

APPROVED: November 12, 2013

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
September 3, 2013

CALL TO ORDER: President Borek called the meeting to order at 7:07 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.

ATTENDEES: President: Borek; Vice President: Samonte; Council Members: Geevers, Khanna, Maher; Business Administrator: Schmid; Township Attorney: Herbert; Township Engineer: Guzik (7:45 p.m. to 8:24 p.m.); Township Clerk: Young

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

President Borek asked Council to amend the agenda to add Resolution 2013-R193 which includes a change order for supplemental work revising the original contract with Montana Construction.

Motion to approve: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

PUBLIC COMMENT

Mr. Scott Davis, 139 Cranbury Road, urged support for the Complete Streets and Sidewalks plan for Cranbury Road.

Ms. Silvia Ascarelli, 27 Melville Road, spoke about additional land on one side of Cranbury Road that could be used for sidewalks or bike lanes.

Mr. John Church, 11 Princeton Place, advised that the Township had poor stewardship regarding the upkeep of the Grover House. He read minutes from a previous Council meeting into the record which pertained to the Grover House.

Ms. Janet Lerner, 67 Rainflower Lane, spoke about the freedom of speech for West Windsor residents.

Ms. Ilene Watrous, 131 Cranbury Road, advised that it is dangerous to walk on Cranbury Road. She provided pictures of the problem area along Cranbury Road.

Mr. Rick Visovsky, 7 Oakwood Way, spoke about the replacement of the Old Trenton Road bridge and the lack of better preparation in determining the detours and anticipating the cost.

Mr. Pete Weale, 144 Fisher Place, voiced support for Mr. Pete Grover and asked that the resolution authorizing the demolition of the Grover House be tabled from consideration.

Mr. Hemant Marathe, 5 Clarendon Court, inquired how the RFP for the Cranbury Road project was going to be created. He suggested that Council and the residents of Cranbury Road have input on the RFP.

MAYOR/ADMINISTRATOR COMMENTS

Ms. Schmid advised that the first day of school is on September 4th and urged that all traffic laws be observed. She noted that "Dumpster Day" will be held on September 14th, and the receiving of household hazardous materials and electronics will be on September 21st.

Mr. Herbert made some clarifications on comments made during public comment regarding the salvaging of the Grover House.

COUNCIL MEMBER COMMENTS

Mr. Maher recommended not voting on the July 22nd Business Session minutes until the Mayor had time to review them to make sure his statements are accurate. He also asked to have the resolution authorizing the demolition of the Grover House postponed until the Mayor was present. Mr. Maher spoke about Cranbury Road sidewalks, prioritization of big ticket projects, and the reconstruction of Old Trenton Road bridge.

Mr. Khanna asked Administration to move as quickly as possible on the preparation of the RFP for the Cranbury Road sidewalks.

Ms. Geevers suggested that the residents living along Cranbury Road have input on the RFP. She also suggested having an agenda session for the discussion and update on the Municipal Budget.

Mr. Maher noted that the budget update was just a computer printout and the Chief Financial Officer did not provide any explanations for the line items that were already over budget.

Ms. Geevers asked if the CFO could attend a meeting in October to discuss the budget issues and concerns. She also asked for discussion regarding the redevelopment plan proposal and the progress to date.

Ms. Samonte advised the community to be mindful of traffic laws and safety measures for the beginning of the new school year.

CHAIR/CLERK COMMENTS

President Borek advised the residents of the annual 9/11 Memorial to be held at 7 p.m. at the Ron Rogers Arboretum. He explained that the Cranbury Road issues need the engineer's review to determine the cost for the potential of making an amendment to the Capital Budget.

Mr. Maher suggested that any Township official meeting with the residents of Cranbury Road should get Council's approval so that there is no potential for litigation when property easements need to be acquired.

CONSENT AGENDA

RESOLUTIONS

2013-R185 Authorizing the Mayor and Clerk to Execute Easement Modification Agreement-5 Sutton Lane

2013-R186 Authorizing the Mayor and Clerk to Execute Easement Modification Agreement-3 Revere Court

MINUTES

July 22, 2013 - Work Session
August 5, 2013 - Closed Session

BILLS & CLAIMS

The minutes for July 22, 2013 Business Session were deferred until the September 16, 2013 Business Session to allow time for Mayor Hsueh to review the minutes.

Motion to approve consent agenda as amended: Samonte

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2013-R193 Authorizing the Business Administrator to Execute Change Order No. 1 with Montana Construction, Inc. for Supplemental Work for the Project known as Duck Pond Run Sewer Interceptor-Phase I - \$31,602.56

Mr. Guzik provided an update regarding the project and the funding for the project which was in the 2010 Capital Budget.

He advised that T&M Engineers did the design work for the project.

Mr. Guzik explained that Montana Construction was approximately 25% into the project when they ran into an unknown obstruction due to soil materials. He advised that the company is gathering information to determine a solution.

Mr. Maher asked how much funding remained to complete the project.

Mr. Guzik noted that he would provide that information to Administration for distribution to Council.

Motion to approve: Khanna

Second: Geevers

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R187 Approving the Request from Cyzner Properties for Release of Performance Guarantees for Public Improvements Associated with Windsor Plaza Revitalization

2013-R188 Approving the Request from Cyzner Properties for Release of Performance Guarantees for Private Improvements Associated with Windsor Plaza Revitalization

2013-R191 Authorizing the Mayor and Clerk to Execute a Land Development Performance Guarantee Agreement with West Windsor Duck Pond Association LLC

2013-R192 Authorizing the Mayor and Clerk to Execute an Agreement with First Indemnity of America Insurance Company Regarding Public Improvements to the Subdivision Related to Bond# FP0008202

Motion to approve Resolutions 2013-R187, 2013-R188, 2013-R191
and 2013-R192: Samonte

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R168R2 Authorizing an Amended Date for Services
Completion Approved in Resolution 2013-R168R for
the 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

Ms. Geevers asked why an amendment to the resolution was needed
to reflect a new project completion date.

Ms. Schmid advised that additional time is required for sending
and receiving paperwork, and preparation for the project before
the contract can even begin. She noted that the contract date
should not begin as of the meeting date the resolution was
approved.

Mr. Khanna suggested providing Council with a timeline for the
project.

Ms. Schmid noted that Administration is having a kick-off
meeting for the project.

Motion to approve: Maher

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Mr. Maher asked to discuss Resolution 2013-R190 prior to
Resolution 2013-R189.

2013-R190 Authorizing the Mayor and Clerk to Execute a Contract
with V&K Construction Company for the Bathroom
Facility at Van Nest Park - \$166,950.00

Mr. Maher inquired about the Township receiving only two bids for this project. He asked Administration to do what they can to increase the number of bids received for Capital projects.

President Borek suggested increasing the bidder participation by providing a wider range of advertisement.

Motion to approve: Samonte

Second: Khanna

RCV: aye Geevers
aye Khanna
aye Maher
aye Samonte
aye Borek

2013-R189 Authorizing the Mayor and Clerk to Execute a Contract
with Frank Lurch Demolition Company for the Demolition
of Township Owned Structures at the Grover Farmstead -
\$45,900.00

Mr. Maher inquired if the Mayor has ulterior motives for the property. He recommended postponing the vote on the resolution until the Mayor was able to attend the meeting.

Ms. Geevers noted that approvals for the utilization of the property will need to go through Council.

Motion to approve: Khanna

Second: Geevers

RCV: aye Geevers
aye Khanna
NAY Maher
NAY Samonte
aye Borek

COUNCIL REPORTS

Mr. Khanna advised that the Planning Board approved three resolutions and he outlined each one of the projects that were approved.

President Borek inquired about the Hepatitis B shots for first responders.

Ms. Schmid noted that she would speak to Mr. Yates in Emergency Services.

Mr. Maher inquired about the placement of political signs. He advised that the candidates follow the Township Code and get permission from the property owner for the placement of signs on private property.

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, noted his disappointment with the vote for the demolition of the Grover House.

Mr. Rick Visovsky, 7 Oakwood Way, asked if the Mayor had any input on the reconstruction of the Old Trenton Road bridge, and the Mercer County Community College solar fields.

CLOSED SESSION

President Borek advised that Council will go into closed session to discuss Akselrad litigation.

Motion to go into closed session at 8:50 p.m.: Samonte

Second: Maher

RCV: aye GeEVERS

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 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 Akselrad litigation.

+MEETING RECONVENED

The Business Session was reconvened at 9:13 p.m.

ADJOURNMENT

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

The meeting was adjourned at 9:13 p.m.

Sharon L. Young
Township Clerk
West Windsor Township