

**PRINCETON COUNCIL MEETING  
October 13, 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 Torontonion, the Town Topics, and filed with the Municipal Clerk.

**ROLL CALL**

The Municipal Clerk then called the roll.

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

Absent: None.

Also Present: Mr. Bruschi, Ms. Monzo, Mr. Kiser, Ms. Maddox and Chief Sutter.

**PLEDGE OF ALLEGIANCE**

The audience participated in the Pledge of Allegiance

**APPROVAL OF MINUTES**

Minutes of September 9, 2014 AM Closed Session

Mr. Simon offered a motion to approve the minutes of September 9, 2014 AM Closed Session as presented. Mr. Liverman seconded the motion which was carried unanimously.

Minutes of September 9, 2014 PM Closed Session

Mr. Simon offered a motion to approve the minutes of September 9, 2014 PM Closed Session as presented. Mr. Liverman seconded the motion which was carried unanimously.

Minutes of July 28, 2014

Mr. Simon offered a motion to approve the minutes of July 28, 2014 as presented. Mr. Liverman seconded the motion which was carried unanimously

#### PROCLAMATIONS

Mayor Lempert read proclamations declaring National Cyber Security Month, and Pancreatic Cancer Awareness Month.

#### COMMENTS FROM THE PUBLIC

Daniel Harris, 28 Dodds Lane commented to Council on the new Leave the Leaves program. He said that the important issue going forward is public education, noting that the PEC has done a great job in covering the major issues, but the Department of Public Works needs to take responsibility to explain how the current program works, and how improvements can be made.

(Memorandum attached to this set of minutes)

Diane Landis, Coordinator Sustainable Princeton announced that Princeton has been awarded its silver certification.

#### REPORTS

Jeff Grosser, Health Officer, reported to Council regarding the recent Ebola quarantine incident. Mr. Grosser said that one of the most recent connections to the disease occurred in Princeton. Before returning to the United States, an NBC crew made an agreement with the New Jersey Department of Health and the Princeton Health Department to voluntarily self-confine themselves for the remainder of the twenty-on day incubation period. This incubation period followed a low risk exposure on October 1. The NBC crew violated this agreement which resulted in a mandatory quarantine order until 11:59 p.m. on October 22, 2014. Mr. Grosser reported that the NBC crew remains symptom free, so there is no reason for concern of exposure to the community.

(Report appended to this set of minutes)

Trash Contract Extension Update, Robert Hough

Mr. Hough explained that the current contract with Central Jersey expires in January 2015. Due to the amount of trash being collected, he said that he would not recommend a change order for contract, but that he would be ready to go out to bid for a new vendor in December for a two year contract.

Mr. Miller asked if Central Jersey only served Princeton. Mr. Hough said that Central Jersey served about 20 different municipalities in New Jersey. Mr. Hough noted that our contract for the organics program will be honored but we would have to discuss the rate structure at a future meeting.

#### WORK SESSION

##### 2013 Audit Report

Robert Morrison, Hodulik & Morrison, P.A. explained to Council that the 2013 audit is the first audit of the consolidated Princeton. He said that the process was more clean and seamless than he had originally thought that it would be. Mr. Morrison said that essentially the evidence showed that they found nothing wrong.

##### 14-291 Resolution Approving a Corrective Action Plan

Mr. Miller offered a motion to approve resolution 14-291 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

##### 14-292 Resolution to Accept the 2013 Municipal Audit

Ms. Crumiller offered a motion to approve resolution 14-292 as presented. The motion was seconded by Mr. Miller and carried unanimously.

(Resolutions appended to this set of minutes)

#### ORDINANCE PUBLIC HEARINGS

##### **No Parking Zone, Markham Road**

Mayor Lempert read by title an 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"

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.

**Recreation and Parks**

Mayor Lempert read by title an ordinance entitled An Ordinance by Princeton Concerning Recreation and Parks and Similar Public Places, and Amending the “Code of the Borough of Princeton, New Jersey, 1974” and the “Code of the Township of Princeton, New Jersey, 1968.”

Ms. Crumiller offered a motion to amend the proposed ordinance and reintroduce. The motion was seconded by Mr. Miller and carried unanimously.

Mayor Lempert opened the public hearing.

Scotia McRae, Friends of Princeton Open Space said that there is a need for a Citizens Committee. Mayor Lempert said that this is a fabulous idea. Ms. Crumiller said that nothing has changed in terms of the law and asked Ms. McRae what types of things she thought should be done. Ms. McCreas said that she was concerned that the Recreation Board might have too much power. She felt that the Recreation Committee should not be in charge of open space. Ms. McRae said that she was not aware that the Friends of Princeton Open Space fell under the Recreation Board.

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

**ORDINANCE INTRODUCTION****Parks And Recreation (Revised)**

Mayor Lempert read by title on first reading a proposed ordinance entitled An Ordinance by Princeton Concerning Recreation and Parks and Similar Public Places, and Amending the “Code of the Borough of Princeton, New Jersey, 1974” and the “Code of the Township of Princeton, New Jersey, 1968.”

Ms. Crumiller offered a motion to approve the proposed ordinance on first reading. Mr. Miller seconded the motion, which was carried unanimously. The public hearing was set for October 27, 2014.

**RESOLUTIONS****14-293 Leaf & Brush Collection 2015**

Mr. Liverman offered a motion to approve resolution 14-293 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

10:00 p.m. Mr. Simon left the meeting.

14-294 Professional Services Agreement, White Buffalo, Inc., Wildlife Management Services 2015, Not to Exceed \$93,800.

Ms. Crumiller offered a motion to approve resolution 14-294 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

14-295 United Bow Hunters of New Jersey Agreement

Mr. Miller offered a motion to approve resolution 14-295 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

14-296 Professional Services Agreement, Rodgers Group, LLC, for Developing a Strategic Plan for the Princeton Police Department, Not to Exceed \$19,500.00

Ms. Howard offered a motion to approve resolution 14-296 as presented. The motion was seconded by Mr. Liverman and carried unanimously by those present.

14-297 Professional Services Agreement, Environmental Management Associates, Remediation of Valley Road Department of Public Works Property, Not to Exceed \$24,800

Ms. Crumiller offered a motion to approve resolution 14-297 as presented. The motion was seconded by Mr. Liverman and carried unanimously by those present.

14-298 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Great Road / Mountain Avenue Intersection Signalization and Walkway Extension Project

Mr. Liverman offered a motion to approve resolution 14-298 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

14-299 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Walnut Lane Project

Mr. Liverman offered a motion to approve resolution 14-299 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

14-300 Amending Previous Shared Services Agreement with the Township of Montgomery for Improvements Along a Portion of Cherry Valley Road

Ms. Butler offered a motion to approve resolution 14-300 as presented. The motion was seconded by Ms. Crumiller and carried unanimously by those present.

14-301 Resolution of the Municipality of Princeton, County of Mercer and State of New Jersey to Oppose the Penn east Pipeline Project

Ms. Crumiller offered a motion to approve resolution 14-301 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

14-302 Refund of Duplicate Tax Payment, 18 Hibben Road

Ms. Crumiller offered a motion to approve resolution 14-302 as presented. The motion was seconded by Mr. Liverman and carried unanimously by four affirmative votes. Ms. Butler recused herself from the vote.

14-303 Bond Sale - Resolution Determining the Form and Other Details of \$9,950,000 General Improvement Bonds, Series 2014 of Princeton, in the County of Mercer, New Jersey and Providing for Their Sale.

Mr. Liverman offered a motion to approve resolution 14-303 as presented. The motion was seconded by Ms. Crumiller and carried unanimously by those present.

14-303A Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2014 of Princeton, in the County of Mercer, New Jersey into a Single Issue of Bonds Aggregating \$9,950,000 in Principal Amount

Mr. Liverman offered a motion to approve resolution 14-303 as presented. The motion was seconded by Ms. Crumiller and carried unanimously by those present.

(Resolutions appended to this set of minutes)

CONSENT AGENDA

1. Maintenance/Performance Guarantees

- RoDan Investments, 50 Grover Avenue, Block 7308, Lots 11.01 and 11.02, Release of Performance Guaranty Contingent Upon Receipt of Acceptable Maintenance Guarantee Agreement in the Amount of \$2,550.78 Which is 15% of the Performance Guaranty Amount and Will Serve as the Required Two Year Maintenance Guaranty.

- Bunn Medical Group, LLC, 208 Bunn Drive, Block 4301, Lot 6, Parking Expansion, Performance Guarantee Release Contingent Upon Receipt of an Acceptable Maintenance Guarantee Agreement in the Amount of \$5,728.77 Which is 15% of the Performance Guarantee Amount and Will Serve as the Required Two Year Maintenance Guarantee.

-Olden House LLC, Block 47.01, Lots 30, 31 & 37, Located at 70 William Street, Reduction of Inspection Escrow to \$2,000. and the Balance Returned to the Applicant.

- Greenview Avenue Properties, LLC, 5, 7, 11 & 15 Greenview Avenue; Block 25.01 Lots 4,5,64 & 78, Reduction of Inspection Escrow to \$5,000. and Balance Returned to the Applicant.

2. Bills and Claims

3. 14-304 Professional Services Agreement, Hunter Research, Quaker Road Pathway Metal Detection, Not to Exceed \$512,500

4. 14-305 Refund Tax and Sewer Overpayment 106 Snowden Lane

5. 14-306 Integrated Construction and Utilities of New Jersey, Westerly Road Improvements Projects, Change Order 1, \$50,000.

6. 14-307 Princeton University Concerts Banner Request, Announcing "Meet the Music", March 16-23, 2015.

7. 14-308 Voices Chorale Banner Request, Announcing Their "O'Danny Boy" Concert, March 9-16, 2015.

Ms. Crumiller offered a motion to approve consent agenda items "1-7" in block. The motion was seconded by Mr. Liverman and carried unanimously.

(Resolutions appended to this set of minutes.)

10:20 p.m.

14-309 CLOSED SESSION: PERSONNEL

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:

Negotiations/Personnel - Potential Land Use Acquisitions (Open Space)  
Administrator Evaluation  
Appointments Boards and Commissions

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 11:20 p.m.

Linda S. McDermott  
Municipal Clerk