

APPROVED AS AMENDED: September 4, 2012

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
July 23, 2012

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 6, 2012.

ATTENDEES: President: Khanna; Vice President: Geevers; Council Members: Borek, Maher, Samonte; Mayor: Hsueh; Business Administrator: Schmid; Township Attorney: Herbert Jr.; Manager of Land Use: Surtees; Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

Sign Ordinance Review

Mr. Surtees reviewed the six topics of concern expressed by Council at their July 9<sup>th</sup> meeting.

Mr. David DePaula, Mercer Association of Realtors, advised that directional signs are important to realtors and urged that they be allowed to post them on a Friday. He outlined other areas of concern for realtors as they relate to the sale or lease of property.

Mr. Maher addressed questions of Mr. DePaula.

Mr. Peter Flannery, representing DDR Corporation of Nassau Park, noted that the sign ordinance is acceptable in the current form. He advised of several issues with having regulations that are too complex.

Ms. Alison Miller, 42 Windsor Drive, addressed freedom of speech limitations and asked Council for special consideration.

Mr. Maher asked for specific examples of the freedom of speech concerns that Ms. Miller addressed.

Ms. Miller explained that residents should be allowed to have political signs in their own yard for an extended period of time beyond what the sign ordinance regulates.

Mr. Jeff Shanker, A-1 Limousine, spoke about the signs being large enough to be viewed in the middle of Route One traffic. He commented on being in favor of the current revisions.

Mr. Pete Weale, 144 Fisher Place, addressed sign ordinance concerns and showed pictures of locations where the sign ordinance was not being upheld.

Mr. Surtees asked for guidance from Council on the six outstanding points of concern. He reviewed each of the six aspects to get a consensus on what revisions need to be made to the ordinance.

Ms. Samonte inquired about the First Amendment rights and asked the Attorney if the sign ordinance was inhibiting this right.

Mr. Herbert advised that the Council has the right to regulate signs that affect the landscape and safety of the Township.

Council commented on their concerns with the time allowed for the placement of temporary signs.

Mr. Surtees inquired about providing Planning Board with Council's two outstanding issues for the Board to do a courtesy review.

President Khanna asked if Planning Board could advise Council about the regulations and timing for commercial office space signage.

Ms. Geevers suggested that only one commercial sign should be allowed per property. She recommended the "monument" type sign for commercial property real estate advertisement.

Mr. Borek proposed reducing the timeline from twenty-four months to eighteen months for the posting of commercial real estate signs.

Mr. Maher suggested having a one-year timeline, with the possibility of adding a six-month extension based upon occupancy of the building.

Mr. Surtees advised that he will check the Planning Board's schedule to arrange for the informal review of the two outstanding issues with the sign ordinance.

PUBLIC COMMENT

Ms. Debbie Hepler, 10 Dean Court, noted her gratitude for Council's support in preserving the Grover House.

Mr. Jonathan Word, 16 Eastern Drive, outlined the safety issues on Village Road West from the overgrowth of vegetation and improper lighting. He did not recommend the reduction of the speed limit when there are so many outstanding facts contributing to safety issues.

Mr. Brandon Goldberg, 12134 Taylor Court, recommended the reduction of the speed limit on Village Road West.

Mr. Paul Eland, 15 Coneflower Lane, prepared an illustration to show Council for his recommendation of the reduction of the speed limit on Village Road West.

Ms. Louise Carroll, 10 Providence Drive, noted her support for the continuation of farming on the Grover Farm and does not want the cost for the reconstruction to come from taxpayer funds.

Mr. Andy Sjamsu, 745 Village Road, W., promotes a bicycle and pedestrian safe community and supports the reduction of speed on Village Road West.

Ms. Aji Sjamsu, 745 Village Road W., spoke about the speed on Village Road being too fast for bicyclists and pedestrians.

Ms. Arianna Sjamsu, 745 Village Road W., supports the decrease in the speed limit for Village Road.

Ms. Alison Miller, 41 Windsor Drive, explained about the increase of traffic volume on Village Road and the need for the reduction of speed limit.

Ms. Sandra Shapiro, 15 Wycombe Way, noted that the Township's roadways have changed and she supports the reduction of the speed limit.

Ms. Silvia Ascarelli, 27 Melville Road, asked that the Council respect the residents' request for reduced speed on Village Road West.

Mr. Marshall Lerner, 3 Sapphire Drive, spoke about the Grover House reconstruction, and supports better enforcement of speeds on Village Road.

Ms. Jen Ping Wang, 9 Scott Avenue, suggested that Administration, Council and the Mayor should pledge to have a cooperative spirit.

Mr. Alvin Lerner, 67 Rainflower Lane, spoke about the Grover House preservation.

Mr. John Church, 11 Princeton Place, spoke about the Grover Farm restoration, the MCCC solar field project and his research on the number of fire hydrants in the Township.

Mr. Janet Lerner, 67 Rainflower Lane, addressed issues with the speed and the need to have the medians painted on Village Road.

Mr. Pete Weale, 144 Fisher Place, spoke about his requests for information from the Township and the responses he receives.

Mr. Paul Cerna, 555 Alexander Road, addressed issues with the tactics used during Council meetings.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh advised that the Wallace Road repaving project is complete.

COUNCIL MEMBER COMMENTS

Mr. Maher spoke about achieving goals and the frustrations related to Grover House issues. He asked the public to make sure that they have their facts correct when coming to the podium to speak at public comment.

Mr. Borek advised that the Governor signed new legislation supporting solar energy for the State of New Jersey.

Ms. Geevers asked Administration to review the issue of the inability at night to see the medians which are located on Village Road. She provided a short update about the Grover Farm Restoration Committee.

Ms. Samonte noted that committee chairs were elected for the Grover Farm Restoration Committee.

PUBLIC HEARING

2012-R189 Resolving the Ballot Language for the Initiative Ordinance that will be placed on the November General Election Ballot

President Khanna opened the public hearing.

Mayor Hsueh advised that he supports the amendment presented and will support the codification of the ordinance into the Township Code.

Ms. Lois Morgan, 24 Murano Drive, read a statement into the record urging support for the petition.

Ms. Debbie Hepler, 10 Dean Court, spoke about how problems arise when a Mayor makes decisions without consulting or getting approval from Council. She advised that this amendment will stop the lack of accountability by this Administration and future Administrations.

Mr. Jim Solloway, 5 Monroe Drive, urged adoption of the resolution. He outlined his reasons for support of this amendment which clarifies ambiguities and will keep Council informed.

Mr. Hemi Nae, 11 Wycombe Drive, urged the Council to vote in favor of the resolution.

Ms. Sandra Donovan, 20 Sapphire Drive, advised that the amendment will allow for open transparent government which is the foundation of democracy.

Ms. Virginia Manzari, 28 Berkshire Drive, noted that the amendment makes good sense and there should be no reason why someone cannot deliver information within thirty days.

Mr. Marshall Lerner, 3 Sapphire Drive, explained that information should be shared in a timely manner and urged adoption of the resolution.

Mr. Andy Bromberg, 24 Providence Drive, noted his support for the amendment.

Mr. Alvin Lerner, 67 Rainflower Lane, voiced his concerns with the resolution but will support the approval because Mayor Hsueh believes it is appropriate.

Motion to close public hearing: Borek

Second: Samonte

RCV: aye Borek

aye Geever

aye Maher

aye Samonte

aye Khanna

Ms. Samonte advised that the amendment is good government and supports the change.

Mr. Maher noted that the amendment is common sense.

Mr. Borek noted his support for the amendments and also advised that it makes sense to approve the resolution.

Ms. Geevers commented on her full support for the amendment which will allow for government to function more smoothly.

Mr. Khanna supported the approval of the resolution.

Motion to adopt: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

#### CONSENT AGENDA

#### RESOLUTIONS

2012-R175 Granting the Request from Metropolitan Communications Group for the Release of a Performance Bond Posted for Street Opening Permit No. 2008-18 - Alexander Road (Route 1 Ramp/Roszel Road)

2012-R176 Granting the Request from Metropolitan Communications Group for the Release of a Performance Bond Posted for Street Opening Permit No. 2009-11 - Alexander Road (Roszel Road/Campus Drive)

2012-R177 Granting the Request from Kale's Nursery & Landscape Service for the Release of a Performance Bond Posted for Street Opening Permit No. 2012-07 - 1 Yorktowne Court

2012-R178 Granting the Request from Rocco Lucarelli for the Release of a Performance Bond Posted for Street Opening Permit No. 2011-08 - 45 Galston Drive

2012-R179 Granting the Request from Warren & Sansone Excavating for the Release of a Bond Performance Posted for Street Opening Permit No. 2012-09 - 24 South Lane

MINUTES

June 11, 2012 - Business Session as amended

June 25, 2012 - Closed Session

June 25, 2012 - Work Session as amended

BILLS & CLAIMS

Motion to approve consent agenda: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2012-R180 Authorizing the Appointment of Marlana Schmid as Fund Commissioner for West Windsor Township to Serve on the Mid Jersey Municipal Joint Insurance Fund

2012-R181 Authorizing the Appointment of Janis DiNatale as Affirmative Action Public Agency Compliance Officer for the Township

2012-R182 Authorizing 2013 Municipal Alliance Grant Application for Calendar Year 2013-\$2,870

2012-R183 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Van Cleef Engineering Associates for the North Post Road Sanitary Sewer Rehabilitation -\$22,445

2012-R184 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Van Cleef Engineering Associates for the Reconstruction of Penn Lyle Road - Phase II from Clarksville Road to Canoe Brook Drive-\$14,412

2012-R186 Authorizing the Mayor and Clerk to Execute a Contract with D&D Trenchless Solutions, Inc. for the North Post Road Sanitary Sewer Rehabilitation-\$315,050

2012-R188 Authorizing the Renewal of the 2012-2013 Liquor License Application for the Palmer Inn Restaurant LLC

Motion to approve resolutions 2012-R180 through 2012-R184 and 2012-R186 and 2012-R188: Borek

Second: Samonte

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

2012-R185 Authorizing the Mayor and Clerk to Execute a Contract with Mecco, Inc. for the Penn Lyle Road Reconstruction - Phase II-\$495,109.48

Mr. Maher inquired if the Grant funds were being used for the project and whether the funds would impact the total cost for the reconstruction.

Ms. Schmid advised that the NJDOT Grant funds were used to reduce the total cost for the reconstruction of Penn Lyle Road.

Motion to approve: Borek

Second: Samonte

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

2012-R187 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Parsons Brinckerhoff for the Preparation of Bid Documents, Administration, and Observation Services of the Grover's Mill Dam Repair Construction Project-\$19,856

Mr. Maher inquired about the total cost of the project for the Grover's Mill Dam repair.

Ms. Schmid advised that she will supply this information to Council and that the professional services agreement for Brinckerhoff was just for the preparation of bid documents and administration of service.

Motion to approve: Borek

Second: Geevers

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

INTRODUCTION OF ORDINANCES:

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

Motion to introduce: Borek

Second: Samonte

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

The Public Hearing will be held August 6, 2012.

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

Motion to introduce: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

The Public Hearing will be held on August 6, 2012.

#### COUNCIL REPORTS

Ms. Samonte advised that Planning Board approved the Metro PCS application and the MarketFair re-tenanting project.

Ms. Geevers spoke about the School Board meeting she attended where the discussion of policies was a topic.

#### ADMINISTRATION UPDATES

Mayor Hsueh informed the public that National Night Out was going to be held on August 7, 2012.

Ms. Geevers inquired about the status of locating the missing items that were removed from the Grover House.

Mr. Herbert advised that a formal investigation has been requested. He noted that he will begin interviewing several individuals and will report back to Council by the end of summer.

#### ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, noted his disappointment with the signing of the legislation supporting solar energy. He also spoke about the five-cent increase to the County taxes.

Mr. Paul Eland, 15 Coneflower Lane, suggested that Council and Administration become familiar with deed restrictions that were placed on the Grover Farm. He also advised to review the DEP restrictions that may apply to the property.

Ms. Debbie Hepler, 10 Dean Court, invited any resident to join the Grover Farm Restoration Committee. She explained that politicians answer to the people they serve, and the community should be able to give their opinion whether positive or negative.

ADJOURNMENT

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

The meeting was adjourned at 9:54 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township