

**These Minutes Not Yet Approved
By the Princeton Council**

**PRINCETON COUNCIL MEETING
August 5, 2013**

A meeting of the Mayor and Council was held on this date at 7:00 p.m. in the Main Meeting Room in the municipal complex, 400 Witherspoon Street, Princeton, NJ 08540.

NOTICE OF MEETING

The Clerk read the following statement.

The following is an accurate statement concerning the providing of notice of this meeting and said statement shall be entered in the minutes of this meeting. Notice of this meeting as required by Sections 4a, 3d, 13 and 14 of the Open Public Meetings Act has been provided to the public in the form of the 2013 Schedule of Regular Meetings. On January 2, 2014 at 6:45 p.m., said schedule was posted on the official bulletin board in the Municipal Building, transmitted to the Princeton Packet, the Trenton Times, the Torontonion, the Town Topics, and filed with the Municipal Clerk.

ROLL CALL

The Municipal Clerk then called the roll.

Present: Mesdames Butler, Howard and Messer Liveryman, Miller and Simon and Mayor Lempert.

Absent: Ms. Crumiller.

Also Present: Mr. Bruschi, Ms. Monzo, Mr. Kiser, Mr. Schmierer and Lt. Morgan.

PLEDGE OF ALLEGIANCE

The audience participated in the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC

Kip Cherry, 24 Dempsey Avenue discussed with Council the possibility of the Valley Road School question be placed on the ballot for November. Mr. Schmierer said that the Valley Road School Building belongs to the school board and their opinion has not changed. Mr. Schmierer advised Council not to get involved.

Hendricks Davis, John Street question a recent resolution regarding speed humps noting that he was not sure that interested parties had a chance to challenge the proposed resolution. Mr. Davis said that there should be a period of time between presentation and approval.

Mayor Lempert said that it was discussed in the Traffic and Transportation Committee before coming to Council with their recommendation. Mr. Davis said that it was ill advised to make a blanket decision on a universal application. Ms. Butler said that she did think that the municipality had authority over streets owned by the municipality. She also agreed that that items should not be voted on out of work session.

PRESENTATION**Arts & Transit Construction Update, Princeton University**

Kristin Appleget, Princeton University, presented a power point presentation updating Council on the next phase of the construction schedule and initial impacts. Ms. Appleget said that everything was going well because of the coordination between The University and the municipality and noted that the website www.princeton.edu/artsandtransit for public information about the project has been updated.

(Presentation appended to this set of minutes)

WORK SESSION**Leaf and Brush Pick Up, Public Works**

Robert Hough, discussed with Council the update on the Leaf and Brush pickup schedules as we get ready for the fall. He said that the program will begin on Monday, August 12, 2013. For the spring program we will be looking at potential schedule changes and trying to be proactive. Mr. Hough said that they are looking into increasing the bag collection program and having bags available throughout the year.

Mr. Simon thanked Mr. Hough for the changes and trying to be responsive to people. Ms. Butler said that she was hearing a lot of complaints and that people felt that there has been a reduction of services. Mr. Hough said that they were working on communication and were considering the use of the reverse 911 system to get the word out.

Compost Program Update and Fees, Public Works

Mr. Hough discussed with Council the Compost Program and the fee for \$65. He said that they were considering pro rating the fee schedule as we move forward with the program and looking at the issue of municipal pick up vs. private hauler. Mr. Hough noted that some of the Homeowners Associations still have active agreements with private haulers.

Mr. Hough said that they have seen a steady increase in participation after staff promoted the program in the schools. Ms. Howard said that she wished we didn't have to charge for the program.

Mr. Schmierer said that Council should approve a resolution memorializing a prorated fee schedule from August 2013 to August 2014 for the compost program.

Mr. Simon offered a motion to approve the proposed resolution as presented. The motion was seconded by Ms. Howard and carried unanimously.

(Resolution appended to this set of minutes)

Police Ordinance, Public Safety

Ms. Howard said that this was the third time that the issue of appropriate authority has been on the agenda and that it is a best practices to appoint the administrator such. She also noted that the police department is undergoing the accreditation process and it would be helpful to have the proposed ordinance in place.

Mr. Simon asked when the ordinance needed to be in place and what would happen if we did not. Lt. Morgan suggested that it be in place by the end of August or the department may not be accredited in 2013.

Mr. Schmierer said that the statute requires appointing an appropriate authority.

Ms. Butler said that she thought that this was one of the first things that Council did in approving rules and regulations. She said that there was a convoluted line of authority and that she was confused in reading the statute. Ms. Butler said that she did think Council should be the appropriate authority.

Ms. Howard said that she recommended that Council move forward.

Ms. Howard offered a motion introducing the proposed ordinance as drafted. Mr. Simon seconded the motion was carried by three affirmative votes. Ms. Howard, Mr. Liverman and Mr. Simon voted in the affirmative, with Mr. Miller and Ms. Butler voting in the negative. Ms. Butler said that she was opposed to the ordinance as written and also against introducing the ordinance from the work session. The public hearing was scheduled for August 26, 2014.

REPORTS

Ms. Howard reported that Community Night Out would take place on August 6, 2013.

Ms. Butler reported that work has been taking place in the parks and plantings from the Avalon Bay site will be transplanted.

RESOLUTIONS**13-216 2013 Salary Resolution**

After discussion, Council tabled resolution 13-216 until the meeting of August 26, 2013.

13-217 Resolution: Cancellation of Property Taxes for 2013, Block 10501, Lot 1.01, Institute for Advanced Study, Olden Lane, in the amount of \$20,031.40

Ms. Butler offered a motion to approve resolution 13-217 as presented. The motion was seconded by Mr. Miller and carried unanimously.

13-218 Resolution: Adopting a Flexible Benefits Plan – Colonial Life and Accident Insurance Company

Mr. Miller offered a motion to approve resolution 13-218 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

(Resolutions appended to this set of minutes)

CONSENT AGENDA

a. Bills and Claims

b. Street Closing Request: Corner of Birch Avenue at Race Street down to the steps in the Community Park parking lot, Annual Joint Effort Princeton Summer Basketball Classic/Princeton Safe Streets Weekend, August 17, 2013, 2:00 p.m. to 7:00 p.m., contingent upon approval of the Traffic Safety Officer.

c. Street Closing Request: John Witherspoon School, Super Saturday, October 5, 2013
Walnut Lane between Franklin and Guyot Avenues, 9:00 a.m. to 3:00 p.m., contingent upon approval of the Traffic Safety Officer.

d. Music Amplification: Annual Joint Effort Princeton Summer Basketball Classic/Princeton Safe Streets Weekend, August 16 - 18, 2013 at Community Park Basketball Courts, 9:00 a.m. to 8:30 p.m.

e. 13-219 Resolution: Banner Request for Stuart Country Day announcing Stuart's 50th Anniversary, to be hung over Washington Road, September 3-9, 2013.

f. 13-220 Resolution: Banner Request for Princeton Merchants Association to advertise "One Princeton", to be hung over Washington Road, September 9-16, 2013.

g. 13-221 Resolution: Banner Request for Princeton University for Community and Staff Day, to be hung over Washington Road, October 7-14, 2013.

h. 13-222 Resolution: Banner Request for Womanspace, to be hung over Washington Road, December 2-9, 2013.

i. Improvements of Grover Avenue and Roper Road, Top Line Construction: Release of the Performance Guaranty

j. Tenacre Foundation, Gate House: Release of the Performance Guaranty contingent upon the receipt of an acceptable two-year maintenance guaranty in the amount of \$10,637.15.

k. 13-223 Resolution: Professional Services Agreement: Mason, Griffin and Pierson

Mr. Simon asked that item "a", Bills and Claims be removed.

Mr. Simon offered a motion to approve consent agenda items "b-k" in block. The motion was seconded by Ms. Howard and carried unanimously.

Mr. Simon offered a motion to approve item "a" Bills and Claims. The motion was seconded by Ms. Howard and carried unanimously.

(Resolutions appended to this set of minutes.)

13-224 CLOSED SESSION RESOLUTION

RESOLUTION

TO GO INTO CLOSED SESSION
(Open Public Meetings Act Sec.3)

BE IT RESOLVED by the Mayor and Council of Princeton:

1. This body will now convene into a closed session that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7B of the Open Public Meetings Act.
2. The general nature of the subject or subjects to be discussed in said session is as follows:

Personnel: Administrator
Negotiations: Cable TV Franchises
3. Stated as precisely as presently possible, the following are the time when and the circumstances under which the discussion conducted at said session can be disclosed to the public:

Within 90 days or upon settlement of litigation, if applicable

The above referenced issue was discussed by the Princeton Council.

There being no further business the meeting was adjourned at 11:35 p.m.

Linda S. McDermott
Municipal Clerk