

APPROVED: February 19, 2013

WEST WINDSOR TOWNSHIP COUNCIL  
BUSINESS SESSION  
January 7, 2013

CALL TO ORDER: President Borek called the meeting to order at 7:36 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 December 14, 2012.

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

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Mr. James Solloway, 5 Monroe Drive, addressed questions pertaining to resolutions 2013-R020, 2013-R024 and 2013-R029. He expressed his opinions and concerns about each.

Mr. Marshall Lerner, 3 Sapphire Drive, advised that he is opposed to resolution 2013-R020. He also addressed concerns with not having enough Republicans on the Township's Boards and Committees.

Mr. Pete Weale, 144 Fisher Place, spoke about the filming of the Council meetings, and offered his opinions regarding the Township attorney and his firm's professional services agreement.

Mr. Alvin Lerner, 67 Rainflower Lane, inquired about Mr. Marshall Lerner's comments.

Mr. Marshall Lerner, 3 Sapphire Drive, clarified his comment for Mr. Alvin Lerner.

Mr. Brandon Goldberg, 12134 Taylor Court, advised that the Mercer County Community College students should not be penalized by not approving Resolution 2013-R020.

COUNCIL MEMBER COMMENTS

Mr. Maher expressed his views about the filming of the Township Council meetings. He also advised that individuals on the dais should not use the Council meetings for a forum to campaign.

Ms. Samonte noted her optimism for 2013 and suggested that Council look at some of the bigger concerns that are occurring such as school bus safety issues.

Ms. Geevers noted that the Council used to have agenda sessions for the discussion of topics. She suggested that certain topics should be discussed prior to having the item appear on a Business Session agenda for consideration. Ms. Geevers asked for the Landscape Architect to attend a future meeting for the discussion of the proposed pocket park.

CHAIR/CLERK COMMENTS

President Borek thanked his colleagues for their support. He spoke about union contracts and arbitration decisions.

CONSENT AGENDA

RESOLUTIONS

2013-R013 Authorizing the Cancellation of any Property Tax Refund or Delinquency Less than \$10.00

2013-R015 Authorizing the Municipal Endorsement of the Application of Aaron A. Starr for Membership in the New Jersey State Firemen's Association

2013-R016 Authorizing the Municipal Endorsement of the Application of Jeffrey T. Starr for Membership in the New Jersey State Firemen's Association

2013-R017 Refund of Overpaid Property Taxes

2013-R018 Refund of Veteran's Deduction for the Tax Year 2012

MINUTES

October 29, 2012 - Business Session  
November 20, 2012 - Business Session

Motion to approve consent agenda as amended: Samonte

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

ITEMS REMOVED FROM CONSENT AGENDA

2013-R012 Authorizing Temporary Municipal Budget Appropriations  
for 2013

Mr. Maher inquired about the percentage of 26.25% being used for the total appropriation for the temporary budget when there is a 2% cap overall.

Ms. Schmid advised that State statute allows the Township to use a maximum of 26.25% when authorizing a temporary budget.

2013-R014 Establishing the Rate of Interest Charged on  
Delinquent Taxes and 6% Year End Penalty

Mr. Maher inquired about the percent charged for delinquent taxes.

Motion to approve Resolutions 2013-R012 and 2013-R014: Maher

Second: Samonte

RCV: aye Geevers

aye Khanna

NAY Maher

aye Samonte

aye Borek

BILLS & CLAIMS

Mr. Maher asked why the format of the bills and claims had changed and did not provide any explanation as to what the cost was related to.

Ms. Geevers suggested having access to the bills and claim by having them scanned in and available on-line

Motion to approve Bills and Claims: Khanna

Second: Geevers

RCV: aye Geevers

aye Khanna

NAY Maher

aye Samonte

aye Borek

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2013-R019 Authorizing the Mayor and Clerk to Execute a Shared Services Agreement with the Borough of Hightstown for Public Health Services through December 31, 2015

2013-R021 Authorizing the Mayor and Clerk to Execute an Amended Mutual Support Shared Services Agreement with the Township of Hopewell to Provide Emergent Coverage for Municipal Court Sessions

2013-R022 Supporting Assembly Bill A-2753 Requiring Direct Payment of Energy Taxes to Municipal Government

2013-R023 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Piazza & Associates to Provide Affordable Housing Consultant Services for the Period January 1, 2013 through December 31, 2013-Not to Exceed \$17,000.00

2013-R025 Authorizing the Mayor and Clerk to Execute a Contract with Sockler Realty Services Group, Inc. for Various Valuation Analysis for Tax Appeal Defense for the Period January 1, 2013 through December 31, 2013- Not to Exceed \$10,000.00

2013-R026 Authorizing the Mayor and Clerk to Execute a Contract with Phoenix Advisors, LLC as Financial Advisor for the Period January 1, 2013 through December 31, 2013- Not to Exceed \$3,800.00

2013-R027 Authorizing the Mayor and Clerk to Execute a Contract with McManimon & Scotland, LLC as Bond Counsel and Redevelopment Attorney for the Period January 1, 2013 through December 31, 2013- Not to Exceed \$50,000.00

2013-R028 Authorizing the Mayor and Clerk to Execute a Contract with Harry Haushalter, Esq. as Special Tax Counsel for Tax Appeal Defense for the Period January 1, 2013 through December 31, 2013- Not to Exceed \$20,000.00

Motion to approve Resolutions 2013-R019, 2013-R021 through 2013-R023 and 2013-R025 through 2013-R028: Samonte

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Ms. Geevers asked that Resolution 2013-R020 be deferred until after closed session to allow her time to review the explanation provided to Council by Administration.

2013-R024 Authorizing the Mayor and Clerk to Execute a Contract with Ruderman and Glickman, P.C. as Labor Attorney for the Period January 1, 2013 through December 31, 2013- Not to Exceed \$30,000.00

Mr. Maher advised that it was a bad idea to approve the helicopter lessons for the Police officers. He noted that this is an egregious issue. Mr. Maher recommended that a statement be made and the individual should be held accountable.

Ms. Geevers told Council that the spirit of the Union agreement was abused and the language contained in the contract should have been tightened up a long time ago.

Motion to approve: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

NAY Maher

aye Samonte

aye Borek

2013-R029 Authorizing the Reappointment of Michael W. Herbert of Herbert, Van Ness, Cayci & Goodell as Township Attorney for the Period January 1, 2013 through December 31, 2013- Not to Exceed \$243,920.00

Council addressed questions and made comments concerning Mr. Herbert's service and his contract amount.

Motion to approve: Samonte

Second: Khanna

RCV: aye Geevers

aye Khanna

NAY Maher

aye Samonte

aye Borek

#### ADMINISTRATIVE UPDATES

Ms. Schmid advised that Public Works was picking up debris in Zone Four through the end of this week and will begin a new rotation next week. She noted that heavy debris will be complete by the end of January, and the Township will begin the clean-up of street trees.

President Borek informed the public that Council will be going into Executive Session after public comment.

ADDITIONAL PUBLIC COMMENT

Mr. Pete Weale, 144 Fisher Place, addressed his concerns with the videotaping of the meeting, preparation of the minutes, and the growing legal costs.

Mr. Marshall Lerner, 3 Sapphire Drive, spoke about doing a cost analysis for legal expenses, bi-partisanship, and noted that most of the volunteers on the Boards and Committees are Democrats.

Mr. Andy Bromberg, 24 Providence Drive, commented on the Township being a full service community. He also noted that Ms. Geever was doing a great job for the Township.

CLOSED SESSION

Motion to go into closed session at 9:00 p.m.: Borek

Second: Maher

RCV: aye Geever

aye Khanna

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 exempt 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 the Grover House Investigation Report.

MEETING RECONVENED

The closed session meeting opened at 10:00 p.m.

2013-R020 Authorizing the Health Officer to Execute an Agreement with Mercer County Community College to Coordinate Clinical Nursing Experiences for Students through Participation in Public Health Clinics Offered by the Health Department

Ms. Geevers advised that most of her questions were answered by Administration late in the day and she just needed some time to review the answers provided.

Mr. Maher confirmed the receipt of Administration's answers and advised that the responses were thorough. He commented that the Council was not looking to do Mercer County Community College any favors, but also did not want to penalize the students.

Ms. Samonte noted that this resolution involved public health and safety issues. She explained that it is a bad flu season and she recognized the value of the students gaining the nursing experience.

Ms. Schmid explained that the arrangements prior to this resolution have been informal and unwritten since 2009.

Motion to approve: Samonte

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

ADJOURNMENT

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

The meeting was adjourned at 10:05 p.m.

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Sharon L. Young  
Township Clerk  
West Windsor Township