

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
April 6, 2010
Regular Meeting
Closed Session 7:00 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 Attorney Maeve E. Cannon and Henry Chow, Borough Engineer Christopher M. Budzinski, Zoning Officer/Affordable Housing Coordinator Derek Bridger, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 7:05 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 April 6, 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-R121**, as follows:

**RESOLUTION 2010-R121
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON APRIL 6, 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. Negotiations — Affordable housing/COAH
2. Negotiations — Shared service
3. Negotiations — Princeton University
4. Litigation update — NHKT and North Ridge

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.

Borough Council recessed into closed session.

At 7:37 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 March 9, 2010.

Councilwoman Trelstad moved to approve the minutes of the open session of March 9, 2010, and Council President Koontz seconded. Councilwoman Trelstad read into the record an explanatory paragraph regarding removal of Dinky tracks. Councilwoman Crumiller corrected the identity of a Council member who spoke of BRT phases on March 9. Council President Koontz assisted with the spelling of two citizens' names. 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.

Anne Neumann addressed Council regarding the recent Tax Revaluation stating that the cost of tax relief on the 200 lowest-valued properties is \$164,000—made up by other owners at 0.55%; on lowest 400 properties, \$423,000—at 1.43%.

Councilwoman Crumiller asked Borough Attorney Maeve Cannon about the feasibility of tax relief as suggested by Ms. Neumann. Ms. Cannon was not aware of any statutory mechanism that permits subjective taxing (i.e., payments by some to fund rebates for others).

Clifford Zink, 54 Aiken Avenue, requested an update on the Harrison Street Park (HSP) since the recent rain and wind storms. Borough Engineer Christopher Budzinski replied that work was halted mid-December for the winter and should have resumed mid-March. HSP trees suffered during high winds; nine downed trees cannot be removed until the ground surface is dry enough to support heavy equipment. Mr. Budzinski said, weather permitting, improvements will recommence in two to three weeks. Mayor Trotman announced that HSP bid issues are scheduled for Council debate on April 13 or 27, 2010. Council President Koontz observed that no fallen tree had damaged new construction.

Councilman Martindell mentioned a bedbug problem at 205 Nassau Street as cited in the *Princeton Packet*. He proposed a more aggressive and coordinated effort—involving offices of health, welfare, and counsel—than a municipal court solution. Council President Koontz supported Health Commission and Health Officer to resolve bedbug infestation issues.

Councilwoman Trelstad had noticed an inordinate amount of garbage—some inappropriately disposed—on the street at the same site.

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

Mayor Trotman asked Council President Koontz to liaise with health officials to draft guidelines for infestation enforcement.

Mayor Trotman read **Agenda Item G, Public Hearings (1a) — Final Improvement Assessment** — Westcott Road and Library Place.

Councilman Martindell recused himself; Councilwoman Crumiller recused herself.

**RESOLUTION 2010-R122
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
CONFIRMING THE REPORT OF THE SIDEWALK IMPROVEMENT OFFICER
FOR CAPITAL PROJECT 2003-01**

WHEREAS, by Ordinance No. 2009-21, entitled, “**BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$71,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$67,450 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF**”, adopted July 28, 2009, sidewalk improvements were authorized to be undertaken and the cost thereof was directed to be assessed against the properties in accordance with law; and

WHEREAS, pursuant to said ordinance said local improvements were completed and referred to the Borough Engineer of the Borough of Princeton for the making of such assessments, all in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes; and

WHEREAS, said Borough Engineer did thereafter make such assessments and report thereon to the Mayor and Council of the Borough of Princeton as required by law; and

WHEREAS, said Mayor and Council has examined said report and assessments and has considered the same at a hearing after publication and notice to the owner or owners named in said report as required by law, and has found said report in all respects properly made;

NOW, THEREFORE, BE IT RESOLVED that the said report of the Borough Engineer be and the same is hereby confirmed and that such report be forthwith filed with the Collector of Taxes of the Borough of Princeton;

BE IT FURTHER RESOLVED, that the amounts shown in said report apportioning the costs and expense of said improvements be and the same hereby are assessed upon the said owners of the lands fronting or bordering on said improvements as follows, and that said assessments shall each be paid in not more than ten (10) equal, annual, consecutive installments, with interest thereon at the rate of four percent (4.0%) per annum on the 7th day of April of each year beginning 2010. The first of said installments shall be due and payable sixty (60) days after the confirmation of the assessment. In the case of any such installment which remains unpaid for thirty (30) days from and after the date it shall become due and payable, the whole assessment or balance thereof shall become due and payable and shall draw interest at the rate imposed upon the arrearages of taxes in the Borough and shall be collected in the same manner provided by law for other past due assessments.

Block	Lot	Location	Owner	SW COST	50% SW ASSESSMENT
3.02	4	1 WESTCOTT ROAD	BOYLE JAMES A & CAROL A	\$1,317.16	\$658.58
7.02	11	110 BAYARD LANE	GOEPP R MAXIMILIAN III	\$2,645.91	\$1,322.95
7.02	12	10 WESTCOTT ROAD	MCBRIDE ANTHONY A & COLLEEN A	\$2,081.34	\$1,040.67
3.02	5	11 WESTCOTT ROAD	CRITCHLOW THERESE E	\$1,322.03	\$661.02
3.02	3	21 WESTCOTT ROAD	CARRIL SUSAN D	\$987.87	\$493.93
7.02	13	26 WESTCOTT ROAD	REID KAREN & M MANCUSO TRUSTEE	\$2,086.11	\$1,043.06
3.01	19	27 WESTCOTT ROAD	JAMIESON BETH K	\$987.87	\$493.93
7.02	14	30 WESTCOTT ROAD	MARTINELLI LUIGI & LUISA	\$1,952.66	\$976.33

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7.02	15	34 WESTCOTT ROAD	GREENBERG LAURENCE P & MARTHA LAND	\$2,022.56	\$1,011.28
3.01	8	35 WESTCOTT ROAD	ALLAIS CLAUDIO & ANNA	\$1,317.16	\$658.58
3.01	9	41 WESTCOTT ROAD	KAHN HANA MUZIKA	\$1,317.16	\$658.58
6.02	18	44 WESTCOTT ROAD	44 WESTCOTT RD TRUST/F & WR FULLAM PO BOX 498, PRINCETON, NJ 08542	\$1,857.33	\$928.67
6.02	17	46 WESTCOTT ROAD	RAPORTE ARTHUR J JR & K BYSZEWSKA	\$1,914.53	\$957.26
3.01	10	47 WESTCOTT ROAD	WILLS DEBORAH P LIGHT	\$1,317.16	\$658.58
6.02	16	50 WESTCOTT ROAD	WILDE MARK W & MARY W	\$2,860.94	\$1,430.47
3.01	11	51 WESTCOTT ROAD	LYONS PATRICK E & LINDA MARTZ	\$1,317.16	\$658.58
3.01	12	55 WESTCOTT ROAD	LEACH OWEN G & BEVERLY B	\$1,317.16	\$658.58
5.02	24	58 WESTCOTT ROAD	SCHWARTZ MARTIN & JUDITH	\$1,972.53	\$986.27
3.01	13	59 WESTCOTT ROAD	TPG 59 WESTCOTT LLC	\$1,551.48	\$775.74
3.01	14	61 WESTCOTT ROAD	SCHWAB HELMUT & EVA MARIA	\$1,280.81	\$640.40
5.02	9	64 WESTCOTT ROAD	O'BRIEN MARTIN A & JANET RANDOLPH	\$2,089.87	\$1,044.93
3.01	15	65 WESTCOTT ROAD	LINDSETH KATHERINE	\$1,356.94	\$678.47
3.01	16	71 WESTCOTT ROAD	KUHLIK BRUCE & ROBIN LIPTON	\$1,318.34	\$659.17
3.01	17	73 WESTCOTT ROAD	LOEVNER DAVID & CATHERINE PARKS	\$1,646.45	\$823.22
3.01	18	77 WESTCOTT ROAD	VALES JOSEPH A & DORI ANN	\$1,975.74	\$987.87
5.02	18	80 WESTCOTT ROAD	THE F HELMUT WEYMAR 1999 TRUST	\$5,577.74	\$2,788.87
3.01	26	81 WESTCOTT ROAD	LEPENDORF GABRIEL R & MICHELLE M	\$1,317.16	\$658.58
3.01	22	85 WESTCOTT ROAD	KINGSTON MICHAEL & LOUISE	\$1,514.73	\$757.37
2.03	7	90 WESTCOTT ROAD	JORDAN BRUCE W	\$1,925.58	\$962.79
3.01	23	95 WESTCOTT ROAD	KINGSTON MICHAEL & LOUISE	\$1,646.45	\$823.22
2.02	33	107 WESTCOTT ROAD	CHANDLER NAOMI JURY	\$1,646.45	\$823.22
2.02	36	113 WESTCOTT ROAD	BESSELAAR FRANCINE	\$2,025.26	\$1,012.63
2.02	20	119 WESTCOTT ROAD	POMPLIANO DAVID L & JULIA M DIPPL	\$1,847.71	\$923.86
2.01	19	16 HUNTER ROAD	VALENTE LOUIS & PATRICIA WYNNE	\$1,533.70	\$766.85
2.01	16	146 WESTCOTT ROAD	SHEEHAN HELEN	\$1,291.17	\$645.58
2.02	23	149 WESTCOTT ROAD	ZUCOSKY THOMAS P & MARLYN B	\$1,186.23	\$593.12
2.01	15	152 WESTCOTT ROAD	PRESTON MARVIN IV & CANDACE	\$1,484.10	\$742.05
2.02	24	157 WESTCOTT ROAD	PLATTEN JOHN H JR	\$1,185.44	\$592.72
2.01	29	168 WESTCOTT ROAD	PAXMAN HOLLY	\$2,127.50	\$1,063.75
2.02	26	171 WESTCOTT ROAD	JULIUS BARRY D. & MICHAL	\$2,165.15	\$1,082.57
2.01	18	130 WESTCOTT ROAD	WYNNE PATRICIA D	\$1,476.03	\$738.02
2.02	21	131 WESTCOTT ROAD	SMITH SUSAN R	\$1,861.01	\$930.51
2.01	17	138 WESTCOTT ROAD	MILLER MATTHEW & GIEDRE	\$1,325.25	\$662.63
2.02	22	141 WESTCOTT ROAD	141 WESTCOTT ASSOC LLC C/O ZUCOSKY	\$1,580.59	\$790.30
2.01	12	176 WESTCOTT ROAD	TURI JOHN J & MARIE C & JULIA M	\$1,472.34	\$736.17
5.01	30	170 LIBRARY PLACE	RANDAL DAVID F & DONNA M	\$1,897.50	\$948.75
6.01	20	177 LIBRARY PLACE	LITTAUER ANDREW & ANNA SHETTERLY	\$3,501.79	\$1,750.90
5.01	29	178 LIBRARY PLACE	ZETTERBERG MARTIN & JOANMARIE LAND	\$2,531.45	\$1,265.72
6.01	2	181 LIBRARY PLACE	PENICK JOE E & NORMA GENE	\$2,305.53	\$1,152.76
5.01	25	186 LIBRARY PLACE	PRICE P SCHAEFER & AMY J	\$1,414.76	\$707.38
6.01	3	187 LIBRARY PLACE	CRUMILLER JONATHAN B & JENNY L	\$2,032.51	\$1,016.25

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6.01	4	191 LIBRARY PLACE	ROWE PAMELA	\$2,655.66	\$1,327.83
6.02	10	51 CLEVELAND LANE	MEADOW DAVID & LISA R MIRIN	\$2,655.13	\$1,327.56
5.01	11	58 CLEVELAND LANE	KANN P R & K E HOUSE	\$3,366.53	\$1,683.26
5.02	8	200 LIBRARY PLACE	HOCKINGS ERIC F & SARAH C	\$1,483.12	\$741.56
5.02	19	208 LIBRARY PLACE	SULEIMAN EZRA N	\$1,642.58	\$821.29
5.02	22	240 LIBRARY PLACE	BREWER PAUL E & DINA T	\$6,693.06	\$3,346.53
6.02	15	245 LIBRARY PLACE	EADY THOMAS G & ANGELA R	\$3,364.98	\$1,682.49

Councilwoman Trelstad moved to approve Resolution 2010-R122 and 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 discussion, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Goldfarb, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the resolution approved four to zero.

Mayor Trotman read **Agenda Item G, Public Hearings (2a) — Final Improvement Assessment — Harriett Drive/Sewer.**

Mr. Budzinski noted that Harriet Drive assessment requires two resolutions—one for sewer and one for sidewalk.

**RESOLUTION 2010-R123
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
CONFIRMING THE REPORT OF
THE PRINCETON SEWER OPERATING COMMITTEE MANAGER
FOR CAPITAL PROJECT 2009-02**

WHEREAS, by Ordinance No. 2009-18, entitled, “**BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$20,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$19,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF**”, adopted June 9, 2009, sidewalk improvements were authorized to be undertaken and the cost thereof was directed to be assessed against the properties in accordance with law; and

WHEREAS, by Ordinance No. 2007-18 entitled, “**ORDINANCE APPROPRIATING \$500,000 FROM THE SEWER ESCROW TRUST TO PROVIDE FOR VARIOUS SEWER PROJECTS IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY**” adopted September 11, 2007, sewer improvements were authorized to be undertaken and the cost thereof was directed to be assessed against the properties in accordance with law, and

WHEREAS, pursuant to said ordinance said local improvements were completed and referred to the Manager of the Princeton Sewer Operating Committee for the making of such assessments, all in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes; and

WHEREAS, said Manager did thereafter make such assessments and report thereon to the Mayor and Council of the Borough of Princeton as required by law; and

WHEREAS, said Mayor and Council has examined said report and assessments and has considered the same at a hearing after publication and notice to the owner or owners named in said report as required by law, and has found said report in all respects properly made;

NOW, THEREFORE, BE IT RESOLVED that the said report of the Manager be and the same is hereby confirmed and that such report be forthwith filed with the Collector of Taxes of the Borough of Princeton;

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BE IT FURTHER RESOLVED, that the amounts shown in said report apportioning the costs and expense of said improvements be and the same hereby are assessed upon the said owners of the lands fronting or bordering on said improvements as follows, and that said assessments shall each be paid in not more than ten (10) equal, annual, consecutive installments, with interest thereon at the rate of four percent (4.0%) per annum on the 7th day of April of each year beginning 2010. The first of said installments shall be due and payable sixty (60) days after the confirmation of the assessment. In the case of any such installment which remains unpaid for thirty (30) days from and after the date it shall become due and payable, the whole assessment or balance thereof shall become due and payable and shall draw interest at the rate imposed upon the arrearages of taxes in the Borough and shall be collected in the same manner provided by law for other past due assessments.

Block	Lot	Location	Owner	SANITARY SEWER	100% ASSESSMENT
32.02	4	416 NASSAU STREET	GLASSER BENJAMIN&JACQUELIN BERGER	\$1,133.00	\$1,133.00
32.02	14	20 HARRIET DRIVE	SCHAISSON PHILIPPE & ISABELLE	\$0.00	\$0.00
32.02	16	30 HARRIET DRIVE	BOCCANFUSO FRANK B & NICKIE	\$0.00	\$0.00
32.02	17	36 HARRIET DRIVE	DOWLING WILLIAM C & LINDA C	\$5,459.00	\$5,459.00
32.02	18	42 HARRIET DRIVE	GERTEL ELLEN & ARTHUR	\$0.00	\$0.00
32.02	19	48 HARRIET DRIVE	SCHOTLAND KAREN TRUSTEE 16 DUNCAN LANE SKILLMAN NJ 08558	\$0.00	\$0.000
32.02	166	16 BAINBRIDGE STREET	MEHRA DEEPAK & AMITA	\$1,442.00	\$1,442.00
32.02	212	26 HARRIET DRIVE	FELDMAN LOREN & JILL	\$0.00	\$0.00
32.03	9	422 NASSAU STREET	ALES EDITH E	\$10,815.00	\$10,815.00
32.03	25	81 HARRIET DRIVE	ROYCE DOMINIQUE J M	\$8,137.00	\$8,137.00
32.03	26	73 HARRIET DRIVE	BASSETT ALTON H ET UX	\$0.00	\$0.00
32.03	27	67 HARRIET DRIVE	JOHNSON BRIAN K & KIM 4117 ELIZABETH LANE FAIRFAX VA 22032	\$0.00	\$0.00
32.03	28	61 HARRIET DRIVE	VANNERSON LESLEY A	\$0.00	\$0.00
32.03	29	59 HARRIET DRIVE	STROUD PETER A & CARMEN SANCHEZ	\$0.00	\$0.00
32.03	30	47 HARRIET DRIVE	SLAGLE JAMES R & FRANCES G	\$0.00	\$0.0
32.03	31	41 HARRIET DRIVE	LEGA MARIO & & BEATRIZ	\$3,811.00	\$3,811.00
32.03	32	35 HARRIET DRIVE	RUDDY MICHAEL C & MARGARET G	\$0.00	\$0.00
32.03	34	25 HARRIET DRIVE	PANGIA MARY JOSEPHINE	\$0.00	\$0.00
32.03	35	17 HARRIET DRIVE	SIMON M PATRICK & MARC D WEINER	\$0.00	\$0.00
32.11	21	60 HARRIET DRIVE	HALPERN BETTY S C/O J HALPERN 38 HILLSIDE AVE GLEN RIDGE NJ 07028	\$0.00	\$0.00
32.11	23	72 HARRIET DRIVE	BERNHEIM JOHN & JULIA	\$0.00	\$0.00
32.11	75	305 HAMILTON AVE	PILEENZA MICHAEL JR & DONNA PILEENZA	\$1,545.00	\$1,545.00

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Councilwoman Trelstad moved to approve Resolution 2010-R123 and Councilman Wilkes seconded.

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

Cathy Ales, 422 Nassau Street, questioned the extraordinary sewer assessment against 422 Nassau Street. Councilman Goldfarb clarified that homeowners could choose between hiring private contractors and having Borough perform the repair (with subsequent assessment). Mr. Budzinski noted that some properties' sewer laterals required nothing. Mr. Budzinski quoted a letter of agreement to Ms. Ales from Princeton Sewer Operating Committee Manager Robert A. Hough that estimated \$100 per foot for 105 feet.

Mario Lega, 41 Harriett Drive, requested confirmation of footage under his assessment. Mr. Budzinski replied that Mr. Hough will respond to Mr. Lega in the next day. Mr. Lega complained that restoration landscaping was inadequate.

Seeing no one further, Mayor Trotman closed the public discussion and returned to Council. Hearing no discussion, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Crumiller, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the resolution approved.

Mayor Trotman read **Agenda Item G, Public Hearings (2b) — Final Improvement Assessment** — Harriett Drive/sidewalks.

**RESOLUTION 2010-R124
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
CONFIRMING THE REPORT OF THE SIDEWALK IMPROVEMENT OFFICER
FOR CAPITAL PROJECT 2009-02**

WHEREAS, by Ordinance No. 2009-18, entitled, **“BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$20,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$19,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF”**, adopted June 9, 2009, sidewalk improvements were authorized to be undertaken and the cost thereof was directed to be assessed against the properties in accordance with law; and

WHEREAS, pursuant to said ordinance said local improvements were completed and referred to the Borough Engineer of the Borough of Princeton for the making of such assessments, all in accordance with the provisions of Chapter 65 of Title 40 of the Revised Statutes; and

WHEREAS, said Borough Engineer did thereafter make such assessments and report thereon to the Mayor and Council of the Borough of Princeton as required by law; and

WHEREAS, said Mayor and Council has examined said report and assessments and has considered the same at a hearing after publication and notice to the owner or owners named in said report as required by law, and has found said report in all respects properly made;

NOW, THEREFORE, BE IT RESOLVED that the said report of the Borough Engineer be and the same is hereby confirmed and that such report be forthwith filed with the Collector of Taxes of the Borough of Princeton;

BE IT FURTHER RESOLVED, that the amounts shown in said report apportioning the costs and expense of said improvements be and the same hereby are assessed upon the said owners of the lands fronting or bordering on said improvements as follows, and that said assessments shall each be paid in not more than ten (10) equal, annual, consecutive installments, with interest thereon at the rate of four percent (4.0%) per annum on the 7th day of April of each year beginning 2010. The first of said installments shall be due and payable sixty (60) days after the confirmation of the assessment. In the case of any such

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installment which remains unpaid for thirty (30) days from and after the date it shall become due and payable, the whole assessment or balance thereof shall become due and payable and shall draw interest at the rate imposed upon the arrearages of taxes in the Borough and shall be collected in the same manner provided by law for other past due assessments.

Block	Lot	Location	Owner	SW COST	50% SW ASSESSMENT
32.02	4	416 NASSAU STREET	GLASSER BENJAMIN&JACQUELIN BERGER	\$2,134.61	\$1,067.30
32.02	14	20 HARRIET DRIVE	SCHAISSON PHILIPPE & ISABELLE	\$1,460.52	\$730.26
32.02	16	30 HARRIET DRIVE	BOCCANFUSO FRANK B & NICKIE	\$842.61	\$421.30
32.02	17	36 HARRIET DRIVE	DOWLING WILLIAM C & LINDA C	\$842.61	\$421.30
32.02	18	42 HARRIET DRIVE	GERTEL ELLEN & ARTHUR	\$898.78	\$449.39
32.02	19	48 HARRIET DRIVE	SCHOTLAND KAREN TRUSTEE 16 DUNCAN LANE SKILLMAN NJ 08558	\$786.43	\$393.22
32.02	212	26 HARRIET DRIVE	FELDMAN LOREN & JILL	\$224.70	\$112.35
32.03	9	422 NASSAU STREET	ALES EDITH E	\$2,307.41	\$1,153.70
32.03	25	81 HARRIET DRIVE	ROYCE DOMINIQUE J M	\$1,967.43	\$983.72
32.03	26	73 HARRIET DRIVE	BASSETT ALTON H ET UX	\$1,069.41	\$534.70
32.03	27	67 HARRIET DRIVE	JOHNSON BRIAN K & KIM 4117 ELIZABETH LANE FAIRFAX VA 22032	\$1,058.61	\$529.30
32.03	28	61 HARRIET DRIVE	VANNERSON LESLEY A	\$1,301.68	\$650.84
32.03	29	59 HARRIET DRIVE	STROUD PETER A & CARMEN SANCHEZ	\$1,069.41	\$534.70
32.03	30	47 HARRIET DRIVE	SLAGLE JAMES R & FRANCES G	\$842.61	\$421.30
32.03	31	41 HARRIET DRIVE	LEGA MARIO & & BEATRIZ	\$1,123.48	\$561.74
32.03	32	35 HARRIET DRIVE	RUDDY MICHAEL C & MARGARET G	\$1,328.68	\$664.34
32.03	34	25 HARRIET DRIVE	PANGIA MARY JOSEPHINE	\$1,371.88	\$685.94
32.03	35	17 HARRIET DRIVE	SIMON M PATRICK & MARC D WEINER	\$1,172.01	\$586.00
32.11	21	60 HARRIET DRIVE	HALPERN BETTY S C/O J HALPERN 38 HILLSIDE AVE GLEN RIDGE NJ 07028	\$1,966.08	\$983.04
32.11	23	72 HARRIET DRIVE	BERNHEIM JOHN & JULIA	\$1,685.21	\$842.61
32.11	75	305 HAMILTON AVE	PILEENZA MICHAEL JR & DONNA PILEENZA	\$2,080.47	\$1,040.24

Councilwoman Trelstad moved to approve Resolution 2010-R124 and Councilman Wilkes seconded.

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

Ms. Ales asked about repairs to a sprinkling system that was destroyed during sidewalk construction. Ms. Ales stated that she had had to pay \$100 to cap the open pipes; she sought reparation. Mr. Budzinski explained that the sprinkler pipes in question were in the public right of way—not permitted in Princeton Borough.

Seeing no one further, Mayor Trotman closed the public discussion and returned to Council. Hearing no discussion, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Crumiller, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the resolution approved.

Mayor Trotman read **Agenda Item H, Old Business (1) — Resolution 2010-R108** as follows:

**RESOLUTION 2010-R108
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR VALUATION AND CONSULTING SERVICES FOR YEAR 2010**

WHEREAS, the Mayor and Council of the Borough of Princeton has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Pamela Brodowski, MAI, ASA, CTA has submitted a proposal indicating they will provide the services as professional appraiser as per the agreement and fee schedule attached; and

WHEREAS, Pamela Brodowski, MAI, ASA, CTA of BRB VALUATION AND CONSULTING SERVICES had completed and submitted a Business Entity Disclosure Certification which certifies that BRB VALUATION AND CONSULTING SERVICES has not made any reportable contributions to a political or candidate committee in the Borough of Princeton in the previous one year, and that the contract will prohibit BRB VALUATION AND CONSULTING SERVICES from making any reportable contributions through the term of the contract, and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Princeton authorizes the Mayor and Borough Clerk to execute a contract with BRB VALUATION AND CONSULTING SERVICES as described herein for an amount not to exceed \$25,000 through December 31, 2010; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

Councilman Goldfarb moved to approve Resolution 2010-R108 and Councilwoman Crumiller seconded.

Borough Administrator Robert Bruschi explained that tax counsel, Harry Haulshalter, requested the additional expertise of BRB Valuation and Consulting Services.

Councilman Martindell suggested amending court time to be charged at \$125 per hour. Mover and seconder agreed. Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (1) — Resolution 2010-R125** as follows:

**RESOLUTION 2010-R125
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING AN AWARD FOR PROFESSIONAL SERVICES TO
PRINCETON COMMUNITY HOUSING FOR
PROPERTY MANAGEMENT SERVICES**

WHEREAS, the Borough wishes to enter into an agreement for professional services in connection with certain activities being conducted by the Borough, 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 PCH Development Corporation, a not-for-profit corporation in the State of New Jersey, (hereinafter referred to as the “Manager”) and Dianne F. Bleacher, an authorized representative of N.T. Callaway Real Estate LLC (hereinafter referred to as the “Broker”), in the assistance of management services and broker services at 100 Leigh Avenue, Block 13.01, Lot 9.01 through December 31, 2010:

1. The contract so authorized shall require the assistance of a managing agent and Real Estate Agent to perform management services and Broker services at 100 Leigh Ave; and 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 pursuant to the terms of the Agreement for an amount not to exceed \$3,000 as attached in “Exhibit A”

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 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.

Councilman Goldfarb moved to approve Resolution 2010-R125, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (2) — Resolution 2010-R126** as follows:

**RESOLUTION 2010-R126
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
REQUESTING REVIEW AND APPROVAL
OF THIRD ROUND SPENDING PLAN AMENDMENT**

WHEREAS, the Governing Body of Princeton Borough in Mercer County petitioned the Council on Affordable Housing (COAH) for third round substantive certification on December 30, 2008; and

WHEREAS, Princeton Borough received approval from COAH on April 2, 2009 of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, and proceeds from the sale of affordable units; and

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, Princeton Borough has previously submitted a Third Round spending plan to COAH for review and approval, and that spending plan remains pending before COAH; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, Princeton Borough has prepared an amendment to its spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW THEREFORE BE IT RESOLVED that the Governing Body of Princeton Borough in Mercer County authorizes the expenditures set forth in the amendment to its Third Round spending plan associated with the acquisition of the properties located at 246 John Street (Lot 76 , Block 15.04) and 24 North Harrison Street (Lot 15, Block 34.01), subject to a grant of a waiver by COAH; and

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BE IT FURTHER RESOLVED that the Governing Body of Princeton Borough requests that COAH review and approve the amendment to Princeton Borough's amendment to its Third Round spending plan.

Councilwoman Trelstad moved to approve Resolution 2010-R126 and Council President Koontz seconded. Mayor Trotman announced for the record that Councilman Wilkes had recused himself. Council approved unanimously five to zero.

Mayor Trotman read **Agenda Item I, New Business (3) — Resolution 2010-R127** as follows:

**RESOLUTION 2010-R127
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
TO AWARD A CONTRACT TO WARNOCK AUTOMOTIVE GROUP d/b/a WARNOCK FORD**

WHEREAS, the Borough of Princeton wishes to purchase a Ford Escape Hybrid vehicle through the New Jersey's Cooperative Purchasing Program (N.J.S.A. 40A:11-12) and;

WHEREAS, Warnock Automotive Inc., d/b/a Warnock Ford, has been awarded the New Jersey State Contract #73671 for Ford Escape Hybrid vehicle and;

WHEREAS, a Ford Escape Hybrid Vehicle cost is \$27,057 and the appropriate monies are provided in the Capital Fund Budget for the Borough of Princeton in the amount of \$27,057.00 and;

WHEREAS, the Chief Financial Officer has certified the availability of said funds in Ordinance 2008-23;

NOW THEREFORE BE IT RESOLVED that the Mayor and Borough Council of the Borough of Princeton authorize the Borough Administrator to purchase the above Ford Escape Hybrid Electric Vehicle for the Borough of Princeton, Bureau of Fire Safety & Housing Inspection, under state contract #73671 from Warnock Automotive Inc., d/b/a/ Warnock Ford.

Councilwoman Trelstad moved to approve Resolution 2010-R127 and Councilman Goldfarb seconded.

Councilwoman Trelstad requested comment from Finance Committee about purchase of this vehicle and Borough practice of "recycling" police cars. Mr. Bruschi stated that the vehicle was budgeted as replacement in year 2008. After some discussion of vehicle requirements and policy, Council approved four to one. (Councilman Goldfarb voted nay and Councilman Martindell abstained.) Mr. Budzinski stated that vehicle replacement is on the Public Works agenda for April 8, 2010.

Mayor Trotman read **Agenda Item I, New Business (4) — Resolution 2010-R128** as follows:

**RESOLUTION 2010-R128
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY THE
ARTS COUNCIL OF PRINCETON**

WHEREAS, The Arts Council Of Princeton a community organization wishes to increase public awareness of Community Day in the Borough of Princeton held on Saturday, April 24th; and

WHEREAS, The Arts Council has requested permission to install a banner over Washington Road to announce this event and has received the approval of the Office of Community and State Affairs at Princeton

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University and pending all conditions and insurance requirements set forth are met for the period beginning **Monday April 19th through Monday April 26th, 2010**; 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.

Councilwoman Trelstad moved to approve Resolution 2010-R128, Councilman Wilkes seconded, and Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (5) — Resolution 2010-R129** as follows:

**RESOLUTION 2010-R129
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 application has been reviewed by the appropriate municipal officers; and

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

ERIC J. STAWICKI

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

Councilwoman Trelstad moved to approve Resolution 2010-R129, Council President Koontz seconded, and Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (6) — Resolution 2010-R130** as follows:

**RESOLUTION 2010-R130
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING BINGO LICENSE BA:328
TO YMCA PRINCETON**

WHEREAS, YMCA PRINCETON has submitted a BINGO 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 April 6, 2010; and

WHEREAS, YMCA PRINCETON, 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 bingo license BA: 328 for YMCA PRINCETON be approved; and

BE IT FURTHER RESOLVED that the Municipal Clerk will forward the Finding and Determinations for BA: 328 to the LGCCC in accordance with N.J.A.C. 13:47-4.1.

Councilwoman Trelstad moved to approve Resolution 2010-R130, Council President Koontz seconded, and Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (7) — Resolution 2010-R131** as follows:

**RESOLUTION 2010-R131
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING A PROFESSIONAL SERVICES AGREEMENT
WITH PHOENIX ADVISORS, LLC**

WHEREAS, the Borough has determined the need for financial advisory services in connection with the Borough's proposed issuance of General Obligation Bonds and with related debt issuance financial management; 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 Phoenix Advisors, LLC , 33 Third Avenue, Bordentown, NJ 08505 (hereinafter referred to as "Provider") to provide financial advisory services to the Borough in connection with the issuance of certain bonds and in connection with related debt issuance financial management for the period April 6, 2010 through December 31, 2010 subject to available funding, as hereafter more particularly stated.

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

Financial advisory services in connection with debt issuance advisory services through the closing of bonds and financial advisement with related debt issuance financial management, as more particularly described in the Provider's Exhibit A attached hereto.

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 a flat fee of Twelve Thousand Five Hundred Dollars (\$12,500) per issuance of bonds.

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.

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.

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Councilman Goldfarb moved to approve Resolution 2010-R131, Councilman Wilkes seconded, and Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (6) — Resolution 2010-R132** as follows:

**RESOLUTION 2010 R-132
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
PROMOTING WALKING AND BIKING TO SCHOOL**

WHEREAS, the Princeton Municipal governments and Regional School District support safe walking and biking to school; and

WHEREAS, enhancing and expanding walking and biking to Princeton schools can:

- Provide for children’s physical activity and health,
- Reduce the risk of obesity and chronic disease in our community,
- Improve local air quality, reduce traffic congestion, and lessen gasoline usage,
- Foster a healthier lifestyle for the whole family,
- Expose children to alternate forms of transportation besides cars; and

WHEREAS, having safer routes to and from schools aims to decrease pedestrian- and biking-related injuries, not just for students but for the entire community;

WHEREAS, according to a 2005 school transportation survey, Princeton families support the independence and healthy lifestyle that walking and bicycling to school can promote; and

WHEREAS, the Princeton community is working towards certification as a sustainable community through Sustainable Jersey, and “green” transportation options such as walking and biking count towards certification under that program; and

WHEREAS, the Parks and Recreation Master Plan includes a recommendation for “Community-wide Trails and Greenway Master Plan, development, improvements, and linkages”, and such a master plan should include links to schools, public institutions, and nearby parks and playing fields; and

WHEREAS, Princeton Regional Schools has adopted a policy to be more energy- and resource efficient; and

WHEREAS, Princeton Regional Schools and Princeton Municipal governments support, within reasonable limits activities and endeavors, International Walk to School Month and International Walk to School Day; and

NOW, THEREFORE, be it

RESOLVED, the Princeton Borough, Princeton Township, and Princeton Regional Schools wish to promote, develop, and implement a Safe Routes to School initiative that will:

- Partner with Sustainable Princeton to involve the school community and parents in evaluating the safety and condition of potential walking and biking routes to schools and create school travel plans for each school based on state Safe Routes to School program guidelines.
- Engage Township and Borough agencies, including Planning, Engineering, the Police Departments, and Public Works to address ongoing safety of priority sidewalks and roadways in school neighborhoods:
 - Planning will review how travel plans might affect the community master plan,
 - The Engineering Departments will prioritize infrastructure and safety enhancements (striping, signage, curb cuts, constructing missing links in sidewalk networks) along the priority routes.
 - The Public Works Departments will target priority routes for appropriate upkeep, monitoring, and maintenance.
 - The Police will assure safety along priority routes during the hours in the morning and afternoon that students are walking and biking to school.

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Be it FURTHER RESOLVED, that the Princeton Joint Pedestrian and Bicycle Advisory Committee will work with Sustainable Princeton to coordinate with local businesses and agencies, other stakeholders and community members to promote safer walking and biking to schools, and to plan and implement this project by the two municipalities and the regional schools.

Council President Koontz moved to approve Resolution 2010-R132, Councilwoman Trelstad seconded, and Council approved unanimously. Council agreed to promote biking and walking *to work* as well.

Councilwoman Trelstad moved to adjourn; Councilman Wilkes 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