



PRINCETON
MAYOR AND COUNCIL OF PRINCETON
MINUTES • FEBRUARY 29, 2016

Regular Meeting

Main Council Room

6:00 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 February 25, 2016 at 2:15 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 for Council: Mayor Lempert, Councilwoman Butler, Councilwoman Howard, Councilman Miller, and Councilman Simon.

Absent: Councilwoman Crumiller and Council President Liverman.

Also Present: Mr. Dashield, Administrator, Ms. Britton, Esq., Municipal Attorney and Chief Sutter.

III. PLEDGE OF ALLEGIANCE

The audience participated in the pledge of allegiance.

IV. 6:00 P.M. CLOSED SESSION: LITIGATION/NEGOTIATIONS

1. 16-56 Resolution Closed Session

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bernard Miller, Councilman
SECONDER:	Jo Butler, Councilwoman
AYES:	Howard, Miller, Butler, Simon
ABSENT:	Crumiller, Liverman

2. Litigation Update

3. COAH Update

The Mayor and Council reviewed the above referenced items.

V. 7:00 P.M. OPEN SESSION

VI. APPROVAL OF MINUTES

1. October 12, 2015

RESULT: APPROVED [UNANIMOUS]
MOVER: Bernard Miller, Councilman
SECONDER: Jo Butler, Councilwoman
AYES: Howard, Miller, Butler, Simon
ABSENT: Crumiller, Liverman

2. January 13, 2016

RESULT: APPROVED [3 TO 0]
MOVER: Heather Howard, Councilwoman
SECONDER: Bernard Miller, Councilman
AYES: Howard, Miller, Simon
ABSTAIN: Butler
ABSENT: Crumiller, Liverman

VII. AWARD OF RECOGNITION

1. McCaffrey's Food Market

Mayor Lempert presented an Award of Recognition to Lou Campo, McCaffrey's Food Market, for their outstanding contributions to the Princeton Community.

VIII. PROCLAMATION

1. American Red Cross Month 2016

Mayor Lempert read a proclamation declaring the month of March as American Red Cross Month 2016.

IX. COMMENTS FROM THE PUBLIC

Craig Garcia, 52 Birch Avenue; Elizabeth Dyenir, 376 Jefferson Road; Reyna Salinas, 22 Lytle Street; Lilian Chipix, 174 Jonathan Dayton Court; Amarilis Gonzales, 345 Witherspoon Street all spoke in favor of an earned sick day policy.

X. REPORTS

1. Spirit of Princeton, Events for 2016

Ray Wadsworth, reviewed with Council the dates of events for 2016 as sponsored by the Spirit of Princeton and requested that Council approve a waiver of fees.

Memorial Day Parade, May 28, 2016

Flag Day, June 14, 2016

Fourth of July Fireworks- there will be no fireworks this year

Veterans Day, November 11, 2016

Mr. Miller offered a motion to waive the fees for the events listed above. Ms. Butler seconded the motion, which was carried unanimously by those present.

XI. PRESENTATION

1. Solar Array Plant, Bernie Miller, Councilman

Mr. Miller discussed with the Mayor and Council a proposal to develop a solar array plant to be put on the top deck of the municipal garage. The cost of the project would be \$58,000.

Ms. Howard and Mr. Simon said that they were in support of the project.

Mr. Miller asked that Council take time to consider the proposal. He said that he will come back to Council at a later meeting for further discussion and a resolution authorizing the project.

COUNCIL REPORTS

Ms. Butler said that there will be a Planning meeting for the Mary Moss Park at 6:30 p.m. on March 9, 2016. She also reported that the Spring/Summer brochure for the Recreation Department can be found online on the municipal website.

Mayor Lempert said that the Bike and Walk annual summit was held this past week. The Mayor also reported that a recent Hackathon dealt with transportation issues.

Mr. Simon said that Princeton Cable Television will be screening two films on March 2, 2016 at 1 Monument Drive, Princeton.

XII. ORDINANCE PUBLIC HEARING

1. 16-5 An Ordinance By Princeton Requiring Direct Deposit Of Net Pay And Amending The "Code Of The Township Of Princeton, New Jersey, 1968"

Mayor Lempert opened the public hearing. There being no public comment the Mayor closed the public hearing.

Motion – to adopt

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

2. 16-6 An Ordinance By Princeton Establishing A Youth Advisory Committee And Amending The "Code Of The Borough Of Princeton, New Jersey, 1974."

Mayor Lempert opened the public hearing. There being no public comment the Mayor closed the public hearing.

Motion – to adopt

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

- 3. 16-7 An Ordinance By Princeton Regulating Metered On-Street Parking Along Paul Robeson Place And Amending The "Code Of The Borough Of Princeton, New Jersey, 1974"

Mayor Lempert opened the public hearing. There being no public comment the Mayor closed the public hearing.

Motion – to adopt

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

- 4. 16-8 Ordinance by Princeton, Pursuant to N.J.S.A. 40A:12-3 et seq., to Acquire a Permanent, Non-Exclusive Easement for a Sidewalk and Retaining Wall on Block 7004, Lot 1, Princeton Tax Map (11 State Road) for the Not To Exceed Amount of \$4,300.00

Mayor Lempert opened the public hearing. There being no public comment the Mayor closed the public hearing.

Motion – to adopt

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

- 5. 16-9 An Ordinance By Princeton Concerning The Princeton Public Safety Committee And Amending Chapter 26, "Police Department," Of The "Code Of The Borough Of Princeton, New Jersey, 1974."

Mayor Lempert opened the public hearing. There being no public comment the Mayor closed the public hearing.

Motion – to adopt

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

XIII. ORDINANCE INTRODUCTIONS

1. 16-10 Bond Ordinance Amending Section 3(E)(1) Of Bond Ordinance Numbered #2015-7 Of Princeton, In The County Of Mercer, New Jersey, Finally Adopted April 27, 2015 In Order To Amend The Description Of The Project. (Valley Road Street Project)

Motion – to introduce

RESULT: INTRODUCED [UNANIMOUS] **Next: 3/28/2016 6:00 PM**
MOVER: Bernard Miller, Councilman
SECONDER: Patrick Simon, Councilman
AYES: Howard, Miller, Butler, Simon
ABSENT: Crumiller, Liverman

2. 16-11 An Ordinance By Princeton Amending The Education 4 (E4) Zone Designation In The Municipality, By Removing Block 9301, Lot 22 From The Residential (R2) Zone And Adding Lot 22 To The Educational 4 (E4) Zone On The Princeton Township Zoning Map And Amending And Supplementing The "Code Of The Township Of Princeton, New Jersey, 1968" In Connection Therewith (The Hun School Of Princeton).

Motion – to introduce

RESULT: INTRODUCED [UNANIMOUS] **Next: 3/28/2016 6:00 PM**
MOVER: Bernard Miller, Councilman
SECONDER: Patrick Simon, Councilman
AYES: Howard, Miller, Butler, Simon
ABSENT: Crumiller, Liverman

3. 16-12 An Ordinance By The Municipality Of Princeton Concerning Construction Site Maintenance And Amending The "Code Of The Borough Of Princeton, New Jersey, 1974."

Motion – to introduce

RESULT:	INTRODUCED [UNANIMOUS]	Next: 3/28/2016 6:00 PM
MOVER:	Jo Butler, Councilwoman	
SECONDER:	Bernard Miller, Councilman	
AYES:	Howard, Miller, Butler, Simon	
ABSENT:	Crumiller, Liverman	

- 4. 16-13 An Ordinance By The Municipality Of Princeton Concerning Construction Code Enforcement 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

RESULT:	INTRODUCED [UNANIMOUS]	Next: 3/28/2016 6:00 PM
MOVER:	Bernard Miller, Councilman	
SECONDER:	Jo Butler, Councilwoman	
AYES:	Howard, Miller, Butler, Simon	
ABSENT:	Crumiller, Liverman	

- 5. 16-14 An Ordinance By Princeton Regarding The Complete Streets, Bicycle Advisory And Public Transit Advisory Committees And Amending The "Code Of The Borough Of Princeton, New Jersey, 1974" And "Code Of The Township Of Princeton, New Jersey, 1968."

Motion – to introduce

RESULT:	INTRODUCED [UNANIMOUS]	Next: 3/28/2016 6:00 PM
MOVER:	Heather Howard, Councilwoman	
SECONDER:	Bernard Miller, Councilman	
AYES:	Howard, Miller, Butler, Simon	
ABSENT:	Crumiller, Liverman	

- 6. 16-15 An Ordinance By The Municipality Of Princeton Concerning Valet Parking And Amending The "Code Of The Borough Of Princeton, New Jersey, 1974."

Motion – to introduce

RESULT:	INTRODUCED [UNANIMOUS]	Next: 3/28/2016 6:00 PM
MOVER:	Jo Butler, Councilwoman	
SECONDER:	Bernard Miller, Councilman	
AYES:	Howard, Miller, Butler, Simon	
ABSENT:	Crumiller, Liverman	

XIV. RESOLUTIONS

1. 16-57 Authorizing The Award Of A Non-Fair And Open Contract For Professional Services To The Lafayette College Meyner Center For Assistance In Preparing A Strategic Plan For The Department Of Infrastructure And Operations For The Not To Exceed Amount Of \$12,000.00

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Bernard Miller, Councilman
AYES:	Howard, Miller, Butler, Simon
ABSENT:	Crumiller, Liverman

2. 16-58 Resolution Authorizing the Sharing of Costs with Princeton Community Housing in the Preparation of a Financial Feasibility Study for the Provision of 40 Additional Affordable Units at Princeton Community Village.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Jo Butler, Councilwoman
AYES:	Howard, Miller, Butler, Simon
ABSENT:	Crumiller, Liverman

3. 16-59 Professional Service Agreement for Planning Board Legal Services with Miller Porter & Muller, PC, Not to Exceed \$34,000.00

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Heather Howard, Councilwoman
SECONDER:	Bernard Miller, Councilman
AYES:	Howard, Miller, Butler, Simon
ABSENT:	Crumiller, Liverman

4. 16-60 Bid Award for the Valley Road Improvement Project to Integrated Construction and Utilities of NJ (ICUNJ) in an Amount Not to Exceed \$1,868,292.71

RESULT: APPROVED [UNANIMOUS]
MOVER: Bernard Miller, Councilman
SECONDER: Heather Howard, Councilwoman
AYES: Howard, Miller, Butler, Simon
ABSENT: Crumiller, Liverman

6. 16-52 Authorizing Personnel Manual Updates

Ms. Butler offered the following additions to the proposed resolution: On page 2, #3, Option for the Personnel Committee – have the Municipal Attorney determine if an outside investigator is necessary or have the issue reviewed by the Personnel Committee.

RESULT: APPROVED AS AMENDED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Jo Butler, Councilwoman
AYES: Howard, Miller, Butler, Simon
ABSENT: Crumiller, Liverman

XV. CONSENT AGENDA

1. Bills and Claims
2. 16-61 Boards Committee and Commission Handbook
3. Fountain Ridge, LLC (formerly J. Robert Hillier "Copperwood") Bunn Drive, Block 4301, Lots 3 and 4, and Block 4401, Lots 1 and 2, Completion Time Extension to June 30, 2016
4. 16-62 Municipal Concurrence to Establish Bus Stops on US Route 206 and Rescind Any Bus Stop Locations or Traffic Regulations in Conflict

RESULT: APPROVED #1-4 [UNANIMOUS]
MOVER: Heather Howard, Councilwoman
SECONDER: Jo Butler, Councilwoman
AYES: Howard, Miller, Butler, Simon
ABSENT: Crumiller, Liverman

5. 16-63 2016 Canoe and Kayak Recreational Services Contract Award to Griggstown Canoe and Kayak Rental in the Not to Exceed Amount of \$5,800.00

The original resolution was removed from the agenda and replaced with a resolution authorizing the municipality to go out to bid for Canoe Concession Services.

RESULT: APPROVED AS AMENDED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Jo Butler, Councilwoman
AYES: Howard, Miller, Butler, Simon
ABSENT: Crumiller, Liverman

7. 16-64 Professional Service Agreement for Planning Board Conflict Attorney with Herbert Van Ness, Cayci and Goodell, PC not to exceed \$10,000.00

RESULT: APPROVED [UNANIMOUS]
MOVER: Heather Howard, Councilwoman
SECONDER: Jo Butler, Councilwoman
AYES: Howard, Miller, Butler, Simon
ABSENT: Crumiller, Liverman

7. 16-65 Resolution Authorizing the Mayor to Execute Grant Agreement which will provide \$550,000.00 in Grants Funds and Reimbursement for Various Open Space Acquisitions

The resolution title was amended to read "Authorizing the Mayor to Execute Grant Agreement which will provide \$550,000.00 in Grants Funds and Reimbursement for Acquisition of the Princeton Land Property for Open Space Purposes."

RESULT: APPROVED AS AMENDED [3-1]
MOVER: Patrick Simon, Councilman
SECONDER: Jo Butler, Councilwoman
AYES: Howard, Butler, Simon
NAYS: Miller
ABSENT: Crumiller, Liverman

8. 16-66 Request by The Arts Council of Princeton for Pole Banners, Communiversy, April 2-18, 2016
 9. 16-67 Resolution Approving Firefighter Membership Application for David Esterlit
 10. 16-68 Resolution Approving Firefighter Membership Application for Kyle John Oskvig

RESULT:	APPROVED #8-10 [UNANIMOUS]
MOVER:	Heather Howard, Councilwoman
SECONDER:	Jo Butler, Councilwoman
AYES:	Howard, Miller, Butler, Simon
ABSENT:	Crumiller, Liverman

XVI. CLOSED SESSION (CONTINUATION OF ABOVE IF NECESSARY)

XVII. ADJOURNMENT

There being no further business the meeting was adjourned at 9:50 p.m.

Linda S. McDermott
Municipal Clerk

Spirit of Princeton

Events for 2016

Memorial Day Parade

Saturday – May 28, 2016

10:00am

From Princeton Avenue to the Old Borough Hall

Flag Day

Tuesday June 14, 2016

12:00Noon

Witherspoon Hall

No- Fourth (4th) Of July Fireworks this year

Veterans Day

Friday - November 11, 2016

11:00am

Nassau Street and Mercer Street at the Monument

American and POW Flags to be put up along Nassau Street

Memorial Day to Veterans Day

Please waiver all permits for the Memorial Day Parade, Flag Day and Veterans Day

St. Paul's Roman Catholic Church

Stations of the Cross – (Good Friday)

March 25, 2016

7:00pm

Closing of Moran Avenue, Spruce Street and Moore like last year



Ray Wadsworth

Chairman of the Spirit of Princeton