to revisit the costs for both the Animal Control Officer position and the services provided by Princeton Animal Hospital.

Mr. Herbert acknowledged that the shared services agreement has been signed and should not be breached. He noted that these discussions can be held in open session.

Ms. Jeanette Roed, South Brunswick Township, asked what the next steps are in the process. She wanted to be kept advised of when additional discussions would take place with the Mayor and Council.

Mr. Herbert asked for some time to review the shared services agreement and to allow the Council to consider the information presented for a better understanding of potential consequences. He noted that personnel issues related to Ms. Roed need to be discussed in executive session. Mr. Herbert advised that the public would be notified of the decision or future meeting discussions related to this topic.

MAYOR/ADMINISTRATOR COMMENTS

Mr. Hary outlined the upcoming agenda items.

COUNCIL MEMBER COMMENTS

Ms. Geevers asked for all the information Administration has on the Animal Control Officer position. She advised that a sidewalk is needed near the Arts Center to allow the pedestrian access from the train station. Ms. Geevers noted that the Planning Board consultants provided a reduction in their fees for the Township.

Mr. Hary advised that the sidewalk extension for the Arts Center will be completed this Spring.

Mr. Borek advised that several locations in the Township are missing the "Pedestrian Crossing" signs including the location in front of Maurice Hawk Elementary School. He also suggested that the Police Division monitor these pedestrian crossings for violations.

Mr. Morgan explained that Administration did not fully provide the facts regarding the ACO position. He asked for the financials and the project costs for the animal control services.

Mr. Hary advised that some of the information provided to Mr. Morgan and also commented on this evening is incorrect.

Ms. Ciccone noted that she respectfully disagreed with Administration with respect to the ACO position. She also agreed that the crosswalks need to be monitored for safety because vehicles are not abiding by the law. Ms. Ciccone urged the Governor and the Legislators to do a full scale investigation on the surrounding power plants since the fallout of the events that have happened in Japan.

President Khanna asked Council to contain themselves until all the information is provided by Administration and full discussion can be had by Council concerning the Animal Control Officer position.

CONSENT AGENDA

Resolutions

2011-R068 Refund of Overpaid Property Taxes

2011-R069 Refund of Veteran's Deduction for the Tax Year 2010

2011-R070 Reappointment of Jeffrey Rubin, Esq. as the Municipal  
Prosecutor for a Term to Expire February 28, 2012-  
\$30,000

Minutes

February 7, 2011 - Business Session as amended

February 22, 2011 - Closed Session

February 22, 2011 - Business Session

Bills and Claims

Motion to approve the consent agenda: Ciccone

Second: Geevers

RCV: aye Borek

aye Ciccone

aye Geevers

aye Morgan - abstain from Secare Esq. invoice

aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION

2011-R071 Authorizing 2011 Emergency Temporary Appropriations

Motion to approve: Borek

Second: Geevers

RCV: aye Borek

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

2011-R072 Authorizing the Mayor and Clerk to Execute a Contract  
with Caruso Excavating Inc. for Duck Pond Park-Phase  
III-\$398,893.00

2011-R074 Authorizing the Mayor and Clerk to Execute the Grant  
Agreement with Mercer County Open Space Preservation  
Board for the Jewish Community Center Parcel #92

Motion to approve 2011-R072 and 2011-R074: Borek

Second: Ciccone

RCV: aye Borek

aye Ciccone

aye Geevers

aye Morgan

aye Khanna

2011-R073 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with T&M Associates for the Duck Pond Run Sanitary Sewer Interceptor-Phase II Improvements-\$55,910.00

Mr. Morgan asked if T&M Associates had reduced their fee schedule.

Mr. Hary answered that they had reduced their fees at the Mayor's request.

Motion to approve: Morgan

Second: Geevers

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

2011-R075 Authorizing the Mayor and Clerk to Execute Amendatory Grant of Easement Agreement with Jersey Central Power and Light Co. (JCP&L) and New Cingular Wireless, PCS, LLC

Ms. Geevers inquired about the language of the last paragraph in the resolution.

Mr. Hary advised that the language was not necessary and could be removed from the resolution.

Ms. Ciccone noted that three providers will now be utilizing the cell tower. She asked if a letter from Cingular Wireless could be provided about a potential health risk to the surrounding residents.

Mr. Herbert advised that this was not an issue that needed Planning Board review.

Mr. Hary noted that he would request a letter from Cingular Wireless and asked that this resolution be deferred until the next Business Session.

2011-R076 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Piazza & Associates to Provide Affordable Housing Consultant Services-\$17,000.00

Mr. Morgan asked if Piazza & Associates had reduced their fee schedule.

Mr. Hary advised that their costs are usually paid for by the developer. He explained that Piazza & Associates has not been asked to reduce their Township fees.

Motion to approve: Morgan

Second: Geevers

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

2011-R077 Authorizing the Purchase of a 2011 Tahoe SSV 4x4 Vehicle under New Jersey State Contract #A73849 from Day Chevrolet, Inc. for the Division of Fire and Emergency Services-\$41,464.45

Ms. Geevers inquired about the additional components that are on the vehicle and asked if they were necessary.

Mr. Hary noted that the truck came equipped with a safety package necessary for emergency services.

Motion to approve: Geevers

Second: Ciccone

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

#### ADMINISTRATION UPDATES

Mr. Herbert advised that he would provide a memo outlining updates related to the InterCap litigation.

Mr. Hary advised Council that the Police Division is aware of the safety issues related to the crosswalks. He noted that the Township will be going out to bid for their Road Improvement Program and asked Council to advise him of repairs that are a safety issue so that the repairs can be added to the program.

Mr. Hary reviewed the costs associated with the services provided by the Princeton Animal Hospital. He advised that the fees have gone down over the past several years.

Lieutenant Garofalo was in the audience for the meeting and Council asked him to come to the podium to address a few questions.

Lieutenant Garofalo spoke about the responsibilities of an Animal Control Officer and how the change to a shared services agreement will affect the response times. He addressed Council's questions and concerns.

#### Continuation of Budget Discussions

Mr. Hary advised Council that further reductions were made in the 2011 Municipal Budget in the Police Division, Emergency Services Division, Public Works Department, and the Clerk's Office. He noted that five full-time staff members and two part-time staff members have been reduced.

Mr. Hary outlined the details of the reductions and noted that an additional \$60,000 has been reduced from the 2011 Municipal Budget.

Ms. Geever asked for the information that Mr. Hary provided regarding the budget be put in writing.

President Khanna asked Administration to continue to review the budget for further reductions.

Mr. Hary responded to Council's questions and concerns.

ADDITIONAL PUBLIC COMMENT

Ms. Barbara McCarthy, 46 Nestlewood Way, noted that she would rather pay more in taxes than lose Ms. Roed as the Animal Control Officer.

Mr. Bob Akens, 32 Windsor Drive, spoke about several budget concerns and the need for the proper documentation to be made available to reflect accurate budget numbers.

Mr. Pete Weale, 144 Fisher Place, outlined several outstanding topics from road repairs to budget reductions.

ADJOURNMENT

Motion to adjourn: Borek

Second: Ciccone

RCV: aye Borek

aye Ciccone

aye Geever

aye Morgan

aye Khanna

The meeting was adjourned at 9:39 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township