

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
August 11, 2009
Regular Meeting
Closed Session 7:00 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 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 August 11, 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-R215**, as follows:

**RESOLUTION 2009-R215
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON AUGUST 11, 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

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.

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

August 11, 2009

Borough Council recessed into closed session.

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 July 14, 2009.

Council President Koontz moved to approve the minutes of the open session of July 14, 2009, Councilman Wilkes seconded, and Council approved unanimously five to zero.

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. There was no public presentation.

Mayor Trotman announced new agenda item, **Police Staffing,** to be added after Princeton Community Housing report. Mayor Trotman asked Council members about availability for a quorum on September 1, 2009. Mayor and Council discussed various possible September meeting dates and topics.

Mayor Trotman read **Agenda Item G, Correspondence (1) — Princeton Parks Director — Princeton Environmental Commission.**

In a letter to Borough Council, the PEC asked Councils endorsement of a Parks Director for the Princeton's. Council President Koontz recommended deferring to the Recreation Department for a stronger look. Councilman Goldfarb supported a "parks *and* recreation" department, with a single manager for all parks and recreation activities. Council President Koontz volunteered to approach Recreation for recommendations and ideas and would follow up with Borough Clerk Andrea Quinty to schedule a report back to Council.

Mayor Trotman read **Agenda Item H, Report (1) — Princeton Community Housing (PCH) Annual Report — Sandra Persichetti, Executive Director.**

Ms. Persichetti described "terrific results" at Princeton Community Housing, noting off-street parking and beautiful finishing. She hoped to find more "pockets" of land for further building. Ms. Persichetti reported that quarterly staff meetings have provided an excellent forum for participants to exchange notes about progress, trends, and so forth.

Ms. Persichetti discussed refinancing effort of \$1 million to cover renovation and refurbishment of Elm Court (100% in Borough). In particular, she mentioned adjustments for the aging-in-place population. She requested help from Council to find overnight local parking during a one-week repaving project for the units. Ms. Persichetti noted the need for public transportation, such as Free B, at Elm Court.

Councilman Goldfarb commented that Leigh Avenue affordable housing provided a strong learning experience for Borough decision-makers.

Ms. Persichetti said that PCH provides a fact sheet including all affordable sites—rent/sale, Borough/Township—to guide prospective users through the application process. Councilwoman Trelstad noted the need for a central location for inquiries (such as the library) to help those without vehicles.

Councilman Wilkes said applicants must find their way to Raritan, New Jersey, to pursue housing in Princeton Borough. He asked Ms. Persichetti about current market conditions. She replied that there are longer waiting lists and more receivables.

Councilman Martindell asked what PCH does when tenants cannot pay their rent. Ms. Persichetti said PCH tries to work with residents; if chronic nonpayment, eviction must be sought. (She noted there are always prospective residents on the waiting list who *will* pay.)

Mayor Trotman commended the effort—hours/years—by PCH members.

Jim Floyd, PCH committeeman, applauded Ted Vial’s work toward a “declaration of need” and his vision and perseverance to create Princeton Community Village.

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

Mayor Trotman raised new agenda item, **Police Staffing.**

Robert Bruschi, Borough Administrator, referred to police staffing recommendations—in particular, patrol division (soon to be 26 officers)—and sought support from Council for an increase in manpower. He mentioned the lengthy hiring process and asked Council to permit Mayor and Public Safety to contact previous applicants. At the same time, Council will deliberate selection of police chief.

Councilwoman Trelstad questioned increasing the force above 26 patrol officers. Councilwoman Trelstad asked Mr. Bruschi if there were concerns other than vacation and/or overtime that were leading him to decide that the police force should be increased at this time. Mr. Bruschi stated that vacancies are supplementing overtime. He addressed excessive overtime leading to burnout—with possible danger on the streets.

Councilman Martindell did not share Mr. Bruschi’s sense of urgency about police staffing levels. He noted the absence of one-third of the force for an extended period without a spike in crime, diminution of services, or fear from citizenry. He said Council ought to address specific questions about police service and protection:

1. How many hours?
2. How many people?
3. What will officers do?

Councilman Martindell said Council must determine what services Borough police should/will deliver and the cost of those services.

Council President Koontz was against a hiring frenzy. He observed that previously Council wanted to know the appropriate *upper* number. Today Council needs to establish “what number is too low” for police to perform their core functions of patrol, detection, and command. While Council President Koontz suspected that the current force of 26 officers may be too small, he recommended pursuing a hiring plan while ascertaining the appropriate number.

Councilman Goldfarb proposed deferring staffing decisions pending finding a new chief. He regretted not hiring a police captain some months ago. Councilman Goldfarb listed priorities:

1. Appoint the next chief in the short term
2. Establish proper level of staffing
3. Institute a search for patrol officers.

Mayor Trotman suggested the next step is to interview the lieutenants. She said the appropriate size of the force is still unknown; it is discretionary.

Councilwoman Trelstad stated that the current review of the police department could provide information that would inform our decision on the choice of a Chief of Police. She recommended scheduling a special Council meeting in September 2009 to discuss the police department.

Councilman Martindell emphasized defining the core mission of the police department, which certainly includes patrol. He said Council must draw the “budgetary line.” It is a good time for further consideration of sharing services with Township.

Mr. Bruschi stated that the police consultant (Robert Verry) will begin his study—its scope previously authorized by RFP—August 24, 2009, with completion in three to four weeks.

Council President Koontz asked if Public Safety Committee should discuss oversight issues during structuring of new department and hiring of new chief. Councilman Martindell thought lines of authority should be set up before arrival of new chief.

Mayor Trotman read **Agenda Item I, New Business (1) — Resolution 2009-R216** as follows:

**RESOLUTION 2009-R216
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
FOR HEALTH EDUCATION TO MARCIE TYSON**

WHEREAS, the Borough of Princeton desires to enter into an amended professional services agreement in connection with certain activities as hereafter more particularly stated, and

WHEREAS, additional services are required for the senior population and preparation for H1N1 pandemic flu this year 2009, and

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 amended contract for professional services with **Marcie Tyson, 29-3B Bloomingdale Drive, Hillsborough, NJ 08844** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2009 through December 31, 2009**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional health services and other related duties as cited in the agreement dated January 1, 2009 for an additional amount of **\$1,000.00** for a total contract amount not to exceed **\$7,400.00**.

Under this Agreement, Provider shall at all times act as an independent professional contractor and shall have no authority to act as an agent or representative of the Borough or to enter into any financial or other contractual commitment on behalf of the Borough without the prior written approval of same granted in accordance with law.

Rendition of Invoices: Payment of fees will be made upon the submission to the Provider to the Borough of invoices in duplicate in the form prescribed by the Borough not later than the tenth (10th) day of the month following that covered by the invoice, and shall specify in detail the periods for which fees are claimed for the services performed. The provider shall give written notice to the Borough when the Provider has billed eighty (80%) of the compensation set forth in paragraph I of the Agreement.

2. The form of contract shall include standard provisions common to professional service agreements entered into by the Borough and shall be subject to approval by the Borough Attorney.

3. The 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.

Council President Koontz noted that H1N1 influenza requires follow up from health professionals. Mr. Bruschi said \$1,000 funding for flu education passes through from New Jersey to the consultant. Council President Koontz moved to approve Resolution 2009-R216, Councilwoman Trelstad seconded, and Borough Council approved unanimously five to zero.

Mayor Trotman read **Agenda Item I, New Business (2) — Resolution 2009-R217** as follows:

**RESOLUTION 2009-R217
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING AMENDMENT FOR ANIMAL SHELTER SERVICES TO SAVE**

WHEREAS, the Borough of Princeton has entered into a professional services agreement in connection with certain activities as hereafter more particularly stated, and

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

WHEREAS, unexpected costs have been required to address and resolve the additional sheltering of animals, and

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 a contract amendment for professional services with **SAVE, 900 Herrontown Road, NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2009 through December 31, 2009**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional services and other related duties as cited in the agreement dated January 1, 2009 with an **additional amount of \$4,500** for total amended contract amount not to exceed **\$9,500.00**.

Under this Agreement, Provider shall at all times act as an independent professional contractor and shall have no authority to act as an agent or representative of the Borough or to enter into any financial or other contractual commitment on behalf of the Borough without the prior written approval of same granted in accordance with law.

Rendition of Invoices: Payment of fees will be made upon the submission to the Provider to the Borough of invoices in duplicate in the form prescribed by the Borough not later than the tenth (10th) day of the month following that covered by the invoice, and shall specify in detail the periods for which fees are

claimed for the services performed. The provider shall give written notice to the Borough when the Provider has billed eighty (80%) of the compensation set forth in paragraph I of the Agreement.

2. The form of contract shall include standard provisions common to professional service agreements entered into by the Borough and shall be subject to approval by the Borough Attorney.

3. The 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.

Council President Koontz asked if feral cats are a problem in Borough. Cat licensing is still an open topic for the Health Department. Council President Koontz moved to approve Resolution 2009-R217, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (3 – 11) — Resolutions 2009-R218, 2009-R219, 2009-R220, 2009-R221, 2009-R222, 2009-R223, 2009-R224, 2009-R225, and 2009-R226** as follows:

**RESOLUTION 2009-R218
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE 2009 COMMITTEE APPOINTMENT**

NOW BE IT RESOLVED that those listed below are appointed to the Borough of Princeton committees for a six year term as follows:

SITE PLAN REVIEW ADVISORY BOARD - Joshua B. Zinder

(to fill unexpired 6 year term of Gordon Griffin through 01/01/2011)

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each committee and the Office of the Municipal Clerk.

**RESOLUTION 2009-R219
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE 2009 COMMITTEE APPOINTMENT
FOR A TWO YEAR TERM**

NOW BE IT RESOLVED that those listed below are appointed as alternate members to the Borough of Princeton committees for a two-year term as follows:

**SITE PLAN REVIEW ADVISORY BOARD Anne Neumann (Alt. 2)
(Through 01-01-2011)**

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each committee and the Office of the Municipal Clerk.

**RESOLUTION 2009-R220
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE 2009 COMMITTEE APPOINTMENTS
FOR A FOUR YEAR TERM**

NOW BE IT RESOLVED that those listed below are appointed to the Borough of Princeton committees for a four year term as follows:

CONSTRUCTION BOARD OF APPEALS - George W. Johnson

(Reappointment through 01-01-2013)

Ken C. Eipel

(Reappointment through 01-01-2013)

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each committee and the Office of the Municipal Clerk.

**RESOLUTION 2009-R221
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE 2009 COMMISSION APPOINTMENT
FOR A TWO YEAR TERM**

NOW BE IT RESOLVED that those listed below are appointed as alternate members to the Borough of Princeton commission for a two-year term as follows:

REGIONAL HEALTH COMMISSION

Leon M. Rosenson (Alt. 2)

(To fill unexpired term of Mark Alexandridis
Through 01-01-2010)

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each committee and the Office of the Municipal Clerk.

**RESOLUTION 2009-R222
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY THE
YWCA PRINCETON**

WHEREAS, The YWCA Princeton is planning their annual Crafters Marketplace; and

WHEREAS, The YWCA Princeton 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, November 16 through Monday, November 23, 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-R223
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING RAFFLE LICENSE RA:326
TO ST PAUL PTA**

WHEREAS, ST PAUL PTA has submitted a raffle application to the Borough Clerk; and

WHEREAS, N.J.A.C. 13:47-4.1 requires seven (7) days to elapse before the Governing Body makes its findings and determinations; and

WHEREAS, the required waiting period is satisfied on August 11, 2009; and

WHEREAS, ST PAUL PTA, in accordance with N.J.A.C. 13:47-3 et seq, has submitted the required fees, four copies of their application, and the Legalized Games of Chance Control Commission (LGCCC) registration form with identification number.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton that raffle license RA: 326 for ST PAUL PTA be approved; and

BE IT FURTHER RESOLVED that the Municipal Clerk will forward the Finding and Determinations for RA: 326 to the LGCCC in accordance with N.J.A.C. 13:47-4.1.

**RESOLUTION 2009-R224
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
ASSOCIATE MEMBER**

WHEREAS, in February 2009 Borough Council approved an amendment to Articles III, IV and V of Chapter 14 of the Code of the Borough of Princeton which expanded the volunteer fire member classification to include Princeton University employees as Associate Members; and

WHEREAS, the membership applications have been reviewed by the appropriate municipal officers; and

WHEREAS, the following employee of Princeton University has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 23, Section 25(a) through 25(g) as Associate Members of the PRINCETON FIRE DEPARTMENT:

SAM ROZYCKI

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton hereby approve the applications for Associate Membership to the Office of the Borough Administrator, the Fire Chief, Princeton University and Fire Companies.

**RESOLUTION 2009-R225
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
ALEXANDER H. BENNET**

WHEREAS, Alexander H. Bennet 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 NO. 3 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 2009-R226
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING SUBMISSION OF GRANT APPLICATION**

WHEREAS, The Princeton Borough Council of the City of Princeton, County of Mercer, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, The Princeton Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, The Princeton Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Mercer;

NOW, THEREFORE, BE IT RESOLVED by the Princeton Borough Council, County of Mercer, State of New Jersey hereby recognizes the following:

1. The Princeton Borough Council does hereby authorize submission of an application for the Princeton Alcohol and Drug Alliance grant for calendar year 2010 in the amount of \$28,020.00
2. The Princeton Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

August 11, 2009

Council President Koontz moved to approve Resolutions 2009-R218, 2009-R219, 2009-R220, 2009-R221, 2009-R222, 2009-R223, 2009-R224, 2009-R225, and 2009-R226; Councilman Martindell seconded; and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, Bill List for August 11, 2009 — Resolution 2009-R227** as follows:

**RESOLUTION 2009-R227
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE AUGUST 11, 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)	5,586,377.90
RESERVE ACCOUNT (8-01)	450.97
PARKING UTILITY OPERATING FUND (9-05)	10,148.25
PARKING UTILITY OPERATING FUND (8-05)	
AFFORDABLE HOUSING OPERATING ACCT (9-24)	
IMPROVEMENT ASSESSMENT (9-11)	
AFFORDABLE HOUSING OPERATING ACCT (8-24)	
CAPITAL ACCOUNT (C-04)	54,229.04
PARKING UTILITY CAPITAL FUND (P-06)	7,514.29
ESCROW (E-30)	7,422.48
TRUST FUND (T-13)	281,268.43
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (9-22)	
MANUAL	2,105,933.97
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 AUGUST 11, 2009 as presented.

Councilman Goldfarb moved to approve Resolution 2009-R227, Councilwoman Trelstad seconded, and Council approved unanimously.

Councilman Martindell asked Mr. Bruschi about two interest revenue items for the period ending June 30, 2009. Mr. Bruschi deferred to Chief Finance Officer, Sandra Webb, for more information; he predicted that income estimates will not be achieved.

Council President Koontz moved to adjourn and Councilwoman Trelstad seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 9:05 P.M.

Respectfully submitted,

**Andrea Lea Quinty
Borough Clerk**