



**PRINCETON**  
**MAYOR AND COUNCIL OF PRINCETON**  
**MINUTES • JULY 13, 2015**

**Regular Meeting**

**Main Council Room**

**6:30 PM**

400 Witherspoon Street, Princeton, NJ 08540

**I. STATEMENT CONCERNING NOTICE OF MEETING**

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 a written notice. On June 4, 2015 at 2:50 p.m., said schedule was posted on the official bulletin board in the Municipal Building, transmitted to the Princeton Packet, the Trenton Times, the Town Topics and filed with the Municipal Clerk.

**II. ROLL CALL**

The Municipal Clerk then called the roll.

PRESENT: Howard, Miller, Liverman, Butler, Simon, Lempert

ABSENT: Crumiller

ALSO ATTENDING: Mr. Dashfield, Ms. Monzo, Ms. Cecil, and Chief Sutter

**III. PLEDGE OF ALLEGIANCE**

The audience participated in the pledge of allegiance.

**IV. 6:30 P.M. CLOSED SESSION**

1. 15-199 Closed Session: Negotiations/Personnel/Litigation, Solar PPA, Personnel Update, Comcast Franchise Renewal, Griggs Corner Lot, Fair Share Litigation

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bernard Miller, Council President
<b>SECONDER:</b>	Jo Butler, Councilwoman
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon
<b>ABSENT:</b>	Crumiller

**V. 7:00 P.M. OPEN SESSION**

**VI. APPROVAL OF MINUTES**

- 1.

*Motion* - to approve the minutes of May 18, 2015 as amended

<b>RESULT:</b>	<b>ACCEPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Lance Liverman, Councilman
<b>SECONDER:</b>	Bernard Miller, Council President
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon
<b>ABSENT:</b>	Crumiller

2.

*Motion* - to approve the minutes of June 8, 2015 as amended

<b>RESULT:</b>	<b>ACCEPTED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Bernard Miller, Council President
<b>SECONDER:</b>	Lance Liverman, Councilman
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon
<b>ABSENT:</b>	Crumiller

3.

*Motion* - to approve the minutes of July 6, 2015.

<b>RESULT:</b>	<b>ACCEPTED [4 TO 0]</b>
<b>MOVER:</b>	Jo Butler, Councilwoman
<b>SECONDER:</b>	Bernard Miller, Council President
<b>AYES:</b>	Miller, Liverman, Butler, Simon
<b>ABSTAIN:</b>	Howard
<b>ABSENT:</b>	Crumiller

## VII. COMMENTS FROM THE PUBLIC

There were no comments from the public.

## VIII. REPORTS

Council Reports:

Ms. Howard said that the New York Times recently ran an article regarding nail salons that the Princeton Board of Health is now looking into.

Mr. Miller said that they are undergoing Comcast negotiations with Mr. Simon and Ms. Monzo.

Ms. Butler said that there was recently a Blue Curtain event. She also reported on the upcoming golf outing and Aquathon.

Ms. Howard and Ms. Butler discussed with Council the legal report and legal retainers. They suggested that we pay the outstanding balances and work out a policy for future legal retainers.

Mayor Lempert said that a Girl Scout Troop was painting a recycling mural. She announced that tax bills were being mailed out next week and that she would be holding her next Meet the Mayor on July 24, 2015, 8:30 to 10:00 a.m. in Hinds Plaza

1. April 2015 Police Report

Chief Sutter provided Council with an update to the recent swatting incidents in the Princeton Public Schools. He said that recently there has been a lull statewide. Ms. Howard said that overtime trends look good, but asked if we will see an increase due to the swatting incidents. Chief Sutter said that no we wouldn't.

Chief Sutter said that they have undergone a very successful recruitment process and that he will have a very strong list of candidates to present by the end of August.

Mr. Miller said that he noticed an increase in foot patrol in April and May and was curious as to why. Chief Sutter said that during the nicer weather the Safe Neighborhood Unit is busier.

Mr. Liverman said that the Princeton Police Department is the best police department in the world and he would stand by that.

2. May 2015 Police Report
3. Tour Bus Enforcement Plan
4. Fair Share Litigation Update

Attorney Schmierer provided the Mayor and Council with a the Fair Share Litigation update. He said that at this point eleven municipalities have filed out of thirteen in Mercer County and it will be up to the Judge to figure out how this case will be handled in Superior Court. Mr. Schmierer said that the numbers will have to be adjusted. He said that because this is litigation we do need to hire an expert. Mr. Dashield said that we are currently out to solicit for proposals and will come back to Council on July 27, 2015 with suggestions for experts.

## **IX. PRESENTATION**

1. Library Presentation, Leslie Burger

Leslie Burger, Director of the Princeton Public Library announced her retirement for January 2016. Ms. Burger reviewed with Council the Library's new fundraising brochure. She said that the way that the Library provides services has changed and discussed how they are meeting those challenges. She said that they are \$300,000 shy of matching the challenge. Ms. Burger asked if Council can help by making a pledge. She said that she did not have an exact amount right now but would be back in September.

