

**Approved Minutes  
Open Session  
Of the Mayor and Council of the Borough of Princeton  
October 23 2007  
Regular Meeting  
Closed Session 7:00 P.M.  
Open Session 7:30 P.M.**

Present: Council President Margaret Karcher, Councilwoman Winifred Benchley, Councilman David Goldfarb, Councilman Andrew Koontz, Councilman Roger Martindell, Councilwoman Barbara Trelstad, and Mayor Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Attorney Michael J. Herbert, Borough Engineer Carl E. Peters, Land Use Development Official Derek Bridger, Borough Engineer Chris Budzinski, Planning Board Director Lee Solow, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 7:02 P.M. and read the open public meetings statement as follows:

*“This meeting is called to order pursuant to the provisions of the Open Public Meetings Law. This meeting of October 23, 2007, was included in a list of meetings sent to and advertised in the Princeton Packet and Trenton Times, posted on the bulletin board in the Borough of Princeton municipal building and has remained continuously posted as the required notices under the statute. In addition a copy of this notice is and has been available to the public and is on file in the Office of the Borough Clerk. Proper notice having been given, the Borough Clerk is directed to include this statement in the minutes of this meeting.”*

Mayor Trotman read **Agenda Item C, Resolution 2007-R238** as follows:

**RESOLUTION 2007-R238  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
INTO CLOSED SESSION ON OCTOBER 23, 2007**

**WHEREAS**, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public forum from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances may presently exist; and

**WHEREAS**, the Governing Body wishes to discuss the following issues:

1. Personnel
2. Closed session minutes

**WHEREAS**, minutes will be kept and once the matter involving confidentiality of the above no longer requires that confidentiality, then minutes can be made public; and

**NOW THEREFORE BE IT RESOLVED** that the public be excluded from this meeting.

October 23, 2007

Council President Karcher moved to approve, which was seconded by Councilwoman Trelstad and approved by Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved.

Borough Council recessed into closed session.

At 7:07 P.M. the Council reconvened into open session.

Mayor Trotman asked all present to rise for the salute to the flag.

Mayor Trotman read **Agenda Item E, Approval of Minutes.**

Presented for approval were the minutes of the closed session of August 7, 2007.

Council President Karcher moved to approve the minutes of the closed session of August 7, 2007; Councilwoman Trelstad seconded. At Councilman Martindell's request, Councilman Goldfarb moved to table approval of the August 7 Closed Session Minutes, Councilwoman Trelstad seconded. Council approved the motion to table, with Councilman Koontz abstaining.

Presented for approval were the minutes of the open session of October 9, 2007.

Councilwoman Trelstad moved to approve the minutes of the open session of October 9, 2007, with an amendment, Councilwoman Benchley seconded and Council approved unanimously.

Mayor Trotman read **Agenda Item F, Summary — Closed Session Discussion — Robert W. Bruschi, Borough Administrator**

Mr. Bruschi reported that Council continued discussion with the Administrator regarding performance and salary.

Mayor Trotman introduced and Borough Council welcomed Mr. Christopher M. Budzinski, Borough Engineer who started employment with the Borough on October 17, 2007. Mr. Budzinski will replace retiring Engineer Carl E. Peters.

Mayor Trotman read **Agenda Item G, Public Presentation**, and asked if anyone present wished to address the Council with an issue not on the agenda.

Henry Landau of Landau's, 102 Nassau Street, addressed Developer PILOT agreement, parking rate increase and questioned lost revenue when construction begins in Spring/Tulane Lot. Mr. Landau mentioned the public perception of benefit to the developer. Mr. Landau requested the construction trailer in the Spring/Tulane Parking Lot be removed for the holiday season.

Chris Baldwin, 140 Snowden Lane, raised the matter of jurisdiction of Snowden Lane. He said that Princeton Township cites his Borough residence for brush disposal. He asked Council to establish regulations for control of Snowden lane. Mayor Trotman promised to pursue the issue with Township Mayor Marchand.

Kip Cherry, Princeton Battlefield Society, updated Council on upcoming events and the significance of the site. Jerry Hurwitz, Society President, gave a brief history of Battlefield events during the American Revolution. Ms. Cherry presented maps and listed possibilities for becoming a national historical site. The Society will return formally in the coming months.

Seeing no one further from the public, Mayor Trotman closed the public portion.

Mayor Trotman read **Agenda Item H, Correspondence (1) — Housing Inspection Fees, 205 Nassau Street** — *Sanford Zeitler*

Councilman Martindell recused himself.

Robert Bruschi, Borough Administrator, explained that 205 Nassau Street is a rooming house and each room garners the same fee as a whole apartment in other buildings or a separate house. He suggested that staff study affected properties and review fee structure and return to Council with ideas no later than February 2008.

Mr. Zeitler thanked Council's consideration declaring 205 Nassau to be the only licensed rooming house and suggesting other buildings serve as rooming houses without license.

Mayor Trotman read **Agenda Item H, Correspondence (2) — Request For Right-of-Way Encroachment** — *J. McLaughlin, 17 Witherspoon Street*

Derek Bridger, Land Use Development Official, described the store's request and Historic Preservation Plan approval for placement of new awnings on the front and side facade. Council approval is requested for the proposed awning to encroach into the public right of way. Councilman Goldfarb moved to grant a revocable license for awnings as approved by the Historical Preservation Review Committee, with appropriate insurance and Borough attorney fees to be paid by applicant. Councilwoman Benchley seconded. Council approved six to zero.

Mayor Trotman read by title **Agenda Item I, Old Business (1) — Public Hearing and Adoption: Ordinance 2007-23** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 14 OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974 REGARDING THE ORGANIZATION AND MANAGEMENT OF THE PRINCETON FIRE DEPARTMENT

Councilman Goldfarb moved to adopt Ordinance 2007-23; Councilwoman Trelstad seconded. Mr. Bruschi reviewed meetings with fire officials to determine necessary changes. He said the ordinance is unfinished, amendments will be forthcoming, but passage is urgent to enable chief selection and recommended adoption.

Councilman Koontz reminded Council of simplifying language suggestions at introduction and noted they were not incorporated into the ordinance before council. Councilman Martindell questioned the urgency of proceeding without improved language if Council has 70 days to accomplish chief selection. Borough Administrator Robert Bruschi clarified that time is required

for all steps to the publication/nomination/ application process, adopting would allow moving process forward for Chief; and

Hearing no further comment from Council, Mayor Trotman opened the public hearing. Seeing no one, she closed the public hearing.

Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item I, Old Business (2) – Public Hearing and Adoption: Ordinance 2007-24 ORDINANCE CONCERNING SALARIES AND COMPENSATION OF CERTAIN PERSONNEL OF THE BOROUGH OF PRINCETON**

Council President Karcher moved to adopt Ordinance 2007-24; Councilwoman Benchley seconded. Hearing no comment from Council, Mayor Trotman opened the public hearing.

Linda Sippelle, Nassau Street, questioned the method for salary increases. Mr. Bruschi stated, with four exceptions due to bracket limits, all increases are cost-of-living adjustments.

Seeing no one further, Mayor Trotman closed the public hearing.

Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read **Agenda Item J, Discussion (1) – Zoning Revisions – Merwick, Stanworth and YM/YWCA**

Mayor Trotman recused herself and turned the gavel over to Council President Karcher. Councilman Goldfarb recused himself.

Although the third oral discussion, Council President Karcher stated that Council, the hospital (Merwick), the University (Stanworth), and YM/YWCA are seeing a *written* draft ordinance for the first time.

Lee Solow, Planning Board Director, stated that the ordinance establishes a 30-acre, primarily residential development of 14 dwelling units per acre. It permits the YM and YWCA to expand and encourages property owners to work together while providing affordable housing with a mix of housing types, income levels and ages. Council members and Mr. Solow discussed specifics of the draft ordinance.

Council President Karcher opened discussion to the public.

Dan Haggerty, counsel for the joint trustees of the YM/YWCA, introduced two trustees, Bill King and Juliet Cole; YM chair David Sandall; and Judy Hutton, executive director of the

YWCA. Mr. Haggerty stated the Ys' intent is to redevelop and improve the quality of service provided to the community.

Mr. Haggerty reported two points of importance to the Ys:

1. Apply residential density to entire 32 acres because of *intrinsic* value to the property for Y financing and fund raising purposes (reduce eight-acre minimum to five acres).
2. Exclude Merwick from 125,000-square-foot "ceiling" on nonresidential use.

***Council asked Mr. Solow to accommodate the Ys on their two points.***

Kristin Appelget, Princeton University, introduced Hannah Ross of the University's general counsel office. She said that the University, as owner of Stanworth and potential owner of Merwick, favored higher-density residential use. The University requested more time to evaluate flexible tract size, restricting height to three stories, access to parcels, 125,000-square-foot ceiling (as depicted by Mr. Haggerty), 25% open space, bulk requirements.

Councilman Koontz emphasized that passive open space in the new neighborhood will link to existing historic neighborhoods.

After discussion with Ms. Appelget, Council decided to wait for University remarks prior to introducing wanting to consider comments from all four (Council, Hospital, YM/YWCA, University) interested parties.

Mark Solomon, counsel representing Princeton HealthCare System, introduced Pam Hersh. Mr. Solomon said the hospital does not need an ordinance in place before 2007 year end, their objective being to "get it right" not "get it sooner." Having said that, Mr. Solomon requested first quarter of 2008 as firm deadline for an ordinance.

Marvin Reed, chair of the Master Plan Committee, recommended developing and introducing an ordinance on paper today and letting the Planning Board schedule its hearings stating the Planning Board, not Council, should do the planning. Mr. Reed felt that postponing introduction of this ordinance would unduly delay the process.

Mr. Solomon stated that every day of delay costs the hospital money; they do favor expediency. More importantly, all partners in the endeavor need to be ready and satisfied with the plan.

Carl Peters, Borough Engineer, pointed out that while the owners of the properties in question (hospital, University, and Ys) are present, owners of adjacent properties are not. He offered that those owners will also want to be heard.

Mr. Solomon requested that Council pick a date in January 2008 to continue zoning talks.

Kevin Wilkes, representing Princeton Future, offered to re-present to Council summary designs created for Princeton Future 18 months ago. The original architects could examine those designs

in context of the draft zoning ordinance to determine how the ordinance would impact proposals under discussion.

Kevin Wilkes continued as a resident of Maclean Street in the area immediately to the east of the development, he stated comfort with the ordinance as drafted. Mr. Wilkes urged being cautious regarding the things to be given away and urged supporting the needs of the neighborhood.

Council President Karcher summarized items for Planning Board consideration: Tract size to five-acre threshold, nursing homes and public community use (Merwick mansion) exempt from 125,000-square-foot cap, "parking garage" as permitted use. She said the University will return in 7 to 10 days with comments on open space, frontage, and bulk issues.

Mayor Trotman returned to the chair.

Mayor Trotman read by title **Agenda Item K, New Business (1) – Introduction and Authorization to Publish: Ordinance 2007-26 A REFUNDING BOND ORDINANCE OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY PROVIDING FOR THE ADVANCE REFUNDING OF CERTAIN PARKING UTILITY IMPROVEMENT BONDS, SERIES 2003, APPROPRIATING \$11,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,700,000 PARKING UTILITY REFUNDING BONDS OF THE BOROUGH FOR FINANCING THE COST THEREOF**

Council President Karcher moved to introduce Ordinance 2007-26; Councilwoman Trelstad seconded. Hearing no comment from Council, Mayor Trotman opened the public hearing. Seeing no one, she closed the public hearing.

Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced.

Mayor Trotman read **Agenda Item K, New Business (2 and 3) – Resolutions 2007-R239 and 2007-R240 and New Business (5 - 15) Resolutions 2007-R242, 2007-R243, 2007-R244, 2007-R245, 2007-R246, 2007-R247, 2007-R248, 2007-R249, 2007-R250, 2007-R251, and 2007-R252** as follows:

**RESOLUTION 2007 R-239  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
MAKING APPLICATION TO THE LOCAL FINANCE BOARD  
PURSUANT TO N.J.S.A. 40A:2-51  
FOR ITS APPROVAL TO ADOPT REFUNDING BOND ORDINANCE**

WHEREAS, the Borough of Princeton desires to make application to the Local Finance Board for its approval to adopt the following refunding bond ordinance:

Refunding Bond Ordinance of the Borough of Princeton, in the County of Mercer, New Jersey providing for the Advance Refunding of Certain Parking Utility Bonds, Series 2003, Appropriating \$11,700,000 Therefor and Authorizing the Issuance of \$11,700,000 Parking Utility Refunding Bonds of the Borough for Financing the Cost Thereof.

WHEREAS, the Borough of Princeton believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose is for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (c) the amounts to be expended for said purpose are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough;

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Borough's Bond Counsel, along with other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in matters pertaining thereto.

Section 2. The Clerk of the Borough is hereby directed to prepare and file a copy of the resolution and any other appropriate actions with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its approvals as provided by the applicable New Jersey Statute.

**RESOLUTION 2007-R240  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
CONFIRMING THE DETAILS OF THE SALE OF GENERAL IMPROVEMENT BONDS OF THE  
BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, TO THE NEW  
JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY  
PURSUANT TO THE 2007 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST  
FINANCING PROGRAM**

**WHEREAS**, the Borough of Princeton (the "Borough"), in the County of Mercer, New Jersey, has determined that there exists a need within the Borough to acquire, construct, renovate or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2007 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Borough has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Borough's General Improvement Bonds to the Trust (the "Trust Loan Bond") and to the State (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Bonds") in a combined aggregate principal amount not to exceed \$2,100,000, pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law, the Loan Agreements and the Escrow Agreement dated August 28, 2007 (the "Escrow Agreement") by and among the Trust, the State, the Borough and the escrow agent named therein;

**WHEREAS**, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust, without any public offering, all under the terms and conditions set forth herein; and

**WHEREAS**, in accordance with the terms of the Escrow Agreement, the Trust has sold its bonds to fund the Trust Loan, thereby enabling the Borough to confirm the exact aggregate principal amount of and debt service schedule for the Bonds.

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the Borough as follows:

Section 1. The sale of the Trust Loan Bond to the Trust and the Fund Loan Bond to the State is hereby confirmed. The Trust Loan Bond shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the principal loan amount, interest rates and maturity schedule set forth in Schedule A attached hereto and made a part hereof. The Fund Loan Bond shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the maturity schedule set forth on Schedule B attached hereto and made a part hereof.

Section 2. This resolution shall take effect immediately.

Section 3. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Borough and McCarter & English, LLP, bond counsel to the Trust.

**RESOLUTION 2007-R242  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
FOR APPROVAL OF CHANGE ORDERS No. 07-39 THROUGH No. 07-45 OF THE CONTRACT  
BETWEEN THE BOROUGH OF PRINCETON AND KOVATCH MOBILE EQUIPMENT, FOR  
THE FURNISHING OF A SPECIAL SERVICES VEHICLE FOR THE PRINCETON FIRE  
DEPARTMENT**

**WHEREAS**, change orders are regulated by Local Finance Board Regulations (N.J.A.C. 5:30-14.4) and;

**WHEREAS**, there is a need for minor technical amendments as well as additional options to the specifications provided with our contract with Kovatch Mobile Equipment, at a an additional cost of *Seven Thousand Six Hundred Thirty Four Dollars* to be approved by the Mayor & Council. A description of Change Orders No. 07-39 through No. 07-45 and the cost for each change is attached hereto; and

**WHEREAS**, the change orders as described herein represent minor technical changes to the specifications contained in our contract with Kovatch Mobile Equipment for the provision of a Light Rescue Type vehicle, and as such the changes have been reviewed by the Truck Committee of the Hook & Ladder Fire Company, the Chief of the Fire Department and the Fire Department Administrator have been found to be necessary and acceptable, and recommends that the Mayor and Council accept and approve said change orders; and

**WHEREAS**, the Mayor and Council of the Borough of Princeton are satisfied that the requested change orders are necessary and advantageous to the Borough of Princeton.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Princeton as follows:

1. Change Orders No. 07-39 through No. 07-45 to the Contract between the Borough of Princeton and Kovatch Mobile Equipment to furnish a special services vehicle to the Princeton Fire Department at an additional cost of *Seven Thousand Six Hundred Thirty Four Dollars*;
2. The Borough Clerk is hereby authorized to sign Change Orders No. 07-39 through No.07-45 on behalf of the Borough of Princeton.

**RESOLUTION 2007-R243  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)  
AS THE STANDARD FOR INCIDENT MANAGEMENT  
FOR THE BOROUGH OF PRINCETON**

**WHEREAS**, On February 28, 2003, President George W. Bush issued Homeland Security Presidential Directive (HSPD) No. 5 that directed the Department of Homeland Security, in cooperation with representatives of federal, state, and local government, to develop a National Incident Management System (NIMS) in order to provide a consistent approach to the effective management of situations involving natural disasters, man-made disasters or terrorism; and

**WHEREAS**, On August 5, 2005 Acting Governor Richard J. Cody signed Executive Order No. 50, establishing the National Incident Management System (NIMS) as the State standard for incident management to be used for emergency incidents in the State; and

**WHEREAS**, the first edition of the National Incident Management System document was released on March 1, 2004, and

**WHEREAS**, the National Incident Management System contains a practice model for the accomplishment of the significant responsibilities associated with prevention, preparedness, response, recovery, and mitigation of all major and national hazard situations, and

**WHEREAS**, HSPD-5 requires that state and local governments adopt the National Incident Management System as a pre-condition to the receipt of federal grants, contracts and activities related to the management and preparedness for certain disaster and hazard situations; and

**WHEREAS**, Executive Order No. 50 directed that, beginning January 1, 2006 all State Agencies shall condition the award of all preparedness grants to county and local governments upon compliance with the federal requirements for the National Incident Management System (NIMS)

**WHEREAS**, the Mayor and Council for the Borough of Princeton desires to adopt the National Incident Management System as required by HSPD-5 and Executive Order No. 50.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Princeton as follows:

1. The Mayor and Council hereby adopts the current provisions of National Incident Management System and all subsequent changes thereto as the Incident Management System for use by all Departments at all levels of the Municipal Government in accordance with HSPD-5 and Executive Order No. 50; and
2. The PRINCETON BOROUGH EMERGENCY OPERATIONS PLAN shall be modified by the Emergency Management Council and Emergency Management Coordinator in such manner as required so as to be in compliance with the requirements of HSPD-5, Executive Order No. 50, and the National Incident Management System (NIMS) in its present form and with all subsequent changes.

**RESOLUTION 2007-R244  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING FIRE DEPARTMENT APPLICATION FOR  
JENNA MACKENZIE HAUCA**

**WHEREAS**, Jenna Mackenzie Hauca has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the PRINCETON ENGINE COMPANY No. 1 and

**WHEREAS**, the membership application has been reviewed by the municipal officers; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton hereby approve the application for membership to the Office of the Borough Administrator, the Fire Chief and Fire Company.

**RESOLUTION 2007-R245  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING FIRE DEPARTMENT TRANSFER APPLICATION FOR  
GARRETT E. BROWN III**

**WHEREAS**, Garrett E. Brown III has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the Mercer Engine Company #3 and was approved application to the Princeton Fire Department; and

**WHEREAS**, Garrett E. Brown III has requested transfer of his membership from Mercer Engine Company #3 to Engine Company #1 having been approved for membership by the members of Engine Company #1 on September 10, 2007;

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton hereby approve the request for transfer of membership to the Borough Clerk, Borough Administrator, Fire Chief and Fire Company.

**RESOLUTION 2007-R246  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING FIRE DEPARTMENT TRANSFER APPLICATION FOR  
HENRY S. PANNELL**

**WHEREAS**, Henry S. Pannell has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the Mercer Engine Company #3 and was approved application to the Princeton Fire Department; and

**WHEREAS**, Henry S. Pannell has requested transfer of his membership from Mercer Engine Company #3 to Engine Company #1 having been approved for membership by the members of Engine Company #1 on September 10, 2007;

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton hereby approve the request for transfer of membership to the Borough Clerk, Borough Administrator, Fire Chief and Fire Company.

**RESOLUTION 2007-R247  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING FIRE DEPARTMENT TRANSFER APPLICATION FOR  
JOSHUA D. WILTON**

**WHEREAS**, Joshua D. Wilton has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the Princeton Engine Company No. 1 and was approved application to the Princeton Fire Department; and

**WHEREAS**, Joshua D. Wilton has requested transfer of his membership from Princeton Engine Company No. 1 to Princeton Hook and Ladder Company having been approved for membership by the members of Princeton Hook and Ladder on October 3, 2007;

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton hereby approve the request for transfer of membership to the Borough Clerk, Borough Administrator, Fire Chief and Fire Company.

**RESOLUTION 2007-R248  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON**

**WHEREAS**, the Borough wishes to amend a certain professional services agreement with Kupper Associates, to provide additional engineering services in connection with certain activities being conducted by the Borough, as hereafter more particularly stated.

**WHEREAS**, the services to be performed are professional services which are exempt from public bidding under the Local Public Contracts Law.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Princeton as follows:

The Mayor and Clerk are hereby authorized to enter into an addendum to a contract for professional services with Kupper Associates (hereinafter referred to as "Provider") said contract being dated June 12, 2007.

1. The addendum so authorized shall require the Provider to provide services and other related duties, as follows:

With respect to the to Municipal Sanitary Sewer Rehabilitation Projects, Provider will provide inspection of such construction projects administered directly by the Princeton Sewer Operating Committee or by Princeton Borough or Princeton Township as part of a roadway reconstruction project.

2. The Borough shall pay the Provider the following additional compensation: An amount not to exceed \$50,000.00.

3. This contract shall be awarded without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law because the subject services will be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

4. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

**RESOLUTION 2007-R249  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON**

**WHEREAS**, the Borough wishes to amend a certain professional services agreement with Kupper Associates, to provide additional engineering and land surveying services in connection with certain activities being conducted by the Borough, as hereafter more particularly stated.

**WHEREAS**, the services to be performed are professional services which are exempt from public bidding under the Local Public Contracts Law.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Princeton as follows:

The Mayor and Clerk are hereby authorized to enter into an addendum to a contract for professional services with Kupper Associates (hereinafter referred to as "Provider") said contract being dated July 24, 2007.

1. The addendum so authorized shall require the Provider to provide services and other related duties, as follows:

With respect to the Park Place and Moore Street Sanitary Sewer Rehabilitation Project, Provider will provide land survey and engineering design services for the potential realignment of an existing sanitary sewer situated in an easement between Branch Alley and Moore Street, as directed by the Princeton Sewer Operating Committee and the Borough Engineer.

2. The Borough shall pay the Provider the following additional compensation: An amount not to exceed \$14,500.00.

3. This contract shall be awarded without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law because the subject services will be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

4. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

**RESOLUTION 2007-R250  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY THE  
PRINCETON YWCA**

**WHEREAS**, The YWCA Princeton has planned its annual Crafters Marketplace to be held on November 17 and November 18, 2007 at the John Witherspoon Middle School; and

**WHEREAS**, YWCA Princeton has requested permission to install a banner over Washington Road in Princeton Borough with approval of the Office of Community and Regional Affairs at Princeton University beginning Monday, November 12 through Monday, November 19, 2007 to advertise this program to the entire Princeton Community; and

**WHEREAS**, this banner will be promptly removed after its use as required by Borough ordinances; and

**WHEREAS**, in accordance with Borough Ordinance 3-17 any banner that is removed by the Borough will be held by the Borough for thirty (30) days and then disposed of; and

**WHEREAS**, in accordance with Borough Ordinance 3-17 any applicant failing to remove a banner will not be permitted to display any banner for the succeeding two years; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council hereby approve placement of said banner on Washington Road in accordance with Borough Ordinances 3-14-3-17.

**RESOLUTION 2007-R251  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
CHAPTER 159- SPECIAL BUDGET ITEM**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount.

**SECTION 1.**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the sum of \$3,413.00 is now available as a miscellaneous revenue anticipated from “**State of New Jersey – Priority Health Infrastructure/Public Health Priority Funding.**”

**SECTION 2.**

**BE IT FURTHER RESOLVED**, that a like sum \$3,413.00 be and the same is hereby appropriated under the caption of “**State of New Jersey – Priority Health Infrastructure/Public Health Priority Funding**”.

**RESOLUTION 2007-R252  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING TAX REFUNDS**

**WHEREAS**, Decimus W. Marsh, Chief Financial Officer has forwarded a list of residents for tax refund from the Borough of Princeton for review and approval by the Mayor and Council as follows:

<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Owner</u>	<u>Property Location</u>	<u>Amount</u>
20.03	87		Palmer Sq. West c/o V. Zak 40 Nassau Street Princeton, NJ 08542	Palmer Sq. West	1,513.20
Due to lower sewer charges in 2007.					
1.01	28		Donald Linky	186 Elm Road	2,000.00
17.02	107		William C & Dorothy J. Koehn	33 Green Street	852.06

Due to 2006 NJ Homestead Rebate

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton approve the tax refunds as presented.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to the CFO, Tax Assessor and Tax Collector.

Councilman Koontz moved to approve Resolutions 2007-R239 and 2007-R240 and Resolutions 2007-R242, 2007-R243, 2007-R244, 2007-R245, 2007-R246, 2007-R247, 2007-R248, 2007-R249, 2007-R250, 2007-R251, and 2007-R252. Councilwoman Benchley seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (4) – Resolution 2007-R241** as follows:

**RESOLUTION 2007-R241  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE APPOINTMENT OF TWO ADDITIONAL PATROL OFFICERS**

**WHEREAS,** Section 26-5 of the Code of the Borough of Princeton authorizes a Police Department to have no more than thirty (30) patrol officers along with the Chief of the Department and no more than three (3) lieutenants and no more than eight (8) sergeants; and

**WHEREAS,** there are currently 22 patrol officers and the Police Department has advised that there is a need for at least two additional patrol officers to re-establish the safe neighborhoods unit and fully staff the traffic safety unit, which will be combined to be known as the Community Service Unit; and

**WHEREAS,** the Mayor and Council adopted Resolution 2007-R214 on September 11, 2007, confirming the creation of a two year police-hiring list from which candidates can be selected to fill vacant positions in the Police Department.

**NOW, THEREFORE, BE IT RESOLVED** by the Princeton Borough Mayor and Council on this 23<sup>rd</sup> day of October, 2007, that it hereby approves the appointment of two patrol officers from the existing police-hiring list; and

**BE IT FURTHER RESOLVED,** that certified copies of this Resolution be forwarded to the Chief of Police, the Borough Administrator and the Public Safety Committee.

Councilwoman Trelstad moved to approve Resolution 2007-R241 and Councilwoman Benchley seconded. There was brief discussion regarding coordinating police work (and other tasks) with the Township, Council approved the resolution four to two, with Councilman Goldfarb and Councilman Martindell voting nay.

Mayor Trotman read **Agenda Item L, Bill List for October 23, 2007 – Resolution 2007-R253** as follows:

**RESOLUTION 2007-R253  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE OCTOBER 23, 2007 BILL LIST**

**WHEREAS,** Decimus W. Marsh, Chief Financial Officer has forwarded the bills received for payment by the Borough of Princeton for review and approval by the Mayor and Council; and

**WHEREAS,** the Borough Clerk has certified that the vouchers listed on the attached register are a follows:

CURRENT ACCOUNT (7-01)	\$1,695,864.11
RESERVE ACCOUNT (6-01)	218.76
PARKING UTILITY OPERATING FUND (7-05)	4,873.66
PARKING UTILITY OPERATING FUND (6-05)	
AFFORDABLE HOUSING OPERATING ACCT (7-24)	1,100.00
IMPROVEMENT ASSESSMENT (7-11)	
AFFORDABLE HOUSING OPERATING ACCT (6-24)	
CAPITAL ACCOUNT (C-04)	701,049.38

October 23, 2007

PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	
TRUST FUND (T-13)	314.79
GENERAL INSURANCE (6-14)	
FLEXIBLE SPENDING FUND (5-22)	
MANUAL (6-01)	357,203.25
ASSESSMENT TRUST FUND (5-11)	
GRANT (G-02)	7,149.16

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton approve the bill list of OCTOBER 23, 2007 as presented

Councilman Koontz moved to approve Resolution 2007-R253, Councilwoman Benchley seconded, and Council approved unanimously.

Councilman Koontz moved to adjourn and Councilwoman Benchley seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 10:45 P.M.

Respectfully submitted,

Andrea Lea Quinty  
Borough Clerk