

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
February 22, 2011
Regular Meeting
Closed Session 6:30 P.M.
Open Session 7:30 P.M.**

Present: Council President Kevin Wilkes, Councilwoman Jo Butler,
Councilwoman Jenny Crumiller, Councilman David Goldfarb,
Councilman Roger Martindell, Councilwoman Barbara Trelstad, Mayor
Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Police Chief David J. Dudeck,
Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 6:30 P.M. and read the open public meetings statement as follows:

“This meeting is called to order pursuant to the provisions of the Open Public Meetings Law. This meeting of February 22, 2011, 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 2011-R56**, as follows:

**RESOLUTION 2011-R56
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON FEBRUARY 22, 2011**

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 — Princeton University
2. Personnel

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.

February 22, 2011

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

Borough Council recessed into closed session.

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

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

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

Presented for approval were the minutes of the open session of January 25, 2011.

Councilwoman Trelstad moved to approve, with an addition, the minutes of the open session of January 25, 2011; Council President Wilkes 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.

Councilwoman Butler, Council liaison with the Health Department, reported that 500 seniors received seasonal flu vaccines this year. She warned that participants may receive notification of a charge of \$35.34. Suzanne Patterson Center was disqualified by Medicare because they only hold a clinic once a year; reapplication is in process and approval should resolve the issue of a fee. Councilwoman Butler referred concerned citizens to Princeton Regional Health Commission Officer David Henry at 497-7608.

Councilwoman Crumiller recommended posting facts about the flu charge on Borough's Web site.

Councilman Martindell followed up with Borough Administrator Robert Bruschi about a tickler file. Mr. Bruschi undertook to assign the tickler to a future agenda.

Councilman Martindell followed up with Mr. Bruschi about costs associated with the Riley matter. Mr. Bruschi thought final salary numbers would be available from the attorney in two days.

Councilman Martindell asked Mayor Trotman if Council might meet in "workshop" style from time to time to discuss long-range issues that are substantial and complex (negotiations with NHKT, Township/North Ridge, and so forth). Mayor Trotman approved the idea and said she would plan her agendas around a prioritized list of such topics. Mayor Trotman stressed such meetings, while open, would be without public participation or comment, a focused council work session.

Mayor Trotman announced Councilman Goldfarb's eligibility for elected officers' hall of fame after 20 years of service on Princeton Borough Council.

Chip Crider, 22 Bank Street, referred to his letter to Council proposing a long-range transportation study. Mayor Trotman stated that items not on the agenda cannot be debated with Council. She offered to schedule Mr. Crider for an upcoming meeting.

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

Mayor Trotman read **Agenda Item G, Correspondence (1) — Spirit of Princeton Annual Events – Raymond Wadsworth.**

Mr. Wadsworth read the list of events for 2011. Mr. Wadsworth pointed out that Borough fireworks and Memorial Day parade (permit fee waived by Council) are completely covered by donations; no cost at all to taxpayers.

Councilman Goldfarb thanked Spirit of Princeton and moved to approve all the events and to waive the parade fee. Council President Wilkes seconded. Council accepted unanimously.

Mr. Wadsworth was grateful for Council's support and the assistance of Public Works and Borough Clerk Andrea Lea Quinty every year.

Councilwoman Trelstad moved to permit street closings for the St. Paul's Church Stations of the Cross on April 22 and Councilman Martindell seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item G, Correspondence (2) — Palmer Square Management Annual Events – Anita Fresolone, Director of Marketing.**

Ms. Fresolone introduced the Palmer Square event schedule, noting some additions. Councilman Goldfarb thanked Palmer Square and moved to approve all events. Councilwoman Butler seconded. Council approved unanimously.

Councilman Goldfarb observed that everyone, especially the townwide merchant community, benefits from Palmer Square events.

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

**RESOLUTION 2011-R57
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 December 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 December 2010 Monthly police report prepared by the Borough Police Administration.

Chief Dudeck reported that police accreditation is progressing smoothly.

Chief Dudeck announced that both Borough and Township police departments are meeting with the consolidation group with positive discussions to date.

Councilwoman Butler asked about consolidation meetings among Mercer County chiefs, as reported in the press. Chief Dudeck denied any such talks.

Council President Wilkes disclosed Public Safety's approval of the final draft of the schedule of officers' time spent per task. The police report for January 2011 will contain the time report.

Councilman Goldfarb mentioned two more near-death episodes from excessive drinking by young people.

Councilman Martindell asked the rationale for spending money and energy to accredit the police since the department of today may not exist next year. Chief Dudeck replied that policies need to be updated to be sure to be handling everything properly. Chief Dudeck opposed "arrested development"—that is, standing still until 2013 or 2014 when consolidation *may* occur. He mentioned Council's enthusiasm for accreditation at the time \$35,000 was approved. (Mr. Bruschi noted that Borough will earn \$20,000 per year from its public liability carrier with an accredited police department.)

Noting that Township is pursuing accreditation, Mr. Bruschi said integration of the two departments will be facilitated by standardization of policies and procedures.

Councilman Martindell and Councilwoman Trelstad questioned the status of the police fleet. Chief Dudeck replied that obtaining three vehicles per year was the practice until 2009 and 2010 when the department fell behind by four vehicles. Chief Dudeck thought cars purchased in 2011 (two requested) would be serviceable for a consolidated department. (Some painting might be required.) Chief Dudeck promised to provide a fleet inventory with mileage.

Councilman Martindell asked for an alarm ordinance to generate revenue. Mr. Bruschi answered that Fire Official William Drake has a first-quarter deadline to accomplish the ordinance. Council President Wilkes acknowledged that he and Mr. Drake are pursuing the project.

Councilman Martindell profiled the Princeton University (PU) police unit and wondered why Borough police are involved in PU drug cases. Chief Dudeck said Borough gets involved when there are first aid calls.

Councilman Martindell asked about consolidation of dispatch. Chief Dudeck replied that it is going well, with mayors to meet soon.

In anticipation of a consolidated force, Councilwoman Butler suggested coordinating upgrade of the fleet with Township.

Councilwoman Trelstad asked for details of community policing. Chief Dudeck said the increased activity represents police saturation on Witherspoon Street.

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

Mayor Trotman read by title **Agenda Item I, New Business (1) — Public Hearing and Adoption: Ordinance 2011-01** 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 presented a history to date of activity on Ordinance 2011-01. Mayor Trotman invited members of the Joint Recreation Board (JRB) to speak to Council.

Ben Stentz, Executive Director, addressed pool fees. Mr. Stentz said JRB’s mission has always been affordability for everyone: He enumerated the many partnerships and subsidies that accommodate needy users. Mr. Stentz noted that factors in a fee table are affordability plus sufficient revenues to pay the bills, pay off the debt, and plan for future renovations and maintenance. He said the best ambassadors for assistance are the social workers and the schools.

Deanna Stockton, Assistant Township Engineer, provided new (1) building plan, (2) site plan, and (3) building rendering—for comparison with building and site plans as of October 2010.

Ms. Stockton listed some areas of compromise that have been modified:

- Rectilinear decking—all except wading pool and family bay
- Pavilion-style meeting room
- Changing rooms at 1900 square feet, with two entrances and outdoor lockers
- More green landscaping
- Smaller concession area.

Previous ideas that were accomplished:

- Slide at west side of diving pool (to accommodate competitions)
- Depth of diving well from six to five feet (for basketball and volleyball, as well as water polo)
- Walls no longer curved
- Filtration in administration building
- Deleted internal trellises.

Ms. Stockton summarized the features:

Pool

- Wading pool (fish shape with permanent shade structure)

- Family bay with zero-depth entry and stairs to main pool (now closer to 3½' area)
- Main pool (more for recreation than competition) at 5' maximum depth
- New shade structure
- Surge tank.

Building

- 2,000 fewer square feet
- Open ceilings on changing rooms (with some private facilities for women)
- More form and functionality in administration space—guards have access to manager, first aid, tickets
- Flat roof
- Better ventilation from a clerestory.

Ms. Stockton proclaimed a preliminary cost savings of \$300,000 based on these changes, at a total cost of \$5.7 to \$5.8 million. She anticipated the bid market in May 2011 to be competitive.

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

Ellen Randall, 56 Crooked Tree Lane in the Township, appreciated the open-air aspects of the building plan. Speaking as a taxpayer, Ms. Randall insisted on 40-year life for pools to go with the beautiful new buildings.

Ms. Stockton clarified that life expectancy for pool *and* materials (all three options to be bid) has been determined to be 40 years plus.

Ann Yasuhara, 66 Pine Street, representing Not in Our Town, cited letters to Council and the press. Not in Our Town is committed to community in the fullest sense of integrating all segments; that is, places where everyone can go and be comfortable like Communiversity, the public library, and the pool.

Yina Moore liked the terminology “installation of a new pool.”

Dana Hughes of Plainsboro spoke in support of the pool, which she had enjoyed as a 30-year resident of Princeton.

Henry Singer, Laurel Circle in the Township, encouraged Council to vote for approval with no more delays.

Mayor Trotman closed the public hearing.

Councilman Martindell moved to adopt Ordinance 2011-01; Councilwoman Crumiller seconded.

Councilman Goldfarb stated “better is the enemy of good enough.” He thought the project is now good enough and it is time to proceed.

Councilman Martindell mentioned the improvements to design and cost. Councilman Martindell observed that the debt incurred has been proved to be sustainable through debt service management. He sought JRB's view on financial oversight of pool funding—fees and sinking fund—forward for 40 years. Councilman Martindell stressed *accountability* among Recreation and the governing bodies.

Mr. Stentz volunteered his staff's participation in a mutually agreeable (with both governments) system to achieve goals laid out by the finance committees.

Councilman Goldfarb clarified that JRB would prepare a revolving fund budget for review by the governing bodies; any surplus generated by year end would be spent only with concurrence from both Borough and Township.

Mr. Bruschi suggested creation of a pool utility—outside the overall budget—that mirrors the parking utility already in place in the Borough.

Councilwoman Trelstad thought a pool utility was extremely important.

Council President Wilkes (as an architect, a self-styled expert) said the design is significantly improved. He commended all participants for working on “community-based planning,” where friction is to be expected.

Councilwoman Butler warned the governing bodies (in particular, finance committees) not to pose further impediments after adoption of Ordinance 2011-01.

Councilman Goldfarb stated that a New Jersey-regulated utility is not possible because the pool will never be able to pay back all borrowing.

Mayor Trotman thanked JRB and all contributors for diligence.

Seeing no one further, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Wilkes, Butler, Crumiller, Goldfarb, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read **Agenda Item I, New Business (2) — Resolution 2011-R58** as follows:

**RESOLUTION 2011-R58
APPROVING THE ESTABLISHMENT OF THE
ALEXANDER CORRIDOR/ARTS AND TRANSIT JOINT TASK FORCE**

WHEREAS, Princeton University is proposing a large scale project that will provide for the redevelopment of portions of the Borough and the Township and;

WHEREAS, this project will have significant impacts on traffic, parking, pedestrian and bicycle circulation systems, public/private mass transportation as well as opportunities to shape the future of the Princeton's and; WHEREAS many of these issues and opportunities transcend the borders of both the Borough and the Township and;

WHEREAS, both the Borough Council and the Township Committee are desirous of working together to review both the impacts and the opportunities of the proposed improvements to the area that will be realized as a result of the project and;

WHEREAS, to initiate this review process the Borough Council and the Township Committee will appoint a joint task force consisting of two members of each governing body and one staff representative of each municipality to form a committee in which to meet with officials from Princeton University; and WHEREAS, the appointed task force will report their findings to the public at a meeting of the governing bodies not less than 10 days prior to the scheduled public hearing on an introduced zoning ordinance on the Alexander Corridor/Art Transit Neighborhood;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of The Borough of Princeton and through a separate but corresponding action of the Township Committee of the Township of Princeton:

1. *An Alexander Corridor/Arts and Transit Joint Task Force* is hereby established to complete the following tasks:

- A. In conjunction with each other and Princeton University review the proposed plan for the Arts & Transit project and to evaluate the community benefits from such a project
- B. In conjunction with each other and the University to review the proposed project and evaluate the opportunities and impacts that the project will have on the two communities in all areas that impact the two communities including but not necessarily limited to parking, pedestrian, bicycle, vehicle and public/private mass transit within the Borough and Township;
- C. To report to both governing bodies the results of this review and provide recommendations that might influence the ultimate zoning or other planning instruments within each town to the extent possible that each could improve the ultimate project and enhance positive impact on the communities.
- D. To assure transparency and to provide the community and the governing body of their progress, periodic reports should be provided to each of the governing bodies. These reports should be presented at an open public meeting of the governing body.
- E. The Borough of Princeton representatives on the Task force shall consist of two members of the governing body; Council President Kevin Wilkes and Councilman Roger Martindell, as well as Administrator Robert Bruschi who will serve as the staff representative.

Councilman Goldfarb recused himself.

Mr. Bruschi highlighted changes from the draft version distributed earlier.

Council President Wilkes moved to approve Resolution 2011-R58 and Councilwoman Trelstad seconded.

Councilman Martindell suggested a further amendment to the phrasing of Resolution 2011-R58. Mover and seconder agreed to the change.

Councilwoman Butler recounted her meeting with Robert Durkee of PU. She wanted to delineate separately costs and benefits for Borough, Township, and joint.

Mr. Bruschi endorsed a public staff-and-Council session identifying the impacts and opportunities of any arts and transit neighborhood project.

Councilman Martindell, as task force member, intended to outline pros and cons for Council consideration.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (3) — Resolution 2011-R59** as follows:

**RESOLUTION 2011-R59
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON**

**AUTHORIZING THE AMENDMENT
OF A NON-FAIR AND OPEN CONTRACT
FOR PROFESSIONAL SERVICES
TO VAN CLEEF ENGINEERING ASSOCIATES
FOR INSPECTION OF SANITARY SEWER REHABILITATION PROJECTS**

WHEREAS, the Borough wishes to amend a certain professional services agreement with Van Cleef Engineering Associates, to provide additional engineering services in connection with certain activities being conducted by the Borough, as hereafter more particularly stated.

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

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

The Mayor and Clerk are hereby authorized to enter into an addendum to a contract for professional services with Van Cleef Engineering Associates (hereinafter referred to as "Provider") said contract being dated January 12, 2010, and previously amended on July 13, 2010.

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

With respect to the to Municipal Sanitary Sewer Rehabilitation Projects, Provider will provide inspection of such construction projects administered directly by the Princeton Sewer Operating Committee or by Princeton Borough or Princeton Township as part of a roadway reconstruction project.

2. The Borough shall pay the Provider the following additional compensation: An amount not to exceed \$65,584.00.

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

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

Mr. Bruschi explained that Resolution 2011-R59 incorporates incomplete projects from 2010.

Councilman Martindell moved to approve Resolution 2011-R59, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, New Business (4 and 5) — Resolution 2011-R60 and Resolution 2011-R61** as follows:

**RESOLUTION 2011-R60
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
MARK LENARSKI**

WHEREAS, MARK LENARSKI has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the MERCER ENGINE COMPANY #3

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 2011-R61
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
DAVID BOLAND**

WHEREAS, DAVID BOLAND has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the MERCER ENGINE COMPANY #3

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 2011-R60 and Resolution 2011-R61, Council President Wilkes seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, Bill List for February 22, 2011 — Resolution 2011-R62** as follows:

**RESOLUTION 2011-R62
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE FEBRUARY 22, 2011 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 (11-01)	365,474.36
RESERVE ACCOUNT (10-01)	106,310.60
PARKING UTILITY OPERATING FUND (11-05)	18,844.33
PARKING UTILITY OPERATING FUND (10-05)	2,921.46
AFFORDABLE HOUSING OPERATING ACCT (11-24)	1,939.57
AFFORDABLE HOUSING OPERATING ACCT (10-24)	
IMPROVEMENT ASSESSMENT (11-11)	
CAPITAL ACCOUNT (C-04)	38,401.44
PARKING UTILITY CAPITAL FUND (P-06)	6,816.26
ESCROW (E-30)	2,767.50
TRUST FUND (T-13)	66,532.87
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (11-22)	
MANUAL	808,177.12
ASSESSMENT TRUST FUND (11-11)	
GRANT (G-02)	

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list FEBRUARY 22, 2011 as presented.

Councilman Martindell moved to approve Resolution 2011-R62, Councilwoman Trelstad seconded, and Council approved unanimously.

Council President Wilkes moved to adjourn; Councilman Martindell seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 9:40 P.M.

Respectfully submitted,
Andrea Lea Quinty, Borough Clerk