

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
December 21, 2010
Regular Meeting
Closed Session 7:00 P.M.
Open Session 7:30 P.M.**

Present: Council President Andrew Koontz, Councilwoman Jenny Crumiller, Councilman David Goldfarb, Councilman Roger Martindell, Councilwoman Barbara Trelstad, Councilman Kevin Wilkes (*arrived 7:04 P.M.*), Mayor Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Attorney Maeve E. Cannon, Police Chief David J. Dudeck, 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 December 21, 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-R342**, as follows:

**RESOLUTION 2010-R342
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON DECEMBER 21, 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

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, Martindell, and Trelstad voted in the affirmative. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved.

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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 December 7, 2010.

Councilwoman Trelstad moved to approve the minutes of the open session of December 7, 2010, with a modification; Councilman Goldfarb seconded; 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.

Dr. Laura Kahan, Princeton Regional Health Commission, thanked Council President Koontz for six years' service on Borough Council and presented a certificate of appreciation to him. Council President Koontz expressed his surprise and gratification at the honor.

Mayor Trotman announced Council President Koontz's retirement from Council in conjunction with his election to the Board of Freeholders. Mayor Trotman noted Council President Koontz's service to the Borough prior to his actual elected position. Council President Koontz stated his intention to address the public at Council's reorganization session January 2, 2011.

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

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

**RESOLUTION 2010-R343
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 October 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 October 2010 Monthly police report prepared by the Borough Police Administration.

Chief Dudeck thanked Council President Koontz for his cooperation with the police department over the years. Chief Dudeck also thanked Mayor and Council, administration, and department

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staffs for making his first year as chief a smooth one and for helping him achieve all goals set for 2010.

Councilwoman Trelstad questioned the large number of alcohol-related incidents in October 2010. Chief Dudeck replied that the alcohol spike with resumption of school in September usually does extend into October.

Councilwoman Trelstad mentioned the increase in community policing. Chief Dudeck noted a habit of day workers lingering on-site after hours—resulting in extra patrols, each of which is catalogued a “police service.”

Councilman Wilkes announced that Public Safety will issue in January 2011 a new police report showing hours expended per task.

Chief Dudeck said he has met twice with Lawrence, Ewing, and Hopewell regarding sharing dispatch function. He said soon they will seek support—and funds—from the governing bodies.

Councilman Wilkes moved to accept the police report, Councilwoman Trelstad seconded, and Council accepted unanimously.

Mayor Trotman read by title **Agenda Item H, 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.

Mayor Trotman requested a status report on the pool project. Borough Administrator Robert W. Bruschi provided public debate history of Ordinance 2010-09, and commented that the ordinance will lapse if there is no action, or if there is not majority (four of six votes) approval, before year end. Mr. Bruschi’s best hope is building consensus in the community and on the Council to reinvigorate the pool during first quarter 2011. Mr. Bruschi stated that a public hearing for December 21 was advertised and, therefore, must be held.

Council President Koontz moved adoption of Ordinance 2010-09. There was no second. Mayor Trotman declared adoption failed.

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

Mike Finkelstein, representing the management committee of the recreation board, declared the pool to be an emotional issue and Council’s actions to be disingenuous. His group has diligently pursued every public and professional opportunity in order to present a shrewd, economical, and beautiful facility for operation during the next 40 to 50 years. They have felt delayed and distracted, with little or no input from community appointees. Mr. Finkelstein found Council’s

lack of communication and reluctance to pass Ordinance 2010-09 “extraordinarily objectionable.” Mr. Finkelstein feared losing the pool operationally or, at best, losing a season.

Mayor Trotman repeated that there will be no action today because there was no second to the motion for adoption. The pool funding will be reintroduced January 2011, with adoption possible after a mandatory waiting period.

Beth Harrison, 28 Cedar Lane, strongly supported a public pool for healthy family recreation and, especially, as a safe place where teenagers can gather.

Joanne Rogers of Princeton Township asked what will change in January to facilitate a vote of approval from Council.

Sue Nemeth, Township Committee and liaison to recreation board, commended the Recreation Board’s diligence and called Council’s *absence of action* “a vote in opposition to public recreation.”

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

Councilwoman Crumiller stated her commitment to groundbreaking in September 2011.

Councilman Goldfarb expressed regard for retiring Recreation Department Director John Roberts’s 40 years of service.

Councilman Goldfarb reminded of the difficult processes to design, fund, and achieve the new library and Spring Street Garage. He promised that all important considerations for the pool will have the same detailed attention.

Council President Koontz emphasized that Ordinance 2010-09 is *design neutral* and is solely intended to authorize Borough funding of \$2.05 million. He recognized the remarkable outreach of Township in permitting Borough to have future design and contract approval. Council President Koontz noted that authorization of funds is not actually *spending*. Council President Koontz challenged his colleagues on Council to adopt the pool bond.

Council President Koontz provided a slide show that demonstrated development of Harrison Street Park and Skate Park; pictures of recreational elements were included.

Councilman Wilkes pointed out factors blocking Ordinance 2010-09: Design, cost, and allocation of priority of expenditure. He expressed strong support by Council of the recreation board and its diligent efforts.

Councilwoman Trelstad mentioned the tough economic times, and stressed the onus of recent property revaluation on Princeton taxpayers. She thought more ideas should be examined in an effort to reduce total cost of the pool complex.

Council President Koontz warned that relying on recommendations from nonprofessionals—no warranty, no insurance input—puts our public in jeopardy.

Mayor Trotman closed the public discussion on Ordinance 2010-09.

Mayor Trotman read by title **Agenda Item H, Old Business (2) — Public Hearing and Adoption: 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 adopt Ordinance 2010-20; 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 **Agenda Item H, Old Business (3) — Resolution 2010-R336** as follows:

**RESOLUTION 2010-R336
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION
JUNIOR FIREFIGHTER MEMBERSHIP
SYED RAZA**

WHEREAS, SYED RAZA has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 28(a) through 28(d) as a Junior Firefighter of Princeton Hook and Ladder Fire Company; and

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

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

Councilwoman Trelstad moved to approve Resolution 2010-R336, Council President Koontz seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (1) — Resolution 2010-R344** as follows:

**RESOLUTION 2010-R344
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING THE EXECUTION OF THE FOLLOWING DOCUMENTS: (1) ESTOPPEL
UNDER FINANCIAL AGREEMENT; (2) ESTOPPEL UNDER GROUND LEASE, AND (3)
ESTOPPEL UNDER REDEVELOPMENT AGREEMENT**

WHEREAS, Nassau HKT Urban Renewal Associates, L.L.C. (“NHKT”) has been appointed redeveloper for the Park/Plaza redevelopment area in the Borough of Princeton; and

WHEREAS, NHKT is closing on financing with the Provident Bank and has requested that the Borough of Princeton execute an Estoppel Under Financial Agreement, Estoppel Under Ground Lease, and an Estoppel Under Redevelopment Agreement, in form and substance as set forth in **Attachment 1** hereto.

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

I. The Estoppel Under Financial Agreement, Estoppel Under Ground Lease, and the Estoppel Under Redevelopment Agreement, in form and substance as set forth in **Attachment 1** as the same may be modified as the Council of the Borough of Princeton and/or counsel to the Borough of Princeton may direct or require, be signed by the Mayor of the Borough of Princeton.

Councilman Goldfarb moved to approve Resolution 2010-R344 as presented here and Councilman Wilkes seconded.

Councilman Goldfarb addressed NHKT representatives in the audience indicating Council's hope and intent to resolve outstanding issues.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (2) — Resolution 2010-R345** as follows:

**RESOLUTION 2010-R345
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPOINTING BOROUGH OF PRINCETON MEMBERS
TO THE JOINT REVALUATION STUDY COMMISSION**

WHEREAS, in October of 2010 the Borough of Princeton and Township of Princeton approved resolutions deeming it advisable to appoint a revaluation study commission to study the real property tax burden created on residents affected by the 2010 evaluation; and

WHEREAS, Borough Resolution 2010-R288 hereby authorized the Borough of Princeton to appoint Borough members to a commission consisting of an equal number of Township and Borough residents selected by the two municipal governing bodies total number not more than ten or fewer than six; and

WHEREAS, the Study Commission shall also consist of one member of the Township governing body and one member of the Borough governing body who shall be designated as a non-voting liaison of their respective governing body to the Commission, with a second member designated as a non-voting alternate liaison; and

WHEREAS, the Study Commission shall also consist of each municipality's administrator or his designee who shall serve on the Commission ex officio as non-voting members; and

WHEREAS, the Tax Assessor for the Township and Borough of Princeton shall be available to the Commission.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the Borough of Princeton with the consent of the Borough Council does hereby appoint the following as Borough of Princeton representatives to the Joint Revaluation Consolidation Study Commission;

Victoria Airgood	Borough Citizen Representative
Stephanie Lewis	Borough Citizen Representative
Peter Marks	Borough Citizen Representative
Jenny Crumiller	Elected Official Liaison
Roger Martindell	Elected Official Liaison
Robert W. Bruschi	Administrator

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be sent to the Mayor and Committee of the Township of Princeton and the Borough and Township Tax Assessor.

Council President Koontz moved to approve Resolution 2010-R345, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman declared that **Agenda Item I, New Business (3) — Resolution 2010-R346** was pulled from the agenda.

Mayor Trotman read **Agenda Item I, New Business (4) — Resolution 2010-R347** as follows:

**RESOLUTION 2010-R347
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING UNIFORM SHARED SERVICES
PUBLIC HEALTH MUTUAL AID AGREEMENT
BETWEEN THE BOROUGH OF PRINCETON
AND MONTGOMERY TOWNSHIP FOR
EMERGENCY PUBLIC HEALTH ASSISTANCE AND RESPONSE**

This AGREEMENT, made the _____ of _____ 2010, between the Borough of Princeton, Montgomery Township and between their respective Boards of Health

WHEREAS, the parties and their respective Boards of Health desire to formalize a mutual aid agreement for public health services upon reciprocal terms and;

WHEREAS, public health services shall include, but are not limited to, those services, personnel and equipment defined under the Public Health Standards of Performance for Local Boards of Health in New Jersey.

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties agree as follows:

1. Each party agrees that upon receipt of an appropriate request for emergency public health assistance from the Health Officer of another party, the Health Officer of the other party shall provide such personnel and equipment as requested to the extent possible without endangering person or property within its respective municipality.

2. This emergency assistance of personnel and equipment shall be rendered without charge or expense to the municipality receiving the assistance. Each party hereby acknowledges that it shall be solely responsible for the provision of any and all wages, and benefits for its personnel, whether paid or volunteer, rendering assistance within the other municipality, and shall make no claim for reimbursement of damages, injuries or other expenses for aid rendered. The requesting municipality shall pay for any equipment or supplies that must be purchased specifically for rendering aid.

3. This agreement shall have an initial term of one year, and shall be automatically renewed for additional and successive one-year terms, unless or until one of the parties elects to terminate it by the adoption of a resolution and delivery of a copy of said resolution to the Clerk of the other municipality.

4. While on duty rendering assistance outside of their respective municipalities, to the extent permitted by law, personnel shall have the same powers, authority and immunities as that of the personnel of the municipality in which such assistance is being rendered.

5. This agreement shall become effective at such time as each municipality has adopted a resolution providing substantially the same terms and conditions as set forth in this agreement. The clerk of each municipality shall forward a copy of the municipal resolution authorizing the municipality to participate in the mutual aid agreement to all of the municipalities participating.

6. Each municipality represents that it has duly advised its insurance carrier of the terms and conditions of this agreement, and each municipality receiving assistance agrees to save, indemnify and hold harmless the other municipality, its agents, servants and employees, from any damages, injury or claims arising out of the assistance rendered by the other municipality, its agents, servants and employees, unless

such damage, injury or claims are the result of the gross negligence or intentional acts, errors or omissions of the municipality, its agents, servants and employees, providing the assistance.

7. The receiving participants shall file all necessary pursuant to N.J.S.A. 54:4-8.76 et seq. of the "Regional Efficiency Aid Program Act" so that shared services credit (naming the providing participant as the provider of this regional services agreement) can be obtained.

8. 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-R347 and Councilman Goldfarb seconded.

Councilman Goldfarb again requested attachment of written agreements for shared services when resolutions are submitted to Council.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (5) — Resolution 2010-R348** as follows:

**RESOLUTION 2010-R348
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING UNIFORM SHARED SERVICES
BETWEEN THE BOROUGH OF PRINCETON
AND THE CITY OF TRENTON
FOR SPANISH TRANSLATION VIA THE INTERNET**

This AGREEMENT, made the _____ of _____ 2010, between the Borough of Princeton and the City of Trenton.

WHEREAS, the Princeton Regional Health Department has determined that there is a need for Spanish translation services at the Vital Statistics counter and;

WHEREAS, the City of Trenton, Division of Vital Statistics is willing to provide Spanish translation services via the internet for a fee for service.

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties agree as follows:

1. The City of Trenton, Division of Vital Statistics agrees to provide Spanish translation services via the internet during the hours of 9:00 am thru 4:00 pm, Monday -Friday on an as needed basis.

2. This agreement shall have an initial term of one year, starting on January 1, 2011 – December 31, 2011 and shall be automatically renewed for additional and successive one-year terms, unless or until one of the parties elects to terminate it by the adoption of a resolution and delivery of a copy of said resolution to the Clerk of the other municipality.

3. The City will not be responsible for internet interruption, lost or slow signal frequency strength, lost or slow video signal.

4. This agreement shall become effective at such time as each municipality has adopted a resolution providing substantially the same terms and conditions as set forth in this agreement. The clerk of each municipality shall forward a copy of the municipal resolution authorizing the municipality to participate in shared service agreement.

5. Each municipality represents that it has duly advised its insurance carrier of the terms and conditions of this agreement, and each municipality receiving assistance agrees to save, indemnify and hold harmless the other municipality, its agents, servants and employees, from any damages, injury or claims

arising out of the assistance rendered by the other municipality, its agents, servants and employees, unless such damage, injury or claims are the result of the gross negligence or intentional acts, errors or omissions of the municipality, its agents, servants and employees, providing the assistance.

6. The receiving participants shall file all necessary pursuant to N.J.S.A. 54:4-8.76 et seq. of the "Regional Efficiency Aid Program Act" so that shared services credit (naming the providing participant as the provider of this regional services agreement) can be obtained.

7. The cost for this shared service shall be \$1.00 per minute for a maximum of \$400 per year. The City of Trenton shall bill the Borough of Princeton on a quarterly basis.

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

Councilman Wilkes moved to approve Resolution 2010-R348, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (6) — Resolution 2010-R349** as follows:

**RESOLUTION 2010-R349
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON**

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

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

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

The Mayor and Clerk are hereby authorized to enter into An amended contract for professional services with **Katherine Korwin, 25 Shara Lane, Pennington, NJ 08534** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **April 7, 2009 through December 31, 2009**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional **health** services for an additional contract amount not to exceed **\$577.50**.

Under this Agreement, Provider shall at all times act as an independent professional contractor and shall have no authority to act as an agent or representative of the Borough or to enter into any financial or other contractual commitment on behalf of the Borough without the prior written approval of same granted in accordance with law.

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

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

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

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

Council President Koontz moved to approve Resolution 2010-R349 and Councilwoman Trelstad seconded. Mr. Bruschi hoped to induce Ms. Korwin to submit invoices more promptly. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (7 and 8) — Resolution 2010-R350 and Resolution 2010-R351** as follows:

**RESOLUTION 2010-R350
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
AWARDING CONTRACT TO TOM WELLS ELECT. CONT., INC.
FOR ELECTRICAL SERVICES**

WHEREAS, the Borough of Princeton has determined the need for electrical services in connection with various projects at various locations within the Borough of Princeton; and

WHEREAS, the Borough has solicited bid proposals for same; and

WHEREAS, all bid proposals were opened on Thursday, December 2, 2010; and one bid was opened and read, and

WHEREAS, the bid results are summarized on the attached spreadsheet, and

WHEREAS, the bid was reviewed by the Borough Engineer and Borough Attorney, and found to be satisfactory, and

WHEREAS, it is therefore the recommendation of the Borough Engineer that the contract be awarded to Tom Wells Electrical Contractor, Inc., 479 Jefferson Road, Princeton, NJ, 08540 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 Tom Wells Electrical Contractor, Inc., 479 Jefferson Road, Princeton, NJ, 08540, from January 1, 2011 through December 31, 2011, for a lump sum contract not to exceed \$75,000, with electrician rates of \$85.00/hr straight time, \$160.00/hr overtime and electrician helper rates of \$11.00/hr straight time, \$55.00/hr overtime, with material markup of 40% and rental equipment markup of 40%, as set forth in the bid specifications.

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-R351
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING CONTRACT TO MAGIC TOUCH CONSTRUCTION
FOR PLUMBING SERVICES**

WHEREAS, the Borough of Princeton has determined the need for plumbing services in connection with various projects at various locations within the Borough of Princeton; and

WHEREAS, the Borough has solicited bid proposals for same; and

WHEREAS, all bid proposals were opened on Thursday, December 2, 2010; and two bids were opened and read, and

WHEREAS, the bid results are summarized on the attached spreadsheet, and

WHEREAS, the bids were reviewed by the Borough Engineer and Borough Attorney, and found to be satisfactory, and

WHEREAS, it is therefore the recommendation of the Borough Engineer that the contract be awarded to Magic Touch Construction, 59 West Front Street, Keyport NJ, 07735 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 Magic Touch Construction, 59 West Front Street, Keyport NJ, 07735, from January 1, 2011 through December 31, 2011, for a lump sum contract not to exceed \$50,000, with plumber rates of \$75.00/hr straight time, \$112.50/hr overtime and plumber helper rates of \$42.00/hr straight time, \$63.00/hr overtime, with material markup of 10% and rental equipment markup of 10%, as set forth in the bid specifications.

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 Wilkes moved to approve Resolution 2010-R350 and Resolution 2010-R351; Councilwoman Trelstad seconded.

Councilman Goldfarb wanted to find a way for Borough to solicit interest in bidding from local contractors. Council discussed prevailing contract rates.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (9–12) — Resolutions 2010-R352, 2010-R353, 2010-R354, and 2010-R355** as follows:

**RESOLUTION 2010-R352
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED
BY PRINCETON SENIOR RESOURCE CENTER FOR
BRUNCH AT HOME**

WHEREAS, Princeton Senior Resource Center wishes to announce to the community its third annual Brunch At Home fundraiser; and

WHEREAS, Princeton Senior Resource Center 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 Monday February 14, 2011 through Monday, February 21, 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.

**RESOLUTION 2010-R353
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED
BY PRINCETON PUBLIC LIBRARY
FOR PRINCETON ENVIRONMENTAL FILM FESTIVAL**

WHEREAS, Princeton Public Library wishes to announce to the community its fifth annual Princeton Environmental Film Festival; and

WHEREAS, Princeton Public Library has received approval of the Office of Community and State Affairs at Princeton University beginning Monday January 10, 2011 through Monday, January 17, 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.

**RESOLUTION 2010-R354
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
CHRISTIAN AURUP**

WHEREAS, CHRISTIAN AURUP 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

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-R355
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
TIMOTHY W. WEST**

WHEREAS, TIMOTHY W. WEST 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 #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.

Council President Koontz moved to approve Resolutions 2010-R352, 2010-R353, 2010-R354, and 2010-R355; Councilwoman Trelstad seconded; Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (13) — Resolution 2010-R356** as follows:

**RESOLUTION 2010-R356
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING THE CANCELLATION OF THE
AFFORDABLE HOUSING 2010 BUDGET APPROPRIATIONS**

WHEREAS, the Borough has various balances in budget accounts for the Affordable Housing 2010 Budget; and

WHEREAS, the Borough's Administration has reviewed the affordable housing budget reserves; and

WHEREAS, funds have already been spent and charged to the budget; and

WHEREAS, it is the recommendation of the Administration that the remaining balances of the Affordable Housing 2010 budget be cancelled at December 31st and held in the Affordable Housing Utility Operating Fund as reserves to be used in 2011

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to cancel the 2010 Budget appropriations in the Affordable Housing budget.

Council President Koontz moved to approve Resolution 2010-R356 and Councilwoman Trelstad seconded. 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 motion passed.

Mayor Trotman read **Agenda Item I, New Business (14 and 15) — Resolution 2010-R357 and Resolution 2010-R358** as follows:

**RESOLUTION 2010-R357
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 \$800,000.00 is now available as a miscellaneous revenue anticipated from **“Borough’s Affordable Housing Trust – Growth Share and Developer’s Escrow”** and

SECTION 2.

BE IT FURTHER RESOLVED, that a like sum \$800,000.00 be and the same is hereby appropriated under the caption of **“Borough’s Affordable Housing Trust – Growth Share and Developer’s Escrow”**

**RESOLUTION 2010-R358
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 \$700.00 is now available as a miscellaneous revenue anticipated from **“Princeton University – Board of Health Donation”** and

SECTION 2.

BE IT FURTHER RESOLVED, that a like sum \$700.00 be and the same is hereby appropriated under the caption of **“Princeton University – Board of Health Donation”**

Council President Koontz moved to approve Resolution 2010-R357 and Resolution 2010-R358, Councilman Martindell seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (16) — Resolution 2010-R359** as follows:

**RESOLUTION 2010-R359
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 tax 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>
14.01	1		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	91-133 Bayard Lane	\$295,852.80
19.01	1		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	1 Bayard Lane	\$74,701.27
42.01	1.01		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Springdale Master Lot	\$50,321.87
45.01	1		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Nassau Master Lot	\$44,008.00
45.01	1	C11	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Foulke Hall	\$1,688.60
45.01	1	C13	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Pyne Hall	\$244.00
45.01	1	C19	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	David Brown Hall	\$2,400.80
45.01	1	C27	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	1937 Hall	\$3,766.40
45.01	1	C30	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Dodge Osborne Hall	\$824.40
45.01	1	C37	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Whig Hall	\$30.00
45.01	1	C42	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Chanc. Grn/E. Pyne	\$8,825.20
45.01	1	C58	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Walker Hall	\$2,527.60
46.01	1		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Prospect Ave.	\$36,011.80

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46.01	13		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	58 Prospect Ave	\$28.40
46.01	1	C08	Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Charlton Street	\$3,276.44
47.01	1.01		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	William St.-Master Lot	\$11,282.70
48.01	2		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Olden St.- Master Lot	\$29,552.40
48.01	12		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	114 Prospect Ave	\$183.47
49.01	9		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Ivy Master Lot	\$15,929.60
49.01	13		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	5 Ivy Lane	\$34.00
50.01	9.04		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Western Master Lot	\$97,473.29
50.01	6		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	91-93 Prospect Street	\$226.40
42.01	1.05		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	College Rd. West	\$32,953.50
45.01	1.01		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Madison Halls	\$16,825.30
45.01	1.23		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Murray-Dodge Hall	\$1,004.80
45.01	1.53		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Laughlin Hall	\$26,870.00
49.01	1		Trustees of Princeton Univ. 22 Chambers St. suite 200A Princeton, NJ 08542	Campus Club	\$53,913.89
TOTAL TO BE REFUNDED					\$ 810,756.93

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

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

Councilman Martindell moved to approve Resolution 2010-R359 and Councilwoman Trelstad seconded.

Councilman Martindell questioned the validity of such a large tax refund to Princeton University. Councilman Goldfarb reported that Chief Finance Officer Sandra L. Webb had told him that \$600,000 represented double billing from a lot designation change. The remaining \$200,000 reflected a successful water conservation program.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, Bill List for December 21, 2010 — Resolution 2010-R360** as follows:

**RESOLUTION 2010-R360
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE DECEMBER 21, 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 as follows:

CURRENT ACCOUNT (10-01)	4,052,243.39
RESERVE ACCOUNT (9-01)	6,138.63
PARKING UTILITY OPERATING FUND (10-05)	612,037.55
PARKING UTILITY OPERATING FUND (9-05)	
ANIMAL CONTROL TRUST	2,035.90
AFFORDABLE HOUSING OPERATING ACCT (10-24)	898.76
IMPROVEMENT ASSESSMENT (10-11)	
AFFORDABLE HOUSING OPERATING ACCT (9-24)	
CAPITAL ACCOUNT (C-04)	471,497.54
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	975.00
TRUST FUND (T-13)	211,974.39
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (10-22)	
MANUAL	3,692,778.69
ASSESSMENT TRUST FUND (10-11)	
GRANT (G-02)	575.00

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list DECEMBER 21, 2010 as presented.

Council President Koontz moved to approve Resolution 2010-R360 and Councilwoman Trelstad seconded.

Mr. Bruschi agreed to confirm with Ms. Webb that repetitive payments to the armored car service are for reloading our canisters with cash.

Council approved five to one, with Councilman Goldfarb in opposition to payment to Reed Gusciora.

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Council President Koontz moved to adjourn. There being no further business, Mayor Trotman adjourned the open session meeting at 9:07 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk