



PRINCETON
MAYOR AND COUNCIL OF PRINCETON
MINUTES • SEPTEMBER 26, 2016

Regular Meeting

Main Council Room

6:30 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 September 23, 2016 at 2:15 p.m., said notice 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. PLEDGE OF ALLEGIANCE

The audience participated in the pledge of allegiance.

III. ROLL CALL

The Municipal Clerk then called the roll.

Present for Council: Mayor Lempert, Councilwoman Howard, Councilwoman Butler, Councilwoman Crumiller, Council President Liverman, Councilman Miller and Councilman Simon.

Absent: None.

Also Present: Marc Dashield, Administrator; Nicholas Sutter, Chief of Police; Deanna Stockton, Municipal Engineer; Trishka Cecil, Esq., Municipal Attorney.

IV. 6:30 P.M. CLOSED SESSION: NEGOTIATIONS

1. 16-268 Resolution, Closed Session

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

2. Property Acquisitions

Lee Solow, Planning Director was present for the above referenced discussion. ♥

3. Princeton First Aid & Rescue Squad Memorandum Of Understanding

The above referenced item were discussed by the Council.

V. 7:00 P.M. OPEN SESSION

VI. APPROVAL OF MINUTES

1. May 23, 2016

Ms. Butler abstained from the vote as she was absent from the May 23, 2016 meeting.

RESULT:	ADOPTED [5 TO 0]
MOVER:	Heather Howard, Councilwoman
SECONDER:	Lance Liverman, Council President
AYES:	Howard, Crumiller, Miller, Liverman, Simon
ABSTAIN:	Butler

2. September 19, 2016 Closed Session

Mayor Lempert, Ms. Butler and Ms. Howard were absent from the September 19, 2016 Closed Session meeting.

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

VII. PROCLAMATION

1. October 5, 2016 is International Walk and Bike to School Day and Princeton Crossing Guard Recognition Day

Mayor Lempert read a proclamation proclaiming October 5, 2016 as International Walk and Bike to School Day and Princeton Crossing Guard Recognition Day.

2. Award of Recognition: Honoring Princeton Crossing Guards

Mayor Lempert presented Certificates of Recognition to School Crossing Guards currently serving the Municipality of Princeton.

(List of School Crossing Guards appended to this set of minutes)

VIII. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Yina Moore, 19 Green Street, discussed with Council Assembly Bill 3888 as proposed by Assemblyman Reed Gusciora. The proposed bill prohibits certain third-party tax appeals. Ms. Moore said that the proposed bill is a travesty. Ms. Butler stated that the proposal is disturbing at best. Mayor Lempert proposed that a resolution be added to the October 10, 2016 Council agenda opposing Assembly Bill 3888.

Juliet Mallowski, 20 Butternut Row, asked that the area around Ridgeview Woods be made accessible to the public as open space.

IX. ANNOUNCEMENTS

Ms. Butler stated that the Princeton Senior Resource Center would be holding a benefit on Saturday, October 1, 2016 with the comedic group "The Capital Steps".

Mayor Lempert announced that Access Princeton recently received the “Transparency Award” from SeeClickFix.

X. REPORTS

June 2016 and July 2016 Police Reports

Chief Sutter reviewed with Council the June and July 2016 Police Reports. He said that in reviewing the statistics, police officers were in attendance at 110 community engagement events. He stated that these were positive and proactive events that illustrate the huge commitment that the police department has toward the Princeton community.

Chief Sutter noted that the spike in patrol overtime was due purely to staff shortages.

Ms. Howard asked if the drop in parking violations and the drop in associated revenue was something to be worried about. Mr. Dashield said that it was not an issue and that the loss in revenue was due to the recent retirement of one of our officers.

Mr. Simon asked if warrant arrests were mandatory. Chief Sutter said that yes they were, but one cannot assume that the arrests are all coming from random motor vehicle lookups. Mr. Simon stated that all police actions should have a positive impact.

Ms. Butler said that overtime for detectives was quite high in July. Chief Sutter said that overtime is directly related to those who are called in to work or are delayed in leaving due to unplanned incidents.

Chief Sutter also reported that a new motorcycle has been added to the fleet to be used for speeding and pedestrian enforcement.

Ms. Butler complimented the Police Department on the excellent job that they are doing with community policing.

Valley Road Project, Proceeding Despite Executive Shutdown Order

Ms. Stockton reported to Council that she recently spoke with Michael Russo at the New Jersey Department of Transportation regarding a recent grant agreement. She learned that in proceeding with the Valley Road project, Princeton could be in violation of a recent state order and the grant would be reversed.

Mr. Simon said that we have received $\frac{3}{4}$ of the grant money to date and asked what happens to those funds already received. Ms. Cecil said that work can no longer continue on the project and that the money just sits in an account until we receive word that the project can continue.

Council Reports

Ms. Howard reported that “Welcome Week” activities have been completed. She also said that “Send Hunger Packing” was a very successful fundraiser.

XI. WORK SESSION

1. Possumus Inc. Parking Experiment Program Proposal

Arash Sadeghi, Possumus, Inc., reviewed with Council a power point presentation regarding a “Smart Parking Meter” pilot program that they are proposing to test in Princeton on a small scale.

Mr. Sadeghi said that he works with a team of engineers on technology that may have groundbreaking applications in the transportation and parking industry. The technology is based on computer vision and artificial intelligence and relies on custom-designed parking meters equipped with onboard cameras as vision sensors, capable of automatically determining parking spot occupancy via computer algorithms. The meters are connected to the internet wirelessly and are completely off-grid and battery powered, charged by solar cells that are incorporated into the body of the meter.

Mr. Sadeghi said that studies show that between 30-60 % of all traffic congestion is due to motorists looking for parking spots while circling their destination. He said that having the ability to determine parking spot occupancy in real-time enables both municipalities and motorists a variety of tools and benefits not currently available using conventional parking meters. The meters do not take or store coins, with the preferred method of payment through a mobile app where users link their bank accounts and purchase "parking credit" in bulk.

Mr. Sadeghi said that they would like to test their new technology in a small scale pilot study in Princeton and asked for access to ten parking spots scattered around Princeton for a maximum of 60 days, starting spring 2017.

Mayor Lempert said that she had concerns about freeing up ten parking spaces and that there would not be enough participants signing up for the project. Mr. Sadeghi stated that participants would not be charged anything and that it was free parking.

Mr. Dashield said that he would work out an agreement to monitor the parking spaces to bring back to Council for approval.

(Power point presentation appended to this set of minutes)

XII. ORDINANCE PUBLIC HEARINGS

1. 2016-36 Refunding Bond Ordinance Of Princeton, In The County Of Mercer, New Jersey, Providing For The Refunding Of All Or A Portion Of Certain General Improvement Bonds Of 2007 And General Improvement Bonds Of 2010 Originally Issued By The Borough Of Princeton And General Improvement Bonds Of 2009 And General Improvement Bonds Of 2011, Originally Issued By The Township Of Princeton, Appropriating \$16,000,000 Therefor And Authorizing The Issuance By Princeton Of One Or More Series Of Refunding Bonds In The Aggregate Principal Amount Of Not Exceeding \$16,000,000 For Financing The Cost Thereof.

Mayor Lempert opened the public hearing. There being no public comment, Mayor Lempert closed the public hearing.

Motion – to adopt

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

2. 2016-37 Authorization of \$95,000.00 to Acquire Permanent Right of Way Dedications and Temporary Construction Easements from Five Properties on Cherry Valley Road (#200, 206, 212, 222, and 224) in the Municipality of Princeton for Road Improvements

Mayor Lempert opened the public hearing. There being no public comment, Mayor Lempert closed the public hearing.

Motion – to adopt

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

XIII. ORDINANCE INTRODUCTION

1. 2016-38 An Ordinance By The Municipality Of Princeton Establishing A Civil Rights Commission And Amending The “Code Of The Borough Of Princeton, New Jersey, 1974” And “Code Of The Township Of Princeton, New Jersey, 1968”. (Public Hearing October 24, 2016)

Mayor Lempert read the proposed ordinance by title.

Mr. Dashield and Ms. Howard reviewed a power point presentation with Council regarding the proposed ordinance.

Mr. Dashield said that the proposed ordinance creates a stand-alone commission and addresses how to deal with confidentiality and communication issues.

Mayor Lempert stated that the group is supposed to meet within 30 days after the proposed ordinance has been adopted. She said that she would like to amend the proposed ordinance to at least 60 days or beginning in January 2017.

Mr. Simon said that there will be a need to clarify exactly what information will be available to the public under the Open Public Records Act (OPRA) in regard to the proposed ordinance and the actions of the Civil Rights Commission.

Ms. Butler said that she was disappointed in where we find ourselves with the proposed ordinance. She stated that she was hoping for something with more “teeth” in it and that overall she wondered how much this will cost and how we will measure success.

Leticia Fraga, 15 Houghton Road, said that she was thrilled that we are nearing a point where all work would come to fruition for the development of the Civil Rights Commission.

Elizabeth Bates, 298 Nassau Street, said that she had some strong objections to the proposed procedures and that procedures must be reviewed as they apply to intake of issues.

Tom Parker, 11 Lytle Street, stated that it is the job of the Civil Rights Commission to advise and inform.

Leighton Newlin, 234 Birch Avenue, stated that he did not think that the proposed ordinance should be introduced as written.

John Heilner, Library Place, asked that additional language be added to the consent form, and said that the proposed ordinance should be introduced. Mr. Dashield said that the consent form was not covered under the mediation act.

Ms. Crumiller asked if the Civil Rights Committee meetings would be open to the public. Mr. Dashield said that the meetings would be public but mediations would be held in closed session meetings.

Mr. Simon suggested a technical amendment to (d1) to keep the affirmative action officer in place, and in (c1) to have an organization meeting within 30 days.

Motion – to introduce as amended

RESULT:	INTRODUCED [UNANIMOUS]	Next: 10/24/2016 6:00 PM
MOVER:	Heather Howard, Councilwoman	
SECONDER:	Jenny Crumiller, Councilwoman	
AYES:	Howard, Crumiller, Miller, Liverman, Butler, Simon	

XIV. RESOLUTIONS

1. 16-269 Setting Ranges for Legal Fees for Boards and Commissions

Motion – to adopt

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

2. 16-270 In Support of A-114, Local Transportation Aid and Delayed Construction Contracts

Motion – to adopt

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

3. 16-271 Authorizing Changes to Personnel Manual Effective Immediately

Motion – to adopt

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

4. 16-272 Purchase of Affordable Unit due to Foreclosure, 218 Brickhouse Rd, Block 9801, Lot 3.218, \$96,799.00

Motion – to adopt

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

5. 16-273 Resolution to Purchase An Affordable Housing Unit, 47 Billie Ellis Lane, Block 802, Lot 1.0137, Qualifier C047, \$103,182.00

Motion – to adopt

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

6. 16-274 Agreement with Tele-Measurements, Inc for Main Meeting Room Equipment Upgrade, New Jersey State Contract #T1466, \$256,805.25

Motion – to adopt

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

7. 16-275 Authorizing Purchase of 9-1-1 NICE Inform Professional Recording System, Wilmac, State Contract 83921, \$48,094.00

Motion – to adopt

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

8. 16-276 Amended Professional Services Agreement, Miller Porter & Muller, Counsel to the Planning Board for AvalonBay Appeal (Avalon Princeton, LLC v. Princeton et al., Docket No. A-1992-15T2), Not to Exceed \$12,500.00

Motion – to adopt

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

XV. CONSENT AGENDA

Motion – to adopt

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

1. Bills & Claims
2. 16-277 Request for Banner Over Washington Road by Princeton University Concerts Announcing Baby Got Bach, October 17-24, 2016
3. 16-278 Request for Pole Banners on Nassau Street, Princeton University Art Museum, Promoting Epic Tales from India: Paintings from The San Diego Museum of Art, November 5, 2016-February 11, 2017
4. 16-279 Resolution Authorizing Sewer Billing Adjustment/Refund for Block 7401 Lot 1, 301 North Harrison Street
5. Completion Time Extension to October 31, 2016 for Princeton University Hibben-Magie Graduate Housing, Faculty Road (Block 10801 Lots 1 & 2) Preliminary and Final Major Site Plan
6. Completion Time Extension to May 31, 2017 and 70% Reduction of the Performance Guaranty for a New Amount of \$358,313.69 for Faculty Housing (Block 10401 Lot 1 and Block 10501 Lot 1.01) Preliminary Subdivision and Site Plan and Final Subdivision to Institute for Advanced Study
7. Completion Time Extension to October 31, 2016 for Princeton University Andlinger Center, Olden Lane and Prospect Avenue (Block 48.01 Lots 1 & 2) Preliminary and Final Major Site

8. Completion Time Extension to March 31, 2017 for Westerly Road Church Subdivision, Westerly Road and Mountain Avenue (Block 6703 Lots 12 and 13)
9. Completion Time Extension to May 31, 2017, Martinez Construction, LLC. For 48 Leigh Avenue (Block 6906 Lot 25) Expansion of Restaurant and Grocery Store Minor Site Plan
10. 16-280 Professional Services Agreement Contract Term Extension to October 13, 2017 with Environmental Management Associates Related to Site Remediation of Former Public Works Valley Road Site
11. Release of maintenance guaranty in the amount of \$100,898.41 for the repair and resurfacing of Mercer Road and Quaker Road to Top Line Construction Corp.
12. Release of performance guaranty contingent acceptable maintenance guaranty in the amount of \$196,137.07, which is 15% of the performance guaranty for Copper wood at Princeton, 300 Bunn Drive (Block 4301, Lots 3 & 4 and Block 4401 Lots 1 & 2) To Fountain Ridge, LLC (formerly J. Robert Hillier "Copper wood")

XVII. ADJOURNMENT

There being no further business the meeting was adjourned at 11:05 p.m.

Linda S. McDermott
Municipal Clerk