



PRINCETON
MAYOR AND COUNCIL OF PRINCETON
MINUTES • MARCH 14, 2016

Regular Meeting

Main Council Room

7:00 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 March 2, 2016 at 9:05 a.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 Crumiller, Councilwoman Howard, Council President Liverman, Councilman Miller and Councilman Simon.

Absent: None.

Also Present: Mr. Dashield, Administrator, Chief Sutter and Ms. Maddox, Esq, Mason, Griffin & Pierson.

III. PLEDGE OF ALLEGIANCE

The audience participated in the pledge of allegiance.

IV. ANNOUNCEMENTS

Mayor Lempert announced Ms. Butler's birthday and that she will hold a Meet the Mayor on March 26, 2016, between 8:30 a.m. and 10:00 a.m. at the Library.

V. PROCLAMATION

1. National Poison Prevention Week, March 20-26, 2016

Mayor Lempert read a proclamation declaring National Poison Prevention Week, March 20-26, 2016.

VI. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Sally Goldfarb, 100 Sycamore Road; Philip Papis, 136 Riverside Drive; Tashe O'Neill, 127 McCosh Circle; Anne Neumann, 22 Alexander Road; Donna Gabai, Philip Drive; and Frances Treves, Riverside Drive all spoke about concerns for rezoning of the Butler Tract and asked that the zoning remain consistent with the Master Plan.

Mr. Dashield said that staff has spoken with the neighbors and will review all the alternatives.

Ms. Butler said that she would support the zoning of the Butler Tract as well as the zoning of the Springdale lot.

(Letters appended to this set of minutes)

VII. APPROVAL OF MINUTES

1. November 9, 2015

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lance Liverman, Council President
SECONDER:	Bernard Miller, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

2. January 25, 2016

Mr. Simon asked that language in Resolution 16-32 changed from "and removing Mr. Simon from the Cable TV Committee" to "and removing Mr. Simon's appointment to the Cable TV Committee, which no longer exists".

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Heather Howard, Councilwoman
SECONDER:	Lance Liverman, Council President
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

VIII. REPORTS

1. December 2015 Police Report

2. January 2016 Police Report

Chief Sutter reviewed with the Mayor and Council the December 2015 and the January 2016 Police Reports. He reported that they have added the number of incidents related to marijuana and opiates and noted that the format has changed with the January 2016 report.

Chief Sutter stated that the Police Department is engaging in the pursuit of reaccreditation and discussed the process. He said that Lieutenant Christopher Morgan was the reaccreditation manager.

Chief Sutter addressed the overtime spike in January 2016. He stated that patrols were at a minimum and then there was a staff shortage.

Mr. Liverman thanked the Police Department for representation at the recent Heroin Awareness Forum.

Ms. Butler said that she appreciated the willingness to add more data to the reports. She asked how parking tickets result in arrests. Chief Sutter said that this is a court rule and if the person fails to appear in court for more than one parking ticket, a bench warrant is issued, notice is given and the driver's license is suspended. He said that this happens in all courts and that he was not aware of any court that does not follow this process.

3. Route 206 Bridge Status Report – this report was tabled.
4. 16-69 Solar Array Plant, Bernie Miller, Councilman

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

Mr. Miller reviewed with Mayor and Council a power point presentation regarding a solar array plant on the municipal garage top deck.

Mr. Miller said that the garage top deck is unused and that many solar array plants have been built above the top deck of parking garages. He said that a private sector developer is the owner/operator of the solar array plant. Mr. Miller said that we enter into a power purchase agreement and the municipality receives payment for the rental of the space. He suggested that we use the same consultants as the recent River Road project to prepare the Request for Proposals documents and assist in the management of the procurement.

Mr. Miller said that the municipal expenditure would be \$58,000.00. That expenditure will cover the cost of the work leading up to the contract, which will then be recovered from the contractor if the contract is awarded. He also asked that Council authorize an expenditure of \$22,000.00 for the development of the Request for Proposals and the preliminary evaluation of proposals. Based upon the preliminary evaluation of proposals, the Council would then be asked to approve the balance of \$36,000.00 needed to complete the procurement and award a contract.

Ms. Butler said that she was concerned about the possibility of losing parking spaces during the installation.

Mr. Simon said that he was in favor but would like to see staff get more information and that he too was concerned about the loss of parking spaces.

COUNCIL REPORTS

Ms. Howard reported that the 2016 deer culling is complete and that the cull numbers are lower than expected due to the weather. She said that Access Princeton has Twitter Chats and that there is one scheduled for March 15, 2016 with Animal Control Officer, Nate Barson.

Ms. Howard stated that the Ad Hoc Working Group for the Earned Sick Policy is setting up fact gathering meetings.

Ms. Crumiller said that the Code Review Committee is working on strengthening the Shade Tree Ordinance.

Mr. Liverman reported that the Annual Corner House Fundraiser will be held April 15, 2016 at the Mercer County Boathouse.

Ms. Butler reported that the first meeting of The Mary Moss Park planning committee has taken place and a second meeting will be held on May 3, 2016.

Mr. Simon stated that he attended the Mercer County Economic Summit on March 8, 2016.

Mayor Lempert announced that applications for the Youth Advisory Committee are currently online and due by April 15, 2016.

IX. PRESENTATION

1. Sustainable Princeton, EV Chargers in the Spring Street Garage

RESULT: TABLED

2. 16-70 2016 Council Goals and Priorities

Mr. Dashield reviewed with the Mayor and Council the list of 2016 Council Goals and Priorities.

Mr. Simon said that he was concerned about outstanding zoning issues and hoped that they could be moved along.

Ms. Butler said that she would like to see the E-1 Butler Tract zoning reviewed sooner than later.

Mr. Dashield suggested that Council adopt the Council Goals as is but make slight amendments regarding zoning issues.

RESULT: APPROVED AS AMENDED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Lance Liverman, Council President
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

X. ORDINANCE INTRODUCTION

1. 16-17 Ordinance By Princeton Designating Two Handicapped Parking Spaces on Jefferson Road and Amending the Code of the Township of Princeton, New Jersey 1968

Motion – to introduce

RESULT: INTRODUCED [UNANIMOUS] Next: 4/11/2016 6:00 PM
MOVER: Jenny Crumiller, Councilwoman
SECONDER: Jo Butler, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

9. 16-79 Request for Pole Banners on Nassau Street, The Princeton University Art Museum, April 30-July 16, 2016

10. 16-80 Appointments to Boards, Commissions and Committees Mayor and Council of Princeton

XIII. ADJOURNMENT

There being no further business the meeting was adjourned at 9:05 p.m.

Linda S. McDermott

Municipal Clerk

Statement of Sally Goldfarb
100 Sycamore Road
Princeton, NJ 08540
(609) 921-1559

Mayor Lempert and Members of the Council,

Thank you for the opportunity to speak with you about the zoning of the Butler Tract. My name is Sally Goldfarb, and I live at 100 Sycamore Road.

As you know, the demolition of the Butler Apartments is almost complete. Many local residents are concerned about possible future construction on the site. At approximately 36 acres, the Butler Tract is one of the largest tracts of open land in Princeton. Future development in this area will have a significant impact on the surrounding neighborhood and the entire Princeton community.

University officials have announced that there are no current plans to rebuild on the site, and that when construction eventually takes place, it will most likely be residential. These assurances are appreciated by those of us who live nearby. The Butler Tract sits in the midst of a quiet residential area, and there is a strong consensus among the neighbors that any redevelopment should be residential.

However, the current zoning of the Butler Tract does not require that it be used for residential purposes. Instead, the Butler Tract is zoned as an E-1 education district, the same zoning as the main campus, which would allow the university to construct many types of academic facilities without needing a zoning variance. This is inconsistent with the zoning of the adjacent properties, all of which are residential.

Rezoning the Butler Tract as residential would ratify the university's own statements recognizing that residential use is the most appropriate way to redevelop this land.

Rezoning would also be consistent with the Princeton Master Plan, which designates the Butler Tract as residential. In addition, the Master Plan recognizes the importance of controlling development at the edges of the university's

property. Butler is at the far eastern edge of university-owned land, and it is surrounded on all four sides by privately owned homes. As the Master Plan noted, "Edges or transition areas between the University and the community are critical. Zoning standards should be applied and or developed to insure a smooth transition between the University and the community" (p. 29).

In conclusion, the vacant Butler Tract provides a unique opportunity for the university, municipal government and residents to work together toward a mutually beneficial outcome. By rezoning the Butler Tract, the Council can help ensure that the residential character of the neighborhood will be preserved and the interests of the community will be protected. I look forward to continuing to work with you on this issue. Thank you.

To the Princeton Council / Planning Board

Concerning future construction in the Butler Tract

As a resident of McCosh Circle, I am concerned as to what will become of the old Butler Tract after the demolition is completed.

I urge the Planning Board to keep the zoning residential as would be consistent with the municipal Master Plan and would help preserve the residential character of our neighborhood.

Respectfully submitted,

Tasha O'Neill
127 McCosh Circle

My name is Francis Treves, I am a licensed architect, and like Sally Goldfarb our Co-Chair grew up in the Riverside neighborhood and actually graduated from the same 5th grade class of Riverside Elementary School in 1967..

I would like speak briefly about not simply to rezoning the track as residential but as a "Net-Zero Residential District". I believe that the concept behind it may rally both the Community and University to support it.

First what is a "Net Zero District"

A "Net Zero" District " is a residential community made up of housing that on an annual basis, produces as much or more energy than it consumes. The "net zero" goal is achieved through engineered site planning and home design guidelines. The community achieves "net zero" by combining sun harvesting in three ways: 1) by photovoltaic solar panels that convert the sun's energy directly into electricity from panels attached to roofs and on a shared parking canopy, 2) by solar thermal panels that use the sun's energy to heat water for the domestic hot water system and 3) by the passive solar design of the buildings where the sun's rays heat the interior of the homes during the winter months. In addition other energy conservation alternatives may be community sized geothermal along with building homes according to prescriptive standards of the US Passive House Institute.

The District might consist of single story mix of 1 bedroom, 2 bedroom, and 1 and 2 bedroom plus study apartments ranging in size from approximately 700 to 1500 square feet each in clusters of six or eight units per floor. The shared amenities might be a community hall with onsite daycare, large and small social spaces, a hydroponic/aquaponic greenhouse along with an outdoor garden for year round fresh produce, basketball, and tennis court, and a playground for recreation, along with shared parking under a solar canopy where electric vehicles can be parked.

The District will be a showcase of the Town and Gown's best collaborative efforts. The Council, Planning Board and University will have to develop zoning requirements for the District and might consider initially sponsoring a Net Zero Design Competition jointly hosted by the University and "Princeton Future" where by teams made up planning and design professionals within the community or from nationally based firms might submit planning and design ideas. The School of Architecture and Planning and the Engineering Department might also provide the University support in the evaluation vetting of the energy modeling of proposed concepts as well as to potentially develop their own solutions. The final zoning of the district would evolve from the best ideas shared across multiple sources to ensure the highest quality of planning and design.

In summary, I believe that a Net Zero Residential District will satisfy common core values of the University and the Community by:

- 1) Helping the environment, combat global warming, offer affordable energy efficient housing to faculty and the community that has a minimal carbon footprint and does not consume precious natural resources.
- 2) Will provide saving and reduced sticker cost to the tenant or homeowner in the form of the reuse of the existing sanitary, storm water, and street grid of which may already have optimal southern exposure for solar panel optimization.
- 3) Will provide the town and gown with a nationally recognized housing community with cutting-edge technologies and innovative home design that provide Net Zero affordable lifestyle highly sought after by anyone who wants to live with a minimal impact on the planet.

Solar Array Plant On The Municipal Garage Top Deck

A Multi-Phase Program Leading To A Request For Proposals

11 March 2016

Background

- **Space above garage top deck is unused**
- **Many solar plants have been built above the top deck of garages**

Concept

- *Private sector developer, owner & operator*
- *Power purchase agreement – sell electricity generated by plant to Princeton Public Library*
- *Municipality receives payment for rental of space above garage top deck*
- *Use same consultants as River Road solar project to prepare RFP documents and assist in management of procurement*

Issues

- *Small footprint of top deck*
- *Requirement to minimize loss of parking spaces*
- *Construction must minimize impacts on operation of garage*

Five Phase Plan & Cost (1)

<u>Phase</u>	<u>Cost</u>
1. RFP Development	\$12,000
2. Issue RFP	\$ 5,000
3. Preliminary Evaluation of Proposals – Go/No Go Decision	\$ 5,000
Cumulative Expenditure to Go/No Go Decision	\$22,000

Five Phase Plan & Cost (2)

<u>Phase</u>	<u>Cost</u>
Phase 4 – Proposal Evaluation and Bidder Selection	\$27,000
Phase 5 - Contract Award	\$ 9,000
Total Municipal Expenditure For All Five Phases	\$58,000*

* \$58,000 Recovered From Contractor If Contract Is Awarded

What Are The Municipal Risk Factors?

- *No Responsive Proposals Received* (\$22,000)
- *Project Deemed Impractical* (\$58,000)
 - *Loss Of Parking Spaces*
 - *Interference With Garage During Construction*
 - *Price Of Power Not Competitive*

Upside Potential

- *Revenue Stream From Rental Of Space Above Top Deck Of Garage*
- *Highly Visible Sustainable Energy Project In Heart Of Princeton*
- *Educational Uses With Princeton Schools And Community*

Recommendation

**Appropriate \$58,000 To Cover Cost Of Work Leading To Contract
(Refundable Upon Contract Award)**

**Authorize Expenditure Of \$22,000 To Take Project Through
Go/No-go Decision**

Resolution

Whereas the Mayor and Council of the Municipality of Princeton desire to determine the viability of a solar array plant installed above the top deck of the municipal garage.

The Council hereby appropriates the sum of \$58,000 for this purpose and authorizes the expenditure of \$22,000 for the development of the Request for Proposals and the preliminary evaluation of the proposals.

Based upon the preliminary evaluation of proposals, the Council directs the municipal staff to return to Council for approval to proceed with the balance of the procurement leading to a contract award, and the attendant authorization from Council to expend the \$36,000 needed to complete the procurement and award a contract.