

**These minutes not yet
Approved by the Princeton Council**

**PRINCETON COUNCIL MEETING
February 18, 2014**

A meeting of the Mayor and Council was held on this date at 6:30 p.m. in the Main Meeting Room in the municipal complex, 400 Witherspoon Street, Princeton, NJ 08540.

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 January 14, 2014 at 2:50 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 (7:00 p.m.) and Messer Liverman, Miller and Simon and Mayor Lempert (7:00 p.m.).

Absent: None.

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

(6:30 p.m.) 14- 41 CLOSED SESSION RESOLUTION: Negotiations, Princeton University

Brad Middlekauf was present for Negotiations, Princeton University.

**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:

Negotiations – Princeton University

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

The above referenced issue was discussed by the Princeton Council.

OPEN SESSION (7:00 p.m.)

PLEDGE OF ALLEGIANCE, John Witherspoon Middle School: Will Venizelos, Tommy Reid

COMMENTS FROM THE PUBLIC - Regarding Items Not on the Agenda

Paul Driscoll, 141 Harris Road, Areta Pawlynski, 93 Harris Road, Yaron Inbar, 93 Harris Road, and Linda Auerbach, 10 Lytle Street discussed with Council the closure of Witherspoon Street during the demolition of the hospital site.

Ms. Pawlynski asked why information regarding asbestos and lead were withheld for so long and was it apart of “Don’t Ask, Don’t Tell”. She also asked who was going to be doing independent monitoring.

Ms. Butler asked Mr. Kiser if this was consistent with what he already knew about the project and Mr. Kiser said that it was. Mr. Simon asked Mr. Kiser to raise follow up questions with DEP regarding potential issues.

Ms. Auerbach asked if there are provisions for air quality monitoring. Many Hispanic families who live near the hospital rely on bus service and have school age children who fear they will be exposed to potential hazards.

Jeff Clarke, 56 Balcort Drive discussed with Council the process that applications move through during the Single Family Site Plan Review process. Mr. Kiser said that there have no changes in the regulations whatsoever and that the checklist is a guide. Ms. Butler asked if the process can be scaled down thereby advocating for the homeowner. Mr. Kiser said that he would be happy meet with Mr. Clarke

(Written Comments attached to this set of minutes)

MINUTES

June 24, 2013, January 13, January 27 (Closed Session), January 27, 2014

Ms. Howard offered a motion to approve in block the minutes of June 14, 2013, January 13, 2014 (as amended), January 27, 2014 – Closed Session and January 27, 2014. Ms. Crumiller seconded the motion which was carried unanimously.

WORK SESSION
Ordinance Merger, Historic Preservation Ordinance

The Council reviewed a memorandum dated December 17, 2013 identifying eight policy issues and discussed the merger of the Historic Preservation ordinances with Gerald Muller, Planning Board Attorney and Lee Solow, Planning Director.

Regarding issue #1, it was decided that Council would like to see something in writing with reasons for rejecting any application.

Regarding issue #5, Ms. Butler said that she would encourage more historic preservation districts.

Council had no issues with the recommendation for items 2 through 4, and 6 through 8.

Mr. Muller said that the next step would be to draft the merging ordinance.

(Memorandum appended to this set of minutes)

Police Leadership Structure

Mr. Bruschi reviewed with Council a power point presentation regarding the Police Leadership Structure.

Mr. Bruschi said that there are three types of leadership models that include “Officer In Charge”, “Public Safety or Police Director”, or “Chief of Police” model. He said that we are currently using the “Officer In Charge” model which the department has been working under for the past year. This model typically allows for the most senior officer in the highest rank to lead the department.

Mr. Bruschi said that the current municipal ordinance establishing the police department calls for the “Chief of Police” model. He said that it is the most popular model and therefore is a recognized and accepted structure by the rank and file of police departments as well as law enforcement professional organizations. Mr. Bruschi said that it provides clear leadership in all aspects of the department operations and administration and that the position is tenured and does have certain statutory rights.

Mr. Bruschi said that the decision for which model to use is important as it sets the tone for the department and establishes a permanent direction and stability to the department.

Mr. Bruschi said that the recommendation from the administration is that the Mayor and Council retain the Chief of Police position as the overseer of the Police Department for the following reasons: it

provides long-term leadership stability of the department; it illustrates acceptance, confidence and encourages the direction that the department is going while continuing to build on the positives; and it is the most financially beneficial option and helps work toward the ultimate staffing levels of the department.

Ms. Crumiller asked if we could keep the structure that we have right now and whether it was possible for the captain to be hired as a public safety director. Mr. Bruschi said that we could look at the Montgomery Township model.

Ms. Howard said that we should name a chief of police and maximize the efficiencies. To not send a message of support to the police department would be wrong. She said that this model was recommended by the Rodgers Group and by the accrediting body.

Mr. Liverman said that a police chief works well and he felt that this model was the one to go forward with as someone to hold accountable.

Mr. Miller said that he was not clear whether having a public safety director over a police chief made a difference.

Mr. Simon said that he was not wed to one model over another. He suggested that the Public Safety Committee review the process and report back to Council as soon as possible.

Ms. Butler said that she agreed with Mr. Simon, noting that there was a need to discuss and address some personnel issues.

Ms. Crumiller said that she did not want it to appear that this discussion was an attack on the current police department but that she felt that issues that went on in the past have not been addressed.

John Heilner, Human Services Commission said that the current police department is terrific and that the leadership is very proactive.

Sue Nemeth, Bayard Lane said that novelty is not a good thing in command structure and that it hinders the ability to respond. She said that she supported the "Chief of Police" model.

Mayor Lempert said that there is a need for consensus tonight about the next step so that we may move forward. It was the consensus that at the meeting of February 24, 2014 Council would discuss process guidelines and discuss police leadership in closed session.

REPORTS

Ms. Howard reported that the police department recently had training on Immigration Law. She also reported that the second booster shot for meningitis had been administered at Princeton University.

Ms. Butler reported that the Recreation Department has just launched an online newsletter.

Mayor Lempert reported that the Council would hold a goal setting meeting on February 19, 2014. She said that she would be holding a Meet the Mayor on February 26, 2014 beginning at 5:00 p.m. Mayor Lempert also thanked the staff for their work during the recent snow storms.

RESOLUTIONS

- a. 14-42 In Support of Legislation to Provide Federal Credit Assistance for America's Bicycle and Pedestrian Infrastructure

Ms. Butler offered a motion to approve resolution 14-42 as presented. The motion was seconded by Mr. Miller and carried unanimously.

- b. 14-43 Municipal Alliance Grant, July 2014 –June 2015, \$28,056.00

Mr. Liverman offered a motion to approve resolution 14-43 as presented. The motion was seconded by Mr. Miller and carried unanimously.

- c. 14-44 Agreement For AFSCME Council 73, Local 1530 to be Recognized As Exclusive Representation For Princeton Part Time Parking Attendant Employees

Mr. Miller offered a motion to approve resolution 14-44 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

- d. 14-45 Professional Services Agreement, Princeton Hydro, Review of Transco Wetlands Delineation, Not to Exceed \$3,950.

Ms. Crumiller offered a motion to approve resolution 14-45 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

- e. 14-46 Resolution, Dell Computers for Two PowerEdge R 720 Servers, Not to Exceed \$21,638.56.

Mr. Liverman offered a motion to approve resolution 14-46 as presented. The motion was seconded by Mr. Miller and carried unanimously.

- f. 14-47 Resolution, SHI, VMware, State Contract 77560, Not to Exceed \$11,672.86

Mr. Liverman offered a motion to approve resolution 14-47 as presented. The motion was seconded by Mr. Miller and carried unanimously.

- g. 14-48 Professional Services Agreement, IH Engineers PC, Planning Board/Zoning Board Consultant, Fee Schedule Attached.

Ms. Butler offered a motion to approve resolution 14-48 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

- h. 14-49 To Have NJDOT Evaluate the Need for a Dedicated Bayard-Paul Robeson Signal

Ms. Crumiller offered a motion to approve resolution 14-49 as presented. The motion was seconded by Ms. Butler and carried unanimously.

- i. 14-50 Professional Services Agreement, Ira Whitman, PE, Avalon Bay Environmental Consultant \$8,000.

Ms. Crumiller offered a motion to approve resolution 14-35 as presented. The motion was seconded by Mr. Miller and carried unanimously.

(Resolutions Appended To This Set of Minutes)

ORDINANCE PUBLIC HEARINGS

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON REGULATING PARKING ALONG PORTIONS OF ALEXANDER STREET, WITHIN THE ALEXANDER STREET COMMUTER LOT AND THE ALEXANDER STREET RETAIL LOT AND AMENDING THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974”.

Mayor Lempert opened the public hearing.

There being no public comment, the public hearing was closed.

Mr. Simon offered a motion to approve the proposed ordinance as amended on second reading.

The motion was seconded by Mr. Liverman and carried unanimously.

Jefferson Road, Handicapped Parking

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON DESIGNATING A HANDICAPPED PARKING SPACE ON JEFFERSON ROAD AND AMENDING THE “CODE OF THE TOWNSHIP

Mayor Lempert opened the public hearing.

There being no public comment, the public hearing was closed.

Ms. Crumiller offered a motion to approve the proposed ordinance on second reading. The motion was seconded by Mr. Simon and carried unanimously.

ORDINANCE INTRODUCTION

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE CREATING A NO PARKING ZONE ON A PORTION OF SCOTT LANE AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974". (Public Hearing March 10, 2014)

Ms. Crumiller offered a motion to approve the proposed ordinance on first reading. Mr. Miller seconded the motion, which was carried unanimously. The public hearing was set for March 10, 2014

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

- a. Bills and Claims
- b. Maintenance/Performance Guarantee: Stony Brook Regional Sewerage Authority, Contract 10-1 River Road Headworks Facility, Completion Time Extension to February 28, 2015.
- c. 14-51 Banner Request for The Arts Council of Princeton announcing Communiversy, to be hung over Washington Road, April 21-28, 2014.
- d. 14-52 Banner Request for Corner House announcing “An Evening With Corner House”, to be hung over Washington Road, March 31- April 7, 2014.
- e. 14-53 Banner Request for The Princeton YWCA announcing The Crafter’s Marketplace, to be hung over Washington Road, November 17-24, 2014.
- f. 14-54 2014 Canoe Concession, Turning Basin Park, \$4,700.
- g. 14-55 Ewing Street Change Order #2, Top Line Construction Corp., \$68,779.66
- h. 14-56 Appointments - Boards, Committees and Commissions

Mr. Liverman offered a motion to approve the consent agenda items “b-h. as presented. The motion was seconded by Ms. Howard and carried unanimously.

Ms. Crumiller offered a motion to approve item “a” Bills and Claims without the legal bills for December and January as presented. The motion was seconded by Ms. Butler and carried unanimously.

(Resolutions appended to this set of minutes.)

14-57 **CLOSED SESSION RESOLUTION: Personnel/Negotiations**

RESOLUTION

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

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/Negotiations

- Administrator Annual Review
- Personnel Committee Update
- Attorney Selection
- Princeton University

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

The above referenced issues were discussed by the Princeton Council.

There being no further business the meeting was adjourned at 12:00 a.m.

Linda S. McDermott
Municipal Clerk

There being no further business the meeting was adjourned at 12:20 a.m.

Linda S. McDermott
Municipal Clerk