

PRINCETON COUNCIL MEETING
January 14, 2013

The regular meeting of the Mayor and Council was held on this date at 7:00 p.m. in the Main Meeting Room in the municipal complex.

PLEDGE OF ALLEGIANCE

The audience participated in the Pledge of Allegiance.

NOTICE OF MEETING

The Clerk read the following statement.

The following is an accurate statement concerning the providing of notice of this meeting and said statement shall be entered in the minutes of this meeting. Notice of this meeting as required by Sections 4a, 3d, 13 and 14 of the Open Public Meetings Act has been provided to the public in the form of the 2013 Schedule of Regular Meetings. On January 1, 2013 at 2:15 p.m., said schedule was posted on the official bulletin board in the Municipal Building, transmitted to the Princeton Packet, the Trenton Times, the Trentonian, the Town Topics, and filed with the Municipal Clerk.

ROLL CALL

The Municipal Clerk then called the roll.

Present: Mesdames Butler, Crumiller Howard and Messers Liverman, Miller and Simon and Mayor Lempert.

Absent: None.

Also Present: Ms. Monzo, Mr. Kiser, Mr. Schmierer and Chief Dudeck.

CONSENT AGENDA

Contains items of a routine nature, which are approved by a single vote.

Mayor Lempert read the consent agenda and added item "t" Mayors Task Force on the Witherspoon Firehouse Expansion.

- a. Maintenance/Performance Guarantees
 - Tenacre Foundation, NW Addition and Cottages Site Plan; Access Management Site Plan, Reduction of Inspection fees to \$1,000.
 - Tenacre Foundation, Service Yard (Administrative Waiver), Reduction of Inspection Fees to \$1,000.
 - 343 Snowden Lane, Minor Subdivision, Performance Guaranty Reduction to a new amount of \$15,733.80
- b. Resolution Establishing Members of Hospital Rezoning Task Force
- c. Resolution Naming Jo Butler as Historic Preservation Commission Liaison
- d. Resolution Specifying Bernard P. Miller as Mayor's representative on Planning Board (Class I member) and Jenny Crumiller (Class III member)
- e. Resolution Cash Management Plan

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- f. Resolution Amending the Princeton Municipal 911 Plan
- g. Appointments: Boards and Commissions
- h. Music Amplification Request: Valerie Werstler, for a wedding at Mountain Lakes, March 16, 2013, 2:00 p.m. to 11:00 p.m.
- i. Resolution: Hazard Mitigation Plan
- j. Resolution for Petty Cash
- k. Resolution Change Fund
- l. Resolution: Temporary budget for Current Fund
- m. Resolution: Temporary budget for Affordable Housing
- n. Resolution: Temporary budget for Parking Utility
- o. Change Order: Bregenzer Brothers, Inc., Witherspoon Municipal Building, Coping Repair, \$786.32, and New Contract Amount of \$24,406.32
- p. Resolution for Dedications by Rider
- q. Resolution: Banner Request, Community Options, Inc. for Cupid's Chase, over Washington Road, February 4-11, 2013
- r. Resolution: Appointing an Insurance Fund Commissioner and an Alternate Insurance Fund Commissioner to Serve on the Mid Jersey Municipal Joint Insurance Fund
- s. Resolutions and Professional Services Agreements:
 - Amy Gittell, D.O., Pediatrician for Well Baby Clinic, Not to Exceed \$4,380.00
 - Hamilton Township Health Department, Prevention and Containment Services for Sexually Transmitted Diseases, Not to Exceed 1,200.
 - Health Education Services, Public Education Services, Not to Exceed \$7,000.
 - Deer Carcass Removal Services, LLC, Deer Removal Services, Not to Exceed \$3,000.
 - SAVE, Shelter Services for 2013, Not to Exceed \$15,000.

Ms. Crumiller asked why item 'f, Resolution Amending the Princeton Municipal 911 Plan, was on the consent agenda? Ms. Monzo said that it was a housekeeping item due to Consolidation. Ms. Butler asked if we weren't currently in discussion about the two 911 plans? Chief Dudeck said that we were.

Ms. Butler suggested that guidelines for what items are put on the consent agenda be established as some items on the consent agenda have significant monetary amounts.

Ms. Butler also asked for copies of all contracts that appeared on the January 1, 2013 agenda.

Joe Small, Hawthorne Avenue, said that a consent agenda allows for voting in a block. He also said that in regard to item "e". Cash Management Plan, UBS is not an American based bank and not a good citizen to the

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United States. Ms. Monzo said that UBS could be eliminated from the list. Ms. Howard said that she would recuse herself as she has a family member that works for UBS.

Mr. Liverman offered a motion to approve the consent agenda as amended. The motion was seconded by Ms. Crumiller and carried unanimously. Ms. Howard recused herself from item “e”, Cash Management Plan.

(Resolutions appended to this set of minutes.)

COMMENTS FROM THE AUDIENCE

Kate Warren, Jefferson Road, spoke to Council about her concern regarding Princeton University and the town having separate 911 services. She cited an incident where she witnessed a car fire and the person whose car was on fire called 911 and got the University 911 system not the fire department. Ms. Warren then called 911 and got the Borough 911 system. By the time the fire department arrived on the scene the car was engulfed in flames.

Daniel Harris, 28 Dodds Lane, presented Council with a letter on behalf of Princeton Citizens for Sustainable Neighborhoods. He thanked members of Council for moving decisively to remake the ordinances that underlie the Borough Code for the hospital site. He spoke about the new ordinances in terms of sustainability, sustainable construction and sustainable recycling of demolished materials. Mr. Harris asked that the Task Force and the Princeton Council seek creative and legally enforceable ways to make any development on the hospital site as sustainable and committed to social justice as possible.

Henry Singer, Laurel Circle, encouraged the Mayor and Council to consider how to measure cost control, improved governance and municipal service levels on an ongoing basis.

(Mr. Harris' letter appended to minutes)

RESOLUTION AND AGREEMENT: Princeton University Contribution for 2013

The governing body discussed the agreement with Princeton University concerning the 2013 voluntary payment to Princeton. The donation for 2013 is in the amount of \$2,475,000. And the expenditure of these funds is entirely at the discretion of the municipal government and will not be shared by other governmental entities. In

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addition to the contribution, Princeton University will also make an annual payment of \$20,000. to the Princeton Fire Department.

Ms. Howard said that she would abstain. Ms. Butler asked Ms. Lempert if she would recuse herself from the discussion. Mayor Lempert asked if there was a conflict of interest as the agreement was negotiated in 2012 and she participated in the negotiations. Mr. Schmierer said that Mayor Lempert just introduced the resolution and would not be voting on it. Ms. Butler said that she felt that there was a conflict of interest and we needed to be clear about it. Mr. Miller said that a conflict of interest had no bearing on this 2013 agreement as it was negotiated last year. Ms. Butler said that she felt that this sets precedence and needs clarity. Ms. Crumiller asked how negotiated with whom?

Scott Sillars, Citizens Finance Advisory Committee, said that the Township has a two year oral agreement with Princeton University. Kristin S. Appelget, Director of Community and Regional Affairs, said that the 2012 negotiations indicated an oral willingness to continue to move forward in 2013, however, she did not think that the term “negotiations” was appropriate.

Joe Small, Hawthorne Avenue, said that he thought that Ms. Crumiller deserved an answer to her question and that Mr. Schmierer should give an answer about the vote.

Ms. Butler asked if recusal and abstaining the same. Mr. Schmierer said that in this case, yes it was.

Mr. Miller offered a motion to approve the resolution as presented. The motion was seconded by Mr. Liverman and carried by four affirmative votes. Ms. Butler abstained citing to an ethics violation and Ms. Howard also abstained.

WORK SESSION

Transition Task Force Report <http://www.cgr.org/princeton/transition/docs/TTF%20Draft%20Report%20-%20Dec%202012.pdf>

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Mark Freda, Transition Task Force (TTF), offered a power point presentation to the governing body. The goals of the presentation were to:

1. Review the recommendations made by the and their disposition after review by the two former governing bodies.
2. Does the new governing body have the same or a different view on any of the recommendations?
3. Current status of each recommendation – in progress, completed or something else?

Ms. Howard said that there needs to be a serious review of the 2013 service levels of the police department.

Ms. Butler said that we are lucky to be at a reduced level of 56 officers. Chief Dudeck said that there are currently 600 applications to begin the process to fill empty positions. Chief Dudeck said that the department started the year with 54 officers, but they are currently working with 50 as two are injured and two are on maternity leave.

Mr. Freda said that the Public Safety Committee did not agree with the models that had been presented.

Henry Singer suggested that if there were to be a review of police department staffing levels, you should start with a baseline to work from.

Hendricks Davis asked about appointments to fill the various Boards, Commissions and Committees.

Mayor Lempert said that the boards are almost full and will be by January 28, 2013.

Anton Lahnston asked that consideration be given to working toward a 51 officer police department, the process to move the Department of Public Works to the River Road site, and the recommendation to move the Recreation Maintenance crew into the Department of Public Works.

The was no further public comment or discussion.

It was the consensus of Council to accept the report as presented.

(Presentation appended to this set of minutes.)

- Posting/printing agenda policy

The governing body discussed the posting and printing of the agenda prior to each Council meeting. Ms. Crumiller suggested taking the best ways of both municipalities. She said that it was transparent to print out the agenda in its entirety and that we should continue the policy of printing out the agenda and the backup for the public. She said that putting it on the website was a step forward.

Mr. Liverman said that there were a lot of pages between the agenda and the backup and that we should consider just printing out the work session documents.

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Mr. Simon said that it was helpful to print out the agenda and the backup and that the document when posted on the website should be searchable and needed page numbers.

Ms. Butler said that it was presumptuous to believe that everyone is electronically savvy. Ms. Butler suggested links and dropdowns for the posted agenda.

Mr. Miller suggested a limited number for full printed copies for the public (5-10 copies).

Kate Warren said that she appreciated having the full paperwork in front of her at a meeting.

Henry Singer, Laurel Road suggested that Council invite comment on the agenda on the web ahead of Council meetings

Chip Crider, Bank Street said that communications had not been good this year and that the full agenda packet for this meeting had not been available as of Sunday (the day before the meeting). He also said that the web calendar did not yet display most public meetings.

Ms. Butler asked for specific guidelines about what goes on a consent agenda and asked if resolutions needed to be read in their entirety.

It was the consensus of Council to have 10 full copies of the agenda and backup available for each meeting

- Food Waste Program

Mr. Kiser discussed with Council the proposal for the Food Waste Program. He indicated that there would be a \$65.00 annual fee and that an online registration would go out along with an initial email to current customers.

It was the consensus of Council to move forward with the ordinance introduction.

ORDINANCE INTRODUCTION: Food Waste Recycling Program

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE ESTABLISHING A REGISTRATION FEE FOR THE PRINCETON FOOD WASTE RECYCLING PROGRAM AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

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Ms. Butler offered a motion to approve the proposed ordinance on first reading. Ms. Crumiller seconded the motion, which was carried unanimously. The public hearing was set for January 28, 2013..

REPORTS

Ms. Howard suggested that there be a letter sent out by the Department of Public Works explain, garbage collection, food waste recycling, and the leaf and brush pickup.

Mr. Simon noted that there will be an electronic system for filing this year's disclosure forms with the State of New Jersey.

Ms. Butler said that there will be a concert to benefit the Recreation Department on Friday, January 18, 2013 in the name of William Scheide.

Mayor Lempert said that she will hold special office hours on Thursday, January 17, 2013 in Room A from 5:00 p.m. to 7:00 p.m. and will continue to do so the third Thursday of each month.

Mayor Lempert also noted that Joe Stefko from CGR will appear before Council on January 28, 2013 at 5:00 p.m. to go over priorities and goals.

CLOSED SESSION

RESOLUTION

TO GO INTO CLOSED SESSION
(Open Public Meetings Act Sec.3)

BE IT RESOLVED by the Mayor and Council of Princeton:

1. This body will now convene into a closed session that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7B of the Open Public Meetings Act.
2. The general nature of the subject or subjects to be discussed in said session is as follows:

Litigation/Personnel/Negotiations
3. Stated as precisely as presently possible, the following are the time when and the circumstances under which the discussion conducted at said session can be disclosed to the public:

Within 90 days or upon settlement of litigation, if applicable

- Henderson/ Villaruz briefing
- Riley briefing

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- SBRSA membership
- D' Ambrisi property

The above referenced issues were discussed by the Princeton Council.

There being no further business the meeting was adjourned at 11:10 p.m.

Linda S. McDermott
Municipal Clerk