

APPROVED: September 16, 2013

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
August 5, 2013

CALL TO ORDER: President Borek called the meeting to order at 7:05 p.m. after the Board of Health Meeting.

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.

ATTENDEES: President: Borek; Vice President: Samonte; Council Members: Geever, Khanna, Maher; Mayor: Hsueh; Business Administrator: Schmid; Township Attorney: Goodell; Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

Trolley Line Trail Presentation - By Alex Inkiow

Mr. Inkiow, Student Advisor to the West Windsor Bicycle and Pedestrian Alliance, spoke about extending the Trolley Line Trail into Plainsboro, New Jersey and creating a "Knight Trail" to branch off the Trolley Line Trail allowing for a multi-school campus connection for students' use to get to school.

Mr. Inkiow covered the following details during his presentation:

- Budget guidelines
- Trail construction and safety crossings
- Rehabilitation of trestle foundation at Millstone River
- Benefits and challenges
- Plan of action
- Create a Facebook page

Mr. Inkiow noted that he has collected petitions to gather information about how the residents feel about the Trolley Line Trail extension.

Council addressed questions and made comments.

Mr. Maher asked where he got his budget numbers from and whether he had shared this information with Plainsboro since the majority of the trail extension is in that Township.

Mr. Inkiow informed him that Mr. Jerry Foster of the Bicycle and Pedestrian Alliance assisted with gathering the budget data.

Ms. Samonte noted that he addressed many of the challenges for this project.

President Borek promoted the bike and pedestrian sidewalks and trails that have been established in the community. He noted that it will be a challenge because most of the trail extension is located in Plainsboro Township.

Ms. Bettie Greber, 132 Cranbury Road, spoke about the challenges of extending the trail through her property which is the Wildflowers Farm. She asked that Mr. Inkiow discontinue using pictures of her farm in his presentation.

PUBLIC COMMENT

Ms. Young read the following statement into the record: "The cable TV channel is not intended as a mechanism to promote any particular issue or candidate for public office. Declared candidates, including their spouses and agents, who are persons who have publicly announced their intention to run for an office are precluded from advocating any cause, viewpoint, or opposed policy of a partisan nature on the channel 100 days before the election".

Mr. John Church, 11 Princeton Place, was pleased to know that the Stormwater Management study will be moving forward. He made comments on the creation of the maps and soil samples.

Ms. Alison Miller, 41 Windsor Drive, noted that Mr. Inkiow made a very good presentation and would like to discuss options for the trail.

Ms. Debbie Hepler, 10 Dean Court, spoke about reporting Mr. Borek to the ACLU, farmland leases, competitive bidding, and potential lost revenue by not following the competitive bidding process.

Mr. Peter Mendonez, 151 Washington Road, discussed the need for a vision for the municipal building and using clean energy.

Mr. Hemant Marathe, 5 Clarendon Court, spoke about property taxes and the School Board budget.

COUNCIL MEMBER COMMENTS

Mr. Maher noted that the public comment speakers are "walking a fine line" with their comments. He also asked for the budget update that was due from Administration by the end of July.

Ms. Geevers also asked for the budget update and noted that Council has made this request several times. She asked to have the information no later than the end of August. Ms. Geevers asked what was the next step in the process in getting the sidewalks repaired on Cranbury Road. She spoke about the Trolley Line Trail and the challenges to extend the trail into Plainsboro.

Ms. Samonte spoke about the impact the Trolley Line Extension may have on Wildflowers Farm.

Ms. Schmid advised that Engineering will review budget options and update the proposals for reconstruction of the Cranbury Road sidewalks.

CHAIR/CLERK COMMENTS

President Borek asked Council if they would add the introduction of Ordinance 2013-12 to Amend and Supplement Chapter 200-149: Building Prohibition along Watercourses and Floodplains

Motion to approve adding Ordinance 2013-12 to the agenda:

Geevers

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

CONSENT AGENDA

RESOLUTIONS

2013-R161 Approving the Appointment of David Lichtenstein to fill an Unexpired Term Through 12/31/17 as Alternate II on the Board of Recreation Commissioners

2013-R162 Approving the Re-appointment of Ram Ramachandran as Member on the Shade Tree Commission with a Term to Expire December 31, 2017

2013-R163 Approving the Re-appointment of Drewe Schoenholtz as an Advisor on the Shade Tree Commission with a Term to Expire December 31, 2013

2013-R164 Approving the Re-appointment of Fatima Aziz as Member to the Human Relations Council with a Term to Expire December 31, 2014

2013-R165 Authorizing the Refund of Construction Permit No. 2011-2233 to Gold Medal Service

MINUTES

June 24, 2013 - Business Session

July 15, 2013 - Special Meeting - Council/Parking Authority

July 15, 2013 - Closed Session

BILLS & CLAIMS

Motion to approve the consent agenda: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2013-R169 Granting Reservation of Sewer Capacity for the Project
known as Princeton Junction Commons (PB-88-27)

2013-R171 Approving the Request for Release of Performance
Guarantees for Private Site Improvements Associated
with Rite Aid-Phase I Site Improvements (ZB04-06SP)

2013-R172 Authorizing the Person-to-Person Transfer of Liquor
License No. 1113-36-005-012 from Palmer Inn Restaurant
LLC t/a Pure Restaurant and Lounge to 3499 Brunswick
Pike Restaurant Corporation t/a Pure Restaurant and
Lounge

Motion to approve Resolutions 2013-R169, 2013-R171 and 2013-
R172: Samonte

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R166 Authorizing the Mayor and Clerk to Execute
Professional Services Agreement with Roberts
Engineering Group, LLC for Surveying and Engineering
Design Services for the North Post Road Bike Lanes
Project-\$22,000.00

Ms. Geevers noted her concern with the contract not having an
ending date for the accomplishment of the services.

Ms. Schmid explained that Administration was not sure of the estimated timeframe and would need to consult with the Township Engineer. She noted that the resolution language read that the completion of the project was ninety days from the contract execution date.

Motion to approve as amended: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R167 Authorizing the Approval of a Memorandum of Understanding with the State of New Jersey Office of Emergency Management for Grants under the Federal Emergency Management Agency Public Assistance and/or Hazard Mitigation Programs for Presidentially Declared Major Disasters-Super Storm Sandy

Mr. Maher inquired about what funds have been reimbursed to date.

Mayor Hsueh advised that originally 75% of the total costs were going to be reimbursed back to the Township. He explained that there has been a classification upgrade and the Township will now receive 95% reimbursement of the total cost from Super Storm Sandy.

Mr. Maher asked when the Township was made aware that particular paperwork needed to be completed for reimbursement.

Mayor Hsueh advised that the official documents for the storm reimbursement have just been received.

Motion to approve: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R168 Authorizing the Mayor and Clerk to Execute
Professional Services Agreement with Princeton Hydro
for the Little Bear Brook Flood Hazard Assessment and
West Windsor Redevelopment Area Regional Stormwater
Management Analysis Project-\$136,290.00

Mr. Maher suggested that Administration reach out to Mr. Goldin for financial support because this study would greatly assist his property.

Mayor Hsueh explained that funds were set aside by Toll Brothers for this assessment.

Mr. Maher noted that Toll Brothers supplied \$100,000.00 for the analysis and the remaining amount of funds should be provided by Mr. Goldin to help absorb the costs.

Mr. Goodell advised that the appropriate time to ask for funding for these types of projects is when the developer comes before the Planning Board for their review.

Mayor Hsueh agreed that it should be part of the performance agreement process at the Planning Board level.

Mr. Maher asked Administration and Council if Mr. Church's suggestions will be taken into consideration to assist in reducing Township costs.

Ms. Geevers asked if the resolution could include a date specific for completion.

Motion to approve as amended: Geevers

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R170 Authorizing the Mayor and Clerk to Execute Contract with Z Brothers Concrete Contractors, Inc. for furnishing of all Labor, Material and Equipment for the Project known as New Village Road Improvements-\$440,364.36

Mr. Maher asked for clarification of the project costs.

Motion to approve: Geevers

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

INTRODUCTION OF ORDINANCES

2013-12 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 200-149, "BUILDING PROHIBITION ALONG WATERCOURSES AND FLOODPLAINS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR

Mr. Maher inquired about the changes that were to be made to the ordinance as discussed at the last meeting.

President Borek asked that the changes be highlighted so that Council can confirm that they have been added. He suggested that the ordinance be deferred until the August 19th Business Session.

DISCUSSION TOPICS

Extension of Affordability Controls for Avalon Watch (Ordinance 2013-13)

Mr. Goodell explained that twenty-five years after the issuance of the certificate of occupancy for the affordable housing units, a determination must be made on whether to extend the affordable housing controls on some or all of the affordable units at Avalon Watch (Avalon Princeton Junction).

Mr. Maher inquired about the rights for both the Township and the owner of the complex.

Mr. Goodell noted that a letter has been sent to the owner of Avalon Watch and advised that a decision must be made before October 14th.

COUNCIL REPORTS

Mr. Maher advised that a variance was granted for PNC Bank at the last Zoning Board meeting.

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, spoke about the contract for Princeton Hydro and inquired about roadwork that is being done in his neighborhood.

Ms. Bettie Greber, 132 Cranbury Road, asked the Township not to pursue the Trolley Line Trail or she will be forced to take legal action to protect her property.

Ms. Alison Miller, 41 Windsor Drive, approved of the deferral of ordinance 2013-12.

Mr. Roy Conover, 1235 Windsor Drive, noted his concerns about making the improvements to the Cranbury Road sidewalks.

Ms. Debbie Hepler, 10 Dean Court, advised of the treacherous road conditions during the reconstruction of Old Trenton Road Bridge. She also listed other areas of concerns.

CLOSED SESSION

Motion to go into closed session at 9:11 p.m.: Geevers

Second: Samonte

RCV: aye Geevers

aye Khanna, absent

aye Maher

aye Samonte

aye Borek

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 potential litigation and personnel issues.

MEETING RECONVENED

Meeting reconvened at: 9:53 p.m.

ADJOURNMENT

Motion to adjourn: Khanna

Second: Samonte

VV: All approved

The meeting was adjourned at 9:53 p.m.

Sharon L. Young
Township Clerk
West Windsor Township