

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

**PRINCETON COUNCIL MEETING
April 28, 2014**

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.

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 2014 Schedule of Regular Meetings. On January 2, 2014 at 6:45 p.m., said schedule was posted on the official bulletin board in the Municipal Building, transmitted to the Princeton Packet, the Trenton Times, the Torontonionian, the Town Topics, and filed with the Municipal Clerk.

ROLL CALL

The Municipal Clerk then called the roll.

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

Absent: None.

Also Present: Mr. Bruschi, Ms. Monzo, Mr. Kiser, Chief Sutter and Ms. Cecil.

PLEDGE OF ALLEGIANCE

The audience participated in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Lempert asked for a moment of silence in memory of Paul Sigmund who passed away recently.

MINUTES

March 24, 2014

Mr. Miller offered a motion to approve the minutes of March 24, 2014 as presented. Mr. Liverman seconded the motion which was carried by five affirmative votes. Mr. Simon abstained as he was not present at that meeting.

April 1, 2014

Ms. Butler offered a motion to approve the minutes of April 1, 2014 as presented. Mr. Miller seconded the motion which was carried by five affirmative votes. Mr. Liverman abstained from the vote.

April 9, 2014

Mr. Miller offered a motion to approve the minutes of April 9, 2014 as presented. Mr. Liverman seconded the motion which was carried by five affirmative votes. Ms. Howard abstained from the vote.

April 16, 2014

Mr. Liverman offered a motion to approve the minutes of April 16, 2014 as presented. Ms. Howard seconded the motion which was carried unanimously.

COMMENTS FROM THE PUBLIC - Regarding Items Not on the Agenda

Paul Driscoll, 141 Harris Road once again requested the original draft of the Whitman report. Ms. Cecil said that it was a preliminary draft and is not available for disclosure and not for release. She said that it was her understanding that the preliminary draft was not shared with Avalon Bay.

Linda Auerbach, Lytle Street questioned what was currently happening at the site. Mr. Kiser said that Avalon Bay was still removing doors and carpeting, and beginning work on the underground storage tanks. He said that there was nothing going on at this time that posed a hazard.

Ms. Auerbach also brought up poor conditions and overcrowding at the Zeitler property. She thanked many employees for their help with this situation and stressed that more emphasis needed to be placed on the inspections of rental properties.

Jim Floyd, 64 Harris Road asked who the final determinant was for the date of Communitarity. He said that this year's date was a nightmare, especially for the churches. Mayor Lempert said that it was

a group effort between the town, The Arts Council and Princeton University. Mr. Bruschi said that the group meets months in advance, and that we will look at alternatives and evaluate for next year. Mr. Liverman said that Mr. Floyd makes a strong point and that he too was worried that Sundays will become a trend. Ms. Butler said that maybe Council should hear from the organizing committee and discuss the date in public. Minnie Craig, Witherspoon Street asked if the date has been set for next year yet. Mayor Lempert said that it wasn't.

PRESENTATIONS:

CJ Transportation Forum Road Show

The Central Jersey Transportation Forum reviewed with the Mayor and Council a power point presentation regarding a Route 1 regional growth strategy.

Bill Neary, incoming chair said that The Central Jersey Transportation Forum is an ongoing group advancing the coordinated transportation and land use planning in the broad Route 1 corridor. He said that Princeton is ahead of the curve but that many areas are built out and that 40% of the roadways are congested at peak travel periods. He said that a greater percentage of Princeton resident commuters work in town and walk or bike to work than in New Jersey or The United States.

Mr. Neary said that smart planning allows for more housing closer to projected jobs, sustainable economic development and good jobs, better transit means less reliance on cars and less congestion and pollution. He asked that Council adopt the Regional Smart Growth Resolution

(Power Point Presentation appended to this set of minutes)

ITS Strategic Plan

14-III Resolution – Approval of ITS Strategic Plan

Robert McQueen, Chief Information Officer and Dr. Shannon Tufts, UNC School of Government reviewed with the Mayor and Council a power point presentation outlining a proposed Princeton Strategic IT Plan.

Dr. Tufts said that technology is critical to managing and meeting trends, challenges and opportunities. It is a vehicle from which accurate, reliable and timely information is produced for

strategizing, identifying objectives, improving productivity and facilitating service delivery. She said that technology for technology's sake does not always create value.

Dr. Tufts said that there is a good technology foundation in Princeton but recommended that staffing levels be increased as the department is understaffed for the demand, the desired level of citizen interaction and engagement, transparency and accountability.

She said that after formulating Priority Level 1 and 2 Projects, the next steps would be to determine the level of funding available, make an IT Governance decision process for Project Levels 1 and 2, monitor project metrics, evaluate progress in Spring 2015 and Project Level 3 Projects in Spring 2016 and review and update the Strategic IT Plan annually.

Mayor Lempert proposed that Counsel be allowed time to review the plan and table resolution 14-111 for a future Council meeting.

Mr. Liverman said that he was impressed by how much work IT has done so far.

Mr. Simon said that the report suggests a little failure. Mr. McQueen said that technology is improving productivity.

Ms. Crumiller said that she was surprised that document imaging was not in Level 1 priorities.

Henry Singer said that he has read the document and felt that it was an excellent IT strategy plan. He said that he would like to see more projects that include citizen engagement.

It was the consensus of Counsel to table resolution 14-111 for a future meeting.

REPORTS

Monthly Police Report, Lt. Currier

Lt. Currier reviewed with Council the monthly Police Report and discussed the special events that took place for April, immigration training, employee overtime, and parking in Princeton.

Introduction New Health Officer, Jeffrey Grosser

Mr. Bruschi introduced to Jeffrey Grosser, Health Officer to the Mayor and Council. Mr. Grosser is a graduate of Johns Hopkins University, former Burlington County Health Officer, an adjunct professor at Stockton College, teaching Intro to Public Health.

2014 MUNICIPAL BUDGET PUBLIC HEARING

14-112 Resolution: To read the budget by title only

Ms. Howard offered a motion to approve resolution 14-112 as presented. The motion was seconded by Ms. Crumiller and carried by four affirmative votes. Mr. Liverman and Ms. Butler voted in the negative.

Public Hearing, 2014 Municipal Operating Budget

Ms. Monzo reviewed with Council the 2014 Municipal Operating Budget.

Mayor Lempert opened the public hearing for the 2014 Operating Budget. There being no public comment the Mayor then closed the public hearing.

14-113 Resolution Amending the 2014 Municipal Operating Budget

Mr. Simon offered a motion to approve resolution 14-113 as amended without the salary line. The motion was seconded by Ms. Crumiller and defeated with Ms. Crumiller, Ms. Butler and Mr. Simon voting in the affirmative and Ms. Howard, Mr. Miller, Mr. Liverman and Mayor Lempert voting in the negative.

Mr. Liverman offered a motion to approve resolution 14-113 as presented. The motion was seconded by Mr. Miller and approved with Ms. Howard, Mr. Miller, Mr. Liverman and Mayor Lempert voting in the affirmative and Ms. Crumiller, Ms. Butler and Mr. Simon voting in the negative.

14-114 Resolution Adoption of the 2014 Municipal Operating Budget (To Be Tabled to May 12, 2014)

It was the consensus of the Mayor and Council to table resolution 14-114 until the Council meeting of May 12, 2014.

14-115 Resolution Adoption of the 2014 Municipal Operating Budget (To Be Tabled to May 12, 2014)

It was the consensus of the Mayor and Council to table resolution 14-115 until the Council meeting of May 12, 2014.

RESOLUTIONS

14-116 Resolution, Memorandum of Understanding, Princeton First Aid and Rescue Squad

Ms. Butler offered a motion to approve resolution 14-116 as amended. The motion was seconded by Mr. Liverman and carried unanimously.

14-117 Resolution and Agreement, Princeton University Voluntary Contribution

Mr. Liverman offered a motion to approve resolution 14-117 as presented. The motion was seconded by Ms. Crumiller and carried by five affirmative votes. Ms. Howard recused herself from the discussion and the vote.

14-118 Waiver of Attorney-Client Privilege with Respect to Hill Wallace Opinions to be used in Arts and Transit Litigation Defense

Ms. Crumiller offered a motion to approve resolution 14-118 as presented. The motion was seconded by Mr. Miller and carried unanimously.

14-119 Resolution, Professional Services Agreement, Miller, Porter & Muller, Not to Exceed \$32,500.

Ms. Butler offered a motion to approve resolution 14-119 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

14-120 Agreement, Deer Carcass Removal, Cream Ridge, New Jersey, Removal and Sanitary Disposal of deer carcasses, \$50.00 per deer.

Ms. Butler offered a motion to approve resolution 14-120 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

14-121 Agreement between Princeton and Small Animal Veterinary Endowment (SAVE), Boarding of Animals picked up by Small Animal Control Officer, Not to exceed \$15,000.

Ms. Howard offered a motion to approve resolution 14-121 as presented. The motion was seconded by Mr. Simon and carried unanimously.

14-122 Shared Services Agreement between Princeton and Montgomery Township for Animal Control Services, January 1, 2014 – December 31, 2014, Not to Exceed \$15,600.

Ms. Butler offered a motion to approve resolution 14-122 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

14-123 Resolution to Award Contract, SeamlessDocs, Website forms, Not to Exceed \$6000. per year and \$3,500. one time set up fee.

Mr. Liverman offered a motion to approve resolution 14-123 as presented. The motion was seconded by Mr. Miller and carried unanimously.

14-124 Resolution, Princeton Community Television Lease Agreement

Mr. Liverman offered a motion to approve resolution 14-124 as presented. The motion was seconded by Ms. Butler and carried unanimously.

14-125 Resolution, Professional Services Agreement, SWM Consulting, River Road DPW Improvements, Not to Exceed \$31,000.

Ms. Crumiller offered a motion to approve resolution 14-125 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

14-126 Resolution, Ira Whitman, Not to Exceed \$25,830.

Ms. Crumiller offered a motion to approve resolution 14-126 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

14-127 Resolution, Ira Whitman, \$19,500.

Ms. Crumiller offered a motion to approve resolution 14-127 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

14-128 Resolution, Professional Services Agreement, Omland Survey, Not to Exceed \$32,500.

Mr. Liverman offered a motion to approve resolution 14-128 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

14-129 Resolution, Purchase of Vehicles for Construction Department

Ms. Crumiller offered a motion to approve resolution 14-129 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

14-130 Resolution, Great Road West – Change Order No. 2

Ms. Crumiller offered a motion to approve resolution 14-130 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

14-131 Resolution, Professional Services Agreement, Special Council, Steven Goodell, Esq., Not to Exceed \$6,000.

Ms. Crumiller offered a motion to approve resolution 14-131 as presented. The motion was seconded by Mr. Miller and carried unanimously by those present.

(Resolutions Appended To This Set of Minutes)

ORDINANCE PUBLIC HEARINGS

CAP Bank

Mayor Lempert read by title an ordinance entitled PRINCETON CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A: 4-45.14)

Mayor Lempert opened the public hearing.

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

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

Bond Ordinance, Road Improvements

Mayor Lempert read by title an ordinance entitled BOND ORDINANCE PROVIDING FOR ROAD IMPROVEMENTS TO VARIOUS STREETS IN AND BY PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$880,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$836,000 BONDS OR NOTES OF PRINCETON TO FINANCE PART OF THE COST THEREOF.

Mayor Lempert opened the public hearing.

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

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

Pedestrian Pathway Easements

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON AUTHORIZING THE ACCEPTANCE OF DEEDS FOR PERMANENT PEDESTRIAN PATHWAY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR BLOCK 10201, LOTS 6, 7, 8, 9, 10, PRINCETON MUNICIPAL TAX MAP

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. Miller and carried unanimously.

ORDINANCE INTRODUCTIONS

It was the consensus of the Mayor and Council to table the following eight ordinance introductions until May 5, 2014:

-AN ORDINANCE CONCERNING THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE FOR RENTAL UNITS AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974". (Public Hearing May 27, 2014)

-AN ORDINANCE BY PRINCETON CONCERNING GENERAL PROVISIONS AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968". (Public Hearing May 27, 2014)

-AN ORDINANCE BY PRINCETON CONCERNING ADMINISTRATION AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968". (Public Hearing May 27, 2014)

-AN ORDINANCE BY PRINCETON CONCERNING PARADES AND AMENDING THE

"CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974". (Public Hearing May 27, 2014)

-AN ORDINANCE BY PRINCETON CONCERNING PAY-TO-PLAY REGULATIONS AND CAMPAIGN CONTRIBUTIONS AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968". (Public Hearing May 27, 2014)

-AN ORDINANCE BY PRINCETON CONCERNING MUNICIPAL COURT AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968". (Public Hearing May 27, 2014)

-AN ORDINANCE BY PRINCETON CONCERNING PEDDLING AND SOLICITING AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968". (Public Hearing May 27, 2014)

-AN ORDINANCE BY PRINCETON CONCERNING CORNER HOUSE AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968". (Public Hearing May 27, 2014)

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

a. Bills and Claims

b. Maintenance/Performance Guarantees

- New Cingular Wireless PCS LLC –Release of performance guaranty contingent receipt of acceptable maintenance guaranty.
- Battle Road Battle Road Circle Improvements – release of performance and acceptance of maintenance bond.

c. 14-132 Banner Request for Triangle Club announcing their annual show, to be hung over Washington Road, May 27- June 2, 2014.

d. 14-133 Banner Request for Princeton Historic Sites Commission announcing New Jersey's 350th Anniversary, to be hung over Washington Road, September 22- 29, 2014.

e. 14-134 Fire Department Application for Membership, Ryan Armstrong

f. 14-135 Deed of Easement, Institute for Advanced Study, Pedestrian Pathway Along Quaker Road.

g. 14-136 Amendment to Personnel Manual

Mr. Liverman offered a motion to approve the consent agenda as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

(Resolutions appended to this set of minutes.)

11:20 p.m.

14-137 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.

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

- Litigation/Personnel
 - Police Litigation
 - Potential Litigation Status Report
 - Administrator Selection
 - Police Personnel
 - Boards and Commissions

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 11:40 p.m.

Linda S. McDermott
Municipal Clerk