

**Approved Open Session
Of the Mayor and Council of the Borough of Princeton
January 26, 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, Borough Engineer Christopher M. Budzinski, Police Chief David J. Dudeck, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 6:35 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 26, 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-R54**, as follows:

**RESOLUTION 2010-R54
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON JANUARY 26, 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
2. Negotiation — affordable housing acquisition/rehabilitation
3. Police litigation
4. Prosecutor

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

Mayor Trotman recused herself as 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 closed session of December 8, 2009.

Council President Koontz moved to approve the minutes of the closed session of December 8, 2009, with corrections. Councilwoman Trelstad seconded. Council approved unanimously.

Presented for approval were the minutes of the closed session of December 22, 2009.

Council President Koontz moved to approve the minutes of the closed session of December 22, 2009, with corrections. Councilwoman Trelstad seconded. Council approved unanimously.

Presented for approval were the minutes of the open session of January 3, 2010.

Council President Koontz moved to approve the minutes of the open session of January 3, 2010, Councilman Goldfarb seconded, and Council approved unanimously.

Mayor Trotman read **Agenda Item F, Public Presentation,** and asked if anyone present wished to address Council with an issue not on the agenda. Mayor Trotman explained restrictions—as to time and degree of detail—during the public portion of the meeting.

Chris Baldwin, 140 Snowden Lane, stated that the assessment methodology employed by Appraisal Systems for the recent property revaluation is flawed. He felt, if allowed to stand, the assessment will shift the property tax burden from the very wealthy to less well-to-do property owners. Mr. Baldwin went on to explain calculations he presented to Council in chart form. He asked Council to probe the methodology behind the new assessments, which, in his opinion, were drastically skewed. Mr. Baldwin urged Council to conduct a public forum prior to accepting any final recommendation by Appraisal Systems.

Councilman Goldfarb concurred that the burden throughout town shifted from more expensive to less expensive properties. Councilman Goldfarb noted that Appraisal Systems' algorithms are proprietary; Council cannot examine them.

Councilman Goldfarb stated that Council has no role in reevaluation except to contract with Appraisal Systems as directed by Mercer County Board of Taxation. Councilman Goldfarb speculated that there will also be a shift from commercial to residential properties, exacerbating

the situation. Councilman Goldfarb repeated that Council has no recourse; property holders can appeal to Appraisal Systems and, ultimately, to Mercer County Board of Taxation. Councilman Goldfarb understood that the appeal process in a reevaluation year is more “friendly,” less bureaucratic.

Councilman Martindell differed that Council *does* have a part to play—on behalf of constituents—to explain and rationalize reevaluation changes.

Council President Koontz suggested a future agenda item for full discussion with an Appraisal Systems representative and/or joint tax assessor, Neal Snyder. Councilman Goldfarb wanted that meeting agenda held until all reevaluation numbers, including commercial and exempt properties, were published. Of interest is Borough’s share of the county tax burden.

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

Mayor Trotman read **Agenda Item G, Correspondence (1) — Request for Signage (Tiger Transit) in Public Right of Way** – *Kristin Appleget, Director of Community and Regional Affairs, Princeton University.*

Ms. Appleget explained that Tiger Transit connects graduate housing and outlying parking lots to the interior campus (more than 750,000 rides per year). Part of continuing improvement of the system is explanatory signage at all stops, some of which are in the public right of way. Ms. Appleget presented maps and diagrams indicating sign locations. She emphasized that Tiger Transit is free and open to the public.

Councilwoman Trelstad moved to accept the University’s request for signage in the public right of way and Councilman Wilkes seconded. Council approved unanimously.

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

**RESOLUTION 2010-R55
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 November 2010; and

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 November 2010 Monthly police report prepared by the Borough Police Administration.

Chief Dudeck mentioned improvements to Mercer Street that will impede access into the Borough for six months or more. He stated that Borough and Township police assistance will somewhat relieve traffic bottlenecks during rush hours.

In another matter, Councilman Martindell asked about the Police Manual G-1 directive that prohibits direct contact between an officer and another party. Chief Dudeck stated his willingness to craft new, less restrictive language. Councilman Wilkes announced that the Public Safety Committee will henceforth meet monthly; discussion of G-1 is on the next agenda.

Councilman Martindell requested more public information regarding police actions. Chief Dudeck asked that citizens contact his office directly with questions about police procedures and he indicated if citizens not satisfied they may contact the Public Safety Committee.

Council will look for Princeton University “bicker” reports next month.

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

Mayor Trotman read **Agenda Item I, New Business (1–4) — Resolutions 2010-R56, 2010-R57, 2010-R58, and 2010-R59** as follows:

**RESOLUTION 2010-R56
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING CHANGE ORDER #1 – FINAL FOR CAPITAL PROJECT 09-02**

WHEREAS, on June 23, 2009, the Borough entered into a contract for \$357,450.50 with S, Brothers Construction Inc. of South River, NJ in connection with Capital Project 09-02, known as the Improvements to Harriet Drive; and

WHEREAS, there is a need to amend the contract as outlined in the change order prepared by the Borough Engineer and 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-04-07-018-399 = \$13,896.10; 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-Final – to the Contract between the Borough of Princeton and S. Brothers Construction, Inc. for Improvements to Harriet Drive in the amount of \$13,896.10 is hereby approved.
2. The Borough Engineer and Clerk are hereby authorized to sign the Change Order on behalf of the Borough

**RESOLUTION 2010-R57
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR HEALTH EDUCATION TO MARCIE E. TYSON**

WHEREAS, the Borough of Princeton desires to enter 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.

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 professional services with **Marcia Tyson, 29-3B Bloomingdale Drive, Hillsborough, NJ 08844** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 26, 2010 through December 31, 2010**, 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 attached Professional Services Agreement and proposal letter for a total contract amount not to exceed **\$6,400.00**.

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. **ADVANCE**

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.

**RESOLUTION 2010-R58
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR ADOLESCENT HEALTH
EDUCATION TO HITOPS**

WHEREAS, the Borough of Princeton desires to enter 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.

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 professional services with **HiTOPS, 21 Wiggins Street, Princeton NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2010 through December 31, 2010**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide adolescent health education services and other related duties as cited in the proposed contract (attached), for a total contract amount not to exceed **\$4,000.00**.

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. **ADVANCE**

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.

**RESOLUTION 2010-R59
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING A PROFESSIONAL SERVICES AGREEMENT
FOR STD SERVICES TO HITOPS**

WHEREAS, the Borough of Princeton desires to enter 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.

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 professional services with **HiTOPS, 21 Wiggins Street, Princeton NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2010 through December 31, 2010**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide adolescent sexual transmitted disease services and other related duties as cited in the proposed contract (attached), for a total contract amount not to exceed **\$5,000.00**.

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. **ADVANCE**

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 moved to approve Resolutions 2010-R56, 2010-R57, 2010-R58, and 2010-R59. Councilman Wilkes seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (5) — Resolution 2010-R60** as follows:

**RESOLUTION 2010-R60
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF
ONE (1) WESTWARD INDUSTRIES GO-4 INTERCEPTOR
PARKING ENFORCEMENT VEHICLE**

WHEREAS, the Borough of Princeton wishes to purchase one (1) parking enforcement vehicle; a Westward Industries GO-4 Interceptor, and

WHEREAS, Wilfred MacDonald, Inc. (19 Central Blvd. So. Hackensack, NJ 07606) is the sole producer of the GO-4 Interceptor ,

WHEREAS, one (1) 2010 GO-4 Interceptor parking enforcement vehicle shall be a street legal cycle at a total cost of \$28,800; and

WHEREAS, the appropriate monies totaling \$28,800 are provided for by funding in the 2010 Current Fund Budget;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council authorize the Borough Administrator to purchase the above listed Westward Industries parking enforcement vehicle from Wilfred MacDonald, Inc. (19 Central Blvd. So. Hackensack, NJ 07606).

Council President Koontz moved to approve Resolution 2010-R60; Councilwoman Trelstad seconded.

Councilwoman Trelstad reported a talk with Chief Dudeck and Lt. Sutter. An older GO-4 was too costly to repair. Councilwoman Trelstad's research on enforcement vehicles supports purchase of one GO-4 at this time. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (6–9) — Resolutions 2010-R61, 2010-R62, 2010-R63, and 2010-R64** as follows:

**RESOLUTION 2010-R61
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
ALEXIS R. LEVINSON**

WHEREAS, Alexis R. Levinson 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-R62
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
ALEXANDER R. WOHL**

WHEREAS, Alexander R. Wohl 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-R63
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPOINTING SAHARRA S. INMAN
AS DEPUTY TAX COLLECTOR**

WHEREAS, the Borough of Princeton wishes to appoint a Deputy Tax Collector,

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

Saharra S. Inman is hereby appointed to serve as Deputy Tax Collector for term effective January 26, 2010 through December 31, 2010.

**RESOLUTION 2010-R64
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE 2010 COUNCIL REPRESENTATIVE TO BOROUGH COMMITTEE**

NOW BE IT RESOLVED that the Council member listed below is hereby appointed as additional representative to the Borough of Princeton Affordable Housing committee as revised for the year 2010:

AFFORDABLE HOUSING Councilwoman Crumiller

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each committee, the Office of the Municipal Clerk and posted on the municipal bulletin board.

Council President Koontz moved to approve Resolutions 2010-R61, 2010-R62, 2010-R63, and 2010-R64. Councilman Wilkes seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, Bill List for January 26, 2010 — Resolution 2010-R65** as follows:

**RESOLUTION 2010-R65
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE JANUARY 26, 2010 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 (10-01)	323,912.31
RESERVE ACCOUNT (9-01)	271,747.38
PARKING UTILITY OPERATING FUND (10-05)	5,589.39
PARKING UTILITY OPERATING FUND (9-05)	10,782.18
AFFORDABLE HOUSING OPERATING ACCT (10-24)	
IMPROVEMENT ASSESSMENT (10-11)	
AFFORDABLE HOUSING OPERATING ACCT (9-24)	1,003.60
CAPITAL ACCOUNT (C-04)	156,921.36
PARKING UTILITY CAPITAL FUND (P-06)	4,276.22
ESCROW (E-30)	6,660.00
TRUST FUND (T-13)	90.00
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (10-22)	
MANUAL	8,836,541.57
ASSESSMENT TRUST FUND (10-11)	
GRANT (G-02)	6,035.92

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list of January 26, 2010 as presented.

Councilwoman Trelstad moved to approve Resolution 2010-R65 and Council President Koontz seconded. Councilwoman Trelstad questioned two items and Borough Administrator Robert Bruschi was able to provide answers.

January 26, 2010

Council discussed the agenda packet being provided in two-sided format. Mayor Trotman strongly favored one-sided copies and some Council members commented they found the two-sided agenda less convenient to use.

Council President Koontz moved to return to closed session to cover:

- Negotiation of affordable housing acquisition/rehabilitation
- Personnel
- Police disciplinary cases
- Prosecutor update.

Mayor Trotman stated her intent to recused herself from attorney interviews.

Councilman Wilkes seconded the motion. Mayor Trotman adjourned the open session meeting at 8:20 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk