

APPROVED: June 24, 2013

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
April 29, 2013

CALL TO ORDER: President Borek called the meeting to order at 6:00 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 8, 2013. Closed Session was noticed on April 16, 2013 to the Princeton Packet and the Trenton Times.

ATTENDEES: President: Borek; Vice President: Samonte; Council Members: Geevers, Khanna, Maher; Mayor: Hsueh; Business Administrator: Schmid; Township Attorney: Herbert Jr.; Labor Attorney: Ruderman (left 7:04 p.m.); Township Engineer: Guzik; Deputy Township Clerk: Huber

CLOSED SESSION

Motion to go into closed session at 6:02 p.m.: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Ms. Huber 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 Collective Bargaining Contract Negotiations.

MEETING RECONVENED

Meeting reconvened at 7:04 p.m.

SALUTE TO THE FLAG

Ms. Huber led the salute to the flag.

President Borek recommended placing the Grover Farmstead Restoration Committee Report for discussion on the agenda for the May 13, 2013 meeting.

Ms. Geevers inquired whether Administration has changed their opinion on the matter.

Mr. Maher advised that he will not be at the Council meeting of May 28<sup>th</sup>. He inquired about who would oversee the project if Council approved moving forward with the restoration.

President Borek noted that Administration would oversee the project.

Ms. Geevers advised that written estimates are needed in order to move forward with the project.

Discussion on the Grover Farmstead Restoration Committee report will be scheduled for May 13 meeting.

PUBLIC COMMENT

Ms. Mary Beth Kitson, 15 Morningside Drive, Trenton, announced that on June 8<sup>th</sup> and 9<sup>th</sup> at Mercer County Park the Relay for Life Cancer Walk is scheduled. She encouraged everyone to attend.

Mr. John Church, 11 Princeton Place, voiced his concern about Resolution 2013-R106 allocating capital funds for litigation. He noted his support for Resolution 2013-R110 the Memorandum of Understanding with Twin "W" First Aid Squad. Mr. Church advised that he has contacted the New Jersey Department of Environmental Protection and no prior approval is needed to rent the Grover House to a caretaker.

Ms. Teresa Lourenco, 408 South Post Road, voiced her frustration over the lack of communication from all entities involved with the solar farm project at Mercer County Community College. She reviewed a list of problems and concerns that she and her neighbors are experiencing and asked for assistance in having them rectified.

Ms. Debbie Hepler, 10 Dean Court, remarked that she feels it is a conflict of interest if Mr. Kevin Appelget becomes a running mate with the Mayor. She noted that Mr. Borek contacted the Chair of the Grover Farmstead Restoration Committee regarding her statements at meetings and implied that it would not help the committee's cause if she continued to speak on this matter. Ms. Hepler announced that she will be running for Council on Richard Visovsky's slate.

Mr. Al Lerner, 67 Rainflower Lane, voiced his concern regarding the tax appeal article in the Trenton Times and how it might affect West Windsor.

Mr. Pete Weale, 144 Fisher Place, voiced several concerns he has regarding the PBA leasing the property on North Post Road. He also inquired about the possibility of the relocation of the utility pole on Route 571 near the Alexander Road intersection, and inquired why the County did not install additional sidewalks on Washington Road.

#### MAYOR/ADMINISTRATOR COMMENTS

Ms. Schmid provided an update on the information the Township received from the various County offices regarding the solar farm and advised that the information has been shared with Ms. Lourenco and Ms. Stoddard. She noted that the Township has been informed that the County will be sharing the proposed landscape

plan with the Township for review and a meeting will be scheduled with the residents to review the plan.

Ms. Lourenco again addressed several concerns the neighbors have.

Ms. Schmid noted that the neighbors' concerns have been shared with the MCIA and that she will follow up and let Ms. Lourenco and the other neighbors know when the landscape plan is ready for review.

Ms. Lourenco requested an evening meeting be scheduled.

Mayor Hsueh noted he will work with the County, Ms. Lourenco, and her neighbors.

Mr. Herbert advised that he will contact Ms. Lourenco with information regarding shielding being placed on lighting at the park and College.

Mr. Maher suggested that the residents voice their concerns at the Board of Chosen Freeholders meetings.

President Borek suggested Council members attend the meetings with the residents.

Mayor Hsueh advised that property tax appeals in West Windsor Township are not a severe problem at this time.

Ms. Schmid reported that the Township's Dumpster Day was a huge success with 504 participants this year. She noted that the next Dumpster Day is scheduled for September 14, 2013. Ms. Schmid advised that part of the funding to conduct this service is provided through the Clean Community Grant Program.

COUNCIL MEMBER COMMENTS

Mr. Maher addressed Mr. Lerner's point with regard to the assessment process. He noted that at the last meeting he addressed questions regarding the budgeted amount for Britton Industries. Mr. Maher advised that he received a memo today explaining the funding for this line item. Mr. Maher also informed Council that Plainsboro Township increased their Uniform Construction Code (UCC) fees to over a million dollars this year.

Mr. Khanna thanked all the department heads for their budget presentations. He requested that Administration give frequent updates on the budget throughout the year.

Ms. Geevers advised that she called the Local Finance Board and was told for the second year that Council does not have to introduce the budget prior to discussion. She noted her disappointment that only one line item was reduced. Ms. Geevers requested actual numbers be part of the Mayor's budget for next year's presentation to the Council. She thanked the Shade Tree Committee for their assistance in the Arbor Day celebration and reported that the current Superintendent of Schools Ms. Kniewel will be leaving as of June 30<sup>th</sup> and that Dr. Aderhold has been chosen as her replacement.

Ms. Samonte thanked the Boy Scouts and other volunteers for their assistance in the Arbor Day Celebration. She noted that she will continue to pursue quarterly budget reports from Administration.

Mayor Hsueh thanked the members of Friends of West Windsor Open Space for their contributions to the Arbor Day Celebration.

CHAIR/CLERK COMMENTS

President Borek thanked Boy Scout Pack 66 for cleaning up the Ron Rogers Arboretum and surrounding trails. He addressed Mr. Church's inquiry regarding Resolution 2013-R110. President Borek addressed First Amendment Rights and noted that courtesy to others should be considered. He noted that the Township needs and appreciates its volunteers.

President Borek announced that on May 27<sup>th</sup> the Township will hold the Annual Memorial Day Parade and Ceremony starting at 11:00 a.m.

Deputy Clerk Huber announced that starting May 1, 2013 candidate packets for Mayor and Council will be available in the Clerk's Office.

PUBLIC HEARING

2013-07     AN ORDINANCE AUTHORIZING EXECUTION OF  
A LEASE OF LANDS BETWEEN THE POLICEMEN'S BENEVOLENT  
ASSOCIATION LOCAL 271 AND THE TOWNSHIP OF WEST WINDSOR  
FOR THE LANDS AND BUILDINGS COMMONLY KNOWN AS 367  
NORTH POST ROAD, BLOCK 10, LOT 7, WEST WINDSOR, NEW  
JERSEY

President Borek opened the public hearing.

Mr. John Church, 11 Princeton Place, voiced his concerns regarding the possibility of unregistered cars at the facility.

Mr. Pete Weale, 144 Fisher Place, inquired why this parcel was not put out to bid. He noted there are better uses for the property.

Mr. Herbert advised that an amendment was made to reduce the time to terminate the lease from one year to ninety days.

Mr. Frank Bal, 14 Sanford Place, past President of the PBA, advised that the PBA has a landscaper that comes in twice a year to clean up the property, and that the PBA has insurance on the property. He noted that the West Windsor PBA is fortunate to only have to pay \$1.00 per year for rent so that the remaining funds can be used for programs for West Windsor children. Mr. Bal advised that if anyone needs information regarding the PBA they can contact him so that they have the correct facts.

Motion to close public hearing: Samonte

Second: Khanna

aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Motion to adopt as amended: Samonte

Second: Geevers

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

#### CONSENT AGENDA

#### RESOLUTIONS

2013-R101 Refund of Overpaid Property Taxes

2013-R102 Refund of Balance of Escrow for Development Plan  
Review Project

2013-R103 Authorizing the Mayor and Clerk to Execute an Easement  
Modification Agreement - 4 Finch Court

2013-R104 Granting the Release of Bond Posted by John Fields for  
Street Opening Permit No. 2013-04 at 137 South Mill  
Road

#### MINUTES

March 18, 2013 - Business Session

March 22, 2013 - Closed Session

March 22, 2013 - Budget Work Session #3

April 2, 2013 - Closed Session #1

April 2, 2013 - Closed Session #2

BILLS & CLAIMS

Mr. Maher requested that checks #50013 and #50069 be pulled from the bills and claims.

Motion to approve consent agenda as amended: Samonte

Second: Khanna

aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

ITEMS REMOVED FROM THE CONSENT AGENDA:

Motion to approve for payment checks #50013 and #50069 pending receipt of proper paperwork per PBA contract: Maher

Second: Khanna

aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2013-R098 Authorizing the Mayor and Clerk to Execute an Amendment to the Professional Services Agreement with ACT Engineers for the Alexander Road Improvements and the Old Bear Brook Road Closure - \$30,200

Mr. Guzik gave a brief update and advised Council that according to ACT Engineers only three utility poles will need to be relocated. He advised that PSE&G needs updated plans in order to move the project forward.

Council addressed several questions and concerns to Mr. Guzik which he addressed.

Ms. Samonte advised that the new parking lot will greatly reduce the waiting list for West Windsor residents.

Mr. Maher suggested that the cost burden be shared between the Township and PSE&G for the relocation of the three poles.

Mr. Guzik advised that the funding for the relocation of the utility poles will come from the Township's Transportation Improvement District (TID) account.

Motion to approve: Samonte

Second: Khanna

aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R105 Approving the Appointment of Alfred B. Vuocolo, Jr. as an Alternate III/Substitute Township Prosecutor through December 31, 2013

2013-R107 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Nassau Animal Hospital for Veterinarian Services - \$8,000

2013-R108 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Weber's Training School for Boarding and Care of Stray Animals - \$10,000

2013-R109 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Remington & Vernick Engineers for Bicycle/Pedestrian Improvement Project - Edinburg Road - \$5,000

2013-R110 Authorizing the Mayor and Director of Division of Fire and Emergency Services to Execute a Memorandum of Understanding Between the Township of West Windsor and Twin W First Aid Squad

Motion to approve resolutions 2013-R105, 2013-R107 through 2013-R110: Samonte

Second: Khanna

aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R106 Authorizing an Amendment to the 2013 Capital Budget to Include Funding for the Settlement of Litigation

Ms. Geevers questioned why these litigation funds were coming out of the Capital budget instead of litigation budget.

Ms. Schmid addressed Council's concerns, and advised that Bond Counsel had advised that the use of capital funds was appropriate for this purpose.

Discussion ensued between Council members on how to proceed.

Motion to approve: Khanna

Second: Samonte

RCV aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

INTRODUCTION OF ORDINANCES

2013-08      CAPITAL IMPROVEMENT ORDINANCE PROVIDING FOR VARIOUS  
CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN OR  
FOR THE TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER,  
STATE OF NEW JERSEY APPROPRIATING THE AMOUNT OF  
\$610,000.00

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

Public Hearing is scheduled for the May 13, 2013 Business Session.

2013-09      BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL  
IMPROVEMENTS OF THE TOWNSHIP OF WEST WINDSOR  
APPROPRIATING THE AGGREGATE AMOUNT OF \$3,609,900  
AUTHORIZING THE ISSUANCE OF \$3,438,000 IN BONDS AND  
NOTES

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

Public Hearing is scheduled for the May 13, 2013 Business Session.

COUNCIL REPORTS

Mr. Khanna advised that he attended a program entitled "The Dangers of Drunk and Distracted Driving" held at West Windsor-Plainsboro High School North on April 22<sup>nd</sup>.

Ms. Geevers noted that the Environmental Commission met and are working on the Climate Action Plan which should be completed by July 1, 2013. She also requested an update from Mr. Muller on the Redevelopment Plan.

President Borek advised he attended the Public Safety meeting last week.

ADDITIONAL PUBLIC COMMENT

Mr. Al Lerner, 67 Rainflower Lane, shared his views on Resolution 2013-R098 which was discussed this evening.

Mr. John Church, 11 Princeton Place, noted that the West Windsor PBA does many good things for the Township; however, they also need to comply with Township ordinances like everyone else. He expressed his disappointment in the budget process.

Mr. Pete Weale, 144 Fisher Place, suggested that the Council generate their questions for the Grover Farmstead Restoration Committee prior to the meeting. He again discussed the need for relocation of several utility poles in the Township.

Ms. Debbie Hepler, 10 Dean Court, provided comments.

Mr. Frank Bal, 14 Sanford Place, advised that the vehicles Mr. Weale spoke about are registered. He also explained that there is a list posted for officers to sign up for classes for the following year. He commented on the Township's beautiful parks to walk or ride through, and the many community events done by various volunteers. Mr. Bal advised that in his opinion the new Business Administrator is doing a good job and thanked Mrs. Heneghan for being the "glue" that keeps the Police Department together.

Ms. Janet Lerner, 67 Rainflower Lane, voiced her support for President Borek's comments.

ADJOURNMENT

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

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

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Sharon L. Young  
Township Clerk  
West Windsor Township