

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
February 26, 2008
Regular Meeting
Open Session 7:30 P.M.**

Present: Council President Margaret Karcher, Councilwoman Winifred Benchley, Councilman David Goldfarb, Councilman Andrew Koontz, Councilman Roger Martindell (*arrived 7:58 P.M.*), Councilwoman Barbara Trelstad, and Mayor Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Attorney Karen L. Cayci, Borough Engineer Christopher M. Budzinski, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 7:30 P.M. and read the open public meetings statement as follows:

“This meeting is called to order pursuant to the provisions of the Open Public Meetings Law. This meeting of February 26, 2008, was included in a list of meetings sent to and advertised in the Princeton Packet and Trenton Times, posted on the bulletin board in the Borough of Princeton municipal building and has remained continuously posted as the required notices under the statute. In addition a copy of this notice is and has been available to the public and is on file in the Office of the Borough Clerk. Proper notice having been given, the Borough Clerk is directed to include this statement in the minutes of this meeting.”

Mayor Trotman asked all present to rise for the salute to the flag.

Mayor Trotman read **Agenda Item D, Approval of Minutes.**

Presented for approval were the minutes of the open session of January 8, 2008.

Councilman Koontz moved to approve the minutes of the open session of January 8, 2008, Councilwoman Benchley seconded, and Council approved unanimously five to zero.

Presented for approval were the minutes of the open session of February 12, 2008.

Councilwoman Trelstad moved to approve the minutes of the open session February 12, 2008, Councilman Koontz seconded, and Council approved unanimously five to zero.

Mayor Trotman read **Agenda Item E, Public Presentation**, and asked if anyone present wished to address the Council with an issue not on the agenda.

There were no public presentations.

Mayor Trotman read **Agenda Item F, Correspondence – Palmer Square 2008 Events – Anita Fresolone, Marketing Director**

Ms. Fresolone presented to Council the Palmer Square 2008 events calendar, which replicates the 2007 calendar. Councilman Goldfarb asked about coordination of events with construction on Palmer Square North and the implied parking restrictions, and Ms. Fresolone responded that all events will take place as scheduled.

Councilman Koontz moved to accept the Palmer Square calendar for 2008 and Council President Karcher seconded. Council concurred unanimously.

Mayor Trotman read by title **Agenda Item G, Old Business (1) – Public Hearing and Adoption: Ordinance 2008-02** BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$133,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$126,350 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF.

Councilman Goldfarb moved to adopt Ordinance 2008-02; Councilwoman Benchley seconded.

Mayor Trotman opened the **Pre-Assessment Hearing – Ordinance 2008-02** – for the reconstruction of Cleveland Lane and portion of Lafayette Road, including sidewalks. Borough Engineer Christopher M. Budzinski pointed out that the ordinance is for assessment for concrete sidewalk work only and explained the calculation to determine property owners' obligation based on frontage.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue.

Henry Oechler, 150 Cleveland Lane, asked if payment is permitted lump sum or extended over 10 years with interest and was told yes. Councilman Goldfarb stated that the interest charged to property owners reflects the (tax-exempt) interest rate Borough pays on the bond that financed the project.

Christina Johnson, 75 Cleveland Lane, expressed concern for the safety of her house and ancient plantings dating from 1923. She requested more dialogue among neighbors and Council prior to action.

Seeing no one further from the public, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item G, Old Business (2) — Public Hearing and Adoption: Ordinance 2008-03** ORDINANCE AMENDING SECTION 3(A) OF BOND ORDINANCE NUMBERED 2001-15 OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED NOVEMBER 27, 2001 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.

Mr. Budzinski explained that Ordinances 2008-03, -04, -05, and -06 amend a previous bond ordinance (holding unspent funds) to include certain streets for a 2008 capital project.

Councilwoman Benchley moved to adopt Ordinance 2008-03; Councilwoman Trelstad seconded.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue. Seeing no one, she closed the public discussion and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item G, Old Business (3) — Public Hearing and Adoption: Ordinance 2008-04** ORDINANCE AMENDING SECTION 3 OF BOND ORDINANCE NUMBERED 2003-15 OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED JUNE 10, 2003 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.

Councilman Koontz moved to adopt Ordinance 2008-04; Councilwoman Benchley seconded.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council. Seeing no one, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Councilman Martindell arrived at 7:58 P.M.

Mayor Trotman read by title **Agenda Item G, Old Business (4) — Public Hearing and Adoption: Ordinance 2008-05** ORDINANCE AMENDING SECTION 3 (n) OF BOND ORDINANCE NUMBERED 2006-16 OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED JULY 25, 2006 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.

Councilman Koontz moved to adopt Ordinance 2008-05; Councilwoman Benchley seconded.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council. Seeing no one from the public, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, and Trelstad voted in the

affirmative; Councilman Martindell abstained. Mayor Trotman proclaimed the ordinance adopted five to zero.

Mayor Trotman read by title **Agenda Item G, Old Business (5) — Public Hearing and Adoption: Ordinance 2008-06** ORDINANCE AMENDING SECTION 3(e) OF BOND ORDINANCE NUMBERED 2007-19 OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED SEPTEMBER 11, 2007 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.

Councilwoman Benchley moved to adopt Ordinance 2008-06; Councilwoman Trelstad seconded.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council. Seeing no one, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item G, Old Business (6) — Public Hearing and Adoption: Ordinance 2008-07** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17A, OF THE CODE OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY 1974 REGARDING APPLICATION FEES, INSPECTIONS, PERMITS.

Councilwoman Benchley moved to adopt Ordinance 2008-07; Council President Karcher seconded.

Mr. Budzinski stated that the ordinance updates fees for land use applications, inspections, zoning permits. After review by the planning board in February 2008, the ordinance was referred to Council for adoption.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council. Seeing no one from the public, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item G, Old Business (7) — Public Hearing and Adoption: Ordinance 2008-08** AN ORDINANCE AMENDING CHAPTER 33, TREES AND SHRUBS, OF THE CODE OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY 1974.

Councilwoman Benchley moved to adopt Ordinance 2008-08; Councilwoman Trelstad seconded.

Mr. Budzinski reported that the ordinance adds a one-time fee of \$50 per permit (i.e., per property) for tree removal.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue. Seeing no one from the public, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item G, Old Business (8) — Public Hearing and Adoption: Ordinance 2008-09** AN ORDINANCE AMENDING CHAPTER 28, STREETS AND SIDEWALKS OF THE CODE OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY 1974.

Councilman Goldfarb moved to adopt Ordinance 2008-09; Councilwoman Trelstad seconded.

Mr. Budzinski stated that the ordinance updates the fee schedule from 1977 to align with fees in nearby municipalities.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council. Seeing no one from the public, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted unanimously.

Mayor Trotman read by title **Agenda Item G, Old Business (9) — Public Hearing and Adoption: Ordinance 2008-10** ORDINANCE CONCERNING SALARIES AND COMPENSATION OF CERTAIN PERSONNEL OF THE BOROUGH OF PRINCETON.

Councilman Koontz moved to adopt Ordinance 2008-10; Council President Karcher seconded.

Mr. Bruschi stated that the ordinance provides for 3.25% (average) salary increases for three years. Mentioning the governor's budget quandary, Councilman Martindell recommended a conservative approach by Council in authorizing future pay increases.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council. Seeing no one, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance adopted.

Mayor Trotman read by title **Agenda Item H, New Business (1) — Introduction and Order to Publish: Ordinance 2008-11** AN ORDINANCE AMENDING CHAPTER 22, OFFENSES – MISCELLANEOUS, OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974.

Councilman Goldfarb moved to introduce Ordinance 2008-11; Councilwoman Benchley seconded.

Borough Administrator Robert Bruschi stated that the ordinance assures that the Borough map agrees with “drug free” zones.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council. Seeing no one, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing March 11, 2008.

Mayor Trotman read by title **Agenda Item H, New Business (2) – Introduction and Order to Publish: Ordinance 2008-12**AN ORDINANCE BY THE BOROUGH OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53, TO UNDERTAKE JOINTLY WITH THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY A COMPLETE REVALUATION OF ALL REAL ESTATE WITHIN BOTH MUNICIPALITIES FOR TAX EQUALIZATION PURPOSES.

Council President Karcher moved to introduce Ordinance 2008-12; Councilwoman Benchley seconded.

Mr. Bruschi indicated that there will be several steps in the tax equalization process; he expects the actual tax rates to be effective in early 2009. Councilman Goldfarb suggested inviting the tax assessor to visit Council with a proposed schedule prior to awarding an agreement for assessment.

Mr. Bruschi noted that Mercer County assessor required the reevaluation. The goal is not a *change* in taxation, but rather reapportionment of funds.

Mayor Trotman opened the public discussion and asked if anyone wished to address Council.

A residence of Cleveland Lane noted that, in 12 years, his taxes doubled.

Seeing no one further, Mayor Trotman closed the public presentation and returned to Council. Hearing no comment, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, Martindell, and Trelstad voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing March 11, 2008.

Mayor Trotman read **Agenda Item H, New Business (3 - 7) – Resolutions 2008-R75, 2008-R76, 2008-R77, 2008-R78, and 2008-R79** as follows:

**RESOLUTION 2008 R-75
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING AN AGREEMENT TO PROVIDE FOR THE BOARDING AND ADOPTION OF
CATS AND DOGS AT THE SAVE ANIMAL SHELTER**

WHEREAS, the Borough wishes to enter into an agreement with the Small Animal Veterinary Endowment, hereinafter referred to as “S.A.V.E.”, (the Provider), a non-profit New Jersey corporation which houses stray animals and places them for adoption, for the performance by the Provider of extraordinary and unspecifiable services in connection with certain activities being conducted by the borough, as hereinafter more particularly stated; and

WHEREAS, Local Public Contracts Law requires that the resolution authorizing the award for contract of such services without competitive bidding be publicly advertised; and

WHEREAS, the services to be performed are extraordinary and unspecifiable services which are exempt from public bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Princeton as follows:

The Mayor and Clerk are hereby authorized to enter into a contract for the aforesaid services with the Provider for the period January 1, 2008 through December 31, 2008.

1. The contract so authorized shall require the Provider to provide services and other related duties, as follows:

Provide boarding and veterinary care for stray dogs and cats which are taken into custody by the Borough of Princeton through its Animal Control Officer.

Under the contract, the Provider shall at all times act as an independent professional contractor and not as an employee of the borough, and shall have no authority to act as an agent or representative of the Borough or to enter into any financial or other contractual commitment on behalf of the Borough without the prior written approval of same granted in accordance with law.

The Borough shall pay the Provider the following compensation:

An annual retainer amount of Five Thousand (\$5,000.00), against which daily boarding fees of \$15.00 per day for dogs and cats shall be credited. Annual charges exceeding the retainer amount will be paid by the Borough at the above-referenced rates.

1. The form of contract shall include standard provisions common to service agreements entered into by the Borough and shall be subject to approval by the Borough Attorney.

2. This contract shall be awarded without competitive bidding as a contract for extraordinary and un-specifiable services under the provisions of the Local Public Contracts Law because it is impractical to obtain bids for these services due to the borough’s specialized needs, including but not limited to the need for a local facility which will guarantee board and veterinary care for stray dogs and cats taken into custody the Borough’s Animal Control Officer and will apply to adoption of such animals where needed.

3. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

4. An executed copy of the contract between the Borough and the Provider and a copy of this Resolution shall be on file and available for public inspection in the Office of the Borough Clerk.

**RESOLUTION 2008-R76
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH HI TOPS
TO PROVIDE ADOLESCENT HEALTH EDUCATION SERVICES**

WHEREAS, the Borough desires to enter into professional services agreement in connection with certain activities being conducted by the Borough, as hereafter more particularly stated; and

WHEREAS, the services to be performed are professional services which are exempt from public bidding under the Local Public Contracts Law; and

WHEREAS, there exists a need for the Borough, through the Princeton Regional Health Commission (hereinafter the “Commission”), to provide Adolescent Health Education services for the municipality; and

WHEREAS, the Commission wishes to provide such Adolescent Health Education services to the Borough as part of a general public health program in such area, according to “Minimum Standards of Performance for Local Boards of Health in New Jersey”.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Princeton as generally described below:

The Mayor and Clerk are hereby authorized to enter into a contract for the professional services with HiTOPS, Inc. (hereinafter referred to as "Provider") to provide services from January 1, 2008 through December 31, 2008.

1. The contract so authorized shall require the Provider to provide services and other related duties, as follows:

- A. Provide 40 Adolescent Health Education classes to students at
Princeton High School and John Witherspoon Middle School.

Educational topics of these classes shall include:

- 1.) HIV / AIDS Awareness
- 2.) Sexual Harassment
- 3.) Sexually Transmitted Diseases
- 4.) Pregnancy Prevention and Contraception
- 5.) Postponing Sexual Involvement
- 6.) Date Rape

2. HiTOPS shall provide a written report to the Commission at the end of each school semester summarizing the activities of the program. The report shall include information on program evaluation.

3. The services provided by HiTOPS shall be performed under the specific direction and periodic supervision of the Director of HiTOPS, who shall periodically consult and confer with the Commission's Health Officer. Their recommendations as to modification of the services provided by the Commission through the Center shall be presented to their respective governing bodies for approval. Any amendments to this agreement must be adopted in accordance with the terms of their Agreement.

4. HiTOPS shall, during the term of this agreement, keep in effect professional liability and workman's compensation insurance on all its employees in accordance with the requirements of State law.

5. Rendition of Invoices: Payment of fees will be made upon the submission by the Provider to the Borough of invoices in duplicate in the form prescribed by the Borough not later than the tenth (10th) day of the month following that covered by the invoice, and shall specify in detail the periods for which fees are claimed for the services performed. Payment is subject to availability of funds and the adoption of the final 2007 Municipal Budget by the Mayor and Council of the Borough of Princeton.

The Borough shall pay the Provider the following compensation:

At the rate of \$100.00 per Adolescent Health Education class presented at Princeton High School or John Witherspoon Middle School.

The maximum amount which will be paid under this contract is Four Thousand Dollars (\$4,000.00) as itemized in monthly statements from the Provider. The Borough will not be obligated to pay any pension or fringe benefits to the Provider.

6. Under this Agreement, Provider shall at all times act as an independent professional contractor and not as an employee of the Borough, and shall have no authority to act as an agent or representative of the Borough or to enter into any financial or other contractual commitment on behalf of the Borough without the prior written approval of same granted in accordance with law.

7. The form of contract shall include standard provisions common to professional service agreements entered into by the Borough and shall be subject to approval by the Borough Attorney.

8. This contract shall be awarded without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law because the subject services will be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

9. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

**RESOLUTION 2008-R77
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING A PROFESSIONAL SERVICES AGREEMENT
WITH HI-TOPS TO PROVIDE SEXUALLY TRANSMITTED DISEASE
DETECTION AND CONTROL SERVICES**

WHEREAS, the Borough desires to enter into professional services agreement in connection with certain activities being conducted by the Borough, as hereafter more particularly stated.

WHEREAS, the services to be performed are professional services which are exempt from public bidding under the Local Public Contracts Law.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Princeton as follows:

The Mayor and Clerk are hereby authorized to enter into a contract for the professional services with HiTOPS, Inc. (hereinafter referred to as "Provider") to provide services from January 1, 2009 through

December 31, 2008.

1. The contract so authorized shall require the Provider to provide services and other related duties, as follows:

(a) Provide a qualified health practitioner to perform physical examination of patients and their contacts in order to diagnose sexually transmitted disease;

(b) Provide qualified professional advanced practice nurses to manage the service in accordance with the policies and regulations of the Center;

(c) Provide all interviewing of patients diagnosed with sexually transmitted disease. The interviewer shall be appropriately trained for this task;

(d) Provide adequate laboratory services for bacteriologic and serologic analyses;

(e) Provide diagnostic and treatment facilities which are accessible to the public on an appointment basis.

(f) Provide an appropriate treatment for persons diagnosed as having sexually transmitted diseases. Such treatment shall be administered according to N.J. State Department of Health guidelines and generally accepted medical practice.

2. The Center shall provide the Health Officer with a written monthly report in a format approved by the Commission.

3. The Center shall provide a written annual report summarizing the activities of the program.

4. The Center shall immediately notify the Health Officer of all positive diagnosis of disease for follow-up by the Health Officer or his designee for examination during regular business hours.

5. The clinical records of the Center shall be accessible to the Health Officer or his designee for examination during regular business hours.

6. The services provided by the Center shall be performed under the specific direction and periodic supervision of the Center's Director of the Outpatient Clinics/Department of Medicine, who shall periodically consult and confer with the Commission's Health Officer. Their recommendations as to modification of the services provided by the Commission through the Center shall be presented to their respective governing bodies for approval. Any amendments to this agreement must be adopted in accordance with the terms of their Agreement.

7. The Center shall, during the term of this agreement, keep in effect professional liability and workman's compensation insurance on all its employees in accordance with the requirements of State law.

Under this Agreement, Provider shall at all times act as an independent professional contractor and not as an employee of the Borough, and shall have no authority to act as an agent or representative of the Borough or to enter into any financial or other contractual commitment on behalf of the Borough without the prior written approval of same granted in accordance with law.

The Borough shall pay the Provider the following compensation:

At the rate of Thirty Dollars (\$45.00) per visit for patients who are residents of Princeton Borough or Princeton Township. The Center shall provide the Health Officer with appropriate patient demographic information which is adequate for billing of a patient co-payment. The maximum amount which will be paid under this contract is Four Thousand (\$4,000) as itemized in monthly statements from the Provider. The Borough will not be obligated to pay any pension or fringe benefits to the Provider.

Rendition of Invoices: Payment of fees will be made upon the submission by the Provider