

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
October 5, 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, Councilman Kevin Wilkes, Mayor Mildred Trotman

Absent: Councilwoman Barbara Trelstad

Staff Present: Borough Administrator Robert W. Bruschi (*closed session only*), Princeton Regional Health Commission Officer David Henry, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 7:00 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 October 5, 2010, was included in a list of meetings sent to and advertised in the Princeton Packet and Trenton Times, posted on the bulletin board in the Borough of Princeton municipal building and has remained continuously posted as the required notices under the statute. In addition a copy of this notice is and has been available to the public and is on file in the Office of the Borough Clerk. Proper notice having been given, the Borough Clerk is directed to include this statement in the minutes of this meeting.”

Mayor Trotman read **Agenda Item C, Resolution 2010-R281**, as follows:

**RESOLUTION 2010-R281
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON OCTOBER 5, 2010**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public forum from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances may presently exist; and

WHEREAS, the Governing Body wishes to discuss the following issues:

1. Personnel
2. Police negotiations

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.

October 5, 2010

Council President Koontz moved to approve; Councilwoman Crumiller seconded. Council members Koontz, Crumiller, Goldfarb, Martindell, and Wilkes voted in the affirmative. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved five to zero.

Borough Council recessed into closed session.

At 7:30 P.M. Council reconvened into open session.

Mayor Trotman asked all present to rise for **Agenda Item D, Salute to the Flag.**

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

Presented for approval were the minutes of the open session of September 14, 2010.

Councilman Goldfarb moved to approve the minutes of the open session of September 14, 2010, and Councilman Martindell seconded.

Councilwoman Crumiller and Councilman Martindell each modified a comment.

Mover and seconder agreed to the changes. 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 recognized Kevin Drennan of Cablevisions Systems, who will make a presentation during another meeting. Mr. Drennan said Cablevisions owns Optimum Light Path, which is a full-service, high-data telephone company. Mr. Drennan reported that some issues discussed with Borough Attorney Maeve Cannon remain unresolved.

Council President Koontz requested a recommendation from Ms. Cannon in order to provide a prompt decision to Cablevisions. Mayor Trotman assured Mr. Drennan that she would schedule his presentation as soon as possible.

Kip Cherry, 24 Dempsey Avenue in the Township, reported that Township Committee is looking for back-and-forth with Borough on a joint revaluation commission.

Council debated procedure for commencing revaluation study, whether it be in conjunction with Township or Borough alone. Mayor Trotman indicated she would contact Township Mayor Miller this week.

Councilman Martindell observed Council's indecision, as indicated this meeting—consensus is the first step.

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

Mayor Trotman read **Agenda Item G, Council Committee Report.**

No reports were offered.

Mayor Trotman read **Agenda Item H, Report (1) — Princeton Regional Health (PRH) Annual Report** – *Dave Henry, Health Officer*.

Mr. Henry read the PRH mission statement: To protect and improve the public health through disease prevention, health education, community planning, and providing competent professional public health services to all the residents of Princeton Borough and Township. He stated that there are statutory regulations, enforcement components, and reporting requirements from state and other entities.

Mr. Henry described his department: Two inspectors, one registrar of vital statistics (with two part-time clerks), an animal control officer, and public health contracts to provide clinical services.

Highlights for 2009 were updating of fees, mass immunization drive-through drill (bioterrorism), development of garbage brochures, grant for lead identification and reporting, completion of Phase I of an emergency health preparedness study, planning and implementation of H1N1 vaccinations (3,800 people).

Mr. Henry mentioned that Trenton sought his interim assistance upon the retirement of its health officer; temporary consolidation between PRH and Trenton (becoming the second largest municipal health department in Mercer County) was established January 2010 and completed September 30. PRH entered into a multi-county grant for lead poisoning nurse followup.

Mr. Henry said that state grants provide enough funds for PRH's equipment needs.

Mr. Henry mentioned that PRH had rigged a hybrid vehicle to be an emergency health response transport.

Mr. Henry announced that he was elected president of the Mercer County Health Officers Association, which gave him a broad view of county activities.

PRH saves about \$75,000 per year from work by interns (in some cases, medical doctors) and other students.

Shared service endeavors include:

- An arrangement with Trenton for Spanish translation on Scype
- Vital statistic overflow support for Plainsboro, the new home of Princeton Hospital
- Provide weekend animal control to Montgomery
- Sexually transmitted disease clinics with Trenton and Hamilton
- Vital statistic overflow support for Hopewell, the new home of Capital Health.

October 5, 2010

Mr. Henry said PRH's intent is to maintain the best possible service to Borough and Township residents for as little cost as possible.

Mayor Trotman wondered how relocation of the hospital affects PRH's personnel needs; in particular, birth statistics. Mr. Henry noted that PRH hopes to be the "drivers" of shared service agreements; in which case, two full-time deputy registrars is ideal.

Councilman Martindell appreciated Mr. Henry's many ideas about shared services. He asked Mr. Henry about sharing retail food inspections. Mr. Henry said he had not explored retail food because there are presently too few inspectors; weekend inspections a possibility.

Council President Koontz remarked that Princeton does not have a HazMat vehicle; PRH's emergency health response transport could serve as a health emergency equivalent.

Council President Koontz hoped the public could easily identify chronic offenders in retail food distribution through rating postings on the internet. (Mr. Henry: "Live" in two weeks.)

Mr. Henry said he will require his current staffing level to maintain vital statistic record-keeping after the medical center move.

Mr. Henry hoped to offset loss of fees—from fewer birth and death certifications—by assisting Plainsboro with documentation duties.

Council and Mr. Henry tried to anticipate eventualities of upcoming county health officer retirements.

Mayor Trotman shared a plaque that Mr. Henry received from the City of Trenton in appreciation for the service that he had provided.

Council President Koontz moved to accept the PRH report, Councilwoman Crumiller seconded, and Council accepted unanimously.

Mayor Trotman read **Agenda Item H, Report (2) — Consolidation Commission - Robert W. Bruschi, Borough Administrator.**

Councilman Goldfarb said the contractor recommended by the commission is asking substantially more than the state grant will cover; funding must be authorized. The commission had unanimously selected the Center for Government Research, after five responses to Request for Proposal.

Councilman Goldfarb said the two administrators prepared a budget that was adopted by the commission. Joint Finance Committees decided to split costs 50/50 in 2010 *if, by year end*, joint assessor function is moved to Township and Township fire inspection is folded into Borough. Should the two agencies not reposition as indicated, Borough can request allocation by ratables.

Council President Koontz moved to approve the budget as recommended (50/50); Councilman Martindell seconded.

Councilman Goldfarb defended the recommendation:

- Borough more competent at fire inspection; fees pay for the service; safer for firefighters
- Assessor more efficient in one location; easier for taxpayers.

Councilman Martindell listed Borough's gains from the arrangement:

1. More shared services (police dispatch next?!)
2. Simplified assessor function
3. Improved fire inspection operations

Councilman Wilkes thought of the difference between 50 / 50 and $\frac{1}{3}$ / $\frac{2}{3}$ as money spent to improve services for citizens.

Councilman Goldfarb explained that the *commission* will contract with the consultant; Township to act as custodian of funds.

Council accepted unanimously.

Mayor Trotman read **Agenda Item I, New Business (1) — Resolution 2010-R282** as follows:

**RESOLUTION 2010-R282
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING THE AMENDMENT OF CONTRACT
FOR PROFESSIONAL SERVICES TO
ARTHUR R. THIBAUT JR. ESQ
OF APRUZZESE, MC DERMOTT, MASTRO & MURPHY**

WHEREAS, the Borough wishes to amend a certain professional services agreement with Arthur R. Thibault, Jr., Esq., of Apruzzese, McDermott, Mastro & Murphy to provide legal services for special counsel in connection with certain activities being conducted by the Borough, as hereafter more particularly stated.

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 an addendum to a contract for professional services with Arthur R. Thibault, Jr., Esq., of Apruzzese, McDermott, Mastro & Murphy (hereinafter referred to as "Provider") said contract being dated March 23, 2010.

1. The addendum so authorized shall require the Provider to provide services and other related duties, as follows: Provider shall serve as special counsel to the Borough of Princeton to handle such matters as requested by the Borough through December 31, 2010.

2. The Borough shall pay the Provider the following **additional compensation**: An amount not to exceed **\$10,000**; the Chief Financial Officer has certified that funds are available under Current Account Nos. 10-01-20-155-279; and

3. This contract shall be awarded without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law because the subject services will be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

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

Council President Koontz moved to approve Resolution 2010-R282, Councilman Wilkes seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (2) — Resolution 2010-R283** as follows:

**RESOLUTION 2010-R283
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING THE AMENDMENT
FOR PROFESSIONAL SERVICES
TO HERBERT VAN NESS CAYCI AND GOODELL
TO PROVIDE LEGAL SERVICES FOR SPECIAL COUNSEL**

WHEREAS, the Borough wishes to amend a certain professional services agreement with HERBERT, VAN NESS, CAYCI AND GOODELL to provide legal services for special counsel in connection with certain activities being conducted by the Borough, as hereafter more particularly stated.

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 an addendum to a contract for professional services with Herbert, Van Ness, Cayci and Goodell (hereinafter referred to as "Provider") said contract being dated March 2, 2010.

2. The addendum so authorized shall require the Provider to provide services and other related duties, as follows: Provider shall serve as special counsel to the Borough of Princeton to handle such matters as requested by the Borough through December 31, 2010.

2. The Borough shall pay the Provider the following **additional compensation**: An amount not to exceed **\$25,000**; the Chief Financial Officer has certified that funds are available under Current Account Nos. 10-01-20-155-279; and

3. This contract shall be awarded without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law because the subject services will be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

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

Council President Koontz moved to approve Resolution 2010-R283, Councilman Martindell seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (3) — Resolution 2010-R284** as follows:

**RESOLUTION 2010-R284
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF ROCK SALT
THROUGH THE COOPERATIVE PRICING SYSTEM OF MERCER / MIDDLESEX COUNTIES**

October 5, 2010

WHEREAS, the Borough of Princeton is a member of Cooperative Pricing System of Mercer / Middlesex Counties #61-CPSMMC; and

WHEREAS, in accordance with N.J.S.A. 40A:11-10 the Borough of Princeton can purchase materials which have been bid for by the lead agency on our behalf; and

WHEREAS, the lead agency of the Cooperative Pricing System of Mercer / Middlesex Counties #61 awarded the Master Contract for Rock Salt on June 8, 2010; and

WHEREAS, Atlantic Salt Inc, 134 Middle Street, Lowell, MA 01852 was the lowest responsible bidder based on the attached schedule A; and

WHEREAS, the costs and the appropriate monies are provided in the Current Fund Budget for the Various Borough Departments; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to purchase the above for the Borough under the Cooperative Purchasing Bid.

Councilman Martindell moved to approve Resolution 2010-R284, Council President Koontz seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (4) — Resolution 2010-R285** as follows:

**RESOLUTION 2010-R285
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY THE PRINCETON
UNIVERSITY ART MUSEUM**

WHEREAS, Princeton University Art Museum wish to promote the upcoming art exhibit “Nobodys Property: Art, Land, Space, 2000-2010” to begin on October 23, 2010 ;and

WHEREAS, Princeton University has requested permission to install a banner over Washington Road in Princeton with approval of the Office of Community and State Affairs at Princeton University beginning the week of October 23 through February 20, 2010 to inform the public of their event; 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.

Councilman Martindell moved to approve Resolution 2010-R285, Council President Koontz seconded, and Borough Council approved unanimously.

Mayor Trotman announced that **Agenda Item I, New Business (5) — Resolution 2010-R286** is tabled.

Mayor Trotman read **Agenda Item I, New Business (6) — Resolution 2010-R287** as follows:

October 5, 2010

**RESOLUTION 2010-R287
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE APPOINTMENT OF CHRISTOPHER W. TASH
TO POLICE SERGEANT EFFECTIVE OCTOBER 5, 2010**

WHEREAS, in accordance with Section 26-7 of the Code of the Borough of Princeton and on Promotional Process Policy of the Princeton Borough Police Department approved by Mayor and Council, the Chief of Police has made recommendation to promote Patrol Officer Christopher W. Tash to the position of Police Sergeant; and

WHEREAS, The Public Safety Committee recommends to Mayor and Council the appointment of Patrol Officer Tash to Police Sergeant; and

WHEREAS, Patrol Officer Tash has demonstrated the aptitude to be promoted to sergeant and is therefore eligible for promotion to Police Sergeant effective October 5, 2010;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton do hereby confirm the appointment of Patrol Officer Christopher W. Tash as Police Sergeant of the Princeton Borough Police Department effective October 5, 2010.

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

Councilman Wilkes moved to approve Resolution 2010-R287 and Councilman Martindell seconded.

Councilman Martindell, commenting that while Officer Tash is able to perform the promotional duties would oppose the appointment because the economy is not conducive to police promotions.

Councilman Goldfarb countered that the cost for an officer *servicing as* sergeant is the same as an actual sergeant

Hearing no further discussion, Mayor Trotman called for a vote. Mayor Trotman proclaimed the motion passed four to one.

Council President Koontz moved to adjourn; Councilman Wilkes seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 9:08 P.M.

Respectfully submitted,

**Andrea Lea Quinty
Borough Clerk**