

APPROVED: September 20, 2012

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
August 6, 2012

CALL TO ORDER: President Khanna called the meeting to order at 7:04 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 6, 2012.

ATTENDEES: President: Khanna; Vice President: Geevers; Council Members: Borek, Maher, Samonte; Mayor: Hsueh; Business Administrator: Schmid; Township Attorney: Herbert Jr.; Chief of Police: Pica; Chief Financial Officer: Louth; Deputy Township Clerk: Huber

2012-R189A Amending the Language in the Resolution that pertains to the Initiative Petition

President Khanna advised that Resolution 2012-R189A will be pulled from this evening's agenda and placed on the August 20, 2012 agenda for possible action.

Ms. Geevers noted that she believes the Township Clerk should send Resolution 2012-R189 to the County Clerk for placement of the Initiative Petition on the November General Election ballot.

Mr. Herbert advised that the matter is resolved and should not be forwarded to the County Clerk for inclusion on the November General Election ballot.

Mr. Maher inquired why Mr. Herbert felt the resolution should not be forwarded to the County Clerk.

Mr. Herbert advised that the resolution as written was incorrect and violates New Jersey State Statutes.

Discussion ensued among members of Council and the Township Attorney.

POLICE UPDATE

Chief Pica gave a brief report on the events that led up to the accident that occurred at the intersection of North Post Road and Clarksville Road on Saturday evening. He noted that speed was not a factor in this accident. Chief Pica reported that a second incident occurred on Saturday at "The Mews" where a young man was stabbed. He advised that this was not a random act.

PUBLIC COMMENT

Ms. Sandra Shapiro, 15 Wycombe Way, urged members of Council and the Administration to fix the intersection of North Post Road and Clarksville Road. She referenced a report done in 2007 by the Delaware Regional Planning Commission indicating that this intersection needed improvements.

Ms. Holly Keleman, 25 Old Bear Brook Road, spoke about the proposed revisions to the approved Planned Residential Neighborhood project off of Old Bear Brook Road. She suggested that a committee be formed to review the proposed contract with Project Freedom and that she would like to be part of this committee.

Ms. Alison Miller, 41 Windsor Drive, President of the Friends of West Windsor Open Space (FOWWOS), spoke in support of Resolution 2012-R191 requesting a reduction in the Open Space Tax. She advised that Administration has assured FOWWOS that funding will be available to purchase additional open space in the Township.

Ms. Debbie Hepler, 10 Dean Court, thanked Mr. Maher and Mayor Hsueh for their continued support in the preservation of the Grover Farmstead.

Mr. Michael Kazakoff, 281 North Post Road, advised that there is a potential accident waiting to happen at the new crosswalk at Everett Drive and Clarksville Road and encouraged the Township to have signage placed in this area to warn motorists.

Mr. Eppley Winant, 283 North Post Road, noted he also walks in the area Mr. Kazakoff spoke about, and that he agrees that this area needs to be addressed.

Mr. Al Lerner, 67 Rainflower Lane, voiced his support for Resolution 2012-R196 on this evening's agenda.

Mr. Brendan Werth, 1 Courtney Drive, noted that the intersection of North Post Road and Clarksville Road needs to be made safer for pedestrians.

Mr. Kelvin Werth, 1 Courtney Drive, expressed his concern with the intersection of North Post Road and Clarksville Road and the need for improvements. He showed a drawing with his suggestions for modifications for the intersection.

Ms. Louise Carroll, 10 Providence Drive, noted that she wants the Grover Farm to stay as a farm.

Mr. Guy Pierson, 241 Fisher Place, urged Council to pass Resolution 2012-R196 on the agenda this evening. He asked for assistance from Administration because traffic is using Fisher Place as a cut through and then turning around when they find they cannot make a left-hand turn on to Route One. He also noted that the Township should contact the New Jersey Department of Transportation about relining Alexander Road to address the backup of traffic in the area of Route One.

Mr. Charles Morgan, 24 Murano Drive, read into the record the statutory provisions regarding the initiative petition that was passed by the Township Council on July 23. He requested that the Council put the action on the table tonight and instruct the Clerk to forward the initiative to the County Clerk for the November General Election ballot.

Mr. Kevin Hacker, 318 North Post Road, supports all the speakers before him with regard to improvements being necessary at the Clarksville Road and North Post Road intersection. He also thanked the Township for the installation of the missing sidewalk along North Post Road to the train station.

Ms. Kim White, 54 Montgomery Street, voiced her opposition to Resolution 2012-R193 on the agenda this evening.

Ms. Valerie Ramos, 298 North Post Road, noted she supports the comments from her neighbors about the intersection of North Post Road and Clarksville Road. She requested that the Township make the needed improvements sooner rather than later. She commended the Police and Twin-W First Aid Squad for their actions on Saturday night.

Mr. Aji Sjamsu, 745 Village Road West, noted he supports the plans presented by a previous speaker for the intersection of Clarksville Road and North Post Road.

Mr. Andi Sjamsu, 745 Village Road West, noted he supports improvements to the Clarksville Road and North Post Road intersection.

Ms. Arianna Sjamsu, 745 Village Road West, acknowledged her support for improvements to the North Post Road and Clarksville Road intersection.

Ms. Sandra Donovan, 20 Sapphire Drive, advised that Council passed a resolution for open government and that the question should be forwarded to the voters in November.

Ms. Judy D'Antuono, 310 North Post Road, spoke about the accident that occurred at the intersection of North Post Road and Clarksville Road and requested that improvements be made.

Mr. John Church, 11 Princeton Pike, suggested that the Council pass a resolution requesting the County to make improvements to the intersection.

Mr. Pete Weale, 144 Fisher Place, noted that he is the Vice Chairman of the Grover Farm Restoration Committee and that there is no plan for parking lots at this site. He suggested that the Township have the Police review the improvements necessary for the intersection of North Post Road and Clarksville Road.

Ms. Nicole Miller, 428 South Post Road, gave a brief update on the solar farm project and requested that the Township join in their fight against the project.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh reviewed Resolution 2012-R191 requesting a question be placed on the November ballot to reduce the current Municipal Open Space Tax from three cents to two cents. He advised that the Township has reviewed this matter with the Friends of West Windsor Open Space (FOWWOS) and the Environmental Commission and both groups support this change.

Mayor Hsueh advised that Resolution 2012-R194 and the agreement with D.R. Horton has been reviewed by the Village Grande Homeowners' Association and they do not oppose the agreement on this matter.

Mayor Hsueh reviewed Resolution 2012-R196 which opposes changing private colleges and universities from having to go before local boards for review of improvements. He urged Council to pass the resolution.

Mayor Hsueh noted that he has been working with the New Jersey League of Municipalities on restoration of energy taxes. He advised that both the Assembly and Senate approved but Governor Christie vetoed it.

Mayor Hsueh thanked both Public Works and the Police for their help during the storms the past few weeks. He announced that National Night Out will be held tomorrow August 7th from 6 p.m. to 10 p.m. at Community Park. Mayor Hsueh noted that the ordinance requiring registration of massage and other establishments is currently under review by in-house staff and a meeting with area owners of these facilities will take place to get their input prior to the ordinance coming before Council.

COUNCIL MEMBER COMMENTS

Ms. Samonte thanked Public Works for their assistance during the storms and requested that Administration review potential improvements to the North Post Road/Clarksville Road intersection. She thanked the Police and Twin-W members for their assistance during the accident Saturday night.

Mr. Maher reported that damage occurred at 195 Clarksville Road during one of the past storms and that he received an e-mail from the owner of the property stating the Construction Official placed a "stop work order" at this location. He requested that Administration review this matter and noted that the Township should fast track these permits when necessary. Mr. Maher advised that he supports keeping the use of the Grover Farm for farming. He noted that he received his tax bill and that the County of Mercer increased 10.2% over 2011, zero increase in 2011 (election year), and increased 9% in 2010. He noted this needs to be addressed.

Mr. Borek noted that the accident at North Post Road and Clarksville Road was a tragic event and he thanked all of those who assisted at the scene. He advised that the Township and County Officials need to reassess this intersection and find ways to improve it. Mr. Borek reported that he was on Fisher Place earlier this morning to see the effects of the "no left turn" on Washington Road and found that many drivers were making u-turns when they found out they could not turn left at Fisher Place. He requested Administration have someone trim the weeds and high grass on the Route One overpass at Meadow Road.

Ms. Geevers thanked all the personnel that assisted at the accident Saturday evening. She advised Administration that on Alexander Road, in the area of the new sidewalks, the grass needs to be mowed. Ms. Geevers suggested that a resolution to the County Engineer be prepared for the next Council meeting requesting improvements be made at the North Post Road/Clarksville Road intersection. She thanked Public Works for their assistance in the clean-up after the recent storms. Ms. Geevers noted that the Grover Farm Restoration Committee has been only charged with looking at the structures that were proposed to be razed and that a formal report will be given in the early fall. She inquired if Mercer County Community College had submitted plans for the solar farm.

Ms. Schmid advised that to date the Township has not received any plans for the solar farm project.

Mayor Hsueh advised that the Zoning Board of Adjustment Attorney Ed Schmierer has rendered his opinion on the Township's legal

rights with regard to the solar farm project at Mercer County Community College.

CHAIR/CLERK COMMENTS

President Khanna thanked all the residents for their input on the North Post Road and Clarksville Road intersection. He also thanked Public Works for their assistance during the recent storms.

PUBLIC HEARING

2012-11 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 168, "TRAFFIC AND PARKING," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR - Speed Limit

President Khanna opened the public hearing.

Ms. Sandra Shapiro, 20 Sapphire Drive, urged Council to adopt the proposed ordinance requesting reduction of speed along Village Road West.

Ms. Alison Miller, 41 Windsor Drive, urged Council to support the ordinance to reduce the speed along Village Road West and asked Mayor Hsueh to approve.

Mr. Aji Sjamsu, 745 Village Road West, voiced his support to reduce the speed limit along Village Road West.

Mr. John Church, 11 Princeton Place, advised that he drove down the roadway and feels that the 45 mph speed limit is reasonable and does not see the need for the proposed reduction.

Mr. Al Lerner, 67 Rainflower Lane, supports the reduction in the speed limit.

Ms. Arianna Sjamsu, 745 Village Road West, urged Council to pass the ordinance to reduce the speed on Village Road West.

Ms. Jessica Kates Galatro, 423 Clarksville Road, voiced her support for the reduction of the speed limit along Village Road West.

Ms. Janet Lerner, 67 Rainflower Lane, noted her support for the reduction of the speed on Village Road West.

Ms. Silvia Ascarelli, 27 Melville Road, advised she supports the reduction of the speed limit.

Mr. Andi Sjamsu, 745 Village Road West, noted his support for the reduction in the speed limit and thanked Council for their support.

Mr. Charles Morgan, 24 Murano Drive, inquired as to why Council was not reducing it to 35 mph to conform to the other part of the roadway. He noted his support for the reduction.

Ms. Debbie Hepler, suggested having police at all dangerous roadways.

Motion to close public hearing: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

Mr. Maher advised that he does not support the reduction of the speed limit along this section of Village Road West. He requested an inventory of all the speed limits within the Township that need to be revised so that they can be properly enforced by the Police.

Ms. Samonte noted she has researched this matter and that the data supports a reduction between 29 mph and 44 mph for this type of roadway. She noted that it adds an additional 25 seconds to the commute. Ms. Samonte advised she supports the speed reduction.

Mr. Borek advised that he supports the reduction of speed and it will allow the Police to enforce the speed limit for this portion of the roadway more effectively.

Ms. Geevers noted that she supports the ordinance and expressed her concerns that the signage in this area needs to be reviewed.

Mayor Hsueh advised that the roadway will have the proper signage once the ordinance takes effect.

President Khanna noted that he asked three years ago for this to be reviewed and agrees with the professionals that a reduction is necessary.

Motion to adopt: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

NAY Maher

aye Samonte

aye Khanna

2012-12 AN ORDINANCE AUTHORIZING THE ACQUISITION OF A ROAD
WIDENING AND UTILITY EASEMENT FROM THE WEST WINDSOR-
PLAINSBORO REGIONAL SCHOOL DISTRICT LOCATED ON BLOCK
17.13, LOT 2

President Khanna opened public hearing.

There was no public comment on the matter.

Motion to close public hearing: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

Motion to adopt: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

CONSENT AGENDA

RESOLUTIONS

2012-R190 Refund of Overpaid Property Taxes

2012-R197 Authorizing the Appointment of Jessica Kates Galatro
as Resident Representative to the Site Plan Review
Advisory Board to fill an Unexpired Term through
December 31, 2014

MINUTES

June 25, 2012 - Business Session

BILLS & CLAIMS

Ms. Schmid announced that on the Recreation Trust printout previously handed out to Council the check for the WWT Police Department in the amount of \$2,500 should have been addressed to WWT PBA Local #271.

Motion to approve consent agenda: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2012-R191 Authorizing a Municipal Question to be Placed on the
November Ballot to Reduce the Municipal Open Space Tax

2012-R192 Authorizing an Amendment to the Professional Services
Agreement with Piazza & Associates

2012-R193 Authorizing the Mayor and Clerk to Execute a
Professional Services Agreement with Spiezle
Architectural Group, Inc. for the Municipal
Complex Improvements-\$14,800

2012-R196 Urging the Legislature to Oppose S1543/A2586
"Equalizes Standing of Private and Public Colleges
Before Land Use Agencies"

Mr. Maher requested that resolutions 2012-R194 and 2012-R195 be pulled for further discussion.

Motion to approve resolutions 2012-R191, 2012-R192, 2012-R193, and 2012-R196: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

2012-R194 Authorizing the Mayor and Clerk to Execute an
Agreement with D.R. Horton Inc. for the Repairs of
Driveway Aprons in Village Grande and the
Reimbursement of Township Funds used to make Emergency
Repairs to Sinkholes in the same Development

Mr. Maher inquired if the residents of Village Grande consent to this agreement.

Mayor Hsueh advised the Homeowners' Association has reviewed and approves of the settlement.

Motion to approve: Geevers

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

2012-R195 Rejection of Bids for the Project Known as "Automated
Photo Enforcement System"

Mr. Maher requested an explanation for this action and asked for the locations of these proposed cameras.

Ms. Schmid reviewed the steps taken regarding the bid and

advised that the locations for the cameras was along Route One at Carnegie and Washington Road intersections. She requested that Council reject the bids on the basis the Township has discovered that the procurement process undertaken for the project does not meet the statutory requirements for Competitive Contracting pursuant to N.J.S.A. 40A:11-4.1 et seq.

Motion to approve: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

COUNCIL REPORTS

Ms. Geevers reported that the Affordable Housing Committee reviewed the spending plan for the Township.

Mr. Herbert noted that the web-site for the State of New Jersey Council on Affordable Housing indicates that West Windsor Township is in compliance and owes nothing to the State.

ADDITIONAL PUBLIC COMMENT

Ms. Teresa Lourenco, 408 South Post Road, applauded Mr. Maher for his assistance and requested that the Council and Township join them in their fight against Mercer County Community College's solar farm project.

Ms. Jessica Kates Galatro, 423 Clarksville Road, suggested that the Township review congested traffic areas throughout the Township to see what can be done to improve traffic flow.

Ms. Nicole Miller, 428 South Post Road, again spoke about the concerns of residents in this area and voiced the need for Council and the Mayor to help them with County Officials.

Mr. Guy Pierson, 241 Fisher Place, advised Council that there is once again graffiti on the Dinky Bridge over Route One; the language on the Route 571 electronic sign needs to be checked;

Port Mercer Road is going to be closed for up to six months. He inquired if the advertisement signs at Duck Pond Park are legal.

Mr. Douglas Miller, 428 South Post Road, noted that the previous action taken by the Council and Mayor regarding the solar farm was not strong enough and that they need to work harder for the residents of this area.

Mr. Charles Morgan, 24 Murano Drive, advised Council that they are out of time with regard to action on Resolution 2012-R189A and that the Clerk needs to be instructed on how to proceed. He suggested that someone on Council propose a resolution to have the Clerk forward the resolution to the County.

Mr. Andy Bromberg, 24 Providence Drive, noted he was under the impression from the actions of the last Council meeting that this was not to be placed on the ballot because Council approved the resolution.

Ms. Sandra Donovan, 20 Sapphire Drive, advised she was here when the Council approved Resolution 2012-R189 5-0 and the Mayor advised he approved it as well. She noted that over 500 residents signed the petition and that she supports sending this to be placed on the ballot. Ms. Donovan requested that Council direct the Township Clerk to send it to the appropriate parties.

Ms. Debbie Hepler, 10 Dean Court, noted the petition clearly stated it would go to the voters. She inquired why the Mayor is opposed to having this placed on the ballot.

Mr. Maher addressed many of the concerns of the public and suggested a closed session be held to discuss the Mercer County Community College Solar Farm project and whether or not the Township should join the residents in their legal battle. He advised he supports sending Resolution 2012-R189 to the County Clerk for inclusion on the November ballot.

Ms. Geevers expressed her agreement with Resolution 2012-R189 being forward to the County Clerk.

Mr. Herbert again advised Council that his memorandum clearly stated that if the Council voted in the affirmative for Resolution 2012-R189 there would be no need for it to be sent to the voters.

Motion to direct the Township Clerk to forward Resolution 2012-R189 to the County Clerk for inclusion on the November General Election Ballot: Maher

Second: Geevers

RCV: NAY Borek

aye Geevers

aye Maher

NAY Samonte

NAY Khanna

ADJOURNMENT

Motion to adjourn: Geevers

Second: Samonte

VV: All approved

The meeting was adjourned at 10:09 p.m.

Sharon L. Young
Township Clerk
West Windsor Township