

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
December 22, 2009
Regular Meeting
Closed Session 6:30 P.M.
Open Session 7:30 P.M.**

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

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Engineer Christopher M. Budzinski, Police Chief David J. Dudeck, Borough Attorney Michael Herbert, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 6:30 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 December 22, 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-R331**, as follows:

**RESOLUTION 2009-R331
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON DECEMBER 22, 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 — professional appointments

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; Council President Koontz seconded. Council members Koontz, Goldfarb, Karcher, 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 7:30 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 November 10, 2009.

Councilwoman Trelstad moved to approve the minutes of the open session of November 10, 2009, Council President Koontz seconded, and Council approved unanimously.

Presented for approval were the minutes of the open session of November 24, 2009.

Councilwoman Trelstad moved to approve the minutes of the open session of November 24, 2009, Council President Koontz seconded, and 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.

There were no public presentations.

Mayor Trotman took the opportunity to thank retiring Councilwoman Margaret Karcher for nine-and-a-half years of outstanding service. Councilwoman Karcher stated publicly her joy working with her colleagues on Council. She praised the high levels of civility, care, and politeness of Council members, regardless of their differences on policy. Councilwoman Karcher commended individual staff members by name.

Mayor Trotman announced addition of Resolution 2009-R344 to the agenda.

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

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

**RESOLUTION 2009-R332
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE MONTHLY CHIEF OF POLICE REPORT**

WHEREAS, David Dudeck, Chief of Police of the Borough of Princeton prepared a comprehensive report detailing the police activity for the month of October 2009; and

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

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

Chief Dudeck reported that he and Township Chief Mark Emann met with Princeton University (PU) Official with aggressive and positive results. The Chiefs also met with Superintendent of Schools and Princeton High School's principal to determine how police can help with their issues.

Chief Dudeck stated that all of Police Consultant Verry and Borough Council recommendations and policy changes have been effected by the Police Department and are ready for implementation.

Chief Dudeck wants Borough Police Department to be re-accredited in 2010 as an effort toward transparency and cutting-edge performance. He mentioned "PowerPoint DMS," a training server to keep individual police officers current on unit guidelines.

Councilman Goldfarb asked Chief Dudeck if the new director of public safety attended the meeting with PU. Chief Dudeck replied the new director will begin January 2010.

Councilman Goldfarb noted Borough already spent some time and money on accreditation, and wondered why it had lapsed. Chief Dudeck answered that it is taxing on manpower to maintain accreditation. At the time, police officials concluded they did not have the necessary resources; now, Chief Dudeck stated, it makes sense to re-accredit and stay accredited. Chief Dudeck reported that Township has recently become accredited and uses PowerPoint DMS.

Councilman Martindell proposed the Public Safety Committee (PSC) investigate the cost of accreditation in the face of the value of transparency and innovative policing.

Councilman Wilkes quoted Chief Emann: Much of one officer's effort is dedicated to documentation and report filing. He thought being on a par with Princeton Township police might be worth some cost.

Councilwoman Karcher asked if alcohol-related cases could be referred to Corner House. Chief Dudeck replied that he would definitely involve Corner House and Gary DeBlasio.

Councilwoman Karcher stated that the incoming presidents of eating clubs would be thrilled if Chief Dudeck visited the houses and spoke about alcohol issues—laws, enforcement, consequences.

Councilman Goldfarb requested Mayor Trotman to invite club presidents to attend Borough Council during February 2010.

Council President Koontz moved to accept the police report, Councilman Wilkes seconded, and Council accepted unanimously.

Mayor Trotman read by title **Agenda Item H, Old Business (1) — Public Hearing and Adoption: Ordinance 2009-34, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 26 OF “THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974” REGARDING OPERATION OF THE BOROUGH POLICE DEPARTMENT.**

Councilwoman Trelstad moved to adopt Ordinance 2009-34; Councilman Wilkes seconded.

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

Marvin Reed, 6 Cameron Court, commended Council for organizing the police department and clarifying the relationships among mayor, administrator, Council, PSC, chief, and police personnel.

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, Karcher, Martindell (thanking Mr. Reed for attending Council today), 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 2009-36, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 OF “THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974” REGARDING COUNCIL COMMITTEES.**

Councilwoman Trelstad moved to adopt Ordinance 2009-36; 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, Karcher, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read **Agenda Item I, New Business (1) — Resolution 2009-R333** as follows:

**RESOLUTION 2009-R333
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING A UNIFORMED SHARED SERVICES AGREEMENT BETWEEN THE CITY OF
TRENTON AND THE BOROUGH OF PRINCETON FOR LOCAL PUBLIC HEALTH SERVICES**

WHEREAS, the City of Trenton has determined the need for interim services of a Health Officer for the provision of public health services; and

WHEREAS, the Health Officer of the Borough of Princeton is able to perform those temporary services and duties within the provision of Public Health Practice Standards of Performance for Local Boards of Health in New Jersey, N.J.A.C. 8:52 ;

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 agreement between the Borough of Princeton and The City of Trenton to provide interim health officer services for the City of Trenton for the period January 4, 2010 through April 30, 2010 as hereafter more particularly stated in the attached "Exhibit A". The City of Trenton shall pay the Borough of Princeton an amount not to exceed \$30,000 as attached "Exhibit A" **FURTHERMORE**, a copy of the signed agreement shall be submitted to the New Jersey Department of Health and Senior Services and filed for informational purposes with the NJ Department of Community Affairs, Division of Local Government Services.

Council President Koontz moved to approve Resolution 2009-R333; Councilwoman Trelstad seconded.

Council President Koontz to Princeton Regional Health Officer David Henry statement that he would be able to provide 10 to 15 hours to Trenton as a temporary health officer. Council President Koontz was concerned that there might be a lessening of the services Mr. Henry currently provides to the two Princetons.

Mr. Henry believed there would be no decrease in effort dedicated to the Princetons. He said responsibility for multiple municipalities is not uncommon in New Jersey. For Trenton, Mr. Henry expected to be involved in policy development/review, some evaluation, animal control matters, and so forth. He felt sure he would be successful during the four months of the agreement.

Mayor Trotman asked Mr. Henry to identify the 10 to 15 hours in question. Mr. Henry said he would be in Trenton during some business hours. He already accesses his Princeton Regional Health files from home in the evening; he will continue to do so for all three towns. Mr. Henry stated that Princetons are his first priority.

Council President Koontz questioned Trenton's residency requirements for department heads. Mr. Henry said there is such a requirement, but not in shared-service agreements.

Council President Koontz asked Borough Administrator Robert Bruschi about staff concerns. Mr. Bruschi replied that he and Mr. Henry had developed a plan to delineate Mr. Henry's hours and duties (similar to "flex time" reporting by other department managers). Mr. Bruschi hoped the arrangement—a professional courtesy to another town—would not extend past six months.

Mr. Bruschi said there is an administrative provision (15%) to cover Borough's payroll expenses. Mr. Bruschi endorsed the arrangement as written. He mentioned possible future *quid pro quo* benefits to Borough.

When asked by Council, Mr. Henry stated he absolutely had no intention of applying for the full-time position in Trenton.

Mayor Trotman called the question. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (2) — Resolution 2009-R334** as follows:

**RESOLUTION 2009-R334
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON APPROVING**

**LICENSE AGREEMENT FOR 111 MERCER STREET
REFERENCED AS BLOCK 36.01, LOT 36
ON THE TAX MAP OF THE BOROUGH OF PRINCETON**

WHEREAS, the Borough has determined the need for a License Agreement to permit the encroachment into the public right of way located at 111 Mercer Street, Block 36.01, Lot 36 consisting of two low brick retaining walls along the driveway and a row of plantings along existing brick wall, and

WHEREAS, the owner of 111 Mercer Street has indicated their willingness to enter into a License Agreement with the Borough in consideration of \$1.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Princeton that the Mayor and Clerk are hereby authorized to enter into the attached License Agreement with 111 Mercer Street LLC c/o F Cammerzell, the owner of 111 Mercer Street (the Licensee), for the encroachment into the public right of way located at 111 Mercer Street, Block 36.01, Lot 36, along with all provisions of said License Agreement and consideration of payment by the Licensee of \$1.00.

Councilman Wilkes recused himself.

Council President Koontz moved to approve Resolution 2009-R334; Councilwoman Trelstad seconded.

Borough Engineer Christopher Budzinski explained that initial plot plans did not indicate a need for walls between driveway and sidewalk. After installation, grading could not be achieved without walls.

Councilman Goldfarb stated the need for monitoring annual renewal of Certificate of Insurance.

Mayor Trotman called the question. Borough Council approved unanimously five to zero.

Mayor Trotman read **Agenda Item I, New Business (3, 4, 5) — Resolutions 2009-R335, 2009-R336, 2009-R337** as follows:

**RESOLUTION 2009-R335
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING A PROFESSIONAL SERVICES AGREEMENT
TO NEW JERSEY ANALYTICAL LABORATORIES, LLC
FOR GROUNDWATER AND SURFACE WATER ANALYSIS,
FEBRUARY 2010 TO JANUARY 2011**

WHEREAS, the Princeton Sewer Operating Committee has advised the Mayor and Council that it wishes to engage **New Jersey Analytical Laboratories, LLC**, 1590 Reed Road, Suite A 1, Pennington, New Jersey 08534 (the "Provider") for the performance by the Provider of professional services in connection with certain activities being conducted by the Princeton Sewer Operating Committee; and

WHEREAS, the services to be performed are professional services which are exempt from public bidding under the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq., and

WHEREAS, the Local Public Contracts Law requires that the Resolution authorizing the award of contract for the services without competitive bidding be publicly advertised; 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 for the aforesaid services with New Jersey Analytical Laboratories, LLC (the "Provider").

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

The Provider shall perform ground water and surface water analysis at the Princeton Sanitary Landfill for the period of February 1, 2010 to January 31, 2011. The scope of the work involves quarterly sampling of six (6) groundwater-monitoring wells and two (2) surface water locations at the Princeton Sanitary Landfill. The

analysis is an annual requirement of a New Jersey Pollutant Discharge Elimination System (NJPDES) permit and closure plan with the NJDEP.

Under this contract, the Provider shall at all times act as an independent professional contractor and not as an employee of the Borough, 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.

The Borough shall pay the Provider the following compensation:

An amount not to exceed Eight Thousand Seven Hundred Forty-four Dollars and No Cents (\$8,744.00).

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. 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 Times of Trenton as required by law within ten (10) days of its passage.

5. An executed copy of the contract between the Borough and the Provider and a copy of this Resolution shall be on file and available for public inspection in the Office of the Borough Clerk.

**RESOLUTION 2009-R336
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
TO PARTICIPATE IN COUNTYWIDE CONTINUITY OF OPERATIONS (COOP) AND
CONTINUITY OF GOVERNMENT (COG) PLANNING MADE POSSIBLE THROUGH 2009
HOMELAND SECURITY FUNDING TO THE COUNTY OF MERCER**

WHEREAS, government has a fundamental responsibility to ensure continuity of essential functions across a range of emergencies and events through the development of continuity plans; and,

WHEREAS, a completed and fully functional continuity plan for the county and its municipalities will ensure all levels of government can effectively deal with extraordinary circumstances before, during and after any emergency situation; and,

WHEREAS, the County of Mercer has been awarded 2009 funding from the State of New Jersey Office of Homeland Security and Preparedness with a portion to be allocated for county and municipal Continuity of Operations (COOP) and Continuity of Government (COG) planning; and,

WHEREAS, the allocated funds are to be utilized for consulting services the county will provide for municipalities; and,

BE IT RESOLVED, that the Mayor and Council of the Borough of Princeton agrees to participate in countywide continuity planning.

**RESOLUTION 2009-R337
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF
UNTREATED AND TREATED ROCK SALT
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 the Master Contract to supply Fuel Oil #2 to the County of Mercer on November 12, 2009; and

WHEREAS, International Salt Company LLC, ISCO Corporate Center, 655 Northern Blvd., Clarks Summit, PA 18411 was the lowest responsible bidder; and

WHEREAS, the cost and the appropriate monies are provided in the Current 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 Rock Salt under the cooperative purchasing bid from International Salt Company LLC, ISCO Corporate Center, 655 Northern Blvd.

Councilwoman Karcher moved to approve Resolutions 2009-R335, 2009-R336, 2009-R337; Councilwoman Trelstad seconded.

Mayor Trotman called the question. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (6) — Resolution 2009-R338** as follows:

**RESOLUTION 2009-R338
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AMENDING A PROFESSIONAL SERVICES AGREEMENT TO RnD CONSULTING FOR
COMPUTER SERVICES**

WHEREAS, the Borough entered into a services agreement on August 25, 2009 in connection with certain activities as hereafter more particularly stated; and

WHEREAS, the Borough wishes to extend the compensation under said agreement; and

WHEREAS, the services to be performed are extraordinary and unascertainable in nature and 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 amend a services contract with RnD Consulting, 340 Wilson Avenue, Trenton, NJ (hereinafter referred to as "Provider") to provide goods and services for the support and maintenance of computer hardware and software, and the creation of proprietary hardware and software, for the period August 1, 2009 through December 31, 2009, as hereafter more particularly stated.

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

Provider shall provide goods and services for the support and maintenance of proprietary and non-proprietary computer hardware and software, including but not limited to hardware and software installation and maintenance, software license maintenance, on-site and remote support, virus/spy ware support, creation of proprietary software and hardware, installation and training.

Under this Agreement, Provider shall at all times act as an independent professional contractor and not as an employee of the Borough, 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. The Borough shall pay the Provider at the rate of \$115.00 per hour for an additional amount not to exceed seventeen thousand dollars (\$17,000.00).

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 extraordinary and unascertainable under the provisions of the Local Public Contracts Law because the subject services are

specialized and qualitative nature requiring expertise, extensive training and proven reputation in the field of endeavor.

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

Councilwoman Trelstad moved to approve Resolution 2009-R338; Council President Koontz seconded.

Councilwoman Trelstad asked about the status of a hiring a full-time employee and/or sharing services for information technology (IT) functions. Mr. Bruschi responded that a team is researching IT solutions. Mr. Bruschi said Borough technology is “falling behind.”

Mayor Trotman called the question. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (7, 8, 9) — Resolutions 2009-R339, 2009-R340, 2009-R341** as follows:

**RESOLUTION 2009-R339
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING THE CONTRACT KNOWN AS
“REHABILITATION OF SANITARY SEWERS AND LATERALS
- GALLUP ROAD SANITARY SEWER SERVICE AREA
AND HILLSIDE AVENUE (CONTRACT # PSOC 09 – 03 AND 09 - 04)”
TO S. BROTHERS, INC.**

WHEREAS, the Princeton Sewer Operating Committee (PSOC) has advised the Mayor and Borough Council of the need for the rehabilitation of sanitary sewers and laterals in the Gallup Road Sanitary Sewer Service Area and on Hillside Avenue; and

WHEREAS, a contract known as “Rehabilitation of Sanitary Sewers and Lateral – Gallup Road Sanitary Sewer Service Area and Hillside Avenue, Contract # PSOC – 09 – 03 and 09 - 04,” for said services was put out to public bid, the bids being received and opened on December 17, 2009; and

WHEREAS, the Borough received the following bids in connection with said contract:

S. Brothers, Inc., South River, New Jersey in the amount of \$545,342.06 (corrected bid amount)

V & K Construction, Edison, New Jersey in the amount of \$641,255.50 (corrected bid amount)

Top Line Construction Corp., Somerville, New Jersey in the amount of \$685,796.00

Marvec Construction Company, Verona, New Jersey in the amount of \$936,555.00.

WHEREAS, the bid of S. Brothers, Inc. contained an “extension (multiplication)” error for line Item 21 and thus the total amount of their bid has been adjusted from \$616,777.009 to the corrected amount of \$545,342.09, which is acceptable to S. Brothers, Inc.; and

WHEREAS, the PSOC staff and the Borough Attorney have reviewed this bid and determined that the bid submitted by S. Brothers, Inc. is a responsible bid and is within the Engineer’s Estimate for this project; and

WHEREAS, the New Jersey Department of Environmental Protection’s Bureau of Administration & Management’s Construction Control Section (Division of Water Quality, Municipal Finance & Construction Element) is currently reviewing the bid and other post bid documentation in accordance with the requirements of the New Jersey Environmental Infrastructure Financing Program (NJEIFP); and

WHEREAS, monies are available for said project under C-04-05-014-301 (Ordinance 2005-14, Rehabilitation of Sewer System).

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

1. That the contract for the project known as “Rehabilitation of Sanitary Sewers and Laterals – Gallup Road Sanitary Sewer Service Area and Hillside Avenue, Contract # PSOC – 09 – 03 and 09 - 04” is awarded,

conditioned upon the authorization of the New Jersey Department of Environmental Protection, to S. Brothers, Inc., South River, New Jersey, in the bid amount of \$545,342.09.

2. The Mayor and Clerk are hereby authorized to execute a contract with S. Brothers, Inc., South River, New Jersey in a form substantially similar to the agreement attached hereto.

**RESOLUTION 2009-R340
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF BANNERS AS REQUESTED BY THE
PRINCETON SENIOR RESOURCE CENTER**

WHEREAS, The Princeton Senior Resource Center has planned the 2nd annual fundraiser *Brunch At Home* which will deliver brunch for two baskets on the morning of March 21st, 2010; and

WHEREAS, The Princeton Senior Resource Center has requested permission to install a banner over Washington Road in Princeton Borough, with the approval of the Office of Community and State Affairs at Princeton University, beginning Monday, **January 12th through Monday, January 19th 2010** for the promotion of this event; and

WHEREAS, this banners will be promptly removed after 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 banners on Washington Road in accordance with Borough Ordinances 3-14-3-17.

**RESOLUTION 2009-R341
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED
BY THE BLUE POINT GRILL AND SUSAN G. KOMEN FOR THE CURE**

WHEREAS, The Blue Point Grill has planned its annual Oyster Bowl IX to benefit Susan B. Komen For the Cure/Breast Cancer Research to be held on February 7th, 2010 at the Blue Point Grill, 258 Nassau Street; and

WHEREAS, Blue Point Grill 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 February 1st through Monday, February 8th 2010 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.

Council President Koontz moved to approve Resolutions 2009-R339, 2009-R340, 2009-R341; Councilman Goldfarb seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (10) — Resolution 2009-R342** as follows:

**RESOLUTION 2009-R342
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING TRANSFERS IN ACCORDANCE WITH
N.J.S.A. 40A:4-58**

WHEREAS, there appears a surplus in the following accounts over and above the demand deemed to be necessary for the balance of the current year.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton, County of Mercer, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the surplus in the accounts heretofore mentioned be and are hereby transferred to the accounts mentioned as being insufficient to meet the current demands, and the Chief Financial Officer is hereby authorized to do so.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded by the Borough Clerk to the Chief Financial Officer.

<u>Amount</u>	<u>Transfer From</u>	<u>Transfer To</u>
\$10,000	Salary & Wage Adjustment	Administration – S&W
\$ 5,000	Salary & Wage Adjustment	Administration - OE
\$30,000	Salary & Wage Adjustment	Legal Services & Costs - OE
\$22,000	Parking – OE	Parking – S&W

Councilman Goldfarb inquired why Spring Street Municipal Garage salaries were higher. Mr. Bruschi, saying total wages are lower, undertook to consult Sandra Webb, Chief Finance Officer, for specific figures.

Councilman Martindell stressed viewing the municipal garage as a stand-alone entity (“its own little business”).

Mr. Bruschi reported that Borough received bids on privatizing garage operations. He said staff is reviewing the bids; in particular, salary aspects. Council discussed garage options. Mayor Trotman promised an agenda item on the Spring Street Municipal Garage procedures when staff had prepared proposals. Councilwoman Karcher told of a personal Smart Card disaster at a garage gate. Mr. Budzinski said a new type of card is definitely coming to Borough in the future.

Councilwoman Karcher moved to approve Resolution 2009-R342; Council President Koontz seconded.

Hearing no further comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Goldfarb, Karcher, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the motion carried.

Mayor Trotman read **Agenda Item J, Bill List for December 22, 2009 — Resolution 2009-R343** as follows:

**RESOLUTION 2009-R343
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE DECEMBER 22 2009 BILL LIST**

WHEREAS, Finance Officer 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)	545,194.78
RESERVE ACCOUNT (8-01)	57,428.81
PARKING UTILITY OPERATING FUND (9-05)	125,829.68
PARKING UTILITY OPERATING FUND (8-05)	
AFFORDABLE HOUSING OPERATING ACCT (9-24)	2,175.99
IMPROVEMENT ASSESSMENT (9-11)	
AFFORDABLE HOUSING OPERATING ACCT (8-24)	
CAPITAL ACCOUNT (C-04)	398,249.03
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	
TRUST FUND (T-13)	2,841.50
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (9-22)	
MANUAL	2,458,619.00
ASSESSMENT TRUST FUND (9-11)	
GRANT (G-02)	41,229.82

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list of December 22 2009 as presented.

Council President Koontz moved to approve Resolution 2009-R343; Councilman Goldfarb seconded; Borough Council approved unanimously.

Mayor Trotman read new **Agenda Item — Resolution 2009-R344** as follows:

**RESOLUTION 2009-R344
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
AWARDING CONTRACT TO GREEN CONSTRUCTION CO., INC.
FOR CAPITAL PROJECT #07-01 (PSOC Contract #09-06)**

WHEREAS, the Borough of Princeton has determined the need for construction services in connection with Capital project # 07-01 (PSOC Contract # 09-06); The Reconstruction of Mercer Street; and

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

WHEREAS, all bid proposals were publically opened on December 22, 2009; and

WHEREAS, the Borough received the following bids:

- Green Construction in the amount of \$1,888,394.20
- S. Brothers Construction in the amount of \$1,895,561.86 (corrected bid amount)
- Vollers Excavating in the amount of \$1,949,038.58 (corrected bid amount)
- Top Line Construction in the amount of \$1,970,685.42
- P & A Construction, Inc. in the amount of \$2,166,241.91 (corrected bid amount)
- Renda Roads in the amount of \$2,350,407.40
- Pact Construction in the amount of \$2,873,909.50 (corrected bid amount); and

WHEREAS, the Borough Engineer and the Borough Attorney have reviewed this bid and determined that the bid submitted by Green Construction Co., Inc., 26 Elizabeth Street, South River, NJ 08882 is a responsible bid and is within the Engineer's Estimate for this project; and

WHEREAS, the New Jersey Department of Environmental Protection's Bureau of Administration & Management's Construction Control Section (Division of Water Quality, Municipal Finance & Construction element) is currently reviewing the bid and other post bid documentation in accordance with the requirements of the New Jersey Environmental Infrastructure Financing Program (NJEIFP); and

December 22, 2009

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

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

1. That conditioned upon the authorization of the New Jersey Department of Environmental Protection, the contract for the project know as Project #07-01 (PSOC Contract #09-06) The Reconstruction of Mercer Street, be awarded to Green Construction Co., Inc.,

26 Elizabeth Street, South River, NJ 08882, in the amount of \$1,888,394.20 as set forth in the bid specifications.

2. 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-R344 stating "nice work; nice price!", Councilwoman Trelstad seconded, and Council approved unanimously.

Council President Koontz moved to adjourn; Councilman Goldfarb seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 8:30 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk