

APPROVED AS AMENDED: January 27, 2014

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
December 9, 2013

CALL TO ORDER: President Borek called the meeting to order at 9:11 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. Work Session was noticed on November 21, 2013 and the Closed Session was noticed on December 4, 2013.

ATTENDEES: President: Borek; Vice President: Samonte; Council Members: Geevers, Khanna, Maher; Business Administrator: Schmid; Township Attorney: Herbert; Township Clerk: Young

PUBLIC COMMENT

Mr. Pete Weale, 144 Fisher Place, spoke about how long the work session took and asked if the meeting was taped. He advised that the Government Records Requests he submitted to the Clerk and Administration have never been answered.

President Borek confirmed that the Work Session was not video taped.

MAYOR/ADMINISTRATOR COMMENTS

Ms. Schmid advised that the new train station parking lot is open and permits are still available. She noted that the Route 571 Bridge project is almost complete, and a stormwater survey will be sent to the residents for completion this week.

President Borek asked to have resolution 2013-R246, the appointment of Mr. Boyle to the Parking Authority added to the consent agenda.

Motion to approve: Maher

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

COUNCIL MEMBER COMMENTS

Mr. Maher stated that he was not aware that the Work Session this evening was not being taped. He asked that the Procedural Guidelines be amended to include that all Council Meetings are to be video taped with the exception of the Closed Sessions.

Mr. Khanna thanked all that helped with the tree lighting ceremony last night.

Ms. Geevers spoke about the NJLM Professional Development Program seminar she attended regarding the Affordable Healthcare Act, and the 12th Annual Communities of Light. She thanked the Boy Scouts for their attendance at the meeting this evening.

Ms. Samonte thanked all those that made the tree lighting ceremony a success. She noted that Santa Clause will be riding on a fire truck paying local communities a visit. Ms. Samonte asked for support of the Teens for Trenton Area Soup Kitchen.

CHAIR/CLERK COMMENTS

President Borek informed Council that Boy Scout Troop 40 made holiday wreaths at the Schenck Farmstead.

PUBLIC HEARINGS

2013-14 AN ORDINANCE AMENDING CHAPTER 60 "CABLE TELEVISION:
PROGRAMMING POLICIES AND PROCEDURES FOR GOVERNMENTAL
ACCESS CHANNEL," OF THE CODE OF THE TOWNSHIP OF WEST
WINDSOR, MERCER COUNTY, NEW JERSEY

President Borek opened the public hearing.

Mr. John Church, 11 Princeton Place, agreed that political statements should not be prohibited.

Ms. Alison Miller, 41 Windsor Drive, was glad that West Windsor was keeping up with the new laws.

Motion to close the public hearing: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Motion to adopt: Samonte

Second: Geevers

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-15 AN ORDINANCE AMENDING CHAPTER 165
"TAXICABS AND VEHICLES FOR HIRE", OF THE REVISED
GENERAL ORDINANCES OF WEST WINDSOR TOWNSHIP

The Public Hearing for Ordinance 2013-15 was deferred until the December 23, 2013 Business Session to resolve some concerns brought to Council's attention by Mr. Shanker of A-1 Limousine.

CONSENT AGENDA

RESOLUTIONS

2013-R238 Designating January 1, 2014 as an Official Holiday

2013-R239 Refund of Overpaid Property Taxes

2013-R246 Approving the Appointment of Pat Boyle to the Parking Authority to fill an Unexpired Term through December 31, 2015

MINUTES

October 10, 2013 - Work Session as amended

October 28, 2013 - Business Session

November 12, 2013 - Closed Session

BILLS & CLAIMS

Motion to approve the consent agenda: Samonte

Second: Geevers

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2013-R240 Supporting the Mobilization of the 2013 Drive Sober or Get Pulled Over Year End Holiday Crackdown Program from December 6, 2013 - January 2, 2014

2013-R241 Providing for the Insertion of the 2013 Drive Sober or Get Pulled Over Statewide Year End Holiday Crackdown Grant in the 2013 Municipal Budget - \$4,400.00

- 2013-R242 Authorizing the Refund of the Municipal Portion of Property Taxes Billed for 2013 to PSE&G via Credit in the 4th Quarter of 2013 - \$5,498.81
- 2013-R243 Authorizing the Amendment to the Shared Services Agreement with West Windsor-Plainsboro Municipal Alliance Program for a Six-Month Extension of the Grant Term from January 1, 2014 to June 30, 2014 - \$1,435.00
- 2013-R244 Authorizing the Business Administrator to Execute Change Order No. 1 for Z Brothers Concrete Contractors, Inc., which represents a Decrease of (0.00045%) for Final Quantities Adjustment and Project Closeout for the Project known as New Village Road Improvements - (-\$200.24)
- 2013-R245 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Princeton Animal Hospital for Veterinarian Services through December 31, 2013 - \$2,372.72.

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

INTRODUCTION OF ORDINANCES

- 2013-16 AN ORDINANCE AUTHORIZING EXECUTION OF A LEASE OF LAND BETWEEN CENTRAL NEW JERSEY COUNCIL TROOP 40 AND THE TOWNSHIP OF WEST WINDSOR FOR ONE (1) BAY OF A THREE (3) CAR GARAGE LOCATED ON SCHENCK FARM COMMONLY KNOWN AS 50 SOUTHFIELD ROAD, BLOCK 28.02, Lot 8.01

Motion to introduce: Geevers

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

The Public Hearing will be held December 23, 2013.

2013-18 ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER
140 "SMOKING AND USE OF TOBACCO PRODUCTS BANNED" OF
THE CODE OF WEST WINDSOR TOWNSHIP TO PROHIBIT SMOKING
ON TOWNSHIP PUBLIC PROPERTY AND IN RETAIL
ESTABLISHMENTS

Motion to introduce as amended: Khanna

Second: Samonte

RCV: NAY Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

The Public Hearing will be held December 23, 2013.

2013-19 AN ORDINANCE TO ESTABLISH A SALARY AND WAGE PLAN FOR
THE TOWNSHIP OF WEST WINDSOR AND PROVIDE FOR THE
ADMINISTRATION THEREOF

Mr. Maher asked why the ordinance is being introduced when the contracts have not been signed.

Mr. Herbert explained that contract offers have been accepted by four of the five Unions, and Administration is attempting to finalize the financial numbers by year end.

Mr. Maher addressed several questions regarding the total percentage of increases for the various Unions.

Mr. Herbert noted that the ordinance reflects the percentage of increase of the three-year contract period

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

The Public Hearing will be held December 23, 2013.

DISCUSSION TOPICS

Mr. Maher advised that it is good practice to go out for Request for Proposals for the Township's professionals including the Township Attorney.

Ms. Geevers suggested that in addition to going through a Request for Proposals process for Township Attorney legal services, the township should also initiate Request for Proposals for services for the Annual Audit as part of our Best Business Practices.

Mr. Khanna noted that the Township Attorney's term runs concurrent with the term of the Mayor.

Mr. Maher agreed but advised that the Township Attorney's agreement is approved by the Council.

Ms. Samonte noted that the appointment of the Township Attorney is with the advice and consent of Council.

Discussion ensued over the meaning of "Advice and Consent".

Mr. Maher confirmed that he had asked Administration to go out for "Request for Proposals" for Township Attorney weeks ago.

Ms. Schmid said she would consult with the Mayor on the issue.

Ms. Geevers inquired about a statute that mandates a Business Meeting must start before 8 p.m.

Mr. Herbert noted that no such statute exists providing a deadline for the start time of a Business Session.

COUNCIL REPORTS

Mr. Maher noted that the Zoning Board approved the Ellsworth application and the project will begin moving forward on redevelopment.

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, was not aware that Work Sessions were not televised. He also spoke about the Schenck Farmstead, FEMA reimbursement, and the meaning of the "Advice and Consent" motion.

Ms. Schmid advised that the FEMA reimbursement has been received.

ADJOURNMENT

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

The meeting was adjourned at 9:57 p.m.

Sharon L. Young
Township Clerk
West Windsor Township