

APPROVED: February 5, 2014

WEST WINDSOR TOWNSHIP COUNCIL
BUSINESS SESSION
December 23, 2013

CALL TO ORDER: President Borek called the meeting to order at 6:33 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. Special Notice for a closed session was given on December 13, 2013 for the discussion of Union contract negotiations and other contract matters.

ATTENDEES: President: Borek; Vice President: Samonte; Council Members: Geevers, Khanna, Maher; Mayor: Hsueh (left at 8:16 p.m.); Business Administrator: Schmid; Township Attorney: Herbert; Labor Attorney: Ruderman (left at 7:07 p.m.); Township Clerk: Young

CLOSED SESSION

Motion to go into closed session: Khanna
Second: Samonte
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 Union contract negotiations and other contract matters.

Meeting reconvened at: 7:07 p.m.

SALUTE TO THE FLAG

Ms. Young led the salute to the flag.

CEREMONIAL MATTERS AND/OR TOPIC FOR PRIORITY CONSIDERATION

Recognition of Council Member Kamal Khanna for his Years of Service to West Windsor Township

President Borek read the proclamation into the record.

Council Members and the Mayor thanked Mr. Khanna for his years of service and for always striving for the best interest of West Windsor Township.

Mr. Khanna thanked his wife and family for their support through his term. He also thanked the Mayor, Council, Administration, the Clerk's Office and all the Township employees for their hard work and dedication to their jobs. Mr. Khanna noted that he plans on continuing to play a role in public service.

Recognition of Chief Dennis Huber for his Years of Service to
the Princeton Junction Volunteer Fire Company

President Borek read the proclamation into the record.

Council Members and the Mayor thanked Mr. Huber for his twenty years of dedicated service to the Princeton Junction Volunteer Fire Company. They spoke about his leadership and contribution to his community. Council Members spoke about the benefit of having a volunteer fire company.

Recognition of Chief Richard Glover for his Years of Service to
the West Windsor Volunteer Fire Company

President Borek read the proclamation into the record.

Council Members and the Mayor made comments and thanked Mr. Glover for his years of service to the West Windsor Volunteer Fire Company.

A ten-minute break was taken before continuing the Business Session.

PUBLIC COMMENT

Mr. Jeff Shanker, 13214 Taylor Court, advised that he is Executive Vice President of A-1 Limousine. He agreed with the changes that are being made to the taxi ordinance which is listed on the agenda for adoption.

Mr. John Church, 11 Princeton Place, congratulated the Fire Chiefs on their retirements and thanked Mr. Khanna for his service on the Township Council.

Ms. Silvia Ascarelli, 27 Melville Road, thanked Administration for the article that was published in the Trenton Times regarding Cranbury Road. She noted that information was missing from the article.

Mr. Pete Weale, 144 Fisher Place, spoke about the cost of fire protection versus the Township Attorney's fees. He noted that the Grover House has been demolished.

MAYOR/ADMINISTRATOR COMMENTS

Mayor Hsueh advised that responses to the Cranbury Road RFP have been received and are currently being reviewed.

COUNCIL MEMBER COMMENTS

Mr. Maher commented on the demolition of the Grover House and the gross negligence concerning the care of the home.

Mr. Khanna spoke about the opening of the new medical center in Windsor Plaza.

Ms. Geevers spoke about the Community Awareness Program she attended that was presented by the City of Angels.

Ms. Samonte advised that she attended both events, City of Angels and the opening of the new Urgent Care Center.

CHAIR/CLERK COMMENTS

President Borek thanked his colleagues for the opportunity to be Council President. He noted that all the Council Members' hearts are in the right place.

PUBLIC HEARINGS

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

President Borek opened the public hearing.

Motion to close public hearing: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Motion to adopt: Samonte

Second: Geevers

Discussion:

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

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

President Borek opened the public hearing.

Mr. Pete Weale, 144 Fisher Place, supports the efforts of the
Boyscouts and their contributions to the community.

Motion to close 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

2013-18 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

President Borek opened the public hearing.

Mr. John Church, 11 Princeton Place, supports the adoption of the ordinance.

Ms. Alison Miller, 41 Windsor Drive, acknowledged that it is an admirable idea but the ordinance will be hard to enforce.

Mr. Alvin Lerner, 67 Rainflower Lane, supports the adoption of the ordinance and spoke about the prevention of smoking.

Mr. Pete Weale, 144 Fisher Place, opposes the ordinance because it is unenforceable.

Mr. Andy Bromberg, 24 Providence Drive, supports the adoption of the ordinance.

Motion to close public hearing: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Mr. Maher advised that this ordinance infringes on an individual's rights. He noted that the language of this ordinance is a balance between reducing smoking and the people's rights.

Mr. Khanna advised that the adoption of this ordinance is a step in the right direction and not the ultimate solution.

