

APPROVED AS AMENDED: December 10, 2012

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
October 15, 2012

CALL TO ORDER: President Khanna called the meeting to order at 6:30 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. Closed Session was noticed on October 9, 2012 for the purpose of receiving an update on all the Township litigation.

ATTENDEES: President: Khanna; Vice President: Geevers; Council Members: Borek, Maher, Samonte; Mayor: Hsueh (arrived at 7:00 p.m. and left at 7:38 p.m.); Business Administrator: Schmid; Township Attorney: Herbert Jr.; Township Clerk: Young

CLOSED SESSION

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

Second: Samonte

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 purpose of providing an update on all the outstanding Township litigation.

Meeting reconvened at: 6:58 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Ms. Tamerra Moeller, 201 Varsity Ave., thanked West Windsor's government representatives for helping residents eliminate the closure of the jughandles on Route 1.

Mr. Eric Payne, 237 Washington Road, thanked the Mayor and Council for their coordinated efforts to end the Route One Pilot Program.

Mr. David Parris, 207 Washington Road, noted that he is pleased with the outcome of the Pilot Program and grateful to the West Windsor Police Division for all their efforts.

Mr. Jonathan Word, 16 Eastern Drive, spoke about the Township's open space and the costs to the budget for the maintenance of the land.

Ms. Debbie Hepler, 10 Dean Court, addressed the Mayor with several outstanding concerns including the need for GPS tracking systems on Township vehicles.

Mr. Alvin Lerner, 67 Rainflower Lane, discussed the striping and resurfacing being done on Route 535.

Mr. Jim Moeller, 201 Varsity Avenue, thanked Council for their assistance in eliminating the Pilot Program on Route One. He spoke of the ability for the residents and the Township government to work together.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh thanked DOT Commissioner Simpson for his assistance in discontinuing the Route One Pilot Program. He thanked the Smart Traffic Solutions Group for their efforts too. Mayor Hsueh spoke about working together to achieve a common goal.

COUNCIL MEMBER COMMENTS

Mr. Maher spoke about the need for certain Township financials that should be made readily available to the public. He addressed excess cost for the Township fire hydrants, open space maintenance, and sidewalk repair.

Ms. Samonte thanked the residents involved in Smart Traffic Solutions for their efforts. She advised that she will work with Ms. Schmid to get answers for the residents regarding open space tax funds and maintenance costs.

Mr. Borek affirmed that the Penns Neck residents are true champions. He spoke about considering additional alternatives to resolve the Route One traffic problems.

Ms. Geevers spoke about the Township and the residents getting organized, collecting data and getting the attention of the State to discontinue the Pilot Program. She urged continued efforts to get State officials to observe the traffic problems on Route One. Ms. Geevers asked for actual expenditures and appropriations that the Pilot Program cost the Township.

CHAIR/CLERK COMMENTS

President Khanna advised that agenda meetings will be scheduled to discuss key issues including the budget. He congratulated the Penns Neck residents on their perseverance to resolve the Route One traffic issue.

Ms. Young advised that the last date to register to vote in the General Election is Tuesday, October 16, 2012.

PUBLIC HEARING

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"

President Khanna opened the public hearing.

Chief Pica gave a brief review of the ordinance and why the Police Division initiated the addition to the Township Code.

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

Chief Pica advised that the Police Division has established a prescription drug drop-off at the Police headquarters. He explained that unwanted prescriptions can be dropped off in their existing container.

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 APPLGATE LOCATED ON BLOCK 10, LOT 16-#163  
Clarksville Road - \$3,302.00

President Khanna opened the public hearing.

Motion to close public hearing: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

Motion to adopt: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

CONSENT AGENDA

RESOLUTIONS

2012-R229     Providing for the Insertion of the State of New  
Jersey Division of Law and Public Safety-Drunk  
Driving Enforcement Fund in the 2012 Budget-  
\$20,224.27

2012-R230     Providing for the Insertion of the State of New  
Jersey Division of Criminal Justice Body Armor Fund  
in the 2012 Budget-\$4,504.75

2012-R231     Granting Release of Performance Bond Posted with  
Street Opening Permit No. 2012-16 - 19 Indian Run  
Road

MINUTES

September 4, 2012 - Business Session  
September 4, 2012 - Closed Session  
September 11, 2012 - Closed Session

BILLS & CLAIMS

Motion to approve consent agenda: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher, abstained from voting on his reimbursement  
voucher

aye Samonte

aye Khanna

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2012-R232 Authorizing a Retention Agreement with FTI Consulting, Inc. for Neutral Services under ADR Process Order-Docket No. MER-L-864-11 Superior Court of NJ, Mercer County, Law Division-\$3,000.00

2012-R234 Authorizing the Mayor and Clerk to Execute a Shared Services Agreement with the Mercer County Improvement Authority for Curbside Recycling Services-\$220,909.00

Motion to approve Resolutions 2012-R232 and 2012-R234: Geevers

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

2012-R233 Authorizing the Mayor and Clerk to Execute a Contract with M.N.C. General Contracting, Inc. for the 2012 Sidewalk Repair Program-\$137,326.00

Mr. Maher asked for a commitment from Administration that street tree planting would be more thoroughly considered to avoid future sidewalk repairs and reduce Township costs.

Motion to approve: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

2012-R235 Authorizing Utilization of the Rock Salt Bid Submitted by Atlantic Salt Inc., to the Mercer County Cooperative Contract Pricing System CK09-MERCER-\$81,700.00

Mr. Maher noted that Council approved the purchase of rock salt in February of this year. He advised that there has been little snowfall since February and inquired why an additional purchase would need to be made. Mr. Maher asked how much rock salt remained in the salt dome.

Ms. Schmid explained that this resolution was a commitment to use the vendor and cooperative contract pricing and not to make the purchase at this time.

Mr. Maher asked for more rational financial solutions for the purchase and internal control at Public Works. He addressed several questions and asked for the Public Works Manager to attend a meeting to address Council concerns.

Ms. Schmid agreed to Mr. Maher's request and asked that the resolution be deferred until the next Business Session.

2012-R236 Authorizing a Second One-Year Extension of Contract with Scheideler Excavating Co. Inc. for Snow Removal Services for the Period November 1, 2012 through October 31, 2013-\$80,000.00

Mr. Maher asked for better financial tracking and safeguards to monitor the invoices received versus the work that has been done. He also advised that in the future this contract should go out to bid.

Ms. Samonte advised that there are internal controls and safeguards because she cross-referenced the invoice received from the vendor. She urged this contract go out to bid next year or have Public Works consider taking on the additional responsibility if it would provide a cost savings for the Township.

Mr. Maher explained that the contract must go out to bid mid-year for more opportunity and accountability.

Motion to approve: Borek

Second: Samonte

RCV: aye Borek

aye Geevers

NAY Maher

NAY Samonte

aye Khanna

#### INTRODUCTION OF ORDINANCES

2012-17     AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) BY MODIFYING THE SIGN REGULATION

Motion to introduce: Borek

Second: Khanna

Mr. Maher informed Council that the realtors are taking advantage of the Township and recommends that real estate signs should be allowed to be posted only on Saturdays and Sundays. He advised that the twenty-four month commercial sign policy is not being enforced. Mr. Maher recommended that this policy be reduced to twelve months with a potential option for an additional six months upon request.

Ms. Samonte encouraged each member of Council to inform Planning Board of their views concerning the sign ordinance.

Ms. Geevers advised that a memo was addressed to Council from the Planning Board members with their suggestions.

Mr. Herbert explained that Planning Board will make their recommendations and provide them to Council for consideration. He noted that the Council can override recommendations of Planning Board.

Council decided to defer the ordinance for further consideration

2012-18     AN ORDINANCE AMENDING CHAPTER 168 "TRAFFIC AND PARKING", ARTICLE VI "PARKING AUTHORITY PROPERTY", SECTION 168-41 "PERMIT PARKING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR

Motion to approve: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Maher

aye Samonte

aye Khanna

The Public Hearing will be held on October 29, 2012.

DISCUSSION TOPICS

CY 2012/SFY 2013 Best Practices Inventory

Ms. Schmid advised Council that discussion and review of the Best Practice Inventory will be held this evening. She noted that Administration and the Finance Division composed the Inventory.

Ms. Samonte suggested that Council be provided with quarterly budget briefs.

Ms. Geevers suggested that there be better tracking of the various municipal budget line items.

Mr. Maher addressed several concerns and inquired about question number twenty-nine on the Inventory. He reiterated that quarterly budget statements have never been provided to Council.

Ms. Schmid advised that the budget information is reviewed quarterly with Administration.

Ms. Geevers requested that the Chief Financial Officer come before Council quarterly to provide a budget update.

Mr. Maher asked to have the Best Practices Inventory discussion deferred until the October 29<sup>th</sup> Business Session.

Ms. Schmid and the other Council members agreed.

#### COUNCIL REPORTS

Mr. Maher advised that there was discussion about the Valero gas station and mini-market at the recent Zoning Board meeting.

Ms. Geevers noted that the School Board is considering the expansion of the Village School. She requested an extension until November 26<sup>th</sup> Business Session for continued discussions regarding the Grover Farm restoration project.

#### ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, spoke about parliamentary procedures used for the proposed introduction of the sign ordinance. He provided Council with an update of the fire hydrant issues and noted concerns about the purchase of rock salt.

Ms. Debbie Hepler, 10 Dean Court, noted that the Mayor was not in attendance to answer her questions. She addressed her concerns with the snow removal contract.

Mr. Herbert advised that under the West Windsor form of government, the Mayor is not required to attend Council meetings.

Mr. Andy Bromberg, 24 Providence Drive, complimented the Council and Administration on their achievement in working as a team.

Mr. Alvin Lerner, 67 Rainflower Lane, spoke about the problem of tree roots uprooting the sidewalks. He suggested that the Township use root guards to prevent this from happening.

ADJOURNMENT

Motion to adjourn: Borek

Second: Samonte

VV: All approved

The meeting was adjourned at 8:50 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township