

APPROVED: April 16, 2012

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
February 27, 2012

CALL TO ORDER: President Khanna called the meeting to order at 6:33 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. Special notice for closed session was provided on February 21, 2012.

ATTENDEES: President: Khanna; Vice President: Geevers; Council Members: Borek, Maher, Samonte; Mayor: Hsueh (left at 9:07 p.m.); Business Administrator: Hary; Township Attorney: Herbert Jr.; Chief Financial Officer: Louth; Labor Attorney: Ruderman (left at 7:08 p.m.); Township Clerk: Young

PUBLIC COMMENT

Ms. Young noted that no one from the public was in attendance for public comment.

CLOSED SESSION

Motion to go into closed session at 6:33 p.m.: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

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 personnel matters and labor contracts.

MEETING RECONVENED

Meeting reopened at 7:07 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

President Khanna asked for a moment of silence in remembrance of Mr. Ed Steele.

PUBLIC COMMENT

Mr. Mike Baxter, 6 Landing Lane, noted his approval of the renovations at Windsor Plaza and spoke about the budget process.

Mr. John Church, 11 Princeton Place, advised of his disapproval of how the budget process was being handled. He recommended discussion of the budget prior to introduction, and asked to have the introduction deferred.

Mr. Jerry Foster, 15 Suffolk Lane, advised that the first NJ Bike Summit was held last week. He noted that West Windsor holds the Bronze Level Award for a bicycle friendly community. Mr. Foster spoke about the work that needs to be done in West Windsor to keep the Township bicycle and pedestrian friendly.

Ms. Alison Miller, 41 Windsor Drive, advised that New Jersey Transit acknowledged West Windsor for its work to make the train station bike and pedestrian-friendly. She urged to keep the improvements in the Capital budget to promote good health through walking and biking.

Mr. Mark Lewis, 3 Colonial Drive, praised Administration and Mr. Guzik for their quick response in accommodating ADA compliancy for him and other handi-capped individuals to get to the train station while the sewer reconstruction project was being completed.

Mr. Charles Morgan, 24619 Ivory Cane Drive, spoke about the importance of the budget process and Council's role. He urged Council not to introduce before having adequate time to review the budget documents. Mr. Morgan also spoke about Mr. Herbert and his role as Township Attorney.

Mr. Pete Weale, 144 Fisher Place, spoke about the budget process, the loss of revenues, illegal signage, budget assumptions, InterCap funds, and Public Works' equipment.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh spoke about the Township ensuring safe crossing from the Estates at Princeton Junction to get to Duck Pond Park. He advised that compost facility remediation will take approximately five months.

Mr. Hary announced that the Wallace Road sewer reconstruction project is complete and the road will be paved by early summer. He explained that the department and division managers are working on their budget presentations for Friday. Mr. Hary asked Council to forward any specific budget questions to him for better preparation for the budget session.

COUNCIL MEMBER COMMENTS

Ms. Samonte thanked Administration for the quick response in remedying the ADA issues at Wallace Road. She advised that Council should create some common goals to achieve during this budget process. Ms. Samonte spoke about several items that she would like to have going forward to assist with budget decisions such as economic forecasts and development. She also suggested holding a budget "open house" for the residents.

Mr. Borek asked for an update on where the Planning Board is with the review of the sign ordinance.

Mayor Hsueh explained that a subcommittee is working on the review and will submit their comments to Planning Board.

Mr. Borek spoke about all the illegal signs that were posted throughout the Township over the weekend. He suggested a better outreach program to prevent these signs from being placed throughout the community.

Mr. Hary commented that he called Meadow Road Apartments to speak to them about the placement of their sign and they were unaware of the regulations. He advised that Planning and Zoning is working on sign ordinance enforcement.

Mr. Maher noted that the placement of signs and the number of signs posted throughout the Township is out of control. He spoke about the County Executive's plans to increase the County's budget to almost 9%. Mr. Maher suggested that Council members write to the County Freeholders to appeal this increase. He also commented on the number of vehicles utilized by the Public Works Department and suggested renting equipment or consider shared services agreement for services provided by particular trucks. Mr. Maher asked for Public Works to consider the reduction of brush and leaf pickup in the months of January and February.

Ms. Geever's inquired about the facilities needed to store the vehicles and equipment. She noted her concerns with introducing the budget this evening. Ms. Geever's advised that she was in attendance at the last School Board meeting and outlined the Board's various needs included in their 2012 budget.

CONSENT AGENDA

RESOLUTIONS

2012-R064 Refund of Overpaid Taxes

2012-R065 Authorizing the Re-Appointment of Razia Sayed to the
Human Relations Council for a Two-Year Term to Expire
December 31, 2013

MINUTES

January 17, 2012 - as amended

Motion to approve consent agenda as amended: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

ITEMS REMOVED FROM CONSENT AGENDA

BILLS & CLAIMS

Ms. Geevers inquired about Mr. Muller's invoices for the Planning Board and noted several other concerns with the bills and claims.

Mayor Hsueh advised that the Manager of Land Use will be reviewing all costs associated with the Planning Board. He noted that he requested that all boards and committees volunteers refrain from contacting the attorney because it is resulting in billable hours.

Ms. Geevers asked for details of what InterCap's objector agreement entailed and asked for the invoice to be pulled until an explanation can be provided. She also inquired about the costs associated with Akselrad litigation.

Mr. Herbert advised that Mr. Muller and Ms. Cayci were working together on the preparation of documents for the Akselrad litigation case.

Ms. Samonte asked if the bills can be separated into categories for better review.

Invoice number 10862 was pulled from the list until an explanation is provided.

Motion to approve bills and claims as amended: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2012-R066 Authorizing a Budget Transfer to Provide for the
Transfer of Funds within the 2011 Municipal Budget

Ms. Samonte asked for a forecast for predicting the increase of gas prices based on the numbers for 2011.

Ms. Louth advised that the increase of fuel costs was due to gas increases and the emergency storms the Township endured. She explained the budget transfer process.

Ms. Samonte offered suggestions to mitigate the increase of costs for fuel purchase.

Mr. Hary noted they will be discussing better fuel and vehicle efficiencies in the budget work session to be held on Friday.

Mr. Maher asked Administration to create rough estimates on the cost savings of gas for the months of January and February if the Public Works eliminate brush and leaf retrievals.

Motion to approve: Samonte

Second: Borek

RCV: aye Borek
aye Geevers
aye Maher
aye Samonte
aye Khanna

2012-R067 Authorizing the Utilization of New Jersey State Contract #A65752 Vendor Allstate Office Interiors Inc. for the Purchase and Installation of Carpeting in the Courtroom and Court Offices-\$17,692.45

2012-R068 Authorizing the Reappointment of Jeffrey I. Rubin, Esquire as Municipal Prosecutor for the Period March 1, 2012 through December 31, 2012 - \$25,000

2012-R069 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Van Cleef Engineering Associates for the Administration and Observation of the Wallace Road Sewer Lining-\$24,000

2012-R071 Authorizing the Mayor and Clerk to Execute an Amendment to the Professional Services Agreement with Remington & Vernick Engineers for the Traffic Signal Modifications at the Intersection of Alexander Road and Vaughn Drive and Bear Brook Road-\$8,735

2012-R072 Authorizing the Mayor and Clerk to Execute an Amendment to the Professional Services Agreement with Remington & Vernick Engineers for the Alexander Road Reconstruction-\$7,714.27

2012-R073 Authorizing the Mayor and Clerk to Execute a Shared Services Agreement with the County of Mercer for Shared Hazardous Materials Emergency Response Services

Motion to approve Resolutions 2012-R067 through 2012-R069 and 2012-R071 through 2012-R073: Borek

Second: Samonte

RCV: aye Borek
aye Geevers
aye Maher
aye Samonte
aye Khanna

2012-R070 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with EN-TECH Corp. for Labor, Material, and Equipment for the Wallace Road Sewer Lining-\$308,949

Mr. Borek inquired if this resolution covers the full cost for the repair to the sewer lines.

Mr. Hary outlined the other costs associated with the repairs which added up to a total of over \$612,000.00.

Ms. Samonte inquired about additional costs such as notification to the residents and project oversight.

Mr. Hary advised that some of these costs were handled internally. He also asked the Clerk's office to amend the dates on the resolution.

Motion to approve as amended: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

2012-R062 Authorizing the Mayor and Clerk to Execute a Contract with Ditschman/Flemington Ford Fleet Sales New Jersey State Contract #A79113T2789 for the Purchase of 2012 Ford F550 Chassis Cab Truck with Plow for the Department of Public Works-\$56,100

Mr. Maher asked that this resolution be tabled indefinitely in an effort to reduce costs for Public Works vehicles.

Mr. Borek spoke of the need for some of the larger trucks to have the ability to plow and pull a chipper without the need for a CDC license for operation.

Mr. Maher advised that Public Works has other trucks that could be utilized for the purposes outlined by Mr. Borek.

Mr. Hary noted that the truck is necessary for utilization by Public Works.

Motion to approve: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

NAY Maher

aye Samonte

aye Khanna

INTRODUCTION OF ORDINANCES

2012-04 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Ms. Louth advised that Ordinance 2012-04 is a companion ordinance to the budget. She advised that the ordinance has two functions; the first is to increase the cap up to 3% if necessary, and the second is to establish a Cap Bank. Ms. Louth explained the reasons the Township would want to establish a Cap Bank.

Mr. Maher explained why the ordinance was unnecessary and sends the wrong message to the residents. He noted that the Township needs to reign in their expenses.

Mr. Hary explained that the Township has never had to use the Cap Bank but that it was a tool similar to an insurance policy. He noted that the Township Auditors will be at the public hearing for further explanation.

Ms. Samonte asked if bond rating firms look at this practice to determine a municipality's bond rating.

Ms. Louth commented that the Cap Bank is looked upon favorably and that it assists with good financial planning.

Motion to introduce: Borek

Second: Samonte

RCV: aye Borek

NAY Geevers

NAY Maher

aye Samonte

aye Khanna

The public hearing for Ordinance 2012-04 will be held on April 16, 2012.

2012 Municipal Budget Introduction

Mr. Hary outlined the details of the Municipal Budget and reviewed the budget process.

President Khanna recommended following proper protocol procedures and timeline as outlined in the Local Finance Notices from the State. He noted that it would give the Township forty-five days to deliberate on the budget.

Mr. Maher asked if the budget meeting could be deferred a week to allow Council to meet at least on Friday to review the budget details. He noted that he would feel more comfortable introducing the budget once Council has had some time to look over the details.

Ms. Geevers also addressed her issues with introducing the budget without having time to review the documentation. She suggested holding the introduction at the next Business meeting scheduled for March 12. She noted that the Township would still be in compliance with the Local Finance Notice and would be able to have the public hearing by April 16. Ms. Geevers advised that these procedures have not been implemented in the past and it is Council's legislative duty to thoroughly review the Municipal budget.

Mr. Borek commented that the public is engaged in the process either way from the very beginning.

Ms. Samonte urged Council to coordinate deliberations as one body to work through the process methodically.

Motion to introduce: Borek

Second: Samonte

RCV: aye Borek

NAY Geevers

NAY Maher

aye Samonte

aye Khanna

The public hearing for the Municipal Budget will be held on April 16, 2012.

ADDITIONAL PUBLIC COMMENT

Ms. Alison Miller, 41 Windsor Drive, advised that the Ellsworth Center's back lot should not be used for commuter parking because of the safety hazards of crossing Route 571. She spoke of the continued partnership between the Township and the Bicycle and Pedestrian Alliance to review project priorities.

Mr. Al Lerner, 67 Rainflower Lane, spoke about making the best choice by introducing the Municipal budget this evening. He also reviewed a developer's responsibilities to the Township.

Mr. John Church, 11 Princeton Place, commented on the high costs for computer hardware. He spoke about the costs for the repair to the sewer lines on Wallace Road and inquired about the approval process associated with these costs.

Mr. Pete Weale, 144 Fisher Place, spoke about the change in protocol with handling the budget process. He outlined other concerns and made suggestions for cost savings.

Ms. Janet Lerner, 67 Rainflower Lane, agreed with the introduction of the budget and the philosophy of Ordinance 2012-04 and the Cap Bank.

ADJOURNMENT

Motion to adjourn: Borek
Second: Geevers
VV: All approved

The meeting was adjourned at 9:28 p.m.

Sharon L. Young
Township Clerk
West Windsor Township