Ms. Geevers spoke about smoking being a health hazard and a public nuisance. She suggested that Council continue to work on the ordinance to get the language right the first time around.

Ms. Samonte noted that this was a step in the right direction to address secondhand smoke.

President Borek advised that the ordinance was a great compromise for all.

Motion to adopt: Khanna

Second: Samonte

RCV: NAY Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

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

President Borek opened the public hearing.

Motion to close public hearing: Samonte

Second: Khanna

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Ms. Geevers questioned the fact that Council has not ratified the Union agreements, and because of a language issue on the AFSCME contract this Union contract will be deferred until the next Business Session.

Mr. Herbert offered suggestions to alleviate the issue with the AFSCME contract being pulled for approval this evening.

Motion to adopt subject to ratification of the AFSCME contract:

Geevers

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Discussion ensued regarding how this affects other labor contracts.

Motion to reconsider: Samonte

Second: Maher

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

Motion to amend the motion to adopt Ordinance 2013-19 to read that the adoption of the ordinance is subject to the approval of Resolutions 2013-R252, 2013-R254 and 2013-R255; and subject to ratification of the AFSCME contract: Maher

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

CONSENT AGENDA

RESOLUTIONS

2013-R247 Authorizing Refund of Zoning Permit for C&C Heating & Air Conditioning - \$35.00

2013-R248 Authorizing Refund for Development Plan Review Project to BVCI Associates - \$1,572.11

2013-R249 Approving the Appointment of Ronald S. Rumack as Advisor to the West Windsor Parking Authority with a Term to Expire December 31, 2014

MINUTES

November 12, 2013 - Business Session

November 25, 2013 - Closed Session

BILLS & CLAIMS

Mr. Maher noted that the costs for vehicle repairs are high and he asked if a proxy can come in to review the bills and claims. He asked if the bills and claims could be scanned in for Council review.

Mr. Herbert noted that the bills and claims are not public documents until they are approved.

Mr. Maher urged Administration to move with a process to have the bills and claims scanned.

Ms. Schmid noted that she would consult with the Township's IT individual.

Motion to approve consent agenda: Samonte

Second: Geevers

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

RECOMMENDATIONS FROM ADMINISTRATION AND COUNCIL/CLERK

2013-R250 Authorizing the Mayor and Clerk to Execute a Contract with Bay Head Investments Inc. d/b/a Emergency Vehicle Specialists for the Purchase of (3) New Type III Class 1 Ambulances - \$554,394.00

2013-R251 Granting Release of Cash Performance Guarantee to Pei Wei Asian Diner Inc. Located in the Square at West Windsor - 3524 Route One North - \$2,000.00

Ms. Geevers asked Administration to let Council know when the ambulances will be delivered.

Motion to approve Resolutions 2013-R250 and 2013-R251: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R252 Authorizing the Mayor and Clerk to Execute the Collective Bargaining Agreement with West Windsor Professional Firefighters Association ("IAFF") Local 3610 for the Period from January 1, 2013 through December 31, 2015

2013-R254 Authorizing the Mayor and Clerk to Execute the Collective Bargaining Agreement with West Windsor Policemen's Benevolent Association (PBA) Local 271 for the Period from January 1, 2013 through December 31, 2015

2013-R255 Authorizing the Mayor and Clerk to Execute the Collective Bargaining Agreement with West Windsor Township Police Superior Officers Association (SOA) for the Period from January 1, 2013 through December 31, 2015

Ms. Schmid summarized each of the collective bargaining agreements. She reviewed the yearly increase percentages, health care plans, longevity, education reimbursements, and new hires.

Mr. Maher advised of his concerns and noted that the contracts are all still very generous.

Ms. Geevers spoke about having a good negotiation process, and that the contracts were a win-win for all parties.

President Borek explained that Council gave direction to Administration. He noted that the School Board is giving their employees a higher yearly percentage increase to their salaries.

Motion to approve Resolutions 2013-R252, 2013-R254, and 2013-R255: Khanna

Second: Samonte

RCV: aye Geevers

aye Khanna

aye Maher

aye Samonte

aye Borek

2013-R253 Authorizing the Mayor and Clerk to Execute the Collective Bargaining Agreement with West Windsor American Federation of State, County and Municipal Employees (AFSCME) Local 3242 for the Period from January 1, 2013 through December 31, 2015

Resolution 2103-R253 was tabled until a future Business Session to address Council's several concerns with potential language changes.

COUNCIL REPORTS

Ms. Geevers advised that Mr. Marathe is no longer on the School Board effective December 31, 2013.

ADDITIONAL PUBLIC COMMENT

Mr. John Church, 11 Princeton Place, appreciated the hard work that went into the Union contract negotiations.

Mr. John Jones, 252 Cranbury Road, spoke about the Grover Middle School choir.

ADJOURNMENT

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

The meeting was adjourned at 9:35 p.m.

Sharon L. Young
Township Clerk
West Windsor Township