

**These minutes not yet  
Approved by the Princeton Council**

**PRINCETON COUNCIL MEETING  
July 14, 2014**

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 2014 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 Torontonionian, the Town Topics, and filed with the Municipal Clerk.

**ROLL CALL**

The Municipal Clerk then called the roll.

Present: Mesdames Butler, Crumiller, Howard and Messer Liverman, Miller, and Mayor Lempert.

Absent: Mr. Simon.

Also Present: Ms. Monzo, Ms. Stockton, Ms. Cecil and Chief Sutter.

**PLEDGE OF ALLEGIANCE**

The audience participated in the Pledge of Allegiance.

**MINUTES**

Ms. Crumiller offered a motion to approve the minutes of April 28, 2014 as amended. Ms. Howard seconded the motion which was carried unanimously by those present.

Ms. Crumiller offered a motion to approve the minutes of May 27, 2014 as presented. Ms. Howard seconded the motion which was carried unanimously by those present.

Ms. Crumiller offered a motion to approve the minutes of June 9, 2014 as amended. Ms. Howard seconded the motion which was carried unanimously by those present.

**COMMENTS FROM THE PUBLIC: Regarding Items Not on the Agenda**

Ted Horodynsky, Elm Road, Lawrence, expressed concern regarding garbage issues in the downtown business district.

Daniel Harris, 28 Dodds Lane reviewed with Council a letter regarding recent COAH proposals. He urged the Mayor and Council to take the offensive against the COAH report and defend our community's historical commitment to 20% affordable housing.

(Letter appended to this set of minutes)

Joan Magee, Stony Brook Watershed, spoke in favor of the proposed tree ordinance.

Susan Colby, 26 Herrontown Circle, offered a statement in regard to the proposed Anti-Corruption Resolution and asked for Councils support for its provisions.

**HEARING ON COMCAST APPLICATION FOR RENEWAL OF MUNICIPAL CONSENT****PRESENTATION**

Princeton University Arts and Transit, Kristen Appelget

**WORK SESSION**

Advisory Planning District Update

Ms. Crumiller offered a status report regarding Advisory Planning Districts. She said that the Advisory Planning Districts Task Force was formed to carry out the recommendation of the Consolidation Commission, as outlined in its June 22, 2011 Report of Official Recommendations.

The Advisory Planning Districts Task Force Objectives are as follows:

- To ensure that Princeton residents have a voice in the planning, zoning, development and preservation processes impacting their neighborhoods now that Princeton is a larger community.
- To improve communication and education in Princeton neighborhoods regarding the planning, zoning, development, and preservation processes. The procedures for consolidating the former Borough and Township zoning codes provide an opportunity for communication by the Planning

- Board and governing body to involve residents and to explain how the planning and zoning process work and how the merger of the zoning codes might affect individual neighborhoods.
- To facilitate and encourage communication between neighborhoods and institutions and developers prior to and during the planning, zoning, development and preservation process.
  - To encourage more proactive planning, zoning, development and preservation processes that improve communication with the public, and engage the community earlier in the process
  - To ensure that the Master Plan and the zoning code balance institutional growth and developer initiated changes with neighborhood goals of long term integrity and stability.

Daniel Harris, 28 Dodds Lane, commended the Task force for their time and commitment in generating their set of regulations. He urged the Mayor and Council to consider the employment of additional staff for the Planning Office to implement the proposed recommendations.

Alexi Assmus, Maple Street, said that she believes that it is important to have permanent organizations to represent neighborhood interests and that long term organizations such as the Jackson Witherspoon Association may be able to interact in a constructive way with the municipality to ensure that neighborhood concerns such as new development or redevelopment, traffic, parks, and lighting are heard and acted upon.

Ms. Assmus said that she has spoken to the President and former Secretary of Charlottesville's Martha Jefferson Neighborhood Association which is very active in their college town municipality. The neighborhood associations are self-empowering with their own by laws which include neighborhood boundaries within which anyone over the age of 18 can be a member, and are recognized by the IRS as non-profits.

Mr. Miller thanked Ms. Assmus for her research. Mr. Liverman said that if we were to do anything, we should be mindful to include everyone, due to transparency.

Ryan Lillianthal, Maple Street, said that the advisory planning districts would be a mechanism to proactively engage residents.

Mayor Lempert said that she recommends that the Task Force take a look at this issue some more.

Paul Driscoll said that the Jackson Witherspoon meetings are very productive and when he sees members of Council there, it has a strong positive influence.

ORDINANCE PUBLIC HEARING  
**Landscaping Registration**

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING LANDSCAPING REGISTRATION AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Ms. Howard said that proposed ordinance is about education and will hopefully prevent more cases of wage theft in Princeton. She said that this ordinance looks at landscapers, but she said that we will be looking at other services as well.

Ross Wishnick, Chair, Human Services Commission said that wage theft is a nationwide problem that affects low wage and immigrant workers.

Mayor Lempert opened the public hearing.

Linda Auerbach, Lytle Street said that there is protection of subcontractors by private homeowners.

Craig Garcia, 52 Birch said that this is common sense legislations and thanked the Mayor and Council for their Leadership with this proposed ordinance.

Some audience members, speaking Spanish and talking through an interpreter thanked the Mayor and Council for the steps they were taking. Some said that they had been victims of wage theft and that they too had rights. One speaker said that he owned a landscaping business and that the proposed ordinance would benefit him in learning about wage laws.

John Heilner, Library Place said that this was an historic moment for Princeton.

Maria Fuega said that she was thrilled to be here and offered two suggestions; one being the addition of a workers comp policy and the second putting landscaper registrants on the municipal website.

Wilma Soloman, Chair, Not In Our Town said that she was extremely proud of our community and that this represents the highest ideals of our country.

There being no further public comment, the public hearing was closed.

Ms. Howard offered a motion to approve the proposed ordinance on second reading. The motion was seconded by Ms. Butler and carried unanimously by those present.

#### REPORTS

##### Monthly Police Report, Chief Sutter

Ms. Howard thanked Chief Sutter for remaining open to format comments of the monthly police reports and responding in kind. Chief Sutter and Mr. Grosser, Health Officer have been working together in regard the recent cases of rabies. Mr. Grosser said that public health and safety is paramount.

Ms. Butler thanked Chief Sutter for the juvenile narrative and looked forward to the alcohol narrative in future reports.

Ms. Crumiller asked about the Ride A Long program and how it was being received. Chief Sutter said that they have had a lot of people participate in the Ride A Long program.

##### Staff Reports

Ms. Monzo said that tax bills were in the process of being mailed out this week.

Ms. Butler said that pool membership is at 5392 with financial aid to 96 families.

#### RESOLUTIONS

##### 14-198 Technology Strategic Review & Options

Ms. Crumiller offered a motion to approve resolution 14-198 as presented. The motion was seconded by Ms. Butler and carried unanimously by those present.

14-199 Affordable Housing Rehabilitation Loan, \$8,342.00

Ms. Crumiller offered a motion to approve resolution 14-199 as presented. The motion was seconded by Mr. Liverman and carried unanimously by those present.

14-200 Authorizing the Use of State Contract for the Purchase of Police Vehicles

Mr. Liverman offered a motion to approve resolution 14-200 as presented. The motion was seconded by Ms. Butler and carried unanimously by those present.

14-201 Public Health Nurse Case Management Services for Childhood Lead Poisoning

Ms. Butler offered a motion to approve resolution 14-201 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

14-202 Princeton Homecare, Nursing Services 2014, Not to Exceed \$9,000.

Mr. Liverman offered a motion to approve resolution 14-202 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

14-203 PSA; Whitman, Additional Environmental Services relating to PFARS Properties NTE \$4,350,

Ms. Crumiller offered a motion to approve resolution 14-203 as presented. The motion was seconded by Mr. Liverman and carried unanimously by those present.

14-204 2013 Recycling Tonnage Grant

Mr. Liverman offered a motion to approve resolution 14-204 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

14-205 PSA; Accredited Environmental Asbestos Removal Survey – 59 Meadowbrook Drive NTE \$1,130

Ms. Howard offered a motion to approve resolution 14-205 as presented. The motion was seconded by Ms. Crumiller and carried unanimously by those present.

14-206 Transco Leidy Southeast Project – Environmental Assessment

Ms. Crumiller offered a motion to approve resolution 14-206 as presented. The motion was seconded by Ms. Butler and carried unanimously by those present.

(Resolutions Appended To This Set of Minutes)

**ORDINANCE PUBLIC HEARINGS****Trees and Shrubs**

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING TREES AND SHRUBS AND THE PRINCETON SHADE TREE COMMISSION, AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968."

Mr. Miller offered a motion to continue the public hearing for the proposed ordinance on July 21, 2014. The motion was seconded by Ms. Butler and carried unanimously by those present.

**Environmental Commission**

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING THE PRINCETON ENVIRONMENTAL COMMISSION AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968"

Mayor Lempert opened the public hearing.

There being no public comment, the public hearing was closed.

Mr. Liverman offered a motion to approve the proposed ordinance on second reading. The motion was seconded by Ms. Crumiller and carried unanimously by those present.

**Sanitary Sewer Easement**

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON ACCEPTING A SANITARY SEWER EASEMENT ON A PORTION OF BLOCK 9301, LOT 10, PRINCETON TAX MAP

Mayor Lempert opened the public hearing.

There being no public comment, the public hearing was closed.

Ms. Crumiller offered a motion to approve the proposed ordinance on second reading. The motion was seconded by Mr. Liverman and carried unanimously by those present.

#### **Bond Ordinance, Sanitary Sewer System**

Mayor Lempert read by title an ordinance entitled BOND ORDINANCE PROVIDING FOR THE SANITARY SEWER SYSTEM AND ROAD RECONSTRUCTION PROJECT IN AND BY PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$1,515,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,439,250 BONDS OR NOTES OF PRINCETON TO FINANCE PART OF THE COST THEREOF.

Mayor Lempert opened the public hearing.

There being no public comment, the public hearing was closed.

Ms. Crumiller offered a motion to approve the proposed ordinance on second reading. The motion was seconded by Ms. Butler and carried unanimously by those present.

#### **Bond Ordinance, Spring Street Garage**

Mayor Lempert read by title an ordinance entitled BOND ORDINANCE PROVIDING FOR GENERAL PARKING UTILITY REPAIRS AND THE SPRING STREET GARAGE EMERGENCY POWER SYSTEM IN AND BY PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$95,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF PRINCETON TO FINANCE PART OF THE COST THEREOF.

Ms. Butler offered a motion to continue the public hearing for the proposed ordinance on August 11, 2014. The motion was seconded by Mr. Liverman and carried unanimously by those present.

#### **Bond Ordinance, Various Capital Improvements**

Mayor Lempert read by title an ordinance entitled BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$7,554,071 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,176,367 BONDS OR NOTES OF PRINCETON TO FINANCE PART OF THE COST THEREOF.

Mayor Lempert opened the public hearing.

There being no public comment, the public hearing was closed.

Ms. Crumiller offered a motion to approve the proposed ordinance on second reading. The motion was seconded by Mr. Liverman and carried unanimously.

#### ORDINANCE INTRODUCTIONS

##### **No Parking Zone**

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE AMENDING NO PARKING ZONE EXCEPT WITHIN DESIGNATED STALL MARKINGS IN THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968". (Public Hearing August 11, 2014)

Mr. Miller offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously by those present. The public hearing was set for August 11, 2014.

##### **Abandonment of a Sanitary Sewer Easement**

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE AUTHORIZING ABANDONMENT OF A SANITARY SEWER LINE AND VACATION OF A SANITARY SEWER EASEMENT ON BLOCK 28.03, LOTS 47.01, 47.03, 74, 76, 77, 78, 82, 83, 89, 100 AND 102 OF THE TAX MAP OF PRINCETON, AND MANDATING CONNECTION TO REPLACEMENT AND NEW SEWER LINES. (Public Hearing August 11, 2014)

Mr. Miller offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously by those present. The public hearing was set for August 11, 2014

**No Parking Zone, Markham Road**

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE CREATING A NO PARKING ZONE ON A PORTION OF MARKHAM ROAD AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974".

Ms. Butler offered a motion to approve the proposed ordinance on first reading. Ms. Crumiller seconded the motion, which was carried unanimously by those present. The public hearing was set for August 11, 2014

**CONSENT AGENDA**

Contains items of a routine nature, which are approved by a single vote.

- a. Bills and Claims
- b. Maintenance/Performance Guarantees
  - Dr. Ziad Hadaya and Nada Hadaya, Minor subdivision, block 7007, Lot 4, Completion time Extension to July 24, 2015.
- c. 14 -207 Fire Department Membership for Margaret Brookes.
- d. Music Amplification: Annual Joint Effort Princeton Summer Basketball Classic/Princeton Safe Streets Weekend, August 15-17, 2014 at Community Park Basketball Courts, 9:00 a.m. to 8:30 p.m.
- e. 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 16, 2014, 10:00 a.m. to 7:00 p.m., contingent upon approval of the Traffic Safety Officer.
- f. Street Closing Request: John Witherspoon School, Super Saturday, September 20, 2014 Walnut Lane between Franklin and Guyot Avenues, 10:00 a.m. to 3:00 p.m., contingent upon approval of the Traffic Safety Officer.
- g. 14- 208 Newspaper Vending Machine, The Princeton Sun.

h. 14- 209 Permission to persons to have alcoholic beverages in a public park, Princeton Democratic Organization Family Picnic, July 20, 2014, 3:00 p.m. to 7:00 p.m. Harrison Street Park.

i. 14- 210 Resolution Supporting Anti-Corruption Legislation.

j. Affordable Housing Permit Fee Reductions

Ms. Crumiller offered a motion to approve the consent agenda items “a-f, h and i” as presented.

The motion was seconded by Ms. Butler and carried unanimously by those present.

Ms. Butler offered a motion to approve consent agenda item “g” as presented. The motion was seconded by Mr. Miller and carried unanimously.

(Resolutions appended to this set of minutes.)

10:45 P.M.

14-211 CLOSED SESSION:

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.

The general nature of the subject or subjects to be discussed in said session is as follows:

Litigation:

- Avalon Bay
- Police Lawsuit Update

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 issues were discussed by the Princeton Council.

There being no further business the meeting was adjourned at 11:10 p.m.

July 14, 2014

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Linda S. McDermott  
Municipal Clerk