



PRINCETON
MAYOR AND COUNCIL OF PRINCETON
MINUTES • JUNE 27, 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 June 24, 2016 at 1:25 p.m., said notice 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 (6:15 p.m.), Councilwoman Butler Councilwoman Crumiller (6:05 p.m.), Councilwoman Howard (6:15 p.m.), Council President Liverman, Councilman Miller and Councilman Simon (6:05 p.m.)

Absent: None.

Also Present: Marc Dashield, Administrator, Robert Kiser, Municipal Engineer, Deanna Stockton, Asst. Municipal Engineer, Nicholas Sutter, Chief of Police and Victoria Britton, Esq., Assistant Municipal Attorney.

III. 6:00 P.M. CLOSED SESSION

1. 16-187 Resolution, Closed Session

Motion- to adopt

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

2. Knapp vs. Borough of Princeton, et al

Mayor Lempert and Ms. Howard were recused from the above referenced discussion.

3. Princeton First Aid and Rescue Squad Memorandum of Understanding
4. Update on Department of Public Works Facility

5. Affordable Housing Declaratory Judgement Action Update

The above referenced items were discussed by the Council.

IV. 7:00 P.M. OPEN SESSION

V. PLEDGE OF ALLEGIANCE

The audience participated in the pledge of allegiance.

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

Raymond Doveo, 422 Snowden Lane said that he was speaking to Council as a grateful resident and that he recognized and appreciated the work that has been done up to date on Snowden Lane.

RESOLUTION 16-199 Accepting the 2016 Audit Report & Group Affidavit

Robert Morrison, Hodulik & Morrison, P.A., discussed with Council the 2016 Audit and Group Affidavit. He reported that everything was in order, the yearly close out process continues to improve and the municipal staff goes out of their way to work with the auditing staff.

Motion- to adopt

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

1. 16-200 Corrective Action Plan for the 2016 Audit Report

Motion- to adopt

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

VII. ASSESSMENT CONFIRMATIONS

1. 16-188 Confirming Ordinance 2010-2 Gallup Road and Hillside Avenue Sanitary Sewer Project

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

Motion- to adopt

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

2. 16-189 Confirming Ordinance 2010-7 Ewing Street (between Valley Road and Harrison Street) Sanitary Sewer Project

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

Motion- to adopt

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

3. 16-190 Confirming Ordinance 2011-9 Westerly Road Sanitary Sewer Project

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

Motion- to adopt

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

4. 16-191 Confirming Ordinance 2012-8 Battle Road West and Battle Road Circle Sanitary Sewer Project

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

Motion- to adopt

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

- 16-192 Confirming Ordinance 2012-5 Grover Avenue and Roper Road Sanitary Sewer Project

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

Motion- to adopt

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

5. 16-193 Confirming Ordinance 2012-09 Scott Lane and Bainbridge Street Sanitary Sewer Project

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

Motion- to adopt

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

6. 16-194 Confirming Ordinance 2013-24 Moore Street, Park Place, Vandeventer Avenue and Willow Street Sanitary Sewer Project

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

Motion- to adopt

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

VIII. REPORTS

1. Age Friendly Princeton, Susan Hoskins, Director, Princeton Senior Resource Center
Susan Hoskins, Director, Princeton Senior Resource Center, reviewed with Council a report on "Age Friendly Princeton".

Mayor Lempert thanked Ms. Hoskins for an excellent report.

Ms. Butler asked what kind of precedence would be set by accepting the report as presented. Ms. Britton said that by accepting the report, Council acknowledges that they have heard the report but are not necessarily agreeing to everything in the report.

2. 16-195 Resolution Accepting Age Friendly Princeton Report

Motion- to adopt

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

2. Earned Sick Leave Policy

Ms. Howard said that examining the issue of “Earned Sick Leave” has been a tremendous project. She said that a three member Ad Hoc Working Group, consisting of herself, Council President Liverman and Mr. Simon has spent the last four months reviewing the issues and supports the concept of earned sick protections for Princeton workers, but they were not able to come up with a consensus to offer a proposal for a specific ordinance to the full Council.

She said that the committee would continue to study the issues looking at more information about the nature of the local work force and look for answers to outstanding questions that require further investigation.

Ms. Howard said they also wanted to see the impacts of New Brunswick’s sick pay ordinance, which denies the benefit to part time employees who work less than twenty hours per week.

(Memorandum appended to this set of minutes)

Council Reports

Ms. Howard said that the Board of Health is in the process of developing an ordinance regarding E cigarettes.

Ms. Crumiller said that the Traffic and Transportation Committee is developing a campaign called “Go Princeton” detailing all transportation options in Princeton.

Mr. Miller said that the Public Works Committee was using the tree inventory to identify trees to be treated chemically for the Emerald Ash Borer.

Ms. Butler reported that 35,000 people have been to the Community Park Pool since it opened.

Mayor Lempert reported that the Mercer County Freeholder Board will be holding a meeting on September 22, 2016 in the Main Meeting Room, Witherspoon Hall and the Master Plan Committee will hold a meeting with Princeton University on September 19, 2016.

IX. ORDINANCE PUBLIC HEARINGS

1. 2016-29 An Ordinance By The Municipality Of Princeton Pursuant To N.J.S.A. 40a:12-13 Authorizing An Easement For The Benefit Of Block 9902, Lots 10 and 11, 464 and 452 Stockton Street, Princeton Tax Map.

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

Motion- to adopt

RESULT: ADOPTED [UNANIMOUS]
MOVER: Lance Liverman, Council President
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

2. 2016-30 Ordinance Of The Mayor And Council Of Princeton Concerning Salaries And Compensation Of Certain Personnel Of The Municipality Of Princeton

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

Motion- to adopt

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

3. 2016-31 An Ordinance By Princeton Concerning Sewer Service Charges 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 Mayor closed the public hearing.

Motion- to adopt

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

4. 2016-32 An Ordinance By Princeton Concerning Trees And Shrubs And Amending The "Code Of The Township Of Princeton, New Jersey, 1968."

Mayor Lempert opened the public hearing.

Kip Cherry, 24 Dempsey Avenue said that she felt that the proposed ordinance should be expanded to include other types of tree pests and diseases such as Dutch Elm Disease and Oak Scorch Disease. Mayor Lempert said that because this would be a substantial change, the ordinance should be adopted tonight. The ordinance could then be sent back to the Shade Tree Commission and the arborist for further review of the proposed additions and an amending ordinance could be brought back to Council for consideration.

There being no further public comment the Mayor closed the public hearing.

Motion- to adopt

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jenny Crumiller, Councilwoman
SECONDER: Lance Liverman, Council President
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

X. ORDINANCE INTRODUCTION

1. 2016-33 An Ordinance By Princeton Concerning Flood Damage Prevention, Amending Chapter 14a Of The "Code Of The Borough Of Princeton, New Jersey, 1974", And Repealing Chapter 9a Of The "Code Of The Township Of Princeton, New Jersey, 1968"

Motion- to introduce

RESULT: INTRODUCED [UNANIMOUS] **Next: 7/11/2016 6:30 PM**
MOVER: Bernard Miller, Councilman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

XI. RESOLUTIONS CARRIED OVER (FROM JUNE 13, 2016)

1. 16-169 Revised Griggs Corner Parking Lot Lease Agreement, January 1, 2015 to June 30, 2016

Motion- to adopt

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

2. 16-170 Professional Services Agreement with Garden State Appraisal, to Defend 2014-2015 State Tax Court Appeals, \$15,950.00

Motion- to adopt

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

3. 16-171 Princeton Community Housing Development Corporation, Affordable Housing Administrative Agent, Not to Exceed \$34,576.00 for the Calendar Year

Motion- to adopt

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

4. 16-172 Resolution Authorizing The Execution Of Amendment No. 1 To The Power Purchase Agreement By And Between Princeton, Stony Brook Regional Sewerage Authority And Geopeak Energy In Connection With The Princeton-Stony Brook Regional Sewerage Authority Solar Initiative

RESULT: TABLED **Next: 7/25/2016 6:30 PM**

XII. PUBLIC HEARING: PRINCETON COMMUNITY HOUSING, ELM COURT REFINANCING

1. 16-196 Release of Elm Court Reversion Clause
 Motion- to adopt

RESULT: ADOPTED [UNANIMOUS]
MOVER: Lance Liverman, Council President
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

XIII. RESOLUTIONS

2. 16-197 Resolution to approve New Jersey Department of Transportation for night time work hours to rehabilitate and replace the Route 206 bridges over Stony Brook
 Motion- to adopt

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

3. 16-198 Resolution, 2016 Salaries
 Motion- to adopt

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

4. 16-201 Liquor License Transfer, MTP Holdings, LLC to Princeton Station Dining, LLC

Motion- to adopt

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

- 5. 16-202 Professional Services Agreement with Gregory Sandusky, P.E., P.L.S. for the Maintenance of Tax Maps in the Not to Exceed Amount of \$14,000.00

Motion- to adopt

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

- 6. 16-203 Resolution to Purchase an Affordable Housing Unit, Block 9801, Lot 3.427, 427 Brickhouse Road, \$72,673.00

Motion- to adopt

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

- 7. 16-204 Resolution Authorizing a Professional Service Agreement for Miller, Porter Muller in the Amount of \$20,000.00 for Legal Services to Complete the Harmonization of the Former Borough and Township Land Use Code

Motion- to adopt

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jenny Crumiller, Councilwoman
SECONDER: Lance Liverman, Council President
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

- 8. 16-205 Purchase by the Recreation Department of Two 2017 Ford F250 Pickup Trucks with Accessories from Winner Ford Through State Contract #88758,T2100 for a Not to Exceed Amount of \$76,504.00

Motion- to adopt

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jenny Crumiller, Councilwoman
SECONDER: Lance Liverman, Council President
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

10. 16-206 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Winner Ford Through State of New Jersey Contract #88728 for a 2016 Ford F150 4x4 Crew Cab Pickup Truck for use by Princeton Animal Control in the Amount of \$49,863.00

Motion- to adopt

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

11. 16-207 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Bucks Co. International Through NJDOT State Contract #79123 (T-2787) for Two (2) New International 7400 5/7 Cubic Dump Trucks for use by the Department of Public Works in the Total Amount of \$248,434.00

Motion- to adopt

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

12. 16-208 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Groff Tractor New Jersey, LLC Through Mercer County Co-op # CKMERCER2015-12 for Two (2) New 2016 Case 580N Loader Backhoes with Tink Model 520 Claw Buckets for use by the Department of Public Works in the Total Amount of \$193,510.00

Motion- to adopt

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

13. 16-209 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Hertrich Fleet Services Inc. Through New Jersey State Contract #A88759 (T2101) for a New 2016 Chevrolet 3500HD 2/3 Dump Truck for use by the Department of Public Works in the Total Amount of \$35,355.25

Motion- to adopt

RESULT: ADOPTED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

14. 16-210 Contract Award in the Not to Exceed Amount of \$14,500.00 with Vincent Baldino for a Retaining Wall Installation Behind Sidewalk on Harrison Street and Nassau Street at 342 Nassau Street

Motion- to adopt

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

15. 16-211 Authorizing Princeton University to Send \$500,000.00 Donation Directly to Princeton First Aid and Rescue Squad

Motion- to adopt

RESULT:	ADOPTED [4 TO 0]
MOVER:	Jenny Crumiller, Councilwoman
SECONDER:	Jo Butler, Councilwoman
AYES:	Crumiller, Miller, Liverman, Butler
EXCUSED:	Howard
RECUSED:	Simon

XIV. CONSENT AGENDA

Motion- to adopt

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

1. Bills and Claims
2. Release of a \$14,529.00 Cash Performance Guaranty to All Saints' Church for 16 All Saints Road (Block 4401 Lot 3.01) for a Minor Site Plan with Conditional Use, Contingent Upon the Receipt of a Two-Year Maintenance Guaranty Agreement in the Amount of \$2,179.35, Which is 15% of the Original Performance Guaranty Amount
3. Site Plan Completion Time Extension to September 30, 2016 to Fountain Ridge, LLC (formerly J. Robert Hillier "Copperwood") for 300 Bunn Drive (Block 4301, Lots 3 & 4)
4. Release of Maintenance Bond in the Amount of \$35,288.53 to Greenview Avenue Properties, LLC for 5, 7, 11 & 15 Greenview Avenue (Block 25.01, Lots 4, 5, 65 & 78) Preliminary and Final Major Site Plan and Lot Consolidation
5. 16-212 Special Event, Joint Effort, Princeton Safe Streets Weekend, August 12-14, 2016
6. 16-213 Authorization to Reject Bids for the Snowden Lane / Van Dyke Road Extension of Public Sewers Project and Re-Advertise for Receipt of Bids on July 14, 2016
7. 16-214 Professional Services Agreement, Community Grants, Planning and Housing for Preparation of Trust Fund Monitoring Report, Not to Exceed \$6,000.00
8. 16-215 Professional Services Agreement, Princeton Affordable Housing Program, Clarke Caton Hintz, To Repair Griggs Farm Balconies, Not to Exceed \$6,000.00
9. 16-216 Chapter 159 Special Item of Revenue-Association of New Jersey Environmental Commissions \$1,000
10. 16-217 Resolution Approving Junior Firefighter Membership for Will Smith

11. 16-218 Resolution Approving Junior Firefighter Membership for Margaret A. Evered
12. 16-219 Resolution Appointing Deanna Stockton, Municipal Engineer as Development Enforcement Officer
13. 16-220 The Appointment of Robert G. Gregory as Acting Fire Official

XV. ADJOURNMENT

There being no further business the meeting was adjourned at 9:30 p.m.

Linda S. McDermott
Municipal Clerk



Princeton Council

c/o Linda McDermott, Princeton Municipal Clerk
400 Witherspoon Street, Princeton, NJ 08540
(609) 924-5704 ♦ lmcdermott@princetonnj.gov

MEMORANDUM

TO: Mayor and Council

FROM: Heather Howard, Councilwoman
Lance Liverman, Council President
Patrick Simon, Councilman

RE: Earned Sick Leave

DATE: June 27, 2016

This memo is intended to report on the efforts of the Ad Hoc Working Group on Earned Sick Leave.

Background

As you know, earlier this year Mayor Lempert appointed us to investigate providing earned sick leave benefits for workers in Princeton. This issue was not new to Princeton; discussions actually started in the Spring of 2015, when local advocates attended a Council meeting to urge consideration of an ordinance providing earned sick leave benefits for all workers in the municipality, since statewide legislation has stalled.

Over the last 18 months, a total of 12 municipalities in New Jersey have enacted earned sick leave ordinances. Eleven (Bloomfield, East Orange, Elizabeth, Irvington, Jersey City, Montclair, Newark, Passaic, Paterson, Plainfield, Trenton) follow a similar model, which was challenged and upheld in Court. New Brunswick has also enacted an earned sick ordinance that follows a different model.

Also during this time, the Administration of Princeton investigated the impact of adopting an earned sick leave policy for all municipal employees. After determining that it would not have a significant impact on municipal finances (estimating, based on current usage by those employees with the benefit, that only 20% of the benefit would be used each year), the Princeton Council adopted an amendment to the personnel policy to provide earned sick leave benefits for all employees. At the urging of the Recreation Commission, that policy extended the "vesting period," which employees must work before the benefit is available, to 120 days from 90 days, in recognition of the substantial number of seasonal employees who might otherwise be covered.

In addition, the Princeton Board of Health on June 16, 2015, after testimony from advocates and consideration of the public health impact of the proposal, especially concerns about sick employees potentially working in food service jobs, endorsed enactment of a local ordinance. In addition, in 2015 the Human Services Commission also considered the issue, and on May 20, 2015 endorsed the multi-city ordinance, finding that earned sick benefits for all workers would have a positive impact on children and families in Princeton.

Process

The members of the ad hoc working group have understood our charge to be to investigate a potential ordinance and attempt to develop a consensus recommendation for Mayor and Council. As part of that



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three-month process, we have met with various stakeholders and reported on our efforts at Council meetings.

In order to investigate the issue, we have held 14 meetings with stakeholders and advocates of various approaches, and each had additional discussions to learn about both whether there is a need for a local ordinance, and also the potential impact of the two competing proposals.

Specifically, we have undertaken the following:

Analysis of different proposals

We have completed an analysis of two competing proposals (the 11-municipality model and the New Brunswick model). The proposals vary in a number of ways, including which workers are covered, the amount of benefit provided, and enforcement provisions. We developed the attached chart to facilitate the comparison.

We also held conference calls with officials in Jersey City and New Brunswick to learn about the impact of their ordinances¹, and reviewed a Rutgers University study of the 11-city ordinance². (Note that the New Brunswick ordinance went into effect in April 2016 and thus there is no comparable study of its impact). The Jersey City official commented that the initial ordinance, which exempted employers with fewer than ten workers, incentivized employers to reduce their staff. The municipality responded by amending the ordinance to cover all employers, and the official reported that enforcement has thus far been smooth. New Brunswick's has been in effect only a short period so officials there could not comment on enforcement, but they did note that they crafted their ordinance to address their unique employment market, which is marked by large warehouses that hire temporary workers.

Meetings with residents, employees, and community organizers

We had four meetings with advocates of the 11-municipality model, and also received emails from individuals who were not able to attend the meetings. The meetings included local workers who do not currently have earned sick benefits, advocates, local business owners, members of NJ Working Families Alliance and the Time to Care Coalition, both statewide advocacy organizations, and a representative of AARP. We heard compelling stories of workers who stitch together multiple part-time jobs in food, retail and child care and thus do not qualify for benefits. As a result, they are not able to take care of sick family members, and one man was not able to attend to his wife in the hospital after she delivered their child. We heard from two Princeton University work study students that earned sick leave should cover them because of their work in food services and in the fitness center. We heard from the principal at Johnson Park Elementary School and other school employees about sick children who wait in the nurse's office because they cannot be picked up by a parent. These advocates urged us to ensure that a

¹ Both municipalities have developed informational websites about their ordinances. See "Jersey City's Earned Sick Time Ordinance FAQ," available at <http://www.cityofjerseycity.com/business.aspx?id=13851>, and "Paid Sick and Safe Time in New Brunswick," available at <http://thecityofnewbrunswick.org/planninganddevelopment/paid-sick-safe-time-in-new-brunswick/>.

² Danielle Lindemann and Dana Britton, "Earned Sick Days in Jersey City: A Study of Employers and Employees at Year One," Rutgers Center for Women and Work. Available at http://cww.rutgers.edu/sites/cww.rutgers.edu/files/documents/working_families/Jersey_City_ESD_Issue_Brief.pdf



local ordinance covers all employees, particularly those who are least likely to be covered under ESD policies – low-wage and part-time workers.

Meetings with representatives of the Princeton business community and non-profits

We also held four meetings with local merchants, including leaders of the Princeton Merchants Association (PMA), and representatives from several local non-profits. The PMA shared the findings from a survey of local business practices that they conducted, which found that most employers provide earned sick benefits to full-time employees, but many do not provide those benefits to part-time workers. These local merchants and nonprofits recognize the stress involved and the need for employees to take time off work to address their own medical /health needs as well as those of family members. They support the general concept of earned sick benefits for full-time employees but requested changes to the 11—municipality ordinance to narrow the scope and require coverage only for employees who work at least 20 hours per week, and to make it easier to administer and less costly to their businesses. They urged us to consider the New Brunswick ordinance as a model, which sets 20 hours worked per week as the threshold for requiring the benefit. These local merchants and nonprofits presented their view that in their individual businesses, most employees working less than 20 hours per week were students and others who were looking for casual employment, and they felt the need in this group was insufficient to justify the additional administrative and cost burden of the proposed earned sick leave benefit. They also requested that eligibility for paid sick leave would begin following 120 days of employment, which would follow both the New Brunswick ordinance and the municipality of Princeton’s personnel policy. We also heard concerns about the current economic climate, which is challenging for local businesses, especially retail and food establishments, and the impact of a local ordinance on their regional competitive advantage.

Meeting with Princeton University

Two of us, Council President Liverman and Councilman Simon, also met with Bob Durkee, Vice President and Secretary, and Kristin Appelget, Director of Community and Regional Affairs of Princeton University. They expressed concern about managing an earned sick leave benefit for short term summer program employees, echoing the concerns of Princeton’s Recreation Commission, and indicated a preference for eligibility for paid sick leave to follow the municipality of Princeton’s personnel policy, beginning after 120 days of employment.

They also felt that student workers – full time students working for the institution that they were attending – should not be covered by the proposed ordinance. As clarified in an email from Kristin Appelget after our meeting, “If they [work study students] do miss a work shift due to illness, they typically would be given an opportunity to make up the shift or work additional hours at another time, but in no case would it have any detrimental impact on their basic financial aid award. Graduate students who are teaching or research assistants do not receive hourly wages, but rather receive a stipend that is not in any way affected if they miss a class or a lab session because of illness.”

They also requested that the municipality set the effective date of the earned sick leave benefit six months or more after passage of the ordinance, in order to provide enough time from the date of approval for implementation in Human Resources IT systems.



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Conclusion

The discussions we had with advocates and stakeholders were productive and helpful as we sought to learn about the needs of local workers and businesses. We greatly appreciate the time and effort those individuals have dedicated to enhancing our understanding of this issue.

The members of the working group support the concept of earned sick protections for Princeton workers, but despite our efforts to find consensus, we are not now able to propose a specific ordinance because we have outstanding questions that require further investigation.

Specifically, we feel that we need additional information on the nature of our local workforce. We recommend gathering data on how many workers are part-time and the industries in which they are most prevalent. This understanding would help us to gauge if a local ordinance would inadvertently exclude those we would hope to cover. We also feel that we need more information about the New Brunswick ordinance, which only went into effect recently and thus has not been studied, including learning whether there has been a shift towards more part-time work in order to circumvent ESD requirements.

As such, we therefore recommend that we delay consideration of a potential ordinance so that we may continue to study the issue.



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Attachment A: Feature comparison of earned sick leave legislation in New Jersey

Feature	11 city ordinance	New Brunswick ordinance
example ordinance	http://www.trentonnj.org/documents/Paid%20Sick%20Leave%20Ordinance.pdf	http://thecityofnewbrunswick.org/planninganddevelopment/wp-content/uploads/sites/8/2015/12/Paid-Sick-Leave-Ordinance-O-121501-Adopted-Signed.pdf
employees exempt from coverage	<p>employees covered by collective bargaining agreement</p> <p>members of construction unions covered by collective bargaining agreement</p> <p>employees of government agencies, including public schools</p> <p>employees working in municipality < 80 hours per year</p>	<p>employees covered by collective bargaining agreement</p> <p>members of construction unions covered by collective bargaining agreement</p> <p>employees of government agencies, including public schools</p> <p>employees working < 20 hours per week</p> <p>employers with < 5 FTEs</p> <p>employees who work at home and independent contractors</p> <p>per diem or temporary hospital employees</p> <p>note: workers who work outside of New Brunswick for a firm based in New Brunswick are covered</p>
hours worked required to earn 1 hour of sick leave	30 hours	35 hours
first tier maximum per year	40 hours	40 hours
first tier maximum applies to	all employees at companies with >= 10 employees, or in child care, home health care, and food service	full time employees at companies with >= 10 employees



Feature	11 city ordinance	New Brunswick ordinance
second tier benefit max per year	24 hours	24 hours
second tier applies to maximum carry over from one year to the next	all other employees except those excluded above 40 hours	all other employees except those excluded above first tier 40 hours second tier 24 hours
benefit may be used after	90 days (note: 120 days for Princeton municipal employees)	120 days
applies to health needs of employee or family member	yes	yes
applies to care for domestic and sexual violence	no	yes
unmarried employee may designate one additional beneficiary	no	no
smallest increment of use	1 hour, or smallest increment of timekeeping used by employer, whichever is smaller	one day or one shift
employer may offer to pay for unused sick leave	yes	yes
employee may opt to accept payment for half of unused sick leave and carry forward remaining half	no	no
employee must have a note from a doctor or health provider	not for less than 3 days in a row	not for less than 3 days in a row, or a pattern of absence indicating possible fraudulent use



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Feature	11 city ordinance	New Brunswick ordinance
equivalent paid time off satisfies requirements of ordinance	yes	yes
a complaint must be filed with the town before bringing action in court	no	Yes. The municipal sick pay administrator has 10 days to resolve an issue if determined valid, and if valid and not resolved in 10 days, shall forward a complaint to the municipal court.
date restrictions allowed	no	At eating and drinking establishments only, employers may require documentation if benefit used on specified holidays.
work study students and teaching assistants exempt from ordinance	no	At hospitals only: benefit may not be used during a state of emergency declared by the hospital.

Proposed statutes under consideration in the New Jersey legislature may or may not preempt municipal ordinances. State statutes under consideration in the 2016 New Jersey legislature: Assembly bills A1446 and A2785, and Senate bill S799.