

PRINCETON COUNCIL MEETING
May 27, 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: Ms. Monzo, Mr. Kiser, Lt. Toole and Ms. Cecil.

PLEDGE OF ALLEGIANCE

The audience participated in the Pledge of Allegiance.

MINUTES

January 27 (Amended)

Mr. Liverman offered a motion to approve the minutes of January 27, 2014 as amended. Ms. Crumiller seconded the motion which was carried unanimously.

March 10 (Amended)

Mr. Miller offered a motion to approve the minutes of March 10, 2014 as amended. Ms. Crumiller seconded the motion which was carried unanimously.

April 7, 2014

Ms. Crumiller offered a motion to approve the minutes of April 7, 2014 as presented. Mr. Simon seconded the motion which was carried unanimously.

PROCLAMATION: 60th Anniversary Princeton Tennis Program

Mayor Lempert read a proclamation in honor of the 60th Anniversary of the Princeton Tennis Program and presented the proclamation to Mike Finkelstein and Gwen Guidice.

COMMENTS FROM THE PUBLIC - Regarding Items Not on the Agenda

Linda Auerbach, 10 Lytle Street expressed concern about speeding cars from Witherspoon Street to the "Children at Play" sign. She said that there was no speed limit posted, cars are often going the wrong way because people cannot see. Ms. Auerbach asked if a stop sign could be put at the wrong end of Lytle Street (one way street). Mayor Lempert said that the request would be turned over to the Traffic and Transportation Committee.

Minnie Craig, Witherspoon Street asked if the municipality could distribute flyers within the neighborhood advertising the neighborhood meeting regarding the Avalon Bay project. Mr. Kiser said that information about the meeting was on the website, emailed out and hand delivered. It was suggested that the flyers be in Spanish too.

REPORTS

Police Report, Lt. Robert Toole

Ms. Howard said that this report is in the new format off the Revelstone System. Ms. Crumiller said that it was great that that police was improving the report format but thought that it was harder to understand the data. Ms. Howard said that she would take that issue back to the police. Ms. Butler said that she agreed with Ms. Crumiller's comments. Ms. Butler said that she needed a sense of trending, so she would like to see personnel numbers. Ms. Crumiller thanked police for scheduling the Ride A Long program.

Mayor Lempert said that she was impressed with the professionalism of the staff.

Mr. Simon questioned overtime trending which was running high. Lt. Toole said that five officers were on long term sick leave, with one coming back just this week. He said that all squads are currently working below the minimum staffing level.

Mr. Liverman noticed that burglaries are up in surrounding towns. Lt. Toole said that this was due to being a crime of opportunity.

Council

Ms. Howard reported that Mr. Kiser attended the recent Health Commission meeting regarding the Avalon Bay project.

Ms. Crumiller discussed the issue of recycling cans on Nassau Street and textile recycling.

Mr. Simon said that he wanted to further address the possibilities of remote participation of Council meetings.

Mr. Miller said that he needed an email address for Henry Singer to reply to questions from the last Council meeting. He also discussed the need for a travel site for tourists coming through Princeton.

Mr. Liverman said that Mr. Miller was on target about the need for travel sites and concerns about tour buses. He felt that the issue was only going to become worse. Mr. Liverman said that the Communiversy wrap up meeting went well with open communication by all entities.

Ms. Crumiller asked if there was any thought given to making the event shorter and raising the fees charged by the municipality to recoup costs.

Ms. Butler said that the Community Park Pool opened this past weekend and that beginning June 11, a seven day a week schedule will be in place.

Mr. Simon said that the Finance Committee has begun working on the 2015 budget process.

Mayor Lempert said that June 2 was the Avalon Bay neighborhood meeting, June 3 was Election Day and June 3 was a meeting regarding the Transco Pipeline. Mayor Lempert said that Commissioner Simpson, NJDOT was leaving his position and we wish him well.

RESOLUTIONS

14-163 Bid Award, Improvements to Mercer Road, Top Line Construction Corp., \$561,136.05

Ms. Crumiller offered a motion to approve resolution 14-163 as presented. The motion was seconded by Ms. Butler and carried unanimously.

14-164 Shared Services Agreement between County of Mercer and Princeton for Fire Dispatch Services.

Mr. Miller offered a motion to approve resolution 14-164 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

14-165 Summit Collaborative Advisors, LLC, Expanded Executive Search, Not to Exceed \$14,000.

Ms. Butler offered a motion to approve resolution 14-165 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

14-166 Professional Services Agreement: Whitman – Phase I – preliminary assessment, Various Properties, 37 N Harrison St, 8 Clearview Avenue, 14 Clearview Avenue, Not To Exceed \$4,300.

Mr. Miller offered a motion to approve resolution 14-166 as presented. The motion was seconded by Ms. Butler and carried unanimously.

14-167 Professional Services Agreement: Hunter Research, D'Ambrisi Dam – Phase IA
Not to Exceed \$8,997.60

Ms. Crumiller offered a motion to approve resolution 14-167 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

14-168 Professional Services Agreement: Hunter Research, Archaeological consulting and training of Public Works Staff in connection with the completion of Quaker Road Pathway Project,
Not to Exceed \$1,327.50

Ms. Crumiller offered a motion to approve resolution 14-168 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

14-169 Shared Services Agreement, Senior Network Architectural Engineer, Princeton Public Schools/Princeton Public Library.

Mr. Miller offered a motion to approve resolution 14-169 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

14-170 Supplemental Professional Services Agreement, Miller, Porter & Muller, PC, Legal Services Planning Board 2014, Not to Exceed \$34,000.

Mr. Liverman offered a motion to approve resolution 14-170 as presented. The motion was seconded by Mr. Miller and carried unanimously.

(Resolutions appended to this set of minutes)

ORDINANCE INTRODUCTIONS

Chambers Street Metered Parking Space

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE BY PRINCETON RELOCATING A METERED PARKING SPACE FROM THE EAST SIDE TO THE WEST SIDE OF CHAMBERS STREET AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974".

Mr. Liverman 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 June 23, 2014

Purchase of Block 5701, Lot 16

Mayor Lempert recused herself from this discussion. Mr. Miller read by title on first reading a proposed ordinance entitled AN ORDINANCE AUTHORIZING PRINCETON TO ACQUIRE BLOCK 5701, LOT 16, PRINCETON TAX MAP FOR THE SUM OF \$625,000.00 UTILIZING FUNDS FROM THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT, FEMA GRANT PROGRAM, PROJECT NO. RFC-PJ-02-NJ-2011-01 AND FROM THE MUNICIPAL OPEN SPACE TRUST FUND

Ms. Howard offered a motion to approve the proposed ordinance on first reading. Ms. Butler seconded the motion, which was carried unanimously. The public hearing was set for June 23, 2014.

ORDINANCE PUBLIC HEARINGS

General Code Provision

Mayor Lempert read by title an ordinance entitled 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".

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.

Administration

Mayor Lempert read by title an ordinance entitled 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".

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.

Parades

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING PARADES 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.

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

Pay to Play

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING PAY-TO-PLAY REGULATIONS AND CAMPAIGN CONTRIBUTIONS AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

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 Ms. Butler and carried unanimously.

Municipal Court

Mayor Lempert read by title an ordinance entitled 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".

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.

Peddling & Soliciting

A Mayor Lempert read by title an ordinance entitled N 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.

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 Ms. Howard and carried unanimously.

Corner House

Mayor Lempert read by title an ordinance entitled 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".

Mayor Lempert opened the public hearing.

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

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

Hotel Usage Tax

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING THE HOTEL USAGE TAX 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.

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

Landscaping Registration

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING LANDSCAPING REGISTRATION AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Mayor Lempert opened the public hearing.

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

Ms. Howard offered a motion to table the proposed ordinance on second reading until a later date. The motion was seconded by Ms. Butler and carried unanimously.

Jogging

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING JOGGING AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

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 Mr. Liverman and carried unanimously.

Library

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING THE PRINCETON PUBLIC LIBRARY AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Mayor Lempert opened the public hearing.

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

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

Princeton Environmental Commission

Mayor Lempert read by title an ordinance entitled AN ORDINANCE BY PRINCETON CONCERNING THE PRINCETON ENVIRONMENTAL COMMISSION AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974" AND THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

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 Mr. Liverman and carried unanimously.

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

a. Bills and Claims

- b. Maintenance/Performance Guarantees:
 - Princeton University, 4 Mercer Street, Release of performance guaranty contingent upon receipt of acceptable maintenance guarantee.
 - Martinez Construction – 48 Leigh Avenue, Extension of time to May 31, 2015.
 - Princeton University – Sidewalk Extensions Project, Faculty Road / Fitzrandolph Road / South Drive, Extension of time to July 31, 2014
- c. 14-171 Fire Department Membership for Melissa Cavagnaro-Wang

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

(Resolutions appended to this set of minutes.)

9:20 p.m.

14-172 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/Negotiations
 - Avalon Bay
 - Lanwin
 - Police Lawsuit Update

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 9:55 p.m.

Linda S. McDermott
Municipal Clerk

Report to Council, 27 May '14

Status of Discussions With Lawrence Sprague, Executive Director, Sustainable Energy Funding Program (SEFP)

On 22 Apr '14 Jenny Crumiller and I met with Lawrence Sprague, Executive Director of the Sustainable Energy Funding Program (SEFP). SEFP has offices at 464 Common St, Belmont, MA. The purpose of the meeting was to gain a better understanding of what SEFP offered in terms of resources for the possible rehabilitation of the old VRS building for community use. We pointed out that title to the old VRS building was held by Princeton Public Schools, and that the municipality was interested in understanding if the building could be rehabilitated and used for municipal or community purposes in a financially sustainable way. Mr Sprague said that he might be able to provide the resources for an independent study of the structural integrity of the building to determine the estimated cost of bringing the building up to code. He subsequently asked that the municipality obtain approval from PPS for an engineering firm that SEFP would hire to enter the building and assess the estimated cost of rehabilitation. We told Mr Sprague that before taking the step of asking for the PPS to permit his contractor to enter the building that the municipality would have to do due diligence on SEFP, and that approval of the Council to proceed would be needed. We specifically asked for information on other projects that SEFP had engaged in, for financials on SEFP, and information on the principals. As the requested information was not forthcoming in a timely manner, we advised Mr Sprague that the municipality would not ask the PPS for permission for an engineering firm to be hired by SEFP to enter the building for the purpose providing an estimate of the cost of rehabbing the building. Mr Sprague has responded that he needs to discuss for the information that we would need in order to do due diligence on SEFP with his attorney and members of his board, and that the earliest that this might take place is early June. Any further discussions with Mr Sprague are on hold until we receive the requested information and have an opportunity to do due diligence on SEFP.

**Report To Council 27 May '14
Status of Tour Bus Parking On Nassau St. In CBD**

Princeton has become a destination for tours that are sold to Asian and European tourists. The tours appear to originate in NYC, stop briefly in Princeton, and then proceed to Phila. As best that we can tell, the stop in Princeton is billed as a visit to the campus of a major US university, and an opportunity for a coffee and toilet break. The problem is that while the tourists get some coffee, or fast food, use the facilities of the coffee and fast food shops on Nassau St, the busses idle while parked. The problem as far as the university is concerned is that the tourists often cross onto the front of campus in front of Nassau Hall and wander in and out of buildings and offices often looking for rest rooms. The university has stationed mandarin speakers in Nassau Hall to assist the tourists and keep them from entering administrative offices.

From the standpoint of the municipality, the present tour arrangements add little of value to the municipality. The tourists may buy coffee, fast food and T-shirts, but do not stay long enough to do serious shopping, and do not stay overnight.

The problem was brought to light by the fact that during the week of June 16th to June 20th, 2014 Princeton University will be a host site for the Special Olympics 2014 USA Games. Track and Field and Swimming competition will be held on the Princeton University campus. As a result, we anticipate larger than usual tourist and bus traffic in the Princeton Central Business District during this week.

Working with the Regional Chamber of Commerce and the university, the municipality is advising private tour operators and bus companies that there will be more limited stop and park options on Nassau Street during this week due to the influx of guests affiliated with the Special Olympics games.

The Chamber, university and our PD recognize that what we are implementing during the Special Olympics is really not a solution to the problem. As a longer term solution, we are looking at the possibility of directing the tour bus operators to park their busses at allocation away from the CBD.

From a longer term tourism may represent an opportunity for economic development for the municipality, especially if the tourist visits can be tied in with visits to Princeton historic sites or cultural events in the municipality for an overnight stay. It's clear that Princeton is a destination for overseas visitors. In their present form the tourists bring little or no benefit to the municipality. It might be worth working with the Chamber and university to explore the possibility of using tourism as an economic opportunity for the municipality.