

**Approved Minutes  
Open Session  
Of the Mayor and Council of the Borough of Princeton  
April 28, 2009  
Regular Meeting  
Closed Session 7:00 P.M.  
Open Session 7:30 P.M.**

Present: Council President Andrew Koontz (*arrived 7:09 P.M.*), Councilman David Goldfarb, Councilman Roger Martindell, Councilwoman Barbara Trelstad, Councilman Kevin Wilkes, and Mayor Mildred Trotman

Absent: Councilwoman Margaret Karcher

Staff Present: Borough Administrator Robert W. Bruschi, Borough Engineer Christopher M. Budzinski, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 7:00 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 April 28, 2009, 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 2009-R140**, as follows:

**RESOLUTION 2009-R140  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
INTO CLOSED SESSION ON APRIL 28, 2009**

**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. Negotiations — Princeton Township/ North Ridge
3. NHKT
4. Police study

**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.

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Councilman Goldfarb moved to approve; Councilwoman Trelstad seconded. Council members Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved.

Borough Council recessed into closed session.

*Councilwoman Trelstad left the meeting at 7:25 P.M.*

At 7:30 P.M. Council reconvened into open session.

Mayor Trotman asked all present to rise for **Agenda Item D, Salute to the Flag.**

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

Presented for approval were the minutes of the open session of April 1, 2008.

Council President Koontz moved to approve the minutes of the open session of April 1, 2008, Councilman Wilkes seconded, and Council approved unanimously four to zero.

Presented for approval were the minutes of the open session of April 7, 2009.

Councilman Goldfarb moved to approve the minutes of the open session of April 7, 2009, Councilman Wilkes seconded, and Council approved unanimously four to zero with spelling corrections.

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

Mr. Bruschi reported that Council discussed extensive personnel issues. Staff presented an update on North Ridge, with the first non-binding arbitration session scheduled for June 9, 2009. NHKT mediation is to begin May 5, 2009.

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.

Eleanor Lewis, 108 Linden Lane, stated that the proposed Borough budget plans wage increases for soon-to-be retiring employees to enhance their pension payouts. She said the practice is unethical and immoral; it is an unfair burden on taxpayers who will later fund the pensions.

Ms. Lewis objected to supporting on-going education for an independent contractor. Ms. Lewis questioned overtime in some departments—stating every dollar of wages increases pension contribution, employer taxes, Workers' Compensation premium plus benefit costs. Ms. Lewis named several specific budget items across departments, noting an overall attitude toward taxpayers.

Councilman Goldfarb briefly responded that philosophical issues can be raised during scheduled budget talks in May 2009. He stated that every single municipality in New Jersey faces underfunded (by tens of billions total) accrued pension liability. Councilman Goldfarb stated that, in exchange for a firm retirement date (of value to Borough), Council included leave provisions in the administrator's employment contract.

Mr. Bruschi offered to meet with Ms. Lewis to review her concerns. Councilman Martindell asked Ms. Lewis to contact Council members directly if not satisfied with staff replies.

Jenny Crumiller, 187 Library Place, asked if the budget can be posted online prior to public discussion. She said she had to pay \$65 for a copy of the budget workbook. Mayor Trotman promised to investigate possible solutions. Councilman Goldfarb suggested a summary posting of the final draft at the time of introduction of the budget.

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

Mayor Trotman read **Agenda Item H, Report (1) — Borough Council Member Committee/Commission Report.**

Council President Koontz reported on Health Commission action to address swine flu. The Commission and Regional Health Department under David Henry have been on high alert. State, county, and municipality have prepared if outbreak widens by expanding surveillance to target populations. He reviewed precautions citizens should take and described early symptoms.

Mayor Trotman read by title **Agenda Item I, Old Business (1) — Public Hearing and Adoption: Ordinance 2009-01, AN ORDINANCE AMENDING CHAPTER 17A OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974 REGARDING EXEMPTIONS, DEFINITIONS AND LIGHTING.**

Councilman Wilkes moved to adopt Ordinance 2009-01; Councilman Goldfarb seconded.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue.

Marvin Reed, former mayor, clarified that his objection to the ordinance was limited to a single point: That a lot may be occupied by more than one principal building except in R-1, -2, -3, and -4. He said Princeton needs *more* small houses.

Seeing no one further, Mayor Trotman closed the public discussion and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Goldfarb, Martindell, and Wilkes 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 2009-10, AN ORDINANCE AMENDING CHAPTER 6 OF THE**

“CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” REGARDING DOG LICENSING.

Council President Koontz moved to adopt Ordinance 2009-10; Councilman Wilkes seconded.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue. Seeing no one, she closed the public discussion and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Goldfarb, Martindell, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item I, Old Business (3) — Public Hearing and Adoption: Ordinance 2009-11, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 24A OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” TO PERMIT LEASHED DOGS IN HARRISON STREET, MARQUAND AND QUARRY PARKS.**

Councilman Wilkes moved to adopt Ordinance 2009-11; Council President Koontz seconded.

Councilman Goldfarb proposed a small wording clarification.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue. Seeing no one, she closed the public discussion and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Goldfarb, Martindell, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item I, Old Business (4) — Public Hearing and Adoption: Ordinance 2009-12 AN ORDINANCE AMENDING CHAPTER 19 OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” REGARDING MOTOR VEHICLES AND TRAFFIC (Correction).**

Councilman Wilkes moved to adopt Ordinance 2009-12; Councilman Martindell seconded.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue. Seeing no one, she closed the public discussion and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Goldfarb, Martindell, and Wilkes voted aye. Council President Koontz voted nay. Mayor Trotman proclaimed the ordinance adopted (three to one).

Mayor Trotman read by title **Agenda Item J, New Business (1) — Introduction and Order to Publish: Ordinance 2009-13 AN ORDINANCE AMENDING CHAPTER 19 OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” REGARDING MOTOR VEHICLES AND TRAFFIC (Holiday Amendment).**

Councilman Martindell moved to introduce Ordinance 2009-13; Councilman Wilkes seconded.

Christopher Budzinski, Borough Engineer, mentioned changes: (1) add Easter Sunday, (2) extend Edwards Place hours, (3) two typographical errors.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue. Seeing no one, she closed the public discussion and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Goldfarb, Martindell, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing scheduled for May 26, 2009.

Mayor Trotman read **Agenda Item J, New Business (2) — Resolutions 2009-R141, 2009-R142, 2009-R143, and 2009-R144** as follows:

**RESOLUTION 2009-R141  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
CERTIFYING SUBMISSION OF TAXES PAID FOR REIMBURSEMENT IN ACCORDANCE  
WITH THE RECYCLING ENHANCEMENT ACT**

WHEREAS, the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law" the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys receive by the municipality shall be expended on ly for its recycling program.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2008 in the amount of \$5,230.71. Documentation supporting this submission is available at Princeton Borough Hall, One Monument Drive, Princeton, New Jersey 08542 and shall be maintained for no less than five years from this date.

**RESOLUTION 2009-R142  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING FUNDING TOWARDS  
THE SHARED PURCHASE OF A JET-VAC TRUCK**

WHEREAS, on February 10, 2009, the Township of Lawrence, County of Mercer opened bids for a Combination Sewer Cleaner & Industrial Vacuum Catch Basin Cleaner Mounted on 2008 or Newer Demonstration Unit Heavy Duty Truck Chassis; and

WHEREAS, one bid was received and reviewed by the Lawrence Township Manager and Director of Public Works and the lowest responsible bidder is Jet-Vac Inc., 15 Taylor Road, Wharton NJ 07885, who submitted a bid in the amount of \$194,000; and

WHEREAS, this will be a joint purchase between the Borough of Princeton and the Township of Lawrence and therefore, the Borough of Princeton is responsible for 50% of the cost, or \$97,000; and

WHEREAS, in accordance with N.J.A.C. 5:30-14, a Certificate of Availability of Funds has been provided and the accounts to be charged are G-02-44-918-301 and C-04-08-023-304.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council agree to participate in the joint purchase of the above referenced vehicle and authorize the Chief Financial Officer to remit payment to the Township of Lawrence in the amount of \$97,000.00.

**RESOLUTION 2009 – R143  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
AWARDING THE CONTRACT KNOWN AS  
“BOROUGH OF PRINCETON COMMUTER SHUTTLE SERVICE”  
TO GREATER MERCER TMA**

**WHEREAS**, the Borough Administrator solicited proposals for the administrative oversight and operation of commuter shuttle service in the Borough of Princeton for the period of one (1) year term to commence on or about April 14, 2008 and ending April 13, 2009; and

**WHEREAS**, the Borough Administrator recommended to Borough Council that the contract be awarded to GREATER MERCER TMA as the lowest responsible bidder; and

**WHEREAS**, the Borough of Princeton awarded the contract to Greater Mercer TMA, 15 Roszel Road South, Suite 101, Princeton, New Jersey 08540 on April 9, 2008 for the period of one year with certification of funds available through December 31, 2008; and

**WHEREAS**, the Borough of Princeton wishes to extend the services of Greater Mercer TMA through June 2009; and

**WHEREAS**, the Boroughs Chief Financial Officer has certified that funds are available for the costs associated with the operation of the shuttle service from January 1, 2009 through June 30, 2009.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Princeton that an Amended Contract be awarded to Greater Mercer Transportation Management Association, 15 Roszel Road South, Princeton, New Jersey 08540, for administrative oversight and operation of commuter shuttle service in the Borough of Princeton for the period beginning April 13, 2009 through June 30, 2009 with an amount of **\$80,000 for year 2009** and a total amount not to exceed \$174,293.

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized and directed to execute said Contract on behalf of the Borough.

**RESOLUTION 2009-R144  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE PURCHASE OF OFFICE SUPPLIES THROUGH THE COOPERATIVE  
PRICING SYSTEM OF MERCER / MIDDLESEX COUNTIES**

**WHEREAS**, the Borough of Princeton is a member of Cooperative Pricing System of Mercer / Middlesex Counties #61-CPSMMC; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-10. the Borough of Princeton can purchase materials which have been bid for by the lead agency on our behalf; and

**WHEREAS**, the lead agency of the Cooperative Pricing System of Mercer / Middlesex Counties #61 awarded the Master Contract for Office Supplies on March 5, 2009; and

**WHEREAS**, W.B/ Mason Company, Inc. 21 Commerce Drive, Cranbury, NJ 08512 was the lowest responsible bidders based on the attached schedule A; and

**WHEREAS**, W.B. Mason Company, Inc. has agreed to extend its prices to other members of the Cooperative Pricing System of Mercer/Middlesex Counties; and

**WHEREAS**, the Office Supplies costs and the appropriate monies are provided in the Current Fund Budget for the Various Borough Departments; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to purchase the above Office Supplies for the Borough under the Cooperative Purchasing Bid from W.B. Mason Company, Inc.

Council discussed the Jet-Vac history, cost, and cooperative agreement with Lawrence Township.

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Council discussed the status and future of the Free B shuttle.

Council President Koontz moved to approve Resolutions 2009-R141, 2009-R142, 2009-R143, and 2009-R144; Councilman Martindell seconded; and Borough Council approved unanimously four to zero.

Councilman Martindell asked about microfilming old documents. Mr. Budzinski suspected “microfilm” is a general term for the action of archiving; documents are digitally scanned.

Mr. Reed suggested adding schedule information to Free B stop signs. Mr. Bruschi stated schedules are already supplied; a better solution will be sought.

Ms. Crumiller relayed her experiences riding the Free B.

Hearing no further discussion, Mayor Trotman called for a vote. Mayor Trotman proclaimed the motion passed.

Council President Koontz announced a Be Green and Be Seen bicycle event on Sunday, May 17, 2:00 P.M. at Hinds Plaza.

Mayor Trotman announced that Princeton University will offer their latest vision of the arts neighborhood at Council’s May 5, 2009, meeting. The session is intended to be an exchange of ideas with University, Council, and public all participating. Mayor Trotman said comments from the public will inform Council as the project proceeds.

Councilman Martindell encouraged Councilman Wilkes to present some of his ideas and drawings on May 5.

Councilman Goldfarb stressed Council’s responsibility to zone campus periphery (outside E-2) carefully.

Mayor Trotman read **Agenda Item K, Bill List for April 28, 2009 — Resolution 2009-R145** as follows:

**RESOLUTION 2009-R145  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE APRIL 28, 2009 BILL LIST**

**WHEREAS**, Sandra L. Webb 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 (9-01)	809,965.61
RESERVE ACCOUNT (8-01)	31,107.27
PARKING UTILITY OPERATING FUND (9-05)	659.52
PARKING UTILITY OPERATING FUND (8-05)	15,699.16
AFFORDABLE HOUSING OPERATING ACCT (9-24)	6,946.66
IMPROVEMENT ASSESSMENT (9-11)	
AFFORDABLE HOUSING OPERATING ACCT (8-24)	
CAPITAL ACCOUNT (C-04)	216,656.07

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PARKING UTILITY CAPITAL FUND (P-08)	2,000.00
ESCROW (E-30)	
TRUST FUND (T-13)	2,807.00
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (9-22)	
MANUAL	1,621,758.59
ASSESSMENT TRUST FUND (9-11)	
GRANT (G-02)	13,125.80

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton approve the bill list of April 28, 2009 as presented.

Council President Koontz moved to approve Resolution 2009-R145, Councilman Goldfarb seconded, and Council approved unanimously.

Council President Koontz moved to adjourn. There being no further business, Mayor Trotman adjourned the open session meeting at 8:35 P.M.

Respectfully submitted,

**Andrea Lea Quinty**  
**Borough Clerk**