

APPROVED AS AMENDED: April 30, 2012

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
March 12, 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 (left at 7:25 p.m.); Business Administrator: Hary; Township Attorney: Herbert Jr.; Chief Financial Officer: Louth; Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

State of the Township Address

Mayor Hsueh noted that he has been in public service since 1985. He spoke about the long-term vision for the Township and highlighted 2011 achievements such as the completion of the Redevelopment Plan for the Transit Village and the associated litigation, renovations to Windsor Plaza, Schenck Farm improvements, and the completion of Rite Aid. Mayor Hsueh spoke about the financial stability of the Township, the budget process, and the AAA Bond rating.

Mayor Hsueh introduced Mr. Richard Snedeker and Mr. Richard Harbourt, and outlined their achievements and volunteerism. He presented each of them with a Proclamation.

President Khanna announced a 15-minute recess of the meeting at 7:25 p.m.

The meeting was resumed at 7:42 p.m.

PUBLIC COMMENT

Ms. Debbie Hepler, 10 Dean Court, spoke about accountability for the costs for the sewer repairs on Wallace Road. She noted her concern about the costs associated with the repairs to the Municipal building.

Mr. Jim Solloway, 5 Monroe Drive, advised Council to push back harder on Administration for budget cuts. He listed several suggestions for reductions.

Mr. John Church, 11 Princeton Place, inquired about the surplus and the fund balance. He also urged a zero increase in the Municipal budget.

Ms. Kim White, 54 Montgomery Street, spoke about being a full service community but not having an Animal Control Officer for the Township.

Mr. Gary Zohn, 42 Hawthorne Drive, suggested having a better plan for the spending of funds for the renovations to the Municipal building.

Mr. Pete Weale, 144 Fisher Place, addressed his comments about the budget, the Mayor's Township Address, and the rising costs within the Township.

COUNCIL MEMBER COMMENTS

Mr. Maher advised that non-property revenue has not increased over the past ten years. He explained that the burden of all the increased municipal budget costs and expenses over the past ten years has been borne by the property taxpayers. Mr. Maher noted that Administration should have been doing a better job increasing non-property tax revenue in line with expenses.

Ms. Geevers commented about the Women in Government breakfast meeting that she had attended. She spoke about the Energy Tax Receipts that are not being received by the Township.

Ms. Samonte noted that information about the Municipal budget can be obtained through Mr. Hary in Administration.

CONSENT AGENDA

RESOLUTIONS

2012-R074 Refund of Overpaid Property Taxes

2012-R075 Refund of Overpaid Sewer Rent

MINUTES

January 30, 2012 - Business Session

BILLS & CLAIMS

Ms. Geevers inquired about the legal bill for Mr. Muller that was pulled from payment at the last Business meeting.

Mr. Hary noted that he would check into the matter and advise Ms. Geevers.

Mr. Maher inquired about the sewer repair invoices which are being submitted to the Township for payment. He requested that the details of the services performed by the vendor be available for review and substantiation.

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-R076 Authorizing the Mayor and Clerk to Execute an Amendment to the Professional Services Agreement with Secare, Ryan & Hansel for Special Counsel-\$10,000

Mr. Maher asked when the litigation will come to an end because it cannot continue to burden the taxpayers. He inquired about the adoption of an ordinance brought forward by Mr. Morgan to end the litigation.

Mr. Hary advised that Mr. Hensel has filed a frivolous lawsuit claim against Mr. Morgan for reimbursement of litigation costs. He brought Council up to date on the status of the litigation brought forward by Mr. Morgan against Mayor Hsueh.

Mr. Herbert advised that the Attorney must defend the Mayor's interests and noted that Administration followed proper protocol.

Motion to approve: Borek

Second: Samonte

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

2012-R077 Authorizing the Mayor and Clerk to Execute an Extension of a Contract with Greenleaf Landscape Systems and Services, Inc. for 2012 Public Lands Landscape-Cul de Sac Islands and Street Trees Maintenance and Replacement-\$89,700

Mr. Maher asked whether the Department of Public Works could provide these services.

Mr. Hary advised that time and resources are not available.

Motion to approve: Borek

Second: Samonte

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

2012-R078 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Redmond-Jones & Associates for the Concept and Design Development of the Environmental Education Exhibition Project at the Schenck Barn and Zaitz Park Preserve-\$7,500

Ms. Geevers noted that the funds for the project costs were coming out of the recreation line item and explained that she understood the costs were supposed to come out of a grant from the developer of the "Elements".

Mr. Hary explained that the grant must be incorporated into the budget this year and the funds will be available upon the adoption of the Capital budget.

Mr. Maher inquired about the \$5,000 cost listed for corresponding documentation.

Mr. Hary commented that the \$5,000 was for a previous cost for the Schenck farmstead.

Motion to approve: Borek

Second: Samonte

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

2012-R079 Endorsing the Submission of the 2011 Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Designate Vickie Felix, Certified Municipal Recycling Coordinator for Proper Filing of Application

2012-R080 Approving the Application for the New Retail Consumption License Application and Awarding the License to MarketFair Holdings LLC

Motion to approve resolutions 2012-R079 and 2012-R080: Maher

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

#### DISCUSSION TOPICS

##### Municipal Budget

Ms. Louth advised that the budget process is statutory and reviewed every three years by the Department of Community Affairs. She noted that DCA had approved the budget documents and gave the Township consent to move forward with the adoption.

Ms. Louth explained the purpose of the fund balance and how it can be utilized under certain conditions. She spoke about the reserve for uncollected taxes and outlined areas where revenues have both increased and decreased. Ms. Louth commented on the Township reaching full build-out and preserving the bond rating. She spoke strongly about the budget not relying on revenues that dissipate. Ms. Louth noted that there is a reduction in assessed value of property, and outlined the difference between the tax levy and tax rate and how each is calculated.

Ms. Samonte prepared a revenue analysis for the past few years and reviewed the numbers with Council, and addressed questions to the Administration. She inquired about the line item decreases in revenues.

Ms. Louth advised that Administration cannot anticipate revenues that have not been realized in previous years. She reviewed decreases in "Other Licenses", "Interest on Revenues", "Sewer Connection Fees", and "Uniform Construction Code Fees".

Mr. Maher spoke about how he reviewed the budget and was able to reduce miscellaneous costs by over \$169,000 without reducing manpower. He inquired about how Administration calculates revenue projections when actual revenues have far exceeded anticipated revenues. Mr. Maher reviewed the revenue numbers and urged Ms. Louth to increase the anticipated revenues because they are underestimated. He also advised that the funds from the sale of the liquor license should not all be used for renovations to the Municipal Building. Mr. Maher outlined three suggestions that would create a tax reduction.

Mr. Hary recommended the use of the funds received from the sale of the liquor license for Capital projects.

Mr. Maher spoke about a compromise by using only half of the funds received from the sale of the liquor license and use the other half to reduce taxes.

Mr. Borek inquired about the costs for fire hydrants and water utilization and asked how these fees are calculated.

Ms. Louth advised that it would be better for the Engineering Division to answer this question because of the Division's expertise.

Ms. Geevers wanted know what the dollar amount is that would reduce the budget to a zero percent increase.

Mr. Hary advised that it is approximately \$463,000.00.

Ms. Louth reviewed the projects where revenues have already been received in 2011. She explained that the fees have been received but the projects will continue for approximately the next five years.

Discussion ensued regarding the use of the fund balance and the Township's bond rating, the use of the funds from the sale of the liquor license, and the increase of anticipated revenues for 2012.

President Khanna summarized Council's three goals to create cost savings for the budget:

- Reduction of miscellaneous costs
- Increase of anticipated revenues for the Uniform Construction Code Fees
- Utilization of revenue from the sale of the liquor license to reduce the tax rate

Ms. Louth spoke about the fluctuation of costs in the snow budget.

Mr. Maher inquired about the revenue from the sewer rent charges.

Ms. Louth explained how the sewer rate is calculated and spoke about where the funds came from to pay for the sewer repairs to Wallace Road.

Mr. Maher asked if the Township will get back the balance of the costs to repair the sewer once the Capital budget has been adopted.

Mr. Hary agreed that the balance of the costs will be recouped from the Capital budget.

Mr. Maher inquired about the change in pension costs and attempting to get the residents a tax break for 2012.

Mr. Hary provided an update about the Post Office facility lease. He noted that they were willing to negotiate terms to stay in the building. Mr. Hary spoke about shared space in the facility for several Township departments. He outlined his strategies for Municipal office space.

Discussion ensued about what the next steps will be in the budget process and setting up additional budget meetings.

Mr. Maher will provide his proposals for budget reduction to Council and Administration.

COUNCIL REPORTS

Ms. Samonte noted that the Planning Board reviewed the ordinance from DEP that defines the area around water sources to keep them from being polluted.

Mr. Borek spoke about issues surrounding the Open Public Records law. He asked Council members to reach out to Senator Turner to advise her of their concerns. Mr. Borek also recommended a disclosure clause be added to all emails and potential mailing lists.

Ms. Geevers advised that the DCA approved the Affordable Housing Spending Plan for the Township. She also reviewed housing statistics. Ms. Geevers noted that the School Board is continuing to hold meetings to discuss budget concerns and revenues.

President Khanna noted that the Environmental Commission used grant funds for design work to be done at the Schenck Farmstead.

ADMINISTRATION UPDATES

Mr. Hary advised Council of the following:

- Temporary budget resolution will be presented at the March 26<sup>th</sup> Business Session
- Discussion continues to resolve the Fire Fighters Union contract
- New video screen in the Council Chambers for PowerPoint presentations

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, offered suggestions for budget reduction and asked for further data regarding the fund balance

Mr. Pete Weal, 144 Fisher Place, spoke about cost savings and suggested several shared services opportunities.

Ms. Alison Miller, 41 Windsor Drive, recommended moving the podium back to its original location. She also spoke about the ordinance brought forward by Mr. Morgan that would have ended the litigation. Ms. Miller suggested that Council reconsider the ordinance for adoption.

Mr. Jim Solloway, 5 Monroe Drive, agreed with Mr. Maher's suggestions for budget reductions.

ADJOURNMENT

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

The meeting was adjourned at 10:12 p.m.

---

Sharon L. Young  
Township Clerk  
West Windsor Township