

**Approved Open Session
Of the Mayor and Council of the Borough of Princeton
January 5, 2010
Regular Meeting
Closed Session 6:30 P.M.
Open Session 7:30 P.M.**

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

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Land Use Development Official Derek Bridger, 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 January 5, 2010, 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 2010-R31**, as follows:

**RESOLUTION 2010-R31
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON JANUARY 5, 2010**

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 appointment interviews

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

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Borough Council recessed into closed session.

At 7:35 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, Public Presentation**, and asked if anyone present wished to address the Council with an issue not on the agenda.

Councilman Martindell expressed his desire that Borough Council would pass a resolution encouraging Princeton University (PU) to increase their contribution to the Borough. Mayor Trotman stated such a resolution would be on Borough Council agenda for January 12, 2010.

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

Mayor Trotman read **Agenda Item F, Report (1) — Affordable Housing Activity Report 2009 — Land Use Development Official Derek Bridger.**

Mr. Bridger began by recapping fees, which are down by approximately 50% due to economic conditions and lower volume of building permits. He stated that both developer (\$706,228) and growth share (\$606,087) fees need to be spent in a timely fashion. Council discussed with Mr. Bridger various opportunities for the funds.

The 100 Leigh Avenue project, funded entirely by Princeton University in association with construction of the ORFE Building, was completed October 2009 and is now fully occupied. The five units are on land owned by Borough.

Two apartments at 41 Spring Street are deed restricted and available for rent since summer 2009. Mr. Bridger stated that both the Borough and Township are having difficulty filling affordable housing units. These units were the result of a zoning use variance case in the early 1990's that were never deed restricted. Mr. Bridger noted when he became aware of the problem he worked with the Borough Attorney to have the affordable controls instituted.

A four-unit building at 135 Bayard Lane should be ready for occupancy summer of 2010.

Phase II downtown development is under construction.

Hulfish North is under construction. (Nassau Inn converted hotel space to three apartments, one of which is deed restricted to satisfy COAH requirements associated with the Hulfish North project).

Mr. Bridger described the Housing Rehabilitation Program and observed that it is difficult to live in Princeton Borough (pay real estate taxes, encumber the property) on the maximum income permitted.

Two townhouses—Shirley Court and Maclean Street—are for sale to households earning 200% of median income. One unit at Palmer Square is for rent. The Van Deventer project should be complete by 2012.

Mr. Bridger listed some possible future affordable options, including modular townhouses (one COAH credit per *unit*) and group homes for developmentally disabled adults (one credit per *bedroom*). These two projects are outside the submitted Round Three spending plan and will require a waiver from COAH if pursued.

Regarding Round Three, Borough has submitted the plan and is awaiting scheduling of mediation.

Mr. Bridger strongly recommended pursuit of group homes; a setback is finding land within the Borough. Currently group homes are given on COAH credit per bedroom.

Councilwoman Trelstad reported on the December 2009 meeting of the Affordable Housing Board of the Borough of Princeton. She said the frustrated board members were seeking a role/purpose. Mayor Trotman proposed an entire upcoming session of Council be devoted to discussion of affordable options.

Council President Koontz suggested Council have a list of sites to acquire with the affordable housing “kitty.”

Councilman Wilkes noted that surrounding communities have become *more* affordable, and are drawing candidates away from Princeton Borough.

Mr. Bridger volunteered to gather information on group homes for Council’s consideration.

Councilman Martindell wondered if Borough should consider a joint affordable housing program with Township. Mr. Bridger replied that there are issues blocking a joint effort (such as vacant land in Township—who gets COAH credits?), he will report back to Council.

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

Mayor Trotman read **Agenda Item G, New Business (1–5) — Resolutions 2010-R32, 2010-R33, 2010-R34, 2010-R35, and 2010-R36** as follows:

**RESOLUTION 2010-R32
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING A SERVICE AGREEMENT WITH
SOMERSET COUNTY COALITION ON AFFORDABLE HOUSING (SCCOAH)**

WHEREAS, the Borough wishes to enter into an agreement with **Somerset County Coalition on Affordable Housing (SCCOAH)**, a nonprofit collaboration of business, financial institutions, social service agencies, public officials and housing advocates, (the “Provider”), for the performance by the Provider of professional services in connection with the marketing and qualification of tenants for affordable housing units; 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

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

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 **Somerset County Coalition on Affordable Housing (SCCOAH)**

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

To serve as the Administrative Agent for the Borough of Princeton and to administer and enforce affordability controls as provided in N.J.A.C. 5:80-26.14, for certain housing units as more fully set forth in the contract:

Under this contract, the Provider shall at all times act as an independent 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.

2. The Borough shall pay the Provider the following compensation:

An amount not to exceed Twenty-Six Thousand Five Hundred and Twenty Dollars (\$26,520.00).

3. 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.

4. 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.

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

6. 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.

SEQ CHAPTER \h \r 1**RESOLUTION 2010-R33**
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING PROFESSIONAL SERVICES AGREEMENT
WITH SHIRLEY M. BISHOP P.P., L.L.C.

WHEREAS, the Borough wishes to enter into an agreement with **Shirley M. Bishop, P.P., LLC**, housing and planning consulting firm (the "Provider"), dated January 1, 2010 for the performance by the Provider of professional services in connection with certain activities being conducted by the Borough, as hereafter more particularly stated; and

WHEREAS, the Borough wishes to extend the term and compensation under said agreement through December 31, 2010; 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

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

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 amendment to its contract for the aforesaid services **with Shirley M. Bishop, P.P., L.L.C.**

1. The contract so authorized shall require **Shirley M. Bishop, P.P., LLC**, to provide services and other related duties, as follows:

To provide professional planning services in connection with various New Jersey Council on Affordable Housing requirements as they relate

to the Borough's third round affordable housing plan and other affordable housing planning needs, including preparation of a third round plan and appeals of that plan.

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.

2. The Borough shall pay the Provider the following compensation.

An amount not to exceed Twenty Thousand Dollars (\$20,000.00) in accordance with a rate schedule, a copy of which is attached as Exhibit A to the Professional Services Agreement.

3. 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.

4. 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.

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

6. 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 2010-R34
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
LUCY R. REEDER**

WHEREAS, Lucy R. Reeder has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the PRINCETON ENGINE COMPANY #1

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 2010-R35
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
CONSTANTIN PROISTOSESUCU**

WHEREAS, Constantin Proistosescu has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the PRINCETON ENGINE COMPANY #1 and

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

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

**RESOLUTION 2010-R36
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE
OF STATIONARY TO MULTIPLE VENDORS
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

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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 provide stationary to the County of Mercer on November 24, 2009; and

WHEREAS, various vendors were designated as lowest responsible bidders; 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 stationary under the cooperative purchasing bid from the various vendors attached as Exhibit A.

Council President Koontz moved to approve Resolutions 2010-R32, 2010-R33, 2010-R34, 2010-R35, and 2010-R36; Councilwoman Trelstad seconded; Borough Council approved unanimously.

Council President Koontz moved to adjourn to closed session; Councilman Wilkes seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 8:28 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk