



PRINCETON
MAYOR AND COUNCIL OF PRINCETON
MINUTES • AUGUST 10, 2015

Regular Meeting

Main Council Room

6:00 PM

400 Witherspoon Street, Princeton, NJ 08540

I. STATEMENT CONCERNING NOTICE OF MEETING

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 August 6, 2015 at 11:00 a.m., said schedule was posted on the official bulletin board in the Municipal Building, transmitted to the Princeton Packet, the Trenton Times, the Town Topics and filed with the Municipal Clerk.

II. ROLL CALL

The Municipal Clerk then called the roll.

PRESENT: Mesdames Butler, Crumiller, Howard and Messers Miller, Liverman, Simon.

ABSENT: None.

ALSO PRESENT: Mr. Dashield, Mr. Kiser, Ms. Cecil, Chief Sutter.

III. 6:00 P.M. CLOSED SESSION: LITIGATION/PERSONNEL

1. 15-229 Closed Session Resolution

Motion – to approve resolution 15-229

The following issues were discussed by the Mayor and Council: Personnel Update and Litigation Update.

Kevin Van Hise, Esq. and Lee Solow, Planning Director participated in this discussion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jenny Crumiller, Councilwoman
SECONDER:	Patrick Simon, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

2. Personnel Update

3. Litigation Update

IV. 7:00 P.M. OPEN SESSION

V. PLEDGE OF ALLEGIANCE

The audience participated in the pledge of allegiance.

VI. APPROVAL OF MINUTES JUNE 22 AND 29 AND JULY 13, 2015

Motion - to approve minutes of June 22, 2015.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Lance Liverman, Councilman
SECONDER:	Jo Butler, Councilwoman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

Motion – to approve minutes of June 29, 2015 as amended.

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Jo Butler, Councilwoman
SECONDER:	Patrick Simon, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

Motion – to approve minutes of July 13, 2015 as amended.

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Jo Butler, Councilwoman
SECONDER:	Patrick Simon, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

VII. COMMENTS FROM THE PUBLIC

There were no Comments from the Public.

VIII. REPORTS

Mr. Howard reported that the Health Department had a teenage intern "go under cover" and visited sixteen area vendors who carried tobacco products, to see if they would sell to anyone under the age of 21. Ms. Howard was pleased to report that none of the vendors agreed to sell tobacco products to the underaged teen.

Ms. Howard also reported that this was the last week for the Human Services Book Bag collection. She also reported that the Summer Youth Employment Program was successful.

Mr. Miller reported that during its meeting on August 28, 2015 the Shade Tree Commission discussed the loss of our shade tree canopy caused by the number of house

tear downs where existing smaller houses are replaced by larger houses. They also discussed the loss of many mature oak and ash trees from bacterial leaf scorch and the emerald ash borer. The Commission voted to establish a subcommittee to review our existing shade tree ordinance. The review will examine ways that the ordinance can be strengthened to improve the replacement of our tree canopy when mature trees must be removed because of construction, and to provide for the replacement of the many oaks and ashes that contribute to our designation as a Tree City.

Mr. Miller also reported that The Animal Control Committee met on July 31, 2015 to review the historical data on deer/vehicle collisions, the annual deer population control program conducted by White Buffalo under contract to Princeton and the recreational bow hunting program that has been required by the State as a condition for permitting our deer population control program. The review pointed out that the three week population control program in 2014 was successful in removing approximately 250 deer from the herd, but that the population density per square mile remains nearly twice the target adopted by the municipality. Accordingly, the Commission voted to recommend that the municipality fund a three week program similar to last year's program again this winter, and that White Buffalo also be funded to perform a population estimate as a part of their contract. Upon approval of the three week program by Council, our Municipal Attorney will request State approval for the program. He said that our Animal Control Officer pointed out that there appears to be a disconnect between the number of dog licenses recorded in the Clerk's Office and the number that the Animal Control Officer would expect for the population of Princeton. There are 957 licensed dogs, while demographic data indicates that the number of licenses should be closer to 3000. This is an indication that there may be a large number of unlicensed dogs that may not be inoculated for rabies. Our Animal Control Officer will research this further and report back to the Committee.

Mr. Liverman reported that the Corner House retreat was to take place this week at Princeton University.

Ms. Butler reported that the Historic Preservation Commission will present a package of amendments to Council by September 15, 2015. Ms. Butler also reported that the Blue Fish Fin and Dive Team recently won and will host the championship meet in 2016. She said that Labor Day, September 7, 2015 will be the last day of the pool season. Ms. Butler noted that this was the last week for travel camp and that there were 65 golfers participating in the Family Golf Outing.

Mr. Simon reported that the Public Works Committee was working on filling gaps on the schedule for the brush pick up. Mr. Hough said that there will be an additional pickup in early July and again in late July and an additional pickup in November

Mayor Lempert noted that Planning Board meetings will begin to be televised. She also thanked the Police Department noting that the recent Community Night Out was a great event.

IX. PRESENTATION

1. On Demand Taxi Service to Replace the 655, University Medical Center at Princeton

Carol Marrow, University Medical Center at Princeton discussed with the Mayor and Council an on demand taxi service to replace the 655 bus that has recently been discontinued. The service is free to patients, Monday through Friday and will begin on August 24, 2015.

Mr. Grosser said that Tiger Transit will also be adding a stop at Palmer Square. Ms. Howard thanked Mr. Grosser and Ms. Neira for working with the hospital to make this happen. Ms. Crumiller suggested that the program needed signage in order to work.

X. ORDINANCE PUBLIC HEARINGS

1. An Ordinance by Princeton Concerning Alarm System Registrations and Amending the "Code of the Borough of Princeton, New Jersey 1974" and the "Code of the Township of Princeton, New Jersey, 1968".

Motion - to adopt

Mr. Simon explained that he would be voting in the negative on the ordinance because he felt that the initial penalty of a maximum fine up to \$2000., 90 days in jail and/or 90 days community service is very excessive.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Bernard Miller, Council President
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler
NAYS:	Simon

2. An Ordinance by Princeton Concerning Alcoholic Beverages and Amending the "Code of the Borough of Princeton, New Jersey, 1974" and the "Code of the Township of Princeton, New Jersey, 1968."

Motion - to adopt

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bernard Miller, Council President
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

3. An Ordinance by Princeton Concerning the Princeton Police Department and Amending the "Code of the Borough of Princeton, New Jersey, 1974" and the "Code of the Township of Princeton, New Jersey, 1968."

Motion - to adopt

Mr. Simon voted in the negative because he felt that the appropriate authority should be an elected official. Ms. Butler said that she was in agreement with Mr. Simon and also voted in the negative.

RESULT:	ADOPTED [4 TO 2]
MOVER:	Heather Howard, Councilwoman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman
NAYS:	Butler, Simon

- An Ordinance by Princeton Concerning Taxis and Other Vehicles for Hire and Amending the "Code of the Borough of Princeton, New Jersey, 1974" and the "Code of the Township of Princeton, New Jersey, 1968"

Motion – to adopt

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Jenny Crumiller, Councilwoman
SECONDER:	Bernard Miller, Council President
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

- An Ordinance Pursuant to N.J.S.A. 40A:12-3 Et Seq. Authorizing Princeton to Accept the Donation of Block 15.02, Lot 37, Princeton Tax Map from the Princeton Housing Authority

Motion – to adopt

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bernard Miller, Council President
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

XI. ORDINANCE INTRODUCTIONS

- An Ordinance by Princeton Establishing One Hour Free Parking in the Spring Street Garage and Amending the "Code of the Borough of Princeton, New Jersey, 1974".

RESULT:	INTRODUCED [UNANIMOUS]	Next: 9/15/2015 6:30 PM
MOVER:	Lance Liverman, Councilman	
SECONDER:	Jo Butler, Councilwoman	
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon	

- An Ordinance by Princeton Concerning Designated Bus Stop Locations on Witherspoon Street and Amending the "Code of the Borough of Princeton, New Jersey, 1974".

RESULT:	INTRODUCED [UNANIMOUS]	Next: 8/24/2015 6:30 PM
MOVER:	Bernard Miller, Council President	
SECONDER:	Jenny Crumiller, Councilwoman	
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon	

3. An Ordinance by Princeton Regulating Parking Along Riverside Drive West in the Vicinity of Prospect Avenue and Amending the "Code of the Township of Princeton, New Jersey, 1968".

RESULT:	INTRODUCED [UNANIMOUS]	Next: 8/24/2015 6:30 PM
MOVER:	Heather Howard, Councilwoman	
SECONDER:	Jenny Crumiller, Councilwoman	
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon	

4. An Ordinance by Princeton Authorizing the Amendment of Certain Easements and the Conveyance of Other Easements to the United States Postal Service in Connection with the Palmer Square Post Office Building

Ms. Crumiller said that she felt that it was a disservice to residents by giving away easements because the Federal Government could impose eminent domain. She said that so many people are mourning the loss of the post office and that we should say "no". Ms. Cecil said that the Post Office has not threatened to condemn easements. Ms. Howard said that important points have been raised. Mr. Liverman said that he is in favor of the proposed ordinance noting that in reality the post office will be moving. Mr. Simon indicated that we are not trying to block the post office from selling. David Newton, Palmer Square Management said that there is some precedent regarding easements. Ms. Butler said that the property should be used for public use. Mr. Miller said that he agreed.

RESULT:	TABLED [UNANIMOUS]	Next: 8/24/2015 6:30 PM
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon	

5. An Ordinance of the Mayor and Council of Princeton Concerning Salaries and Compensation of Certain Personnel of the Municipality of Princeton

RESULT:	INTRODUCED [UNANIMOUS]	Next: 8/24/2015 6:30 PM
MOVER:	Bernard Miller, Council President	
SECONDER:	Patrick Simon, Councilman	
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon	

XII. RESOLUTIONS

1. 15-230 Resolution on COAH Reform Package

Motion - to approve resolution 15-230

The resolution was approved without the section discussing 4534. The section describing 4534 was tabled.

RESULT: APPROVED [UNANIMOUS]
MOVER: Lance Liverman, Councilman
SECONDER: Bernard Miller, Council President
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

2. 15-231 Reaffirmation for Affordable Housing

RESULT: REMOVED NO ACTION TAKEN

3. 15-232 Resolution to Amend the Open Space Budget

Motion – to approve resolution 15-232

RESULT: APPROVED [UNANIMOUS]
MOVER: Jo Butler, Councilwoman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

4. 15-233 Resolution of the Mayor and Council of Princeton to Approve an Agreement with Queenston Commons for 2014 New Jersey Municipal Services Act Reimbursement in the Amount of \$5,911.91

Motion – to approve resolution 15-233

RESULT: APPROVED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

5. 15-234 Resolution of the Mayor and Council of Princeton Approving an Agreement with the Preserve Home Owners Association for 2014 New Jersey Municipal Services Act Reimbursement in the Amount of \$12,876.40

Motion – to approve resolution 15-234

RESULT: APPROVED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

6. 15-235 Resolution of the Mayor and Council of Princeton Approving an Agreement with Garret Lane Home Owners Association for 2014 New Jersey Municipal Services Act Reimbursement in the Amount of \$676.06

Motion – to approve resolution 15-235

RESULT: APPROVED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

7. 15-236 Resolution of the Mayor and Council of Princeton Approving an Agreement with Constitution Hill Property Association for 2014 New Jersey Municipal Services Act Reimbursement in the Amount of \$24,454.12

Motion – to approve resolution 15-236

RESULT: APPROVED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

8. 15-237 Resolution of the Mayor and Council of Princeton Approving an Agreement with Barsky Court Homeowners Association for 2014 New Jersey Municipal Services Act Reimbursement in the Amount of \$1,453.92

Motion – to approve resolution 15-237

RESULT: APPROVED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

9. 15-238 Resolution of the Mayor and Council of the Municipality of Princeton Authorizing a Professional Services Agreement in the Not to Exceed Amount of \$10,500.00 with Community Grants, Planning and Housing for the Preparation of a Community Development Block Grant Application

Motion – to approve resolution 15-238

RESULT: APPROVED [UNANIMOUS]
MOVER: Lance Liverman, Councilman
SECONDER: Bernard Miller, Council President
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

10. 15-239 Resolution of the Mayor and Council of Princeton to Award a Contract in the Not to Exceed Amount of \$89,915.00 to Wolfington Body Company, Inc. for the Purchase of a New 19-Passenger Lift-Equipped Diesel Shuttle Bus

Motion – to approve resolution 15-239

Mr. Miller said that he felt that we have to find a different way to do this as we are not a bus service.

RESULT: APPROVED [5 TO 1]
MOVER: Lance Liverman, Councilman
SECONDER: Jenny Crumiller, Councilwoman
AYES: Howard, Crumiller, Liverman, Butler, Simon
NAYS: Miller

11. 15-240 Resolution of the Mayor and Council of Princeton to Award a Contract in the Not to Exceed Amount of \$29,130.84 to Straight Edge Striping, LLC for Pavement Marking Services

Motion – to approve resolution 15-240

RESULT: APPROVED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Lance Liverman, Councilman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

12. 15-241 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Ditschman / Flemington Ford Fleet Sales through State of New Jersey Contract # A88211 for a 2015 Ford Transit-350 High Roof Extended Length Cargo Van for Use by the Department of Public Works in the Amount of \$42,000.00

Motion – to approve resolution 15-241

RESULT: APPROVED [UNANIMOUS]
MOVER: Patrick Simon, Councilman
SECONDER: Lance Liverman, Councilman
AYES: Howard, Crumiller, Miller, Liverman, Butler, Simon

13. 15-242 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Bucks County International through State of New Jersey Contract T-2787 - 79123 for a 2015 International 5/7 Yard Dump Truck for Use by the Department of Public Works in the Amount of \$120,280.00

Motion – to approve resolution 15-242

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

- 14. 15-243 Resolution of the Mayor and Council Authorizing the Award of a Contract to Groff Tractor New Jersey, LLC through Mercer Co-Op Contract # CK09MERCER2014-16 for Two (2) New Case 721FXR Four Wheel Drive Articulated Wheel Loaders in the Amount of \$324,710.00

Motion – to approve resolution 15-243

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

- 15. 15-244 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Winner Ford through State of New Jersey Contract A88758, T2101 for a 2016 Ford F350 Pick-Up Truck with Crew Cab for Use by the Department of Public Works in the Amount of \$38,148.00

Motion – to approve resolution 15-244

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

- 16. 15-245 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Winner Ford through State of New Jersey Contract A88758, T2101 for a 2016 Ford F350 Pick-Up Truck with Crew Cab for Use by the Princeton Sewer Operating Committee in the Amount of \$38,148.00

Motion – to approve resolution 15-245

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

- 17. 15-246 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Winner Ford through State of New Jersey Contract A88758, T2101 for a 2016 Ford F350 Pick-Up Truck for Use by the Princeton Sewer Operating Committee in the Amount of \$33,653.00

Motion – to approve resolution 15-246

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

18. 15-247 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Winner Ford through State of New Jersey Contract A88758, T2101 for a 2016 Ford F350 Pick-Up Truck for Use by the Department of Public Works in the Amount of \$33,653.00

Motion – to approve resolution 15-247

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

19. 15-248 Resolution of the Mayor and Council of Princeton Authorizing Award of a Contract to Winner Ford through State of New Jersey Contract A88215 for a 2016 Ford F450 3/4 Yard Dump Truck for Use by the Department of Public Works in the Amount of \$60,281.00

Motion – to approve resolution 15-248

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

20. 15-249 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to Ditschman / Flemington Ford Fleet Sales through State of New Jersey Contract # A88211 for a 2015 Ford Transit-350 High Roof Extended Length Cargo Van for Use by the Princeton Sewer Operating Committee in the Amount of \$42,000.00

Motion – to approve resolution 15-249

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

21. 15-250 Resolution of the Mayor and Council of Princeton Authorizing the Award of a Contract to R. J. Walsh Associates, Inc. through State of New Jersey Contract # 80375 for New Fuel Dispensers at Valley Road in the Amount of \$15,197.69

Motion – to approve resolution 15-250

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Patrick Simon, Councilman
SECONDER:	Lance Liverman, Councilman
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

XIII. CONSENT AGENDA

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jenny Crumiller, Councilwoman
SECONDER:	Bernard Miller, Council President
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon

1. Bills & Claims
2. Release of Cash Maintenance Guaranty in the Amount of \$11,435.25 for 188 N. Harrison Street (Block 7305, Lot 33) Minor Site Plan with Variances to Eric Abrams (Doodlebug Enterprises LLC.)
3. 15-251 2015-2016 Annual Liquor License Renewals
4. 15-252 Banner Request Over Washington Road, VOICES for Christmastide, December 7-14, 2015
5. 15-253 Resolution of the Mayor and Council of Princeton to Award a Contract in the Not to Exceed Amount of \$3,150.00 to Vincent Baldino & Brothers for Curbing and Apron Repairs
6. 15-254 Chapter 159-Special Budget Item, \$1,050.
7. 15-255 Resolution of the Mayor and Council of Princeton Adopting the Citizen Participation Plan for the Small Cities Public Facilities Grant
8. 15-256 Resolution of the Mayor and Council of Princeton Accepting a Grant Management Plan for Princeton's Small Cities Public Facilities Application
9. 15-257 Resolution of the Mayor and Council of Princeton Identifying a Community Development Block Grant Fair Housing Officer
10. 15-258 Resolution of the Mayor and Council of Princeton Authorizing the Application of the Municipality of Princeton to the New Jersey Department of Community Affairs (NJDCa) for Up to \$400,000.00 for ADA Improvements at Various Intersections Throughout the Municipality

XIV. ADJOURNMENT

There being no further business the meeting was adjourned at 9:50 p.m.

Linda S. McDermott
Municipal Clerk