

APPROVED: January 17, 2012

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
November 28, 2011

CALL TO ORDER: President Khanna called the meeting to order at 6:30 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 and the Closed Session was noticed on November 21, 2011.

ATTENDEES: President: Khanna; Vice President: Ciccone; Council: Borek (arrived at 6:40 p.m.); GeEVERS; Council-Elect: Maher, Samonte; Business Administrator: Hary; Township Attorney: Cayci; Township Clerk: Young

ABSENT: Morgan

PUBLIC COMMENT

None.

CLOSED SESSION

Motion to go into closed session at 6:31 p.m.: Borek

Second: GeEVERS

RCV: Borek - absent

aye Ciccone

aye GeEVERS

Morgan - absent

aye Khanna

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 potential litigation with the Akselrad, DR Horton/Village Grande, and miscellaneous litigation update.

MEETING RECONVENED

Meeting reopened at 7:13 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Ms. Toby Shor, 39 Grande Blvd., noted her gratitude for the repair to the roads by the Township. She spoke about the Village Grande at Bear Creek Homeowners' Association being in litigation with DR Horton.

Mr. Pete Weale, 144 Fisher Place, spoke about the maintenance of the post office grounds, inquired about the no-bid professional services contracts, and offered suggestions for the use of the American Cyanamid property.

MAYOR/ADMINISTRATOR COMMENTS

Mr. Hary noted that the Township contracts with Mercer County for the removal of deer carcasses.

COUNCIL MEMBER COMMENTS

Ms. Geevers asked whether the letters concerning the lack of response by JCP&L during the hurricane were mailed to the Board of Public Utilities. She also noted that she attended the Board of Education meeting at which parental over-ride was discussed. Ms. Geevers inquired about the status of the Post Office lease, and advised that debris is littering the Rite Aid parking lot.

Mr. Hary advised that he would follow up with Chief Pica on the status of the letters to the Board of Public Utilities. He explained that he and the Mayor spoke to the Post Master and the intention is to keep the retail center open until the end of 2013. Mr. Hary noted that he will be having additional communication regarding the lease and the long-term plans for the building.

Mr. Borek informed the residents that the Holiday Tree Lighting Ceremony will take place on Sunday, December 4<sup>th</sup> at 7 p.m.

Ms. Ciccone advised that the Environmental Commission received a grant from Wal-Mart for \$25,000. She also noted that the Commission is working on developing a nature center at the Schenck farmstead.

CHAIR/CLERK COMMENTS

Ms. Young announced the official Election results for the Municipal Election. She congratulated Council-elect, George Borek, Kristina Samonte, and Bryan Maher.

CONSENT AGENDA

RESOLUTIONS

2011-R227 Refund of Overpaid Property Taxes

2011-R228 Authorizing the Refund for Development Plan Review  
Projects - \$2,737.34

MINUTES

October 3, 2011 - Business Session  
October 11, 2011 - Agenda Session  
October 24, 2011 - Business Session

Motion to approve Consent Agenda as amended: Borek

Second: Geevers

RCV: aye Borek

aye Ciccone

aye Geevers

Morgan - absent

aye Khanna

ITEMS REMOVED FROM THE CONSENT AGENDA

BILLS & CLAIMS

Mr. Hary clarified several issues Ms. Ciccone had concerns with including: Planning Board projects and the return of escrow funds, the photo collage for the Police Division, and the Wallace Road sewer repairs.

Motion to approve Bills and Claims: Ciccone

Second: Geevers

RCV: aye Borek

aye Ciccone

aye Geevers

Morgan - absent

aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION

2011-R229 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Van Cleef Engineering for Wallace Road Sewer Repairs - \$8,600

2011-R231 Authorizing the Business Administrator to Execute Change Order No. 1 with Meco, Inc. which Accounts for a Decrease of 20.67% for Final Quantities Adjustment and Project Closeout for the Village Road West Reconstruction Phase 1 - (\$52,697.12)

Motion to approve Resolutions 2011-R229 and 2011-R231: Ciccone

Second: Borek

RCV: aye Borek

aye Ciccone

aye Geevers

Morgan - absent

aye Khanna

2011-R230 Authorizing the Mayor and Clerk to Execute an  
Amendment to the Professional Services Agreement with  
Remington & Vernick Engineers for Emergency Vehicle  
Pre-Emption Equipment Project - \$2,925

Ms. Geevers had questions about the design work for the equipment required by the County. She advised that Remington and Vernick should assume the additional cost for not checking first with the County's requirements.

Ms. Ciccone asked to have the resolution pulled for further details from Administration.

#### COUNCIL REPORTS

Ms. Geevers advised that the Planning Board was conducting interviews for Planning Board Attorney.

#### ADDITIONAL PUBLIC COMMENT

Mr. Pete Weal, 144 Fisher Place, inquired about Resolution 2011-R230. He advised that contracts usually have a 5% contingency clause.

Mr. John Church, 11 Princeton Place, inquired about the Township repairing private roads in Village Grande at Bear Creek.

ADJOURNMENT

Motion to adjourn: Borek

Second: Ciccone

RCV: All ayes, Morgan absent

The meeting was adjourned at 7:47 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township