Mr. Simon asked what were the options if Council were to say no to making a pledge. Ms. Burger said that they would reach out to individuals, but there is a precedence in making the request as Council has pledged before.

Ms. Butler thanked Ms. Burger for her years of service and Ms. Howard added her thanks as well.

2. Police Department Strategic Plan

Chief Sutter presented the Police Department Strategic Plan to the Mayor and Council. Chief Sutter said that the plan gives the Police Department all the tools to move forward as a department and provide a legacy for the future.

Vance Mattis and Phil Coyne of The Rodgers Group said that the Chief opened his doors to them. He said that the department is doing a lot of very good things and leveraging resources within the organization.

Mayor Lempert complimented everyone saying that the process was extremely professional.

Ms. Howard offered her thanks, noting that there was tremendous community engagement in the process.

Chief Sutter said that the department embraces change better than most and the process and transparency was embraced and he has been clear to the staff about the roll out plan.

Ms. Howard said that this was about building on the success of the department and to say that the department is doing very well is an understatement.

Ms. Butler said that she was supportive of body cameras.

Mr. Simon said that in regard to an IT specialist for Police Department, he was not clear what problem we were trying to solve, and why the IT committee couldn't solve it. Mr. Dashiield said that the Chief can identify the need.

Mr. Simon noted that stakeholders and civil rights issues are not in the report. Mr. Coyne said that it did not come up.

<b>RESULT:</b>	<b>CONSENSUS TO APPROVE [UNANIMOUS]</b>
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon
<b>ABSENT:</b>	Crumiller

**X. ORDINANCE PUBLIC HEARING**

1. An Ordinance Establishing Mid-Block Crosswalks on Alexander Street and Edgehill Street and Amending the "Code of the Borough of Princeton, New Jersey, 1974".

*Motion* – to adopt

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Jo Butler, Councilwoman
<b>SECONDER:</b>	Heather Howard, Councilwoman
<b>AYES:</b>	Howard, Miller, Butler, Simon
<b>ABSENT:</b>	Crumiller
<b>AWAY:</b>	Liverman

## XI. ORDINANCE INTRODUCTIONS

1. An Ordinance by Princeton Concerning Alarm System Registrations and Amending the "Code of the Borough of Princeton, New Jersey 1974" and the "Code of the Township of Princeton, New Jersey, 1968".

*Motion* – to introduce

<b>RESULT:</b>	<b>INTRODUCED [4 TO 1]</b>	<b>Next: 8/10/2015 6:00 PM</b>
<b>MOVER:</b>	Bernard Miller, Council President	
<b>SECONDER:</b>	Jo Butler, Councilwoman	
<b>AYES:</b>	Howard, Miller, Liverman, Butler	
<b>NAYS:</b>	Simon	
<b>ABSENT:</b>	Crumiller	

2. An Ordinance by Princeton Concerning Alcoholic Beverages and Amending the "Code of the Borough of Princeton, New Jersey, 1974" and the "Code of the Township of Princeton, New Jersey, 1968."

*Motion* – to introduce

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 8/10/2015 6:00 PM</b>
<b>MOVER:</b>	Bernard Miller, Council President	
<b>SECONDER:</b>	Jo Butler, Councilwoman	
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon	
<b>ABSENT:</b>	Crumiller	

3. An Ordinance by Princeton Concerning the Princeton Police Department and Amending the "Code of the Borough of Princeton, New Jersey, 1974" and the "Code of the Township of Princeton, New Jersey, 1968."

*Motion* – to introduce

Ms. Butler and Mr. Simon voted in the negative due to the issue of the Appropriate Authority.

<b>RESULT:</b>	<b>INTRODUCED [3 TO 2]</b>	<b>Next: 8/10/2015 6:00 PM</b>
<b>MOVER:</b>	Lance Liverman, Councilman	
<b>SECONDER:</b>	Heather Howard, Councilwoman	
<b>AYES:</b>	Howard, Miller, Liverman	
<b>NAYS:</b>	Butler, Simon	
<b>ABSENT:</b>	Crumiller	

4. An Ordinance by Princeton Concerning Taxis and Other Vehicles for Hire and Amending the "Code of the Borough of Princeton, New Jersey, 1974" and the "Code of the Township of Princeton, New Jersey, 1968"

*Motion* – to introduce

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 8/10/2015 6:00 PM</b>
<b>MOVER:</b>	Bernard Miller, Council President	
<b>SECONDER:</b>	Lance Liverman, Councilman	
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon	
<b>ABSENT:</b>	Crumiller	

## XII. RESOLUTIONS

1. 15-200 Resolution to Authorize a Supplemental Professional Services Agreement with Whitman for Phase I Services at Block 15.02 Lots 37 and 38, Located East of 227 - 229 John Street, in the Not to Exceed Amount of \$1,450.00

*Motion* - to approve resolution 15-200

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lance Liverman, Councilman
<b>SECONDER:</b>	Patrick Simon, Councilman
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon
<b>ABSENT:</b>	Crumiller

2. 15-201 Resolution to Authorize a Professional Services Agreement with Accredited Environmental Technologies, Inc. for Pre-Demolition Identification Survey of Asbestos at Block 15.02 Lots 37 and 38 (Located East of 229 John Street) in the Not to Exceed Amount of \$1,125.00

*Motion* – to approve resolution 15-201

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Lance Liverman, Councilman  
**SECONDER:** Patrick Simon, Councilman  
**AYES:** Howard, Miller, Liverman, Butler, Simon  
**ABSENT:** Crumiller

3. 15-202 Resolution Authorizing a Payment to the Princeton Public Schools in the Amount of \$170,061.75 for Hazardous Bus Routes Transportation Costs for the 2014- 2015 School Year

*Motion* – to approve resolution 15-202

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Lance Liverman, Councilman  
**SECONDER:** Heather Howard, Councilwoman  
**AYES:** Howard, Miller, Liverman, Butler, Simon  
**ABSENT:** Crumiller

4. 15-203 Resolution to Award Improvement to Edgehill Street Construction Contract in the Not to Exceed Amount of \$527,517.77 to Top Line Construction Corporation

*Motion* – to approve resolution 15-203

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Bernard Miller, Council President  
**SECONDER:** Patrick Simon, Councilman  
**AYES:** Howard, Miller, Liverman, Butler, Simon  
**ABSENT:** Crumiller

5. 15-204 Resolution Authorizing City Connections, LLC, to Design a Content Management System Website for an Amount Not to Exceed \$6,350.00 and Annual Updating of Content for an Amount Not to Exceed 15,500.00 (Prorated to a Calendar Year)

*Motion* – to approve resolution 15-204

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Lance Liverman, Councilman  
**SECONDER:** Patrick Simon, Councilman  
**AYES:** Howard, Miller, Liverman, Butler, Simon  
**ABSENT:** Crumiller

6. 15-205 Bike Parking Requirement

Heidi Fichtenbaum, 38 Carnahan Place, thanked Council for taking a proactive stance and that we were ready to move forward and have a policy in place.

*Motion* – to approve resolution 15-205

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Heather Howard, Councilwoman
<b>SECONDER:</b>	Patrick Simon, Councilman
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon
<b>ABSENT:</b>	Crumiller

- 15-206 Resolution to Award the 2015 Sidewalk Construction Contract in the Not to Exceed Amount of \$199,800.00 to T. Fiotakis Construction LLC

*Motion* – to approve resolution 15-206

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lance Liverman, Councilman
<b>SECONDER:</b>	Patrick Simon, Councilman
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon
<b>ABSENT:</b>	Crumiller

### XIII. CONSENT AGENDA

*Motion* – to adopt

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Lance Liverman, Councilman
<b>SECONDER:</b>	Heather Howard, Councilwoman
<b>AYES:</b>	Howard, Miller, Liverman, Butler, Simon
<b>ABSENT:</b>	Crumiller

- Bills & Claims
- 15-207 Resolution Granting Permission to the Princeton Community Democratic Organization to Bring Alcoholic Beverages to the Harrison Street Park on July 19, 2015

*Motion* – to approve resolution 15-207

- 190 Witherspoon Street; Block 15.01, Lots 25 and 26, Release of Maintenance Guarantee
- Hadaya, Minor Subdivision, 453 Jefferson Rd; Block 7007; Lot 4, Extension of Time to July 24, 2017

5. Westerly Road Church Subdivision, Extension of Time to January 18, 2016,
6. 15-208 Special Event, Joint Effort, Princeton Safe Streets Weekend, August 13-16, 2015

*Motion* – to approve resolution 15-208

7. 15-209 Grant Application for Food Waste Recycling

*Motion* – to approve resolution 15-209

8. 15-210 Miller, Porter & Muller, AvalonBay Communities, Inc. V Princeton/Princeton Planning Board, Not to Exceed \$17,500

*Motion* – to approve resolution 15-210

9. 15-211 Chapter 159-Drive Sober or Get Pulled Over, \$7,000.

*Motion* – to approve resolution 15-211

10. 15-212 Request for Pole Banners on Nassau Street by the Princeton University Art Museum, to Promote Ce'zanne and the Modern Masterpieces of European Art from the Pearlman Collection, August 29, 2015 to January 5, 2016

*Motion* – to approve resolution 15-212

#### **XIV. ADJOURNMENT**

There being no further business, the meeting was adjourned at 10:45 p.m.

Linda S. McDermott  
Municipal Clerk