

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
December 7, 2010
Regular Meeting
Closed Session 6:00 P.M.
Open Session 7:30 P.M.**

Present: Council President Andrew Koontz, Councilwoman Jenny Crumiller, Councilman David Goldfarb, Councilman Roger Martindell (*arrived 6:05 P.M.*), Councilwoman Barbara Trelstad, Councilman Kevin Wilkes (*arrived 6:05 P.M.*), Mayor Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Attorney Maeve E. Cannon, Princeton Sewer Operating Committee Manager and Acting Borough Engineer Robert A. Hough, Councilwoman-elect Jo Butler, Director of Emergency Services Mark E. Freda, Chief Finance Officer Sandra L. Webb, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 6:00 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 December 7, 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 **Resolution 2010-R341** as follows:

**RESOLUTION 2010-R341
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING COUNCIL MEMBER ELECT JO BUTLER TO ATTEND THE EXECUTIVE
SESSIONS OF THE PRINCETON BOROUGH COUNCIL**

WHEREAS, Council Member Elect Jo Butler has requested to attend the Executive Sessions for the remainder of the year of the Borough of Princeton Council; and

WHEREAS, under the Open Public Meetings Act, matters discussed in Executive Sessions are deemed privileged and confidential, and

WHEREAS, the Council under the circumstances deems it proper and prudent to permit Council Member Elect Jo Butler to attend the Executive Sessions of the Princeton Borough Council; and,

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WHEREAS, Council Member Elect Jo Butler understands the importance of the privileged and confidential nature of matters discussed in Executive Sessions and agrees to maintain such privileges and confidences.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Princeton that Council Member Elect Jo Butler is invited to attend the Executive Sessions of the Princeton Borough Council for the remainder of calendar year 2010.

Councilman Goldfarb moved to approve Resolution 2010-R341, Councilman Koontz seconded, and Borough Council approved four to zero.

Mayor Trotman read **Agenda Item C, Resolution 2010-R320**, as follows:

**RESOLUTION 2010-R320
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON DECEMBER 7, 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 — labor agreements/departmental updates
2. Personnel — appointments
3. Negotiations — Princeton University

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.

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

Council President Koontz, remembering the devastation in the Pacific 69 years ago, asked for a moment of silence commemorating Pearl Harbor Day.

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

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

Councilman Goldfarb moved to approve the minutes of the open session of November 3, 2010, Councilwoman Trelstad seconded, and Council approved unanimously six to zero.

Presented for approval were the minutes of the open session of November 9, 2010.

Councilwoman Trelstad moved to approve the minutes of the open session of November 9, 2010, Councilman Goldfarb seconded, and Council approved unanimously.

Mayor Trotman read **Agenda Item F, Public Presentation**, and asked if anyone present wished to address Council with an issue not on the agenda. Mayor Trotman explained the five-minute limit for public presentations; no dialogue with Council members is permitted during this portion of the agenda. If so indicated, Council will take action at a later date.

Serge Detinich of Oradell, New Jersey, representing the La Rouche Political Action Committee, proposed adoption of local resolutions to control commercial (versus investment) banking. Mr. Detinich supplied documentation to Borough Clerk Andrea Quilty.

Councilman Martindell questioned the process leading to change of leadership in the recreation department.

Mayor Trotman announced an upcoming meeting of Mercer County Freeholders to be held in Borough Hall's Council chamber on Thursday, December 9, at 6:30 P.M.

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

Mayor Trotman read **Agenda Item G, Employee Service Awards**, and asked honorees present in the audience to approach the dais where she congratulated each personally.

- 25 years – Sean Burns, David Dudeck, Charles Harding, William Urian, Clifford Harmon, Martin Vogt*
- 30 years – Bruce Stout (Retirement 01-01-11) Livingston Hennegan (Retirement 01/01/11)*
- 40 years – Charles Madden.*

Mayor Trotman read **Agenda Item H, Correspondence — Community Park Pool – Peter O'Neill, Board of Advisors for Park and Recreation Fund.**

Ellen Randall, 56 Crooked Tree Lane, member of the *ad hoc* committee on pool development, listed three objections to the correspondence:

1. *Ad hoc* committee did not recommend or endorse any option; developed their own menu of options (restoration, renovation, and new construction for pools and buildings).
2. Proposed concrete and steel construction will not endure.
3. Three durable concrete pools estimated at under \$4 million.

Mayor Trotman read **Agenda Item I, Report (3) — Community Pool Committee (CPC) Update – Kevin Wilkes.**

Councilman Wilkes reported voluminous research by CPC on pool reclamation; conclusions to be presented to Council when reached.

Councilman Goldfarb questioned the analysis process.

Council President Koontz reminded that any bond ordinance supporting pool development must be acted upon promptly or reintroduced in 2011. He noted that Township has already passed the bond ordinance as introduced earlier—any change by Borough requires renegotiation with Township. Council President Koontz urged Council to consider (and adopt) the bond ordinance before yearend.

Councilman Martindell observed that a bond **ordinance** requires *four* votes (majority of full Council) for adoption—more stringent than majority of quorum for a **resolution**.

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

Mr. O'Neill clarified that the Fund's purpose is to supplement the cost of a long-lasting, \$5-6 million pool project. If the towns downgrade the scope of the pool, Fund moneys may be allotted to other recreation endeavors.

Mayor Trotman called the question and Council again accepted.

Mayor Trotman read **Agenda Item I, Report — (1) Princeton Joint Pedestrian and Bicycle Advisory Committee – Yan Bennett, Chair.**

a. Shared Lane Markings “Sharrows” Report

Ms. Bennett introduced members of the subcommittee for evaluation of bike facilities.

Ms. Bennett provided an overview of the cycling environment in Princeton—issues of congestion, danger to cyclists, and aggressive driver behavior. (Noncompliant cycling is also a factor.) Answers include designated bike lanes, bike paths, bike boxes, and bike boulevards—none presently feasible.

Solutions are enforcement, education (drivers and cyclists alike), signage, traffic calming. The most immediate impact is with *sharrows*: Cars and bicycles sharing roads that are heavily trafficked and narrow.

Ms. Bennett reviewed a San Francisco study indicating that sharrows greatly improved cyclist compliance and driver awareness of bicycle safety.

Ms. Bennett said ideal conditions for sharrows are found in Princeton: (1) roads that cannot accommodate bike lanes, (2) on-street parking, (3) speeds less than 35 miles per hour. Sharrows also aid in pedestrian protection. Initial proposed sharrow routes are Nassau, Hamilton/Wiggins, Harrison, and Witherspoon.

Ms. Bennett mentioned endorsement from Traffic & Transportation Committee (Borough) and Traffic Safety Commission (Township). Ms. Bennett stressed the need for public education after installation of sharrows; in particular, “bicycles take full lane” as well as cars.

Council President Koontz requested detail on differences between bike lane and sharrow. Ms. Bennett replied that bike lanes require a “lot of real estate.”

Councilwoman Trelstad was worried about night cyclists with no reflective markings and no helmets. Ms. Bennett stated a Township program to distribute free helmets met with zero response.

Councilwoman Trelstad wanted to see an education campaign against sidewalk riding in the downtown.

Councilwoman Trelstad referred Ms. Bennett to Portland, Oregon’s, bicycle trafficking practices before further advocacy for Princeton Borough.

Councilman Goldfarb was concerned that extensive sharrow-ing might be overkill.

Councilman Martindell noted that there are no consequences for not obeying sharrows. He proposed enacting a “negligence standard” to be associated with sharrows.

Kristin Appleget, Princeton University, stated the University’s intent to incorporate sharrows in their campus path network.

Mayor Trotman charged the 2011 liaison with Bike/Pedestrian to follow up on status of and new ideas regarding sharrows.

Councilman Wilkes moved to accept the shared lane markings report; Council President Koontz seconded with a favorable disposition toward the recommendations; mover Councilman Wilkes agreed to the modification; Council accepted unanimously, noting more detailed plans must be forthcoming.

Mayor Trotman read **Agenda Item I, Report — (2) Traffic and Transportation Committee (TTC) – Anton Lahnston, Chair.**

- a. Shared Lane Markings “Sharrows” Report**
- b. Princeton Traffic and Transportation Survey Results**

Mr. Lahnston named some TTC members present in the audience. He was concerned that sharrows will be ignored by drivers if not applied consistently.

Mr. Lahnston stated the mission of TTC: To advise and assist Borough Council (primarily through Council liaison Kevin Wilkes). He mentioned the historically positive collaboration between TTC and Engineering plus TTC and police (currently represented by Lt. Currier). Mr. Lahnston listed ongoing improvement projects including pedestrian safety (sidewalks,

crosswalks), street safety (street lights and traffic signals), and bicycle safety. Mr. Lahnston said a pilot summer intern program failed. He called upon TCC member, Murali Balasubramanian, to describe the anonymous online TCC survey and its results.

Mr. Lahnston declared the primary concerns of respondents were congestion, safety (especially cyclist), noise, and pollution. Also frequently mentioned were inadequate public transportation and substandard education and enforcement.

Mr. Balasubramanian noted that automobiles are, by far, the preferred mode of transit—leading to dangerous situations for walkers and cyclists.

Mr. Lahnston stressed public safety education. He said, “Pedestrians in Princeton are not good pedestrians.” Frequent replies to the survey involved jaywalking, speed limits, sidewalk maintenance, and cell phone abuse by both drivers and walkers.

Mr. Lahnston listed three specific comments gleaned from the survey: (1) Conditions unsafe for bikes, (2) lack of—and unreliable—public transportation, (3) inconvenient Dinky location.

Councilman Wilkes moved to accept the TTC report, specifically with a focus in 2011 on the findings. Councilwoman Trelstad seconded acceptance. Council approved unanimously.

Mayor Trotman read by title **Agenda Item J, Old Business (1) — Public Hearing and Adoption: Ordinance 2010-19** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 19 OF “THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974” REGARDING MOTOR VEHICLES AND TRAFFIC.

Councilwoman Trelstad moved to adopt Ordinance 2010-19; 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 **Agenda Item K, New Business (1) — Resolution 2010-R321** as follows:

**RESOLUTION 2010-R321
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey

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that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "General Comments and Recommendations", and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "General Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board and;

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of The Borough Of Princeton, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Councilman Goldfarb moved to approve Resolution 2010-R321 and Council President Koontz seconded.

Council President Koontz thanked administration staff for their work during the audit proceedings.

Councilman Goldfarb observed that Borough is in "better financial shape" and is "operating better" with respect to finances than has been the case for some time.

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 motion passed.

Mayor Trotman read by title **Agenda Item K, New Business (2) — Introduction and Order to Publish: Ordinance 2010-20** AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON CONCERNING SALARIES AND COMPENSATION OF CERTAIN PERSONNEL OF THE BOROUGH OF PRINCETON.

Council President Koontz moved to introduce Ordinance 2010-20; Councilwoman Trelstad seconded.

Borough Administrator Robert W. Bruschi explained the non-contractual salary ranges as delineated in Ordinance 2010-20: Ordinance 2010-20 includes a base 1.5% raise effective July 1, 2010, plus individual increases reflecting changes in job description. At the auditor's request, salary ordinances now indicate *true* compensation, including longevity bonus pay and overtime stipends.

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 December 21, 2010.

Mayor Trotman read **Agenda Item K, New Business (7) — Resolution 2010-R325** as follows:

**RESOLUTION 2010-R325
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR
SPECIALIZED SERVICES**

WHEREAS, the Borough desires to enter into a professional services agreement in connection with certain activities as hereafter more particularly stated, and

WHEREAS, the services to be performed are professional services which are exempt from public bidding under the Local Public Contracts Law.

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

The Mayor and Clerk are hereby authorized to enter into a contract for professional services with KRAMER & ASSOCIATES (hereinafter referred to as "Provider") to provide professional services for an organizational and operation study of the Princeton Fire Department for the period December 1, 2010 through June 30, 2011 as hereafter more particularly stated.

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

Provider shall provide the Borough with an Organizational and Operational Study of the Princeton Fire Department (the "Department") including analysis and reporting findings related to the Department as more specifically stated in the attached Professional Services Agreement marked "Exhibit A"

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 \$21,600.00 (Twenty One Thousand Six Hundred Dollars and Zero Cents) pursuant to the contract with the Provider.

Payment of fees will be made upon the submission to the Provider to the Borough of invoices in duplicate in the form prescribed by the Borough not later than the tenth (10th) day of the month following that covered by the invoice, and shall specify in detail the periods for which fees are claimed for the services performed. The provider shall give written notice to the Borough when the Provider has billed eighty (80%) of the compensation set forth in paragraph I of the Agreement.

2. The form of contract shall include standard provisions common to professional service agreements entered into by the Borough and shall be subject to approval by the Borough Attorney.

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

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

Councilman Goldfarb moved to approve Resolution 2010-R325 and Councilman Wilkes seconded.

Mr. Bruschi stated that the Kramer report will provide guidelines for the fire department's management team's decision-making into the future.

Director of Emergency Services Mark E. Freda reported that, of 10 replies to a Request for Proposal issued last year, there were three finalists; the Kramer group's methodology was clearly best for Princeton Borough.

Borough Council approved unanimously.

Mayor Trotman announced that **Agenda Item K, New Business (18) — Resolution 2010-R336** will appear on a future agenda

Mayor Trotman read **Agenda Item K, New Business (4) — Resolution 2010-R322** as follows:

**RESOLUTION 2010-R322
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE ESTABLISHMENT
OF 2010 POLICE DEPARTMENT HIRING LIST**

WHEREAS, On September 28th, 2010 the Borough of Princeton Public Safety Committee conducted interviews with candidates for potential openings that may occur in the Princeton Borough Police Department; and

WHEREAS, the Borough of Princeton Public Safety Committee made recommendation to Mayor and Council to establish a Police Sergeant hiring list of one for any opening that may occur in the police department; and

WHEREAS, in accordance with Section 26-5 of the Code of the Borough of Princeton, the following individual comprises the police-hiring list:

Robert Travis Allie

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton hereby confirm the creation of a one year police-hiring list to be maintained until September 28, 2011;

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the Chief of Police, the Borough Administrator and the Public Safety Committee.

Councilman Wilkes moved to approve Resolution 2010-R322, Councilwoman Trelstad seconded, and Borough Council approved five to one, with Councilman Martindell opposing all police hiring.

Mayor Trotman read **Agenda Item K, New Business (5) — Resolution 2010-R323** as follows:

**RESOLUTION 2010-R323
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE 2010 THROUGH 2012 COLLECTIVE NEGOTIATIONS AGREEMENT
WITH THE BLUE COLLAR WORKERS UNIT
COMMUNICATION WORKERS OF AMERICA, AFL CIO**

WHEREAS, there is a need for the Borough of Princeton and the Blue Collars Workers Unit to enter into a Collective Negotiations Agreement; and

WHEREAS, the parties entered into negotiation and as such an agreement was made for the period of January 1, 2010 through December 31, 2012

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Princeton that the Mayor and Clerk are hereby authorized and directed to execute an Agreement with CWA LOCAL 1032, substantially in the form attached hereto.

1. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.
2. An executed copy of this Agreement between the Borough and the Blue Collars Workers Unit and a copy of this Resolution shall be on file and available for public inspection in the Office of the Borough Clerk.
3. An executed copy of this Agreement between the Borough and Blue Collar Workers Unit and a copy of this Resolution shall be forwarded to State of New Jersey Public Employers Relations Commission.

Councilwoman Trelstad moved to approve Resolution 2010-R323; Councilman Martindell seconded.

Mr. Bruschi outlined the important provisions of the three-year agreement, which include 1.5% pay raises and significant “give-backs” (step increases discontinued, as one example). Mr. Bruschi thanked Princeton Sewer Operating Committee Manager and Acting Borough Engineer Robert A. Hough, Chief Finance Officer Sandra L. Webb, and the late Borough Engineer Christopher M. Budzinski for successful negotiations on behalf of the Borough.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (6) — Resolution 2010-R324** as follows:

**RESOLUTION 2010-R324
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING DEED NOTICE FOR THOMPSON MANAGEMENT**

WHEREAS, the Borough Council desires to approve the attached deed notice of Thompson Management LLC for Lot 38, Block 20.01 located in the Borough of Princeton (the “Borough”); and

WHEREAS, pursuant to N.J.S.A. 58:10B-13, the deed notice must be recorded in the same manner as are deeds and other interests in real property; and,

WHEREAS, the Borough authorizes Thompson Management LLC to file the attached deed notice for Lot 38, Block 20.01 located in the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton that the Borough approves the attached deed notice and authorize the filing of same.

Councilman Wilkes moved to approve Resolution 2010-R324 and Council President Koontz seconded.

Mr. Bruschi said there is an underground tank encroaching on a Borough right of way at 194 Nassau Street. Mr. Hough expanded on the situation and the paperwork required to rectify it. Borough Attorney Maeve E. Cannon noted that present and future danger from the tank is marginal at worst; cost and inconvenience do not warrant its removal.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (8) — Resolution 2010-R326** as follows:

**RESOLUTION 2010-R326
OF THE MAYOR AND COUNCIL**

**OF THE BOROUGH OF PRINCETON
AWARDING THE CONTRACT KNOWN AS
“PLACEMENT AND REMOVAL OF
SOLID WASTE DUMPSTERS – BEGINNING JANUARY 2011”
TO FUTURE SANITATION, INC.**

WHEREAS, the Princeton Sewer Operating Committee has solicited bid proposals for the weekly placement and removal of solid waste dumpsters for the Solid Waste Convenience Center on River Road for a one (1) year term to commence on or about January 1, 2011 and ending December 31, 2011; and

WHEREAS, all bid proposals were opened on November 23, 2010; and

WHEREAS, the Borough received the following five (5) bids:

Future Sanitation, Inc. in the amount of \$51,675.00;

MIDCO Waste Systems in the amount of \$52,125.00;

Carnevale Disposal Company, Inc. in the amount of \$59,242.50;

J. Vinch & Sons, Inc. in the amount of \$59,475.00;

Waste Management of New Jersey, Inc., in the amount of \$61,125.00; and

WHEREAS, it is the recommendation of the Manager of the Princeton Sewer Operating Committee that the contract be awarded to Future Sanitation, Inc. 385 Cranberry Road, Farmingdale, New Jersey 07727, as the lowest responsible bidder; 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 Future Sanitation, Inc., 385 Cranberry Road, Farmingdale, New Jersey 07727, for weekly placement and removal of 30 cubic yard solid waste dumpsters to be located at the Municipal Convenience Center on River Road for the period beginning January 1, 2011 and ending December 31, 2011, in a total amount not to exceed \$51,675.00, said amount to include all disposal charges for the period.

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

Councilman Goldfarb moved to approve Resolution 2010-R326, Councilman Wilkes seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (9) — Resolution 2010-R327** as follows:

**RESOLUTION 2010-R-327
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE EMERGENCY REPAIR
OF A SECTION OF 30” DIAMETER SANITARY SEWER
(PART OF THE LAKE CARNEGIE TRUNK SEWER SYSTEM)**

WHEREAS, the Princeton Sewer Operating Committee (PSOC) operates and maintains a 30” diameter sanitary sewer known as the Lake Carnegie Trunk Sewer System; and

WHEREAS, the PSOC staff has observed that a section of the 30” diameter sanitary sewer (part of the Lake Carnegie Trunk Sewer System) has been exposed due to a natural drainage swale and that the pipe is cracked; and

WHEREAS, Robert A. Hough, P.E., Manager of the PSOC, has advised that it is essential to the health, safety and welfare of the citizens of Princeton Borough and Township that this section of 30” diameter sanitary sewer to repaired; and

WHEREAS, any attempt to proceed with the full competitive procurement process to obtain construction services will consume several months; and

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WHEREAS, N.J.S.A. 40A:11-6 allows for an emergency contracting procedure where the need for certain services could not have been reasonably foreseen and the immediate acquisition of such services is necessary to protect the public health, safety and welfare; and

WHEREAS, the PSOC has obtained three (3) proposals for the repair of this section of 30” diameter sanitary sewer; and

WHEREAS, Integrated Construction & Utilities of New Jersey, Edison, New Jersey submitted a responsive proposal to repair this section of 30” diameter sanitary sewer in the amount of \$52,280.00; and

WHEREAS, the Assistant Borough Administrator / Chief Financial Officer has certified that capital funds are available to contract for such construction service; and

NOW, THEREFORE, BE IT RESOLVED by the Princeton Borough Mayor and Council that an emergency construction services contract for the repair of a section of 30” diameter sanitary sewer (part of the Lake Carnegie Trunk Sewer System) to Integrated Construction & Utilities of New Jersey, Edison, New Jersey for a total not to exceed \$52,280.00 is hereby authorized; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute the necessary Agreement with Integrated Construction & Utilities of New Jersey.

Councilman Wilkes moved to approve Resolution 2010-R327, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (10) — Resolution 2010-R328** as follows:

**RESOLUTION 2010-R328
AUTHORIZING A PLACE TO PLACE TRANSFER
(EXPANSION) OF LIQUOR LICENSE**

WHEREAS, an application has been filed by LDM, Inc., trading as Ivy Inn for a place-to-place transfer (Expansion of Premises) of Plenary Retail Consumption License 1109-33-006-001, for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized;

WHEREAS, the Chief of Police and Zoning Official have inspected the premises and the Borough Clerk has reviewed the submitted application form and certifies it is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of The Borough of Princeton does hereby approve, effective December 7, 2010, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 248 Nassau Street, Princeton, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises on file with the Borough Clerk.

Council President Koontz moved to approve Resolution 2010-R328, Councilman Wilkes seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (11) — Resolution 2010-R329** as follows:

**RESOLUTION 2010-R329
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING A SHARED SERVICES AGREEMENT FOR
SPECIALIZED HEALTH SERVICES WITH THE TOWNSHIP OF HAMILTON**

WHEREAS, the Borough of Princeton on behalf of the Princeton Regional Health Commission desires to enter into a shared services agreement in connection with certain activities as hereafter more particularly stated, and

WHEREAS, the services to be performed are health services which will benefit the residents of the Borough of Princeton and Township of Princeton and are permitted by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. of the State of New Jersey.

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 shared services with the Township of Hamilton, a municipal corporation of the State of New Jersey located at 2090 Greenwood Avenue PO Box 00150, Trenton, New Jersey 08650 (hereinafter referred to as "Provider") to provide health services for a fee not to exceed \$900.00 upon certain specified conditions stated herein as "Exhibit A" for the period November 1, 2010 through December 31, 2011 as hereafter more particularly stated.

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

Provider shall provide the Princeton Regional Health Commission certain health services for the prevention and containment of sexually transmitted disease as more specifically stated in the attached Shared Services Agreement marked "Exhibit A"

Payment of fees will be made upon the submission to the Princeton Regional Health Commission monthly invoices in duplicate not later than the fifteenth (15th) 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 as more specifically stated in the attached "Exhibit A".

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

Councilwoman Trelstad moved to approve Resolution 2010-R329 and Council President Koontz seconded.

Councilwoman Trelstad requested a name change from Decimus Marsh to Sandra Webb, current CFO.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (12) — Resolution 2010-R330** as follows:

**RESOLUTION 2010-R330
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING SHARED SERVICES AGREEMENT
WITH MONTGOMERY TOWNSHIP
FOR ANIMAL CONTROL SERVICES**

WHEREAS, the Borough of Princeton desires to enter into a uniform shared services agreement pursuant to N.J.S.A. 40A:65-1 et seq. in connection with animal control officer services.

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

1. The Mayor and Clerk are hereby authorized to enter into a contract for uniformed shared services with the **Township of Montgomery, 2261 Van Horne Road-Route 206 North, Belle Mead, NJ 08502** (hereinafter referred to as "Recipient") for the Borough of Princeton (hereinafter referred to as "Provider") to backup Animal Control services for the Township of Montgomery from **December 8, 2010 through December 31, 2011**, as hereafter more particularly stated.

2. The contract so authorized shall require the Provider to provide backup animal control services and other related duties as cited in the uniform shared services agreement of December 2, 2010, which is attached hereto and incorporated herein as fully set forth, for a total contract amount not to exceed **\$15,600.00**.

3. Rendition of Invoices: Payment of fees will be made upon the submission of the Recipient to the Provider of invoices in duplicate in the form prescribed by the Provider. The Provider will invoice Montgomery for hours utilized in the previous quarter (on or about April 15, July 15, October 15, and January 15) of each year that this agreement is in effect. For example, the Provider will provide an invoice to Recipient on or about April 15 for the hours its Animal Control Officer provided service to Recipient for the months of January, February, and March. Recipient shall make payment to Provider within 30 days of the invoice date.

4. The form of contract shall include standard provisions common to uniform shared service agreements entered into by the Provider and shall be subject to approval by the Provider's Attorney, State of New Jersey and the State Department of Health and Senior Services.

5. The contract shall be entered into pursuant to N.J.S.A. 40A:65-1 et seq.

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

Councilwoman Trelstad moved to approve Resolution 2010-R330 and Council President Koontz seconded.

Council discussed liability issues (insurance) and the need for written indemnity when Borough employees serve other towns. Mr. Bruschi undertook to pursue the matter with Princeton Regional Health Commission Officer David Henry.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (13) — Resolution 2010-R331** as follows:

**RESOLUTION 2010-R331
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING RAFFLE LICENSE RA:336
TO SUSAN G. KOMEN BREAST CANCER FOUNDATION**

WHEREAS, the Susan G. Komen Breast Cancer FDN Central and South Jersey has submitted a raffle 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 December 7, 2010; and

WHEREAS, Susan G. Komen Breast Cancer FDN Central and South Jersey 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 raffle license RA: 336 for Susan G. Komen Breast Cancer FDN Central and South Jersey be approved; and

BE IT FURTHER RESOLVED that the Municipal Clerk will forward the Finding and Determinations for RA: 336 to the LGCCC in accordance with N.J.A.C. 13:47-4.1.

Council President Koontz moved to approve Resolution 2010-R331, Councilman Wilkes seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (14) — Resolution 2010-R332** as follows:

**RESOLUTION 2010-R332
OF THE MAYOR AND COUNCIL**

**OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED
BY COMMUNITY OPTIONS, INC.**

WHEREAS, Community Options Inc. wishes to announce to the community its third annual Cupids Chase 5K Run; and

WHEREAS, Community Options 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 Friday, February 4th 2011 through Friday, February 11, 2011 to inform the public of their efforts; 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.

Council President Koontz moved to approve Resolution 2010-R332; Councilman Martindell seconded. Councilman Wilkes recused himself and Borough Council approved five to zero, with one abstention.

Mayor Trotman read **Agenda Item K, New Business (15, 16, 17, and 19) — Resolutions 2010-R333, 2010-R334, 2010-R335, and 2010-R337** as follows:

**RESOLUTION 2010-R333
OF THE MAYOR AND COUNCIL OF
THE BOROUGH OF PRINCETON
SUPPORTING WOMANSPACE COMMUNITY OF LIGHT**

WHEREAS, it is the policy of Borough of Princeton to recognize organizations that have contributed to the overall benefit of the community; and

WHEREAS, Womanspace, founded in 1977, has demonstrated a unique ability to provide comfort, support services, crisis intervention and safety to women who are victims of sexual assault and domestic violence; and

WHEREAS, Womanspace, in the belief that “peace begins at home”, has asked the Mercer County Community to join them in their struggle against violence toward women by participating in their annual Communities of Light project; and

WHEREAS, Womanspace has provided emergency shelter in secure locations and comprehensive services for victims of domestic violence since 1977 and sexual assault since 2002, for more than 39,169 women, 5,383 children and 1,016 men. Womanspace has assisted more than 204,015 callers over the last 30 years; and

WHEREAS, the Borough of Princeton applauds the efforts of Womanspace to bring an end to the circle of abuse imposed on women; and

WHEREAS the proceeds from Communities of Light 2010 will be used to fund vital services for victims of domestic violence and sexual assault.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton urge that each and every household demonstrate their support of the concept that “peace begins at home” by placing luminaries along their driveways and sidewalks on Monday, December 1, 2010, as a visible symbol of that support.

**RESOLUTION 2010-R334
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
MAXMILIEN R. BRADLEY**

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

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

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

**RESOLUTION 2010-R335
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
PINCHAS R BALSAM**

WHEREAS, PINCHAS R. BALSAM has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the PRINCETON HOOK AND LADDER COMPANY

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

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

**RESOLUTION 2010-R337
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING TAX REFUNDS**

WHEREAS, Sandra Webb, Chief Financial Officer has forwarded a list of residents for a sewer refund from the Borough of Princeton for review and approval by the Mayor and Council as follows:

<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Owner</u>	<u>Property Location</u>	<u>Amount</u>
15.02	105		Housing Auth. of Prin. Boro.	50 Clay Street	\$3,504.08

*Adjustment to 2007 - 2009 Sewer Billing

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the tax refunds as presented.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the CFO, Tax Assessor and Tax Collector.

Council President Koontz moved to approve Resolutions 2010-R333, 2010-R334, 2010-R335, and 2010-R337. Councilwoman Trelstad seconded. Borough Council approved unanimously.

Councilman Martindell left the Council chamber at 10:18 P.M.

Mayor Trotman read **Agenda Item K, New Business (20) — Resolution 2010-R338** as follows:

**RESOLUTION 2010-R338
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING TRANSFERS IN ACCORDANCE WITH
N.J.S.A. 40A:4-58**

WHEREAS, there appears a surplus in the following accounts over and above the demand deemed to be necessary for the balance of the current year.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton, County of Mercer, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the surplus in the accounts heretofore mentioned be and are hereby transferred to the accounts mentioned as being insufficient to meet the current demands, and the Chief Financial Officer is hereby authorized to do so.

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

<u>Amount</u>	<u>Transfer From</u>	<u>Transfer To</u>
\$ 5,000	Salary & Wage Adjustment	Assessor – S&W
\$ 3,000	Salary & Wage Adjustment	Shade Tree – S&W
\$ 2,000	Salary & Wage Adjustment	Mechanics – S&W
\$10,000	Salary & Wage Adjustment	Legal Services & Costs – OE
\$45,000	Group Insurance	Legal Services & Costs – OE
\$25,000	Group Insurance	Fire – OE
\$ 8,000	Group Insurance	Fire Facilities – OE
\$10,000	Group Insurance	Gasoline – OE

Council President Koontz moved to approve Resolution 2010-R338 and Councilwoman Trelstad seconded. Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Crumiller, Goldfarb, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the motion passed.

Mayor Trotman read **Agenda Item K, New Business (21) — Resolution 2010-R339** as follows:

**RESOLUTION 2010-R339
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
CHAPTER 159- SPECIAL BUDGET ITEM**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Princeton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the sum of \$4,400.00 is now available as a miscellaneous revenue anticipated from “**State of New Jersey – Over the Limit Under Arrest**” and

SECTION 2.

BE IT FURTHER RESOLVED, that a like sum \$4,400.00 be and the same is hereby appropriated under the caption of “**State of New Jersey – Over the Limit Under Arrest**”

Councilman Goldfarb moved to approve Resolution 2010-R339, Council President Koontz seconded, and Borough Council approved five to zero.

Mayor Trotman read **Agenda Item L, Bill List for December 7, 2010 — Resolution 2010-R340** as follows:

**RESOLUTION 2010-R340
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE DECEMBER 7, 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)	3,908,426.78
RESERVE ACCOUNT (9-01)	27,579.46
PARKING UTILITY OPERATING FUND (10-05)	117,500.59
PARKING UTILITY OPERATING FUND (9-05)	
AFFORDABLE HOUSING OPERATING ACCT (10-24)	4,620.82
IMPROVEMENT ASSESSMENT (10-11)	
AFFORDABLE HOUSING OPERATING ACCT (9-24)	
CAPITAL ACCOUNT (C-04)	210,993.31
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	2,278.99
TRUST FUND (T-13)	464.63
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (10-22)	
MANUAL	74,645.70
ASSESSMENT TRUST FUND (10-11)	
GRANT (G-02)	37,330.00

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list DECEMBER 7, 2010 as presented.

Councilwoman Trelstad moved to approve Resolution 2010-R340, Councilman Wilkes seconded, and Council approved unanimously.

Ms. Cannon, as a board member for Womanspace, thanked Borough for its years of support of their efforts and causes.

Council President Koontz moved to adjourn. There being no further business, Mayor Trotman adjourned the open session meeting at 10:38 P.M.

Respectfully submitted,

**Andrea Lea Quinty
Borough Clerk**