PRINCETON COUNCIL MEETING
April 8, 2013

A 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, 400 Witherspoon Street, Princeton, NJ 08540.

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 a written notice. On April 4, 2013 at 4:30 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:	Mr. Bruschi, Ms. Monzo, Mr. Kiser, and Mr. Schmierer.

13-108 CLOSED SESSION RESOLUTION

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:

Personnel/Litigation

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

Personnel: Chief Dudeck

The above referenced issue was discussed by the Princeton Council.

April 8, 2013

PLEDGE OF ALLEGIANCE, Princeton Youth Hockey

The audience participated in the Pledge of Allegiance, led by the Princeton Youth Hockey.

PROCLAMATIONS: Princeton Youth Hockey Champions
Alcohol Awareness Month

Mayor Lempert read a proclamation in regard to the Princeton Youth Hockey Champions.

Mayor Lempert read a proclamation in regard to Alcohol Awareness Month.

PRESENTATION
Judy Wilson, Superintendent, Princeton School District Budget

Ms. Wilson provided an update to the Mayor and Council regarding the Princeton School budget. Ms. Wilson noted that there will be no public vote on the school board budget this April but that there was a public budget forum in late March. She said that the budget is heavily dependent on local property tax. All work that had been promised in the bond referendum will be finished on time.

Ms. Butler offered her congratulations on Ms. Wilson's upcoming retirement and thanked her for her years of service. Ms. Butler asked about the projected enrollment for the Princeton Schools. Ms. Wilson said that it was difficult to predict, but that they were about to do a new demographic assessment.

Mr. Miller thanked the schools and the Library for their help during Hurricane Sandy. Mr. Liverman also offered his thanks.

Princeton Chamber of Commerce: KIOSK

Peter Crowley, Princeton Chamber of Commerce began the discussion by saying that he reached out to Robert Hilliar for design upgrades to the Kiosk taking into consideration comments that had been previously made. Mr. Hilliar presented variations of the kiosk panels for noticing and recessed panels making them more weatherproof. Mr. Crowley said that in conjunction with the Princeton Merchants Association, they have developed a tiered payment structure for advertising. He said that they have taken into account everything that has been said in meetings about the kiosk and appreciate both the positive and negative feedback.

Ms. Crumiller said that she did think that the new designs are an improvement, but that she still maintains her objection to the project.

Ms. Howard asked what material the kiosk was made from ? Mr. Crowley said that it was made from laminated panels and cork.

Mr. Bruschi said that the Historic Preservation Commission has not yet approved the project although it has been reviewed.

Ms. Butler said that she would like to do away with kiosks altogether. She said that she has heard loud and clear that people like what is there now.

Mr. Bruschi said that the electric that is there services town owned street lights.

Mr. Miller said that he thought that the kiosks were unsightly but the new designs are an improvement.

Ms. Howard said that the kiosk that is currently on Nassau Street is what is unique in our town. She said that we shouldn't fix something that isn't screaming to be fixed.

Jack Morrison, Princeton Merchants Association said that many people are looking for information and that they do not look at the kiosk as a promotional vehicle. He said that nonprofit agencies will have their own panel, free of charge.

Ann Sears, Princeton Area Arts and Culture said that she supported the project and was encouraged to see the enhancements.

Kristen Appleget, Princeton University said that she agreed with the proposal, especially the new designs.

Mr. Simon asked what the timeline and the cost of the project was. Mr. Crowley said that the project would take approximately 10 weeks at a cost of $20,000. per kiosk . Mr. Simon said that the designs have been substantially improved and strike a nice balance.

Mr. Liverman said that the project puts public and private partnership in balance.

Ms. Crumiller proposed that the Department of Public Works clean up the kiosk, that a list of businesses be provided and that there not be paid advertising. Ms. Butler supported this proposal.

Mr. Liverman said that he did not support the notion of not supporting businesses and that Mr. Crowley's proposal for the kiosk is win/win.

Mr. Simon agreed with Mr. Liverman and said that the proposal offered the right balance for downtown Princeton.

Mr. Miller said that he was opposed to taxpayers paying for the project.

Ms. Howard said that she did not think that there was a burning need for the project.

Mayor Lempert said that one of the kiosks is in bad shape. Could we do improve one of the kiosks to start with. Ms. Howard agreed with Mayor Lempert's proposal, and Ms. Butler disagreed. Mr. Crowley said that it might be more costly to do the project twice, but said that they could try it.

Mayor Lempert asked that an agreement for one kiosk be placed on the next Council agenda.

NJDOT Route 1

Mayor Lempert reported that New Jersey Department of Transportation plans Route 1 are still very preliminary and far from the the final stages. The Princeton concern is in regard to the east/west flow. She said that there are plans to have more meetings regarding the plan and then come back to Council with a report.

Ms. Butler asked if Princeton University had been involved in the conversations. Kristen Appleget, Princeton University said that they have been engaged with consultants but have no hard data yet and are trying to understand what the information that they do have means.

Mr. Kiser said that they are aware of timelines and that priorities need to be set.

Candace Preston, White Oak Drive said that there had been a similar situation ten years ago and that there was an advantage to having data. She said that she was concerned that there was no data at this time. She said that the proposed solutions could potentially make things worse. She said that it was irresponsible and that there were flooding issues to be considered. People cannot drive north if there is flooding.

Guy Pierson said that not once did he hear about the impact on local residents and that the proposals are just band aids.

Linda Geevers, West Windsor Council, Hawthorn Drive, asked that the residents of West Windsor be kept in mind, and in particular the residents of Penns Neck. She said that there are many developments in West Windsor that are coming online and need to be considered.

David Paris, Washington Road said that the information on the website came as a terrible shock and to please be considerate of people when sending out information.

Mr. Simon said that he would rather that people were upset now than later. He would rather err on the side of exposing these things than not.

WORK SESSION

13-109 Resolution: Conflict of Interest Policy, Brad Middlekauf

Mr. Middlekauf said that he has met with the personnel committee regarding the conflict of interest policy. He said that as Princeton is the first municipality to consolidate, this policy is also a first and draws a roadmap for other towns to follow.

Mr. Bruschi said that he is comfortable with the proposed policy and that it was a solid start Mr. Schmierer complimented Mr. Middlekauf for his work on the policy, stating that they were off to a solid start.

Ms. Crumiller said that conflicts of interest do not change, that it's either yes or no. Mr. Middloekauf said that by case law, it is a matter of circumstances or facts and circumstances.

Ms. Butler said that it was like being "a little bit pregnant". Mr. Middlekauff said that he agrees and disagreed with her.

Mr. Simon said that nothing precludes us from coming to conclusions on our own.

Mr. Liverman said that the key is to take responsibility for ourselves on issues. Mr. Liverman said that he felt that the proposed policy was fine.

Mayor Lempert said that nepotism will be covered in the employee personnel policy manual.

Ms Butler said that she did not think that Council should vote on the proposed policy tonight and allow times for comments at another meeting.

Ingrid Reed thanked Council for delving into a difficult subject. She said that the State Ethics Committee is subjective when ruling on how people should behave.

Mr. Simon said that we are not setting up a local ethics board.

Mr. Schmierer said that conflict issues are fact sensitive.

Mayor Lempert suggested that Council table the resolution and that the proposed policy be brought back to Council at a later date.

REPORTS
Prioritization and Delegation of Ordinance Harmonization

Mr. Bruschi said that the process of the harmonization of ordinances continues, noting that there are many antiquated sections that need to be cleaned up. Ms. Butler asked if the attorney expenses on this project would be significant. Mr. Bruschi said that this is not an inexpensive project.

Transco Meeting

Mr. Kiser reported that there would be a meeting regarding the Transco Pipeline on Thursday, April 11, 2013 in Montgomery Township.

Mr. Kiser also reported that Quaker Road would be reopening on Friday, April 12, 2013.

RESOLUTIONS
13-110 Appointments, Boards and Commissions
This resolution has been tabled by Council until April 22, 2013.

13-111 Naming of Buildings
Mr. Miller offered a motion approving the proposed resolution naming the municipal buildings. The motion was seconded by Mr. Liverman and carried by five affirmative votes. Ms. Crumiller voted in the negative.

13-112 Community Park Pool Project, Hall Building Corporation, Approval of Change Order No. 6, $46, 213.
Mr. Simon offered a motion approving the proposed resolution naming the municipal buildings. The motion was seconded by Ms. Butler and carried by unanimously.

(Resolutions appended to this set of minutes)

ORDINANCE INTRODUCTIONS
Parking Regulations

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE BY PRINCETON AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968" CONCERNING PARKING REGULATIONS IN THE COMMUNITY POOL PARKING YARD AND POLICE DEPARTMENT PARKING YARD.

Mr. Miller offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously. The public hearing was set for April 22, 2013.

Fire Prevention Ordinance

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING FIRE PREVENTION AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Mr. Liverman 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 April 22, 2013.

Vacating Public Right of Way

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE BY PRINCETON VACATING A PUBLIC RIGHT-OF-WAY ON BLOCK 31.02, LOT 66, PRINCETON TAX MAP.

Mr. Simon offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously. The public hearing was set for April 22, 2013.

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

a. Bills and Claims

b. Street Closing Request:
- Jessica Engelhart, May 18, 2013, 5:30 p.m. – 7:30 p.m. Cedar Lane between Nassau Street and Prospect Street, for neighborhood celebration, contingent upon approval of Traffic Safety Officer

c. Resolutions:
13-113 Banner Request for Morven Museum and Garden, for Morven in May, to be hung over Washington Road, April 29 – May 6, 2013
13-114 Banner Request for Rotary Club of Princeton for their pancake breakfast, to be hung over Washington Road, May 20-27, 2013
13-115 Banner Request, HiTops for the Princeton Half Marathon 2013, to be hung over Washington Road, October 28 – November 3, 2013

d. Request for Fireworks: Princeton University, Reunions Weekend, Saturday, June 1, 2013 contingent upon approval of the Fire Official

e. Request for Temporary Road Closure: Washington Road from Prospect Avenue to Faculty Road, Princeton Unversity, Fireworks, June 1, 2013, 8:00 p.m. to 11:00 p.m. contingent upon approval of the Traffic Safety Officer

f. Princeton University License Agreement for Franklin Avenue Parking Lot for Additional Municipal Parking until
March 31, 2014.

g. 13-116 Resolution: Jitney – Commuter Shuttle Services with All-Day Hours
Recommendation for Extension of Contract through May 2013 – Stout's Transportation

Mr. Liverman offered a motion to approve the items "a-g" on the consent agenda. The motion was seconded by Mr. Miller and carried unanimously.

(Resolutions appended to this set of minutes.)

CLOSED SESSION

RESOLUTION
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BE IT RESOLVED by the Mayor and Council of Princeton:

4. 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.

5. The general nature of the subject or subjects to be discussed in said session is as follows:

Personnel/Litigation

6. 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

Personnel: Chief Dudeck
Litigation: Avalon Bay

The above referenced issues were discussed by the Princeton Council.

There being no further business the meeting was adjourned at 10:40 p.m.

Linda S. McDermott
Municipal Clerk

Mayor and Council

Town of Princeton

Dear Mayor and Council,

As a lifelong area resident and business owner and resident of Princeton for 32 years, I strongly urge you to approve allowing the Princeton Regional Chamber to maintain and upgrade the kiosk structures at the corner of Nassau & Witherspoon Streets and the corner of Nassau & Vandeventer Streets. These kiosks are an eyesore and an embarrassment for our town. Not only are they unsightly, the amount of flyaway debris from the flyers and bills posted is a nuisance. Our staff at Hamilton is constantly picking up 'kiosk debris' form our sidewalks.

Our Chamber, which represents hundreds of businesses in the region and most importantly in our town, has generously offered to renovate and maintain these kiosks. As a business owner and resident, I applaud the Chamber's proposal, which allows for continued public posting of community notices as well as availability for use by the many not-for –profit organizations in our town.

Our downtown area is unique because of the many facets of the community, the many businesses that call Princeton home, and the overall beauty of the streets. These upgrades to the kiosks will only add to the town. Commercial enterprises and businesses are not the enemy...they pay taxes (most merchants pay their share of real estate taxes for their landlords), support the not for profits who regularly solicit for donations and support, employ those in our community, create visitation and tourism for the area, and are essential to the fabric of our community.

The continued degradation of the kiosks is unacceptable. We wouldn't let a business board up its storefront for years and years and allow flyers to be stapled to the boarded up doors and windows – it would be unsightly and dangerous. We should not let the opportunity pass to allow the Chamber to do its part to upgrade the kiosks.

As a voter, I am counting on your support of this initiative.

Sincerely,

Hank Siegel