

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

Present: Council President Kevin Wilkes, Councilwoman Jo Butler (*arrived 6:35 P.M.*), Councilwoman Jenny Crumiller, Councilman David Goldfarb, Councilman Roger Martindell, Councilwoman Barbara Trelstad, Mayor Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Engineer John M. West, Borough Attorney Maeve E. Cannon, Land Use Development Official Derek Bridger, Planning Board Director Lee O. Solow, Deputy Borough Clerk Delores A. Williams

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 December 6, 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-R289**, as follows:

**RESOLUTION 2011-R289
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON DECEMBER 6, 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 — NHKT
2. Professional appointments

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.

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Councilman Martindell moved to approve; Councilwoman Trelstad seconded. Council members Wilkes, 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 7:40 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 joint meeting on September 27, 2011.

Councilwoman Trelstad moved to approve the minutes of the open session of the joint meeting on September 27, 2011, Councilman Goldfarb seconded, and Council approved unanimously with a wording change.

Mayor Trotman read **Agenda Item F, Public Presentation**, and asked if anyone present wished to address Council with an issue not on the agenda.

Anne Neumann, Borough, asked the amount of the Princeton University (PU) PILOT and stage in negotiations. Mayor Trotman answered that negotiations are ongoing, with a session held today and another scheduled for next week.

Borough Administrator Robert Bruschi announced that the transit zone ordinance was turned over to Regional Planning Board (RPB) two days after approval by Council. He predicted no further action during 2011. He added that the public hearing for the SID ordinance will be conducted on December 20, 2011.

Councilwoman Crumiller asked her colleagues on Council if they considered introduction of Ordinance 2011-28, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17A OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974 TO CREATE A NEW ZONE DISTRICT TO BE KNOWN AS RAIL TRANSIT ZONE, on November 29th a “symbolic gesture.” Councilwoman Butler thought the extended discussion on November 29th was a waste of time.

Mayor Trotman declined any talk on E5 or any other district.

Linda Fahmie, representing the Carnevale family, requested the presentation by owners in the SB zone on East Nassau Street to be held December 20, 2011. Mayor Trotman could not promise available time on December 20. Councilman Goldfarb wanted the SB owners to be heard at the earliest opportunity.

Mayor and Council held a lengthy discussion about upcoming agenda scheduling.

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

Mayor Trotman read by title **Agenda Item G, Old Business (1) — Public Hearing and Adoption: Ordinance 2011-26, BOND ORDINANCE PROVIDING FOR THE STABILIZATION OF THE STONY BROOK SEWER MAIN IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

Council President Wilkes moved to adopt Ordinance 2011-26; Councilman Goldfarb seconded.

Borough Engineer John West explained that this appropriation is to stabilize pipe support damaged in hurricane Irene.

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. Deputy 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 by title **Agenda Item G, Old Business (2) — Public Hearing and Adoption: Ordinance 2011-25, BOND ORDINANCE OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$340,000 FOR THE FUNDING OF THE BOROUGH'S SHARE OF THE ADDITIONAL COSTS FOR THE INSTALLATION OF A NEW POOL AND AUTHORIZING THE ISSUANCE OF \$323,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.**

Councilwoman Trelstad moved to adopt Ordinance 2011-25; Councilwoman Butler seconded.

Mr. Bruschi reported that pool project is advancing ahead of schedule and within budget.

Councilman Goldfarb asked about fundraising. Mr. Bruschi mentioned some commitments; he could offer no details. Former Mayor Marvin Reed stated that several “naming” gifts have been received—the family pool alone at \$900,000. Ben Stentz corrected that the single gift was for \$100,000. Mr. Stentz supplied other details about pool project. There have been no unanticipated events during construction.

Deanna Stockton, Township Project Engineer, stated that existing concrete pool walls are in good condition for receiving Myrtha panels. She said no additional bonding should be required. Ms. Stockton estimated that the project is about 30% complete and offered particulars.

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. Deputy 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 H, New Business (1) — Resolution 2011-R290** as follows:

**RESOLUTION 2011-R290
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING CONTRACT TO TRIAD SECURITY SYSTEMS
FOR SECURITY CAMERAS**

WHEREAS, the Borough of Princeton has determined the need for security cameras at the Spring Street Garage, PSOC Facility on River Road and at Hines Plaza; and

WHEREAS, the Borough has solicited bid proposals for same which were publicly opened on November 18, 2011; and

WHEREAS, the Borough received the following bids:

Triad Security Systems
Base bid \$16,705.00

Integrated Systems & Services
Base bid \$17,785.00

Touchcom
Base bid \$17,953.70

Main Access Systems
Base bid \$18,070.00

Siemens Industry, Inc.
Base bid \$18,862.59

Complete Security Systems
Base bid \$19,871.14

Integrated Micro Systems
Base bid \$20,255.00

WHEREAS, the Borough Engineer has reviewed the bids and determined that the bid submitted by Triad Security Systems, 971 Lehigh Avenue, Union, NJ 07083 is a responsible bid and is within the Engineer's Estimate for this project, 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 as follows:

Authorize the award of security cameras to Triad Security Systems, 971 Lehigh Avenue, Union, NJ in the amount of \$16,705.00 as set forth in the bid specifications; and

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 2011-R290; Councilman Martindell seconded.

Councilman Goldfarb asked if the cameras reveal live images for broadcast to dispatchers at Borough Hall. Mr. West stated Resolution 2011-290 is for purchase of hardware only; the final array is yet to be determined. Mr. Bruschi clarified that present garage cameras are in-house security looping every 48 hours.

Council President Wilkes asked if public space at Hines Plaza will be covered. Mr. West thought so.

Hearing no further discussion, Mayor Trotman called for a vote. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item H, New Business (2–9) — Resolutions 2011-R291, 2011-R292, 2011-R293, 2011-R294, 2011-R295, 2011-R296, 2011-R297, and 2011-R298** as follows:

**RESOLUTION 2011-R291
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
AWARDING CONTRACT TO ABLE MECHANICAL INC.
FOR HVAC PREVENTIVE MAINTENANCE**

WHEREAS, the Borough of Princeton has determined the need for construction services in connection with a project known as HVAC Preventive Maintenance Various Locations within the Borough of Princeton; and

WHEREAS, the Borough has solicited bid proposals for same for the remainder of 2011 and 2012; and

WHEREAS, all bid proposals were opened on Wednesday, March 1, 2011; and seven bids were opened and read, and

WHEREAS, the bid was awarded to Able Mechanical Inc., 94 Railroad Avenue, PO Box 69, Belford NJ, 07718, for a period of nine months beginning April 1, 2011 and ending December 31, 2011, and

WHEREAS, the Borough Engineer recommends awarding the second year of the contract to Able Mechanical Inc., 94 Railroad Avenue, PO Box 69, Belford NJ, 07718; 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 the contract be extended for the period January 1, 2012 through December 31, 2012 to Able Mechanical Inc., 94 Railroad Avenue, PO Box 69, Belford NJ, 07718, for a lump sum contract price in the amount of \$17,715.52, along with emergency hourly rates of \$94.00 straight time, \$141.00 overtime and \$188.00 Sunday/Holiday time, 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 2011-R292
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
REJECTING BIDS FOR
THE CONTRACT KNOWN AS
“PLACEMENT AND REMOVAL OF
SOLID WASTE DUMPSTERS – BEGINNING JANUARY 2012”**

WHEREAS, the Princeton Sewer Operating Committee has solicited bid proposals for the 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, 2012 and ending December 31, 2012 and bid proposals were publically opened and read on November 22, 2011; and

WHEREAS, pursuant to N.J.S.A. 40A:13.2(d), the Borough seeks to substantially revise the specifications for the services; and,

WHEREAS, the Borough Council desires to approve the rejection of all bids pursuant to N.J.S.A. 40A:11-13.2 and authorize a re-bid of the placement and removal of solid waste dumpsters pursuant to the revised specifications.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton that the Borough hereby rejects all bids for the 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, 2012 and ending December 31, 2012 for the reasons cited above.

**RESOLUTION 2011-R293
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
RESCINDING RESOLUTION 2011-R288
(AWARDING A CONTRACT FOR THE EMERGENCY STABILIZATION OF SECTIONS
OF THE 12" DIAMETER SANITARY SEWER ALONG THE STONY BROOK)**

WHEREAS, the Mayor and Council of the Borough of Princeton adopted Resolution 2011-R288 on November 22, 2011 awarding an emergency repair contract to Castoro & Company, Inc., Hopewell, New Jersey; and

WHEREAS, the Princeton Sewer Operating Committee (PSOC) upon receipt of information required to complete the award of the contract and the execution of a contract determined that certain documentation was not valid; and

WHEREAS, Robert A. Hough, P.E., Manager / Engineer of the PSOC has reviewed this matter with Maeve E. Cannon, Esq., Borough Attorney and they have determined and recommend that the award of the contract made under Resolution 2011-R288 must be rescinded.

NOW, THEREFORE, BE IT RESOLVED by the Princeton Borough Mayor and Council that Resolution 2011-R288 which awarded an emergency construction services contract for the stabilization of sections of the 12" diameter sanitary sewer along the Stony Brook to Castoro & Company, Inc, Hopewell, New Jersey for a total not to exceed \$269,500.00 is hereby rescinded.

**RESOLUTION 2011-R294
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING THE CONTRACT KNOWN AS
THE EMERGENCY STABILIZATION
OF SECTIONS OF THE 12" DIAMETER SANITARY SEWER
ALONG THE STONY BROOK
TO INTEGRATED CONSTRUCTION & UTILITIES OF NJ**

WHEREAS, the Princeton Sewer Operating Committee (PSOC) operates and maintains a 12" diameter sanitary sewer along the Stony Brook (between Puritan Court / Wendover Drive and the Stony Brook; and

WHEREAS, the PSOC staff has observed that sections of the 12" diameter sanitary sewer has been exposed and undermined along the brook due to Hurricane Irene in August 2011; 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 these sections of 12" diameter sanitary sewer be stabilized; and

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

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 proposals for the stabilization of these sections of 12" diameter sanitary sewer; and

WHEREAS, Integrated Construction & Utilities of NJ, Edison, New Jersey submitted a responsive proposal to stabilize these sections of 12” diameter sanitary sewer in the amount of \$248,750.00; and

WHEREAS, an emergency appropriation and Bond Ordinance in the amount of \$300,000.00 has been authorized; and

NOW, THEREFORE, BE IT RESOLVED by the Princeton Borough Mayor and Council that an emergency construction services contract for the stabilization of sections of the 12” diameter sanitary sewer along the Stony Brook be awarded to Integrated Construction & Utilities of NJ, Edison, New Jersey for a total not to exceed \$248,750.00 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 NJ, Edison, New Jersey.

**RESOLUTION 2011-R295
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING RAFFLE LICENSE RA:345
TO SUSAN G. KOMEN BREAST CANCER FOUNDATION**

WHEREAS, SUSAN G. KOMEN BREAST CANCER FOUNDATION 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 November 29, 2011; and

WHEREAS, Susan G. Komen Breast Cancer Foundation, in 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: 345 for Susan G. Komen Breast Cancer Foundation approved; and

BE IT FURTHER RESOLVED that the Municipal Clerk will forward the Finding and Determinations for RA: 345 to the LGCCC in accordance with N.J.A.C. 13:47-4.1.

**RESOLUTION 2011-R296
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
SUPPORTING THE *DRIVE SOBER OR GET PULLED OVER*
2011 YEAR END STATEWIDE CRACKDOWN**

WHEREAS, impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 30% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Statewide Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 5, 2011 through January 2, 2012; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFOR, be is resolved that Mayor and Council of the Borough of Princeton declares it's support for the *Drive Sober or Get Pulled Over 2011 Year End Statewide Crackdown* from December 5, 2011 through January 2, 2012 and pledges to increase awareness of the dangers of drinking and driving

**RESOLUTION 2011-R297
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>
5.01	25		Price, P Schaefer & Amy J	186 Library Place Princeton, NJ 08540	\$11,757.95
32.11	21		Dampier, Mary J	60 Harriet Drive Princeton, NJ 08540	\$2,715.09

TOTAL REFUNDS:

\$14,473.04

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.

**RESOLUTION 2011-R298
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 Resolutions 2011-R291, 2011-R292, 2011-R293, 2011-R294, 2011-R295, 2011-R296, 2011-R297, and 2011-R298; Councilman Martindell seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, Bill List for December 6, 2011 — Resolution 2011-R299** as follows:

**RESOLUTION 2011-R299
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE DECEMBER 6, 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)	1,953,004.77
RESERVE ACCOUNT (10-01)	299.00
PARKING UTILITY OPERATING FUND (11-05)	17,933.00
PARKING UTILITY OPERATING FUND (10-05)	
AFFORDABLE HOUSING OPERATING ACCT (11-24)	
AFFORDABLE HOUSING OPERATING ACCT (10-24)	
IMPROVEMENT ASSESSMENT (11-11)	
ANIMAL CONTROL TRUST (A-14)	
CAPITAL ACCOUNT (C-04)	36,741.06
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	1,046.25
TRUST FUND (T-13)	240.00
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (11-22)	
MANUAL	234,687.03
ASSESSMENT TRUST FUND (11-11)	
GRANT (G-02)	2,138.38

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

Councilwoman Trelstad moved to approve Resolution 2011-R299, Councilman Martindell seconded, and Council approved unanimously.

At 8:20 P.M., Councilman Goldfarb recused himself from the remainder of the meeting.

Mayor Trotman read by title **Agenda Item G, Old Business (3) — Public Hearing and Adoption: Ordinance 2011-24, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17A OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974 TO CREATE A NEW ZONE DISTRICT TO BE KNOWN AS ARTS, EDUCATION AND TRANSIT (E5) ZONE.**

Council President Wilkes moved to adopt Ordinance 2011-24; Councilwoman Trelstad seconded.

Mayor Trotman asked Council President Wilkes to provide a historical overview of Ordinance 2011-24, to be followed by remarks from Princeton University Vice President Bob Durkee and questions from Council members.

Council President Wilkes reported that in July 2006 Princeton University held an open house for residents of University Place and Alexander Road to describe new buildings in the neighborhood. During 2007/08 Princeton University held a series of outreach meetings for the public. Council members, Borough staff, and Princeton University representatives convened

throughout 2008, 2009, and 2010 to talk over planning and the future of transit (a central issue to the arts complex development).

Princeton University made its formal presentation to Borough and Township on January 31, 2011. During March 2011 the governing bodies joined together, which resulted in a Memorandum of Understanding (MOU) and historical research of the area by Borough (with advice from special counsel) that included issues of ownership, traffic, pedestrians, planning, and so forth.

Mr. Durkee spoke of four long meetings with the Regional Planning Board (RPB) reviewing Borough and Township ordinances. He pointed out that Ordinance 2011-24, before Council, was endorsed by the Regional Planning Board.

Mr. Durkee said Princeton University's initial goal was to create a "signature neighborhood" for Town & Gown with arts, retail, public space, a new Dinky station, and multi-modal transit center. Princeton University was being responsive to community interests as expressed over the years—in particular traffic flow at peak periods. Mr. Durkee emphasized that traffic work was reviewed by outside experts engaged by the Regional Planning Board. Mr. Durkee offered specifics on peak-hour traffic with proposed zoning (1.4% less).

Considering other upcoming developments (Hibben/Magee, Merwick/Stanworth, mixed use zone in Township), experts found peak traffic to increase 3.3%; with adoption of the zoning change, increase of 1.9%. PU examined arts development with present zoning and determined a traffic increase of 9.7%.

Mr. Durkee discussed traffic lights, curb cuts, roundabout and other aspects of the plan that reduce travel time—between southern end of the district (Borough *and* Township portions) and Alexander/University—by one minute.

Mr. Durkee summarized that, with proposed zoning, peak traffic is reduced. He repeated that New Jersey Transit (NJT) approves the Princeton University plan. Mr. Durkee hoped the new consolidated town plus Princeton University can proceed with the project, meeting needs of both Princeton University and citizens, with repaired lines of communication.

Councilwoman Trelstad observed that passing Ordinance 2011-24 will not change any traffic patterns. She is not satisfied with traffic reports presented to Council to date.

Councilwoman Crumiller was concerned about drive time from downtown to train and Wawa.

Under Time of Decision, Land Use Development Official Derek Bridger explained that once zoning is established, site plans must comply; traffic improvements can change.

Councilwoman Butler questioned the impact of the new parking arrangement. Mr. Durkee stated that volume of traffic will be unchanged.

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Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue. After a show of hands, Mayor Trotman determined each speaker from the audience will be limited to three minutes.

Mayor Trotman read into the record a letter from Mr. Chapman of Steadman Historic Alley Association as follows:

STEADMAN HISTORIC ALLEY ASSOCIATION, INC.

Princeton Borough Officials*
Borough of Princeton
One Monument Drive
Princeton, New Jersey 08542

December 5th, 2011

*Borough Administrator, Bob Bruschi
Mayor, Mildred Trotman
Council President, Kevin Wilkes
Councilmember, Jo Butler
Councilmember, Jenny Crumiller
Councilman, David Goldfarb
Councilman, Roger Martindell
Councilmember, Barbara Trelstad

Cc: Borough Clerk, Lea Quinty
Kristin S. Appelget, Director of Community and Regional Affairs, Princeton University

Re: In Support of the Princeton Arts & Transit Neighborhood Re-Zoning Vote

Steadman Historic Alley Association, Inc. is an organization of nine property owners whose houses adjoin the intersections of Alexander and Mercer Streets. Given that we all live approximately ¼ of a mile from the proposed Princeton Arts & Transit Neighborhood, we are highly sensitive to issues concerning traffic, location of the Dinky Station, and other pertinent factors that could impact our neighborhood environment, quality of life, and property values.

Our members have attended many of the public forums regarding the Arts & Transit Neighborhood, and our Board has discussed the project with members of the Princeton University staff. While certain compromises may be required, we have concluded that the mutual benefits to our neighborhood, our Mercer Hill Historic District of which we are members, the community at large, and the campus community far outweigh any perceived negatives the project may present.

Accordingly, we urge the Borough Council on December 6th, 2011, to approve the zoning ordinance which will enable this project to move forward as outlined by the University.

Tom Chapman, Chairman

Steadman Historic Alley Association, Inc.

14 Alexander Street • Princeton, NJ 08540

Alan Kornhauser, Princeton resident and life-long Princeton University employee, insisted moving the Dinky was ludicrous. He observed that all suggestions presented to Princeton University during five years of developing this plan were rejected.

Jeff Nathanson, Executive Director of Arts Council, stated that the arts enhance and advance communities; the arts and transit project will provide cultural, educational, and economic stimulus and fulfill Princeton's destiny as an international cultural destination. He strongly urged Council to pass Ordinance 2011-24.

Henry Vega, Quarry Street, read a message from Frederick Wass. Mr. Wass, seven-year Borough resident, called Ordinance 2011-24 an irresponsible use of tax dollars because of pointless litigation.

Scott Sipprelle, Borough resident, spoke in favor of Ordinance 2011-24. He asked for more collaboration with Princeton University.

Dorotea Famulka, Township resident and owner of Labyrinth Books on Nassau Street, thought the key fact was that Princeton University wanted to invest in the community through the arts. She saw unequivocal good through growth and development of the arts.

Lori Rabin—General Manager of Nassau Inn, Chair of Regional Convention and Visitors Bureau, and Chamber of Commerce (CC) board member—read a letter from the Chamber of Commerce's board chairman, Bob Hilliard, stating support for Princeton University's plan and adoption of Ordinance 2011-24.

Lucy Harmon, Borough resident, mentioned that the arts complex would replace an eyesore at no cost to taxpayers.

Jim Hartford of the Township, speaking as an artist, said the goal should be to bring people here without creating parking spaces. He stated that the arts draw folks to the area.

Chris Barrack, 84 Nassau Street, supported the arts and transit neighborhood as a cultural destination for the region. He urged approval of Ordinance 2011-24.

David Newton, Manager of Palmer Square and Borough property owner, commended Mayor Trotman and Councilman Goldfarb for their grace during long service to the town. He supported the development project. Mr. Newton thought the location of the Dinky was immaterial. He hoped Council President Wilkes's ideas for transportation to the top of University Place can be fulfilled.

Raoul Momo, Momo Restaurant Group, applauded Council's efforts on behalf of residents. He said Princeton University has always wanted to partner with the town. Mr. Momo considered the additional 480 feet irrelevant.

Ralph Widner, Borough resident and member of Transportation and Traffic Committee (speaking personally), noted the goal to strengthen Princeton's role as a cultural destination is an

objective shared by Princeton University and many community organizations (especially 24 arts organizations in the Chamber of Commerce).

Kip Cherry, professional planner, agreed with a multi-pointed transportation system. She considered it a mistake to separate Princeton from the Washington-Boston main line; she feared the Dinky could not survive. The 1984 agreement deserves a vigorous challenge. Ms. Cherry recommended amending Ordinance 2011-24 to include the transit zone (Ordinance 2011-28).

Peter Wolanin, Spruce Street, thought the arts complex was a bad plan. He said there should be increased synergy with 185 Nassau and the vacant buildings behind it. Non-undergraduates cannot appreciate the Wawa at its present location. Mr. Wolanin encouraged Council to vote down Ordinance 2011-24.

Peter Marks, commercial real estate broker and Princeton resident, objected that downtown should be a place to live, not a real estate speculation.

Melanie Clark, Borough resident, spoke in favor of E5 Ordinance 2011-24. As Executive Director of Princeton Symphony Orchestra, Ms. Clark was clear about the value of Princeton University as a partner to arts groups. She said small arts organizations are thriving here, due in large part to Princeton University's support.

Council President Wilkes assumed the chair.

Virginia Kerr, Township, does not believe Ordinance 2011-24 should be adopted because it conflicts with the Master Plan. Ms. Kerr said the two core issues are sustainability and land use policies.

Steve Omiecinski, 98 Nassau Street, was inspired by the presence of cultural and economic leaders in the audience. He thought nearby communities would eagerly grasp the Princeton University project. He fostered approval of Ordinance 2011-24.

Mayor Trotman returned to the dais.

Ted Mills, Quarry Street, mentioned the inward focus of Borough government that costs taxpayers. He referred to the multiple studies and attorneys that absorb funds that should address desperate social needs. Mr. Mills hoped Council would approve Ordinance 2011-24 with trust in the Regional Planning Board's plan.

Mike Head, Borough resident and daily Dinky rider, assured the public that 480 feet is not a short distance. He said the average age of Princeton residents must be considered when locating the depot. He stressed the take-it-or-leave-it nature of Princeton University's proposal.

Joanne Mitchell, McCarter board member, spoke in favor of the university's plan, saying McCarter strongly supports it. She said it would be a hardship for clients of their education programs with more remote locales. Ms. Mitchell stated that the development is good for McCarter, good for the arts, and good for the region.

Ms. Neumann repeated that moving the Dinky is not necessary for creating the arts complex. She objected to Mr. Durkee's remarks; in particular: (1) the traffic consultant, while engaged by the Regional Planning Board, was paid by Princeton University, and (2) southbound traffic on University Place turning left onto Alexander was not described.

Clifford Zink, Borough, stated that Princeton University has been a good neighbor. He commented that, if the Dinky move were not part of the plot, the arts complex would have passed Council easily. Mr. Zink continued to think the move was a bad idea.

Nora Kerr, 42 Mercer Street, echoed comments supporting the proposal. She expressed sensitivity to traffic congestion, but supported Ordinance 2011-24.

Mimi Omiecinski, 98 Nassau Street, again encouraged Council to vote yes.

Chip Crider, Borough, instructed Council to pass Ordinance 2011-24 and move on.

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

Councilwoman Crumiller remarked that Ordinance 2011-24, while endorsed by the Regional Planning Board, is not consistent with the Master Plan. In particular, the circulation and land use elements and new vehicular entrance to campus (from Faculty Road) do not comply. Planning Board Director Lee O. Solow acknowledged that the Master Plan had not anticipated all possible contingencies; campus access is changing.

Council President Wilkes commented that transit needs have been discussed differently during the past five years, focusing on new options and strategies. Council President Wilkes reported that he and Mr. West spent an hour with the Commissioners of New Jersey Transit and the Department of Transportation talking about improving transit in the future, issues covered in the MOU, the train station, and Dinky ridership, among others. The Department of Transportation undertook studies to provide reliable, baseline traffic counts.

Council President Wilkes believed that all parties have arrived at a point where advancement is possible.

Councilwoman Trelstad thought collaborative planning was important. She repeated that Princeton University has been unmovable on relocating the terminus, but has indicated intent to repair lines of communication.

Councilwoman Butler read a statement citing Princeton University for bad behavior. She reminded that Council passed a resolution against moving the Dinky station as poor public and transit policy. Councilwoman Butler hoped to delay voting on E5 until the civil lawsuit—that opposes moving the station—is resolved. Councilwoman Butler said a discussion of the light rail should occur before important transit decisions.

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Councilman Martindell saw the issue as bad public policy to move the station—in terms of global warming, transit policy, community relations. Councilman Martindell listed assumptions for action:

- Princeton University has a legal right to move the Dinky under the 1984 agreement
- Princeton University could enter into a new agreement with New Jersey Transit
- Princeton University intends to move the station—period
- New Jersey Transit motivated to move the station by governor's preference
- Princeton University motivated to resolve traffic snarls.

Councilman Martindell said costs and benefits of the MOU include:

- New station with amenities
- Task force for traffic analysis and planning (50% paid by Princeton University)
- Trust fund (\$500,000 from Princeton University)
- Pedestrian-friendly amenities (\$450,000 from Princeton University)
- Transit right of way from Lake Carnegie to Nassau Street.

Councilman Martindell concluded that it makes sense to move forward with the MOU, following adoption of Ordinance 2011-24, which will provide an attractive gateway and a major arts center, as well as, good relations with Princeton University, the State, New Jersey Transit, and Princeton Township.

Councilwoman Crumiller stated that approving Ordinance 2011-24 will be the biggest public policy mistake ever made by Borough Council. She said Princeton University is holding the arts hostage to the Dinky in a calculated strategy to divide and conquer.

Mayor Trotman called for a roll call vote. Deputy Borough Clerk called the roll. Council members Wilkes, Martindell, and Trelstad voted in the affirmative, while Councilwoman Butler and Councilwoman Crumiller were opposed. Mayor Trotman proclaimed the ordinance adopted three to two.

Council President Wilkes moved to adjourn; Councilwoman Trelstad seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 10:45 P.M.

Respectfully submitted,

Delores A. Williams
Deputy Borough Clerk