

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
July 27, 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, Assistant Recreation Department Director Ted Ernst, Special Borough Attorney Stephen Pastor, Recreation Department Director John Roberts, 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 July 27, 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-R215**, as follows:

**RESOLUTION 2010-R
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON JULY 27, 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 — NHKT
2. Potential litigation
3. North Ridge update

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

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NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

Council President Koontz moved to approve; Councilman Wilkes 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 7:30 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, Oath of Office (1) — Resolution 2010-R216** as follows:

**RESOLUTION 2010-R216
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE APPOINTMENT OF MICHAEL R. SCHUBERT AS A PROBATIONARY
PATROL OFFICER EFFECTIVE JULY 2010**

WHEREAS, in accordance with Section 26-5 of the Code of the Borough of Princeton, Michael R. Schubert was given a conditional offer of employment pending completion of background, psychological and medical examinations; and

WHEREAS, Michael R. Schubert has successfully completed all conditions and was therefore eligible for hire as a probationary patrol officer effective July 1, 2010.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby confirm the appointment of Michael R. Schubert as probationary patrol officer in the Princeton Borough Police Department, effective July 1, 2010.

Council President Koontz moved approval of Resolution 2010-216; Councilman Wilkes seconded; Council approved unanimously.

Mayor Trotman swore in Michael Schubert as a probationary patrol officer. Patrolman Schubert's father held the Bible. Patrolman Schubert's family looked on as he took the oath.

Mayor Trotman read **Agenda Item E, Approval of Minutes.**

Presented for approval were the minutes of the open session of June 22, 2010.

Councilwoman Trelstad moved to approve the minutes of the open session of June 22, 2010, Council President Koontz seconded, and Council approved unanimously.

Mayor Trotman read **Agenda Item E, Public Presentation**, and asked if anyone present wished to address Council with an issue not on the agenda. Mayor Trotman explained the five-minute limit for public presentations.

Jim Firestone, representing concerned citizens (called variously "We the People" and "Princeton Fair Tax") looking to improve the outcome of the recent property revaluation, reported his group does not want *another* committee. They are encouraging Borough Council:

1. To invite the group to attend a Council meeting soon
2. To make fairness in tax collection a priority
3. To encourage citizens to examine assessment regions
4. To request all data from Appraisal Systems (ASI) (such as snapshots of sales data for each region)
5. To join with Princeton Township in dealing with ASI
6. To ask joint assessor to meet with regional groups to readjust areas hardest hit
7. To stand up to Appraisal Systems.

Christine Graziano, 55 Aiken Avenue, re-requested changing the court color, providing screening, and completing punch list items for Harrison Street Park (HSP). She asked for a public discussion to be scheduled for the next meeting.

Mayor Trotman replied that Public Works Committee had taken up the matter of HSP, with followup by full Council within a few weeks.

Councilman Martindell asked if Health Department was pursuing notification from New Jersey about lead burden children program. Borough Administrator Mr. Bruschi replied in the affirmative.

Councilman Martindell re-requested a watering plan for Harrison Street Park. He said long-term maintenance also requires responsibility and coordination. Councilman Martindell was concerned that there is no line in the budget that covers long-term maintenance—tools, equipment, mulch, and so forth. Councilman Martindell declared that the neighbors have a punch list and Borough has a punch list; they must be combined into a single, final punch list agreed upon by all. Councilman Martindell recommended a triage system.

Regarding revaluation, Councilwoman Crumiller pointed out three issues: (1) sales data versus assessments (check every two months), (2) reassess 25% of properties every year, and (3) ASI or Borough provide information requested by Mr. Firestone's group.

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

Mayor Trotman read **Agenda Item H, Correspondence (1) — NHKT Request for Changes to Redevelopment Agreement** — *Gary L. Green, Esq.*

Mr. Green proclaimed the success of the redevelopment project. He noted building “C” apartments are occupied and commercial space soon will be. He raised two issues for amendment to the agreement: (1) 53 units identified in the Redevelopment Agreement—builder chose (with a view to adding amenities) to construct a gym in one of those units; (2) difficult times for permanent financing, with Building C “spun off” to a separate entity.

Jack Morrison, of NHKT, described the sequence of events (including a site waiver plan) that led to creation of the free-to-tenants, 715-square-foot residential gym. Mr. Morrison stated that

DCA approved, with certificate of occupancy, his revised plan (which included additional plumbing, fire safety measures, double sheet rocking, and so on).

Councilman Goldfarb said, had Mr. Morrison’s proposed change been presented to Council in advance, he would have argued against the idea.

Councilman Martindell thought it was inappropriate for Mr. Morrison to bring his change to Council after the fact. He moved to table this action; Council President Koontz seconded. Mr. Green observed that Borough does not own Building C and cannot object to changes inside. Mr. Green questioned the purpose of delaying action.

Council President Koontz thought Council should be able to examine DCA documents prior to forming an opinion. Council President Koontz stated that the loss of a residential unit—the change from 53 to 52—is *not trivial* to Council.

Stephen Pastor, attorney representing Borough in this case, stated that Borough had certain expectations about Building C, including 53 rental units. Mr. Pastor committed to hearing Council members’ questions and speaking to NHKT’s attorney promptly with a list of items to satisfy Council.

Mr. Green interjected that the *quantity* of units was not of paramount importance at the time Council was considering Building C. (“It was our number, not your number.”)

Mr. Morrison stated he never realized that Council must be part of the decision process—he had worked extensively with Planning Board and its director Lee Solow and received their approval at each stage.

Council President Koontz questioned the approval, requesting documentation of items submitted to Mr. Solow by Mr. Morrison, back to Mr. Morrison from Mr. Solow, and from DCA.

Councilman Martindell clarified that the motion is to table both changes to the Redevelopment Agreement. Council President Koontz agreed to expand the motion as requested by Councilman Martindell. Council approved unanimously to table both changes.

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

**RESOLUTION 2010-R217
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 May 2010; and

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

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby accept the May 2010 Monthly police report prepared by the Borough Police Administration.

Chief Dudeck said he found opinions of Mayor and Council about the detective bureau beneficial. He reported that the first stage in promotions to lieutenant and sergeant—the written portion—is complete.

Council President Koontz moved to accept the police report and Councilwoman Trelstad seconded.

Councilman Martindell commented on news that San Francisco's police chief recommended that some investigatory powers be undertaken by civilians to permit more patrol time by sworn officers.

Councilman Wilkes reported that Public Safety is assembling data on alarms from throughout New Jersey in order to report to Council in September 2010.

Council unanimously accepted the police report.

Mayor Trotman read by title **Agenda Item J, Old Business (1) — Public Hearing and Adoption: Ordinance 2010-09 BOND ORDINANCE PROVIDING FOR INSTALLATION OF A NEW POOL IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,053,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,950,825 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

Council President Koontz moved to table Ordinance 2010-09 and Councilwoman Trelstad seconded. Councilman Goldfarb pointed out that a public hearing is required as advertised. Council President Koontz withdrew his motion to table.

Recreation Department Director John Roberts introduced Joanne Rogers and Mike Finkelstein, members of the recreation board. Mr. Roberts stated that the design process has successfully incorporated ideas and visions from interested community members. The difference in vision appears in the concept of the building and building design (redrafted for a smaller footprint). Mr. Roberts remarked that the design process is 90% complete; he does not foresee future public meetings.

Council President Koontz noted that a bond ordinance is presently before Council; Council has not been involved in design issues.

Council President Koontz expressed the issue: An agreement—among Princeton Township Committee, Princeton Borough Council, and the Pool Foundation—that commits to spending the money covered in bond ordinances. Council President Koontz noted that Township tabled the bond ordinance but committed to the funding agreement—leaving Borough with a mixed message. Council President Koontz was reluctant to proceed with Borough's commitment to Ordinance 2010-09.

Council discussed the value of posting the pool's design on the Website. Mr. Finkelstein claimed the Recreation Department is the most transparent group in the Princetons.

Councilwoman Trelstad recounted her experience when the Planning Board went over the pool plan and its fit with the Recreation Master Plan. She said the vote was seven to four in favor (she opposed). Councilwoman Trelstad cited the respondents' highest unmet demands in July 2008—paved walking and bike trails, indoor swimming pools, indoor fitness and exercise rooms, nonpaved biking and walking trails, and indoor multipurpose center. "The pool is not on the public's radar screen," she said.

Councilwoman Trelstad was worried that residents will have to leave Princeton because of their tax bills; Ordinance 2010-09 will only add to the problem.

Council President Koontz clarified that Ordinance 2010-09 will not have an upward impact on debt service. Mr. Bruschi agreed; the pool falls within the framework established earlier.

Councilman Martindell favorably compared funding methods for the pool with the model developed to build the library. Councilman Martindell said it was too early to adopt Ordinance 2010-09.

Mr. Roberts stated that the foundation cannot raise private money until the governments pledge their support.

Mr. Bruschi undertook to meet with Peter O'Neill to determine the types of reports provided during library fundraising.

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

Henry Singer, 187 Laurel Circle in the Township, favored going forward with the pool. He differed with some designations of "bells and whistles," such as shade elements. Mr. Singer was concerned that the pool might not be serviceable and safe next year.

Walter Frank, Township, understood that only the training pool can be built in the first year. Mr. Frank favored the existing open-air changing rooms.

Ron Berlin, Township resident with an office in Borough, reflected that interested citizens wanted to maintain the simple design of the old pool configuration, with the buildings rustic and camp-like. Mr. Berlin went on to describe his ideal pool complex in detail. Mr. Berlin advised not to throw away things that work.

Joel Schwartz, Armour Road resident and "pool dad" since 1986, spoke of the "eloquence" of the pool itself. He reiterated the outdoor atmosphere created by the changing rooms.

Steve Hiltner, 139 North Harrison Street, has been investigating sustainability aspects of the new pool. He challenged quantification of large building projects' carbon foot prints. He volunteered assistance from the Environmental Commission.

Audrey Chen, 50 Linwood Circle in the Township, stated that Princeton community wants a simple pool. Ms. Chen told of cuts to hands and feet from sharp edges in the pool floor. She also mentioned infrastructure and operational needs that could become catastrophic failures.

John Dresner, 90 Battle, Princeton Township, agreed the pool needs work. He liked all aspects of the locker room experience.

Jo Singer, 187 Laurel Circle in the Township, read from the Recreation Master Plan that future vision includes renovation and upgrade of the pool complex. Ms. Singer said the pool plan addresses the needs of the community.

Ellen Randall, 56 Crooked Tree Lane, Township, calling herself "the villain," said *everyone* agrees that the pools must be fixed, fixed quickly, and become eventually state of the art. Retaining the nature of the pool as it is today keeps the five principles first agreed by community and planners:

1. Keep the basic configuration intact
2. Do not change the park-within-a-pool esthetic
3. Keep the buildings rustic and camp-like
4. Only fix what is necessary
5. Do not make the pool an amusement park.

Michael Landau, 10 Patton Avenue, stated the real need is the pools. He thought the buildings were too complex, with curved walls and ceilings, clerestories and light wells, and so on.

Yina Moore, 19 Green Street, first begged Council to hold downtown developers to the prior commitment. Ms. Moore said the pool is the real measure of the Princetons' interest in swimming. Ms. Moore repeated the vote at the Planning Board that went seven to four in favor. She was opposed because of too much emphasis on land-use goals and the impact on future taxes. Ms. Moore detailed some plan details and wondered how planners had drifted so far from the five original principles.

Pat Wren, 16 Hunter Road, noted how much passion there is for the pool. She reiterated that the pool must be fixed forthwith. Not everyone can be heard; more public meetings may not be wise.

Jennifer Shaw, 45 Pine Street, thought the plan would accelerate progress because of its constructability. She requested posting of site plans and drawings in a style more visual to non-architects.

Lydia Frank was concerned that a stainless steel pool would heat the water.

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Seeing no one further, Mayor Trotman closed the public discussion and returned to Council.

Mr. Roberts stated that building a pool within a pool saves a tremendous amount of money. He said the sides only will be stainless steel.

Councilwoman Crumiller expressed sudden concern about the buildings; she wondered how to separate the pool from the buildings.

Mr. Roberts replied that buildings must be razed to access the site for pool construction.

Mayor Trotman asked for a best timetable for Council's decision on Ordinance 2010-09 in order to open the pool in 2011. Mr. Roberts explained interrelated factors that affect timing. The present hope is to go to bid August 19, 2010, with a view to award contracts early in October 2010.

Councilman Goldfarb wanted a final presentation to identify for all concerned exactly what the objections are. He said next meeting should include a feasibility report on fundraising and a final design for criticisms from the public.

Mr. Roberts announced a public meeting on August 16, at which time the engineers and architects would present their ideas. Mayor Trotman suggested a joint session for August 16.

Councilman Wilkes hoped the pool would not be closed for *any* summer. Designs and design staging should consider children's needs for a pool every year. Councilman Wilkes asked Mr. Berlin to form a team of fellow architects to create drawings that incorporate the notions as described to Council.

Councilwoman Trelstad, pointing to the expense of constructing a curved wall (among other features), stressed promising the taxpayers the most efficient, cost-effective project possible.

Council President Koontz wanted to see *significant* savings from any new proposal.

Mayor Trotman stated that Council would consider the Ordinance at the August 16 joint meeting or shortly thereafter.

Council President Koontz moved to continue the public hearing on Ordinance 2010-09, Councilwoman Trelstad seconded, and Council approved unanimously.

Mayor Trotman read by title **Agenda Item J, Old Business (2) — Public Hearing and Adoption: Ordinance 2010-10** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17A, LAND USE OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974 REGARDING FEES.

Councilwoman Trelstad explained that Ordinance 2010-10 reconciles Township and Borough construction and inspection fees.

Councilwoman Trelstad moved to adopt Ordinance 2010-10; 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, Crumiller, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item J, Old Business (3) — Public Hearing and Adoption: Ordinance 2010-11** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 34, ARTICLE IV OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974” REGARDING SEWER SERVICE CHARGES.

Councilman Goldfarb moved to adopt Ordinance 2010-11; Councilwoman Trelstad 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, Crumiller, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item K, New Business (1) — Introduction and Order to Publish: Ordinance 2010-12** AN ORDINANCE AMENDING CHAPTER 19 OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” REGARDING MOTOR VEHICLES AND TRAFFIC.

Council President Koontz moved to introduce Ordinance 2010-12; Councilwoman Trelstad seconded.

Councilman Goldfarb said Council should be prepared to amend Ordinance 2010-12.

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, Crumiller, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing to be held August 24, 2010.

Mayor Trotman read **Agenda Item K, New Business (2) — Resolution 2010-R218** as follows:

**RESOLUTION 2010-R218
OF MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING AMENDMENT TO CONTRACT
FOR REVALUATION SERVICES
TO APPRAISAL SYSTEMS INC**

WHEREAS, on October 7, 2008, the Borough awarded a revaluation services contract to Appraisal Systems, Inc. in the amount of \$280,010.00; and,

WHEREAS, this contract shall be amended to include Appraisal Systems, Inc.'s performance revaluation services related to the extra line items described in the attached memo from the Borough Tax Assessor.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Princeton that the revaluation services contract awarded to Appraisal Systems, Inc. is hereby amended to include the extra line items described in the attached memo of the Borough Tax Assessor.

Council President Koontz moved to approve Resolution 2010-R218 and Councilman Goldfarb seconded. Mayor Trotman called for a hand vote and proclaimed the resolution approved.

Mayor Trotman read **Agenda Item K, New Business (3) — Resolution 2010-R219** as follows:

**RESOLUTION 2010-R219
OF MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING PAYMENT FOR ADDITIONAL LINE ITEMS
TO APPRAISAL SYSTEMS, INC.**

WHEREAS, on October 7, 2008, the Borough awarded a revaluation services contract to Appraisal Systems, Inc. in the amount of \$280,010.00; and,

WHEREAS, Appraisal Systems, Inc. issued the attached voucher to the Borough in the amount of \$26,555.00 for extra line items as described in the attached memo from the Borough Tax Assessor; and,

WHEREAS, Princeton University paid to the Borough its share of the Appraisal Systems, Inc. voucher in the amount of \$23,415.00; and

WHEREAS, pursuant to the revaluation services contract, the Borough is required to pay to Appraisal Systems, Inc. the balance of the voucher in the amount of \$3,140.00; and,

WHEREAS, the Borough desires to authorize the payment to Appraisal Systems, Inc. in the amount of \$3,140.00;

WHEREAS, the Borough Chief Financial Officer has certified to the availability of funds;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Princeton that the payment of extra line items in the amount of \$3,140.00 is authorized to be made to Appraisal Systems, Inc.; and

BE IT FURTHER RESOLVED, that this resolution is contingent upon the adoption of a companion resolution by the Mayor and Borough Council approving the amendment of the revaluation services contract awarded to Appraisal Systems, Inc. for the performance of extra line items.

Council President Koontz moved to approve Resolution 2010-R219, Councilman Goldfarb seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (4-7) — Resolutions 2010-R220, 2010-R221, 2010-R222, and 2010-R223** as follows:

**RESOLUTION 2010-R220
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING CONTRACT FOR
ARMORED CAR SERVICES**

WHEREAS, the Borough of Princeton has determined the need for armored car services; and

WHEREAS, the Borough has solicited bid proposals for this service which were publicly opened on July 13, 2010 and bids were opened and read; and

WHEREAS, the bids were reviewed by the Borough Engineer and Borough Attorney and found to be in order, and the Borough Engineer recommends that a contract be awarded to Dunbar Armored, 2701 Cindel Drive, Cinnaminson NJ, 08077 as the lowest responsible bidder with a bid of \$5,200 per month; and

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 that a contract be awarded to Dunbar Armored, 2701 Cindel Drive, Cinnaminson NJ, 08077, from September 1, 2010 through December 31, 2011, for a lump sum contract not to exceed \$20,800 for 2010 and \$62,400 for 2011, or a total amount not to exceed \$83,200, based upon the bid monthly rate of \$5,200.00. The Borough reserves the right to negotiate and extend the contract for calendar year 2012 based upon a bid monthly rate of \$5,356.00.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute said Contract on behalf of the Borough.

**RESOLUTION 2010-221
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARD OF CONTRACT FOR CAPITAL PROJECT 10-02**

WHEREAS, the Borough of Princeton has determined the need for construction services in connection with Capital project # 10-02, known as Bayard Lane Sidewalk Improvements; and

WHEREAS, the Borough has solicited bid proposals for same and all bid proposals were publically opened on July 15, 2010; and

WHEREAS, the Borough received the following bids:

CMS Construction Inc. in the amount of	\$63,791.30
Lancha Construction in the amount of	\$78,951.40
T. Fiotakis Construction in the amount of	\$79,200.00
Earle Asphalt Company in the amount of	\$84,513.13
Topline Construction in the amount of	\$92,794.46
PA Contractors in the amount of	\$103,593.60
R&B Builders in the amount of	\$118,692.20
Zomparelli Contractors Inc. in the amount of	\$119,805.40
Ocean Excavating Inc. in the amount of	\$1,450,240.00 (Bid error lead to erroneous bid)

;and

WHEREAS, the Borough Engineer has reviewed the bids and the Borough Attorney has determined that the apparent low bidder, CMS Construction Inc. has submitted a complete bid package; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Princeton hereby recommends that the above referenced contract be awarded to CMS Construction Inc., 152 Sherman Avenue, Newark, NJ 07114 for Capital project #10-02, in the total amount of \$63,791.30, as set forth in the bid specifications and without exception.

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute said Contract on behalf of the Borough.

**RESOLUTION 2010-R222
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING GRANT APPLICATIONS TO
NEW JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Borough of Princeton is applying to the New Jersey Department of Transportation (NJDOT) Local Aid for Municipal Aid and Local Aid Infrastructure Fund grants for the 2011 Funding year; and

WHEREAS, the Borough has specifically filed for a Municipal Aid project entitled *Reconstruction of Princeton Avenue*, a Safe Streets to Transit project entitled *Nassau Street Pedestrian Improvements*; and a Centers of Place project entitled *Nassau Street Streetscape Improvements*.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Princeton formally approve the grant applications for the above stated projects.

BE IT FURTHER RESOLVED that the Borough Administrator and the Borough Engineer are hereby authorized to submit electronic grant applications, identified as MA-2011 Princeton Borough-00087, SST-2011 Princeton Borough-00012 and COP-2011 Princeton Borough-00007 to the New Jersey Department of Transportation on behalf of the Borough of Princeton.

BE IT FURTHER RESOLVED that the Borough Administrator and the Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Princeton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The signatures of the Borough Administrator and Borough Clerk serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

**RESOLUTION 2010-R223
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATIONS FOR
ASSOCIATE MEMBERS**

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

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

WHEREAS, the following 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:

WILLIAM O. HUSTON, JR.

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

Councilwoman Trelstad moved to approve Resolutions 2010-R220, 2010-R221, 2010-R222, and 2010-R223; Council President Koontz seconded; and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (8) — Resolution 2010-R224** as follows:

**RESOLUTION 2010-R224
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE EXTENSION OF THIRD QUARTER TAXES**

WHEREAS, there have been delays by State of New Jersey in certifying municipal levies to the County creating a delay in establishing a tax rate for the year 2010; and

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WHEREAS, subsequently the Borough of Princeton will be late in its annual tax mailing to the residents of the Borough; and

WHEREAS, the Mayor and Council wish to give the residents of Princeton an opportunity to pay their third quarter taxes without incurring a penalty; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Princeton that third quarter taxes may be paid until September 1, 2010 without incurring a penalty and payments made after the five day grace period will be subject to normal interest charges; and

BE IT FURTHER RESOLVED that a copy of this resolution be on file and available for public inspection in the Office of the Borough Clerk.

Council President Koontz moved to approve Resolution 2010-R224 and Councilman Wilkes seconded.

Mr. Bruschi said tax bills are scheduled for printing July 28, 2010.

Council wanted to enclose with the tax bills a letter discussing components of the recent tax increase, as well as national news coverage of Borough's property tax debates in *Business Week*, and a reprint of the *Star Ledger* editorial.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, Bill List for July 13, 2010 — Resolution 2010-R225** as follows:

**RESOLUTION 2010-R225
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE JULY 27, 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)	95,955.49
RESERVE ACCOUNT (9-01)	19,135.00
PARKING UTILITY OPERATING FUND (10-05)	16,430.47
PARKING UTILITY OPERATING FUND (9-05)	
AFFORDABLE HOUSING OPERATING ACCT (10-24)	
IMPROVEMENT ASSESSMENT (10-11)	
AFFORDABLE HOUSING OPERATING ACCT (9-24)	
CAPITAL ACCOUNT (C-04)	28,075.48
PARKING UTILITY CAPITAL FUND (P-06)	12,466.48
ESCROW (E-30)	11,226.39
TRUST FUND (T-13)	720.00
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (10-22)	
MANUAL	3,999,240.69
ASSESSMENT TRUST FUND (10-11)	
GRANT (G-02)	171.45

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list July 27, 2010 as presented.

July 27, 2010

Council President Koontz moved to approve Resolution 2010-R225, Councilman Wilkes seconded, and Council approved unanimously.

Council President Koontz moved to adjourn. There being no further business, Mayor Trotman adjourned the open session meeting at 11:03 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk