

**Approved Minutes  
Open Session  
Of the Mayor and Council of the Borough of Princeton  
July 28, 2009  
Regular Meeting  
Closed Session 6:00 P.M.  
Open Session 7:30 P.M.**

Present: Council President Andrew Koontz, 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 Attorney Karen L. Cayci, Borough Engineer Christopher M. Budzinski, Police Lieutenant David Dudeck, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 6:00 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 July 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-R204**, as follows:

**RESOLUTION 2009-R204  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
INTO CLOSED SESSION ON JULY 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. Negotiations — Princeton Township/North Ridge
2. Personnel — Police
3. Closed session minutes — June 23, 2009

**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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Council President Koontz moved to approve; Councilman Wilkes seconded. Council members Koontz, 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.

At 7:32 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 closed session of June 23, 2009.

Council President Koontz moved to hold one paragraph and otherwise approve the minutes of the closed session of June 23, 2009, Councilman Wilkes seconded, and Council approved unanimously.

Presented for approval were the minutes of the open session of June 23, 2009.

Councilwoman Trelstad moved to approve the minutes of the open session of June 23, 2009, with a change of language. Council President Koontz seconded. Council approved unanimously.

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

Dudley Sipprelle, 375 Nassau Street, commended Borough for extending parking hours and raising rates. His concern was residential parking in the semi-commercial area at Nassau and Harrison. He stated that daily users avoid the two-hour zone and metered parking—they drive to side streets and park all day for free, thereby denying residents curbside parking privileges during the day. He requested Council institute restricted parking (two-hour zone) on side streets in that neighborhood.

Christopher Budzinski, Borough Engineer, stated that the issue was brought up recently by residents of another Nassau side street. He said staff plans to present the problem to public works committee.

Councilman Goldfarb reported on a joint meeting between Borough and Township Finance Committees. He said funds are on the way from Township for unbilled capital projects. Remaining open items are small in dollar value; their resolution is imminent. Councilman Goldfarb thanked Councilman Martindell for identifying, and pressing for, overdue payments from Township.

Councilman Goldfarb also reported on joint discussions of new shared services—in particular, assessor's office and municipal court to share office space and staff while maintaining statutory

independence. Council agreed to ask Finance Committee to confer with Township on shared services.

Mayor Trotman announced that Council will return to closed session at the end of this meeting to continue conversation pertaining to police personnel.

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

Mayor Trotman read **Agenda Item G, Report (1) — Monthly Police Report** — *David Dudeck, Police Lieutenant*.

**RESOLUTION 2009-R205  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE MONTHLY POLICE REPORT**

**WHEREAS**, the Borough Police Administration have prepared a comprehensive report detailing the police activity for the month of May 2009; and

**WHEREAS**, the Mayor and Council reviewed said report at their Regular Meeting attended by Police Lieutenant David Dudeck and made various inquiries of Lt. Dudeck.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council hereby accept the May 2009 Monthly Police report prepared by the Borough Police Administration.

Lt. Dudeck thanked Mayor, Council, and public for their support in the wake of Chief Federico's sudden and untimely death. He expressed confidence that the police department will continue to operate in Chief Federico's tradition.

Lt. Dudeck described traffic solutions—signs, signals, special lanes—to the closing of Rosedale Road. (Mr. Budzinski reported that the bridge construction is nearly on schedule.)

Council President Koontz mentioned sharp year-to-date decline in motor vehicle violations. Lt. Dudeck stated the force is the smallest since 1976. Less meter activity is primarily due to downtown construction and increased use of Spring garage.

Council President Koontz moved to accept the police report, Councilwoman Trelstad seconded, and Council accepted unanimously five to zero.

Mayor Trotman read by title **Agenda Item H, Old Business (1) — Public Hearing and Adoption: Ordinance 2009-20, A BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 2001-08 OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED AUGUST 14, 2001 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.**

Robert Bruschi, Borough Administrator, stated the ordinance was amended to enable purchase of special equipment for security, data storage, and so forth.

Council President Koontz moved to adopt Ordinance 2009-20; Councilwoman Trelstad 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, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item H, Old Business (2) — Public Hearing and Adoption: Ordinance 2009-21, A BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$71,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$67,450 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF.**

Council President Koontz moved to adopt Ordinance 2009-21; Councilwoman Trelstad seconded.

Mr. Bruschi said the pre-assessment hearing of Ordinance 2009-21 provides for a special assessment for improvements to sidewalk under Project 2003-01— improvements to Westcott Road/Library Place/Cleveland Lane. This hearing notifies residents of upcoming work and estimated assessment to them. Mr. Budzinski noted that, initially, bond was for \$71,000; present assessment totals \$57,000 after receipt of bids for concrete (25% savings already).

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

Lou Valenti, owner of properties at 16 Hunter Road and 130 Westcott Road, asked about final payment for aprons. Mr. Budzinski replied that property owners will receive another notice at the end of the project with a final assessment of quantity of material and of dollar amount due.

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, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item I, New Business (1) — Introduction and Order to Publish: Ordinance 2009-22, AN ORDINANCE AMENDING CHAPTER 10A “CONSTRUCTION SITE MAINTENANCE” OF THE CODE OF THE BOROUGH OF PRINCETON NEW JERSEY, 1974.**

Mr. Budzinski explained that the amendment to Ordinance 2009-22 simply eliminates a Dumpster reference previously approved. Ordinance 2009-23, to be discussed next, establishes a fee for Dumpsters in a right-of-way.

Councilwoman Trelstad moved to introduce Ordinance 2009-22; Council President Koontz 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, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing scheduled for August 25, 2009.

Mayor Trotman read by title **Agenda Item I, New Business (2) — Introduction and Order to Publish: Ordinance 2009-23, AN ORDINANCE AMENDING CHAPTER 28, “STREETS AND SIDEWALKS” OF THE CODE OF THE BOROUGH OF NEW JERSEY, 1974.**

Council President Koontz moved to introduce Ordinance 2009-23; Councilman Goldfarb 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, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing scheduled for August 25, 2009.

Councilman Wilkes noted a history of Dumpsters and scaffolding occupying rights-of-way for no consideration. He thanked Mr. Budzinski for closing the loophole.

Mayor Trotman read **Agenda Item I, New Business (3) — Resolution 2009-R206** as follows:

**RESOLUTION 2009-R206  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING CHANGE ORDER #1 AMENDING THE CONTRACT WITH ADIRONDACK  
CONTRACTING FOR PUBLIC WORKS GARAGE PROJECT**

WHEREAS, on October 7, 2008, a contract in the amount of \$394,000.00 was awarded to Adirondack Contracting, 1520 Meeting House Road, Sea Girt, NJ, 08750, for the Public Works Garage Renovations project and;

WHEREAS, there is a need to amend the contract with Adirondack Contracting as outlined in the change order prepared by the Borough Engineer and;

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

WHEREAS, the Chief Financial Officer has certified that funds are available under Capital Account No C-04-08-022-302; and

WHEREAS, the Mayor and Council of the Borough of Princeton is satisfied that the requested change order is necessary.

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

- 1. Change Order #1 to the Contract between the Borough of Princeton and Adirondack Contracting for the Public Works Garage Renovations in the amount of \$57,540.91 is hereby approved; and**
- 2. The Borough Engineer and Clerk are hereby authorized to sign the Change Order on behalf of the Borough.**

Councilwoman Trelstad moved to approve Resolution 2009-R206 and Council President Koontz seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (4) — Resolution 2009-R207** as follows:

**RESOLUTION 2009-207  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
AWARDING CONTRACT TO TOPLINE CONSTRUCTION  
FOR CAPITAL PROJECT #03-01 WESTCOTT ROAD/LIBRARY PLACE**

**WHEREAS**, the Borough of Princeton has determined the need for construction services in connection with Capital project # 03-01, known as the Westcott Road/Library Place Improvements; and

**WHEREAS**, the Borough has solicited bid proposals for same; and

**WHEREAS**, all bid proposals were publically opened on July 7, 2009; and

**WHEREAS**, the Borough received the following bids:

Top Line in the amount of \$943,828.74

Lucas Construction Group, Inc. in the amount of \$969,463.00

Lucas Brothers in the amount of \$987,968.19

S. Brothers Construction in the amount of \$1,008,987.10

Star of the Sea Concrete Co. in the amount of \$1,032,916.94

Green Construction in the amount of \$1,167,180.94

Marvec Construction Corp in the amount of \$1,320,693.00

Jonico Inc. in the amount of \$1,318,900.00

Dumor Contracting Inc. in the amount of \$1,357,050.75; and

**WHEREAS**, it is the recommendation of the Borough Engineer that a contract be awarded to Topline Construction, 22 Fifth Street, Somerville, NJ 08876 as the lowest responsible bidder; and

**WHEREAS**, the Borough's Chief Financial Officer has certified that funds are available for the purposes set forth herein

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton hereby recommends to the New Jersey Department of Transportation that the above referenced contract be awarded to Topline Construction, 22 Fifth Street, Somerville, NJ 08876, for Capital project #03-01, in the amount of \$943,828.74 as set forth in the bid specifications and subject to the approval of the Department.

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

Council President Koontz moved to approve Resolution 2009-R207 and Councilman Goldfarb seconded.

Councilman Goldfarb congratulated members of government, staff, and the neighborhood who shepherded the project smoothly through the design process. Councilwoman Trelstad applauded the particular efforts of Mr. Budzinski and Robert Pagan, Assistant Engineer, as they dealt with individual residents' issues. Councilman Wilkes complimented the high quality of "engineering drawing product" that enabled contractors to bid more precisely.

Borough Council approved Resolution 2009-R207 unanimously.

Mayor Trotman read **Agenda Item I, New Business (5–10) — Resolutions 2009-R208, Resolution 2009-R209, Resolution 2009-R210, Resolution 2009-R211, Resolution 2009-R212, and Resolution 2009-R213**, follows:

**RESOLUTION 2009-R208  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING FIRE DEPARTMENT TRANSFER AND APPLICATION  
FOR ROGER DEMARESKI**

**WHEREAS**, Roger Demareski has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(g) as an Associate Member of the Princeton Fire Department effective July 14, 2009; and

**WHEREAS**, in accordance The Borough of Princeton Code of Laws, Chapter 14, Section 23, Mercer Engine Company No. 3 has hereby notified the Borough Clerk of their approval of Roger Demareski as a Regular Company Member of MERCER ENGINE COMPANY NO. 3; and

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

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton do hereby recommend and approve the application and transfer status from Associate Member to Regular Company Member to the Office of the Borough Administrator, the Fire Chief and Fire Company.

**RESOLUTION 2009-R209  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY THE  
STONY BROOK MILLSTONE WATERSHED**

**WHEREAS**, The Stony Brook Millstone Watershed is planning their Butterfly Festival; and

**WHEREAS**, The Stony Brook Millstone Watershed has requested permission to install a banner over Washington Road in Princeton with approval of the Office of Community and State Affairs at Princeton University beginning Monday, August 10 through Monday, August 17, 2009 to inform the public of their event; 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 2009-R210  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING DUCT CLEANING SERVICE  
THROUGH THE MERCER COUNTY  
COOPERATIVE CONTRACT PURCHASING SYSTEM**

**WHEREAS**, the Borough of Princeton is a member of Mercer County Cooperative Contract Purchasing System #CK09-MERCER; and

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

**WHEREAS**, the lead agency of the Mercer County Cooperative Contract Purchasing System has awarded a Two Year Master Contract for Duct Cleaning Services on March 22, 2009; and

**WHEREAS**, Indoor Air Technologies, Inc., 33 West Main Street, Victor, New York 14564 was the lowest responsible bidder; and

**WHEREAS**, the cost and the appropriate monies are provided in the Capital Fund Budget in 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 Duct Cleaning Service under the cooperative purchasing bid from Indoor Air Technologies, Inc., 33 West Main Street, Victor, New York 14564

**RESOLUTION 2009-R211  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE PURCHASE OF GASOLINE AND DIESEL FUEL  
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 Gasoline and Diesel Fuel on June 10, 2009; and

**WHEREAS**, Riggins, Inc., 3938 South Main Road, Vineland, NJ 08360-7743 was the lowest responsible bidder; and

**WHEREAS**, the 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 for the Borough under the Cooperative Purchasing Bid.

**RESOLUTION 2009-R212  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE PURCHASE OF TRAFFIC LINE STRIPING  
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 Traffic Line Striping on July 8, 2009; and

**WHEREAS**, Denville Line Painting, inc. 2 Green Pond Road, Rockaway, NJ 07866 was the lowest responsible bidder; and

**WHEREAS**, the 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 for the Borough under the Cooperative Purchasing Bid.

**RESOLUTION 2009-R213  
OF THE MAYOR AND Council OF THE BOROUGH OF PRINCETON**

**APPROVING THE EXTENSION OF THIRD QUARTER TAXES**

WHEREAS, there have been delays by Mercer County in approving their 2009 budget creating a delay in establishing a tax rate for the year 2009; and

WHEREAS, subsequently the Borough of Princeton will be late in its annual tax mailing to the residents of the Borough; and

WHEREAS, the Mayor and Council wish to give the residents of Princeton an opportunity to pay their third quarter taxes without incurring a penalty; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Princeton that third quarter taxes may be paid until August 14, 2009 without incurring a penalty and payments made after that date will be subject to normal interest charges; and

BE IT FURTHER RESOLVED that a copy of this resolution be on file and available for public inspection in the Office of the Borough Clerk.

Council President Koontz moved to approve Resolutions 2009-R208, Resolution 2009-R209, Resolution 2009-R210, Resolution 2009-R211, Resolution 2009-R212, and Resolution 2009-R213. Councilman Goldfarb seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, Bill List for July 28, 2009 — Resolution 2009-R214** as follows:

**RESOLUTION 2009-R214  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE July 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 as follows:

CURRENT ACCOUNT (9-01)	792,131.13
RESERVE ACCOUNT (8-01)	13,503.80
PARKING UTILITY OPERATING FUND (9-05)	31,748.46
PARKING UTILITY OPERATING FUND (8-05)	
AFFORDABLE HOUSING OPERATING ACCT (9-24)	2,165.00
IMPROVEMENT ASSESSMENT (9-11)	
AFFORDABLE HOUSING OPERATING ACCT (8-24)	
CAPITAL ACCOUNT (C-04)	163,170.85
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	
TRUST FUND (T-13)	
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (9-22)	
MANUAL	1,121,087.57
ASSESSMENT TRUST FUND (9-11)	
GRANT (G-02)	

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

Council President Koontz moved to approve Resolution 2009-R214, Councilwoman Trelstad seconded, and Council approved unanimously.

*July 28, 2009*

At 8:07 P.M. Council President Koontz moved to return to closed session; Councilman Goldfarb seconded; Council approved unanimously. The closed meeting adjourned at 8:35 P.M.

Respectfully submitted,

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