

APPROVED AS AMENDED: November 2012

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
October 1, 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.; Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

Presentation by Police Division - Massage, Bodywork and Somatic Therapy Ordinance

Chief Pica and Detective Mark Lee advised that the ordinance will regulate massage parlors and each establishment must be licensed along with each therapist.

Chief Pica explained that the ordinance holds the owner of the establishment responsible and recommended that the Council introduce the ordinance.

Ms. Samonte noted that enforcement of the businesses will not discourage legitimate establishments in town.

Mr. Borek thanked the Police Division for their work in the ordinance creation.

Mr. Maher advised that the Police Division did a great job in dealing with this issue and the ordinance should put the problem to rest.

Ms. Geevers noted that the ordinance was a great piece of legislation.

INTRODUCTION OF ORDINANCE

2012-15     AN ORDINANCE AMENDING AND SUPPLEMENTING PART II  
"GENERAL LEGISLATION" OF THE REVISED GENERAL  
ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY  
(1999) BY CREATING A NEW CHAPTER 109 ENTITLED  
"MASSAGE, BODYWORK AND SOMATIC THERAPY  
ESTABLISHMENTS", IN ORDER TO PROVIDE REGISTRATION  
REQUIREMENTS FOR SAID ESTABLISHMENTS; AND CHAPTER 82  
"FEES" ADDING NEW SECTION 82-24 "MASSAGE, BODYWORK AND  
SOMATIC THERAPY ESTABLISHMENT APPLICATION FEES"

Motion to introduce: Borek

Second: Samonte

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

The Public Hearing will be held on October 15, 2012.

President Khanna asked to have a resolution added to the agenda regarding the Route One Pilot Program.

Council agreed to add resolution 2012-R228 to the agenda.

2012-R228     Calling upon the New Jersey Department of  
Transportation to End the Route 1 Left turn Trial at  
the Intersections of Washington Road and Harrison and  
Return each Intersection to its Previous Alignment

President Khanna noted that the resolution gives the residents a voice on ending the Pilot Program.

Ms. Schmid provided an update from the Police Division. She advised that problems continue to exist especially with motorists who are lost. Ms. Schmid explained that NJDOT has made signal adjustments, and they are tracking the program. She affirmed that this Pilot is not a long-range plan, and she was attempting to get reimbursed from the State for the overtime the Police have had to work because of the project.

Chief Pica spoke about the NJDOT Commissioner visiting him to address the issues plaguing the Penns Neck area.

Mr. Maher addressed questions to Chief Pica and Ms. Schmid. He asked for data from NJDOT that justifies the changes on Route One.

Mr. Borek suggested sending a letter to Governor Christie and invite him to a Town Hall meeting to discuss the matter. He also recommended inviting key stakeholders to the meeting.

Ms. Geevers advised that long-term solutions need to be discussed with NJDOT.

Ms. Schmid noted that this type of discussion has been had with NJDOT, and advised that the Mayor's Coalition have also reviewed the issue. She urged NJDOT to analyse the east/west traffic at the intersections.

Mr. Maher voiced concern that West Windsor and Princeton are the municipalities that are being affected by the Pilot Program.

Chief Pica spoke about the barrels and signage being removed after the project comes to an end.

Mr. Herbert advised that he will begin writing a letter to the Governor for the Council to review.

Motion to approve: Geevers

Second: Borek

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

Grover Farmstead Restoration Committee Update

Mr. Herbert advised that the Township is moving ahead with a local investigation because he was informed that the Attorney General's Office was not involved in the matter.

Detective Mark Lee informed Council that he was handling the ongoing investigation to explore possible criminal activity at the Grover Farmstead. He noted that there is no timetable and reports will be timely filed.

Discussion ensued over moving forward with the restoration of the house.

Mr. Maher asked for the Committee to prepare a business plan in addition to a strategy for repairing the house.

Ms. Samonte advised that the Council should not discuss costs until the Grover Farm Restoration Committee submits their report.

PUBLIC COMMENT

Mr. Mike Hornsby, 978 Alexander Road, urged approval of the resolutions endorsing energy efficient programs. He spoke about both resolutions 2012-R226 and 2012-R227

Mr. Paul Eland, 15 Coneflower Lane, suggested that Council focus on the open space program and request a business plan for the Grover Farmstead.

Ms. Alison Miller, 41 Windsor Drive, advised that the data for the Pilot Program on Route One is needed to make an informed decision. She agrees with writing the letter to the Governor.

Mr. Brandon Goldberg, 12134 Taylor Court, thanked Council for passing the Route One resolution 2012-R228.

Mr. John Church, 11 Princeton Place, spoke about several issues and further explained his concerns with the cost for the fire hydrants and the map that is related to their location.

Ms. Sharon Sibilia, 217 Washington Road, thanked Council for approving Resolution 2012-R228 and thanked the Police Division for their traffic enforcement.

Ms. Susan Parris, 207 Washington Road, advised Council of the website with the petition to reopen the Route One jug-handles.

Mr. Guy Pierson, 241 Fisher Place, spoke about idling trucks and the pollution they create. He also addressed other concerns.

Ms. Holly Kelemen, 25 Old Bear Brook Road, distributed documents regarding Project Freedom that is being proposed to be built near her property.

Mr. Eric Payne, 237 Washington Road, urged the residents to sign the petition that was on the website. He also inquired about accident data at the Route One intersections kept by the Township Police Division.

Mr. Jim Moeller, 201 Varsity Avenue, supports "Home Rule" and urges the community to be proactive and work together across the community.

Ms. Janet Mariano, 384 South Post Road, thanked Council for their support regarding the MCCC Solar Fields litigation.

Ms. Ina Marx, 101 Claridge Court, spoke about the historical significance of the Schenck Farmstead.

Mr. Pete Weale, 241 Fisher Place, addressed many issues of concern including the Grover Farmstead.

Ms. Debbie Hepler, 10 Dean Court, advised that the Grover Farmstead Restoration Committee has asked to extend their deadline for gathering data to present to Council. She also spoke about the lack of an Animal Control Officer for the Township.

Ms. Janet Lerner, 67 Rainflower Lane, suggested that guidelines be created to control public comment.

Mr. Andy Bromberg, 24 Providence Drive, suggested the need for more diplomacy during Council meetings.

MAYOR/ADMINISTRATOR COMMENTS

Ms. Schmid advised Council of resurfacing work being done on Old Trenton Road.

COUNCIL MEMBER COMMENTS

Mr. Maher noted his approval of the Penn Lyle Road reconstruction. He supports the petition being circulated to end the Route One project and addressed public comment issues as it relates to politically motivated comments.

Ms. Samonte spoke of her support for the resolution passed by Council calling for an end to the Route One left turn trial. She noted that the resolution was detailed and extensive.

Ms. Geevers inquired about the status of the plans for the MCCC Solar Field project.

Ms. Schmid updated Council on the status of the plans for the Solar Field and spoke about the lack of potential to recover the inspection fees for the project.

CHAIR/CLERK COMMENTS

President Khanna thanked the Penns Neck residents for their level of participation. He spoke about not being abusive during the public comment portion of the meeting.

CONSENT AGENDA

RESOLUTIONS

2012-R219 Refund of Overpaid Property Taxes

MINUTES

August 20, 2012 - Business Session

BILLS & CLAIMS

Motion to approve the consent agenda: Borek

Second: Samonte

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

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2012-R220 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Mason, Griffin & Pierson for Legal Services

Mr. Maher noted his concerns with the adoption of the agreement.

Motion to approve: Borek

Second: Samonte

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

2012-R221 Authorizing the Reappointment of Eric. B. Labaska of Frenkel Benefits, LLC of Jersey City, New Jersey for Health Insurance Benefits Consultant Services through October 23, 2013 -\$45,000

2012-R222 Authorizing the Mayor and Clerk to Execute an Agreement with Metro Employee Assistance Service (MEAS) for Employee Assistance Program Services through September 30, 2013-\$3,600

2012-R223 Authorizing the Reimbursement of Snow Removal Costs for 2011 to The Village Grande at Bear Creek Homeowners Association-\$11,019.64

2012-R224 Authorizing the Reimbursement of Solid Waste  
Collection Services for 2011 to Avalon Watch  
Communities, Inc., Windsor Woods Luxury Apartments and  
The Mews at Princeton Junction for 2011-\$261,212.58

2012-R225 Authorizing Execution of Change Order No.1 with Ground  
Force Inc. for supplemental quantities adjustment for  
the Project known as 2011-2012 Public Lands  
Maintenance-Turfgrass and Stormwater Detention Basin  
Maintenance - \$15,500

2012-R226 Approving the Submission of an Application for  
Participation in the Local Government Energy Audit  
Program of the New Jersey Board of Public Utilities

2012-R227 Endorsing the Environmental Commission to Work with  
Rutgers Center for Green Building to Develop Programs  
to Assist West Windsor Commercial Building Owners and  
Managers in the Development of Energy Efficiency  
Initiatives for their Buildings

Motion to approve Resolutions 2012-R221 through 2012-R227: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

INTRODUCTION OF ORDINANCES

2012-16 AN ORDINANCE AUTHORIZING THE ACQUISITION OF A  
PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY  
CONSTRUCTION EASEMENT ON PROPERTY OWNED BY LORETTA R.  
AND JAMES APPLIGATE LOCATED ON BLOCK 10, LOT 16-#163  
Clarksville Road - \$3,302.00

Motion to introduce: Borek  
Second: Samonte  
RCV: aye Borek  
aye Geevers  
aye Maher  
aye Samonte  
aye Khanna

The Public Hearing will be held on October 15, 2012.

COUNCIL REPORTS

Mr. Maher advised that he will not be present at the next Zoning Board meeting and inquired about a postponement.

ADDITIONAL PUBLIC COMMENT

Mr. Guy Pierson, 241 Fisher Place, commented on how well written resolution 2012-R228 is and suggested that MCCC place their solar panels over the top of their parking areas versus using open space.

Mr. Alvin Lerner, 67 Rainflower Lane, recommended sending a letter to the Governor with regard to the Route One Pilot Program.

CLOSED SESSION

Motion to go into closed session at 9:05 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 various litigation cases.

MEETING RECONVENED

Meeting reconvened at 9:21 p.m.

ADJOURNMENT

Motion to adjourn: Borek

Second: Geever

VV: All approved

The meeting was adjourned at 9:21 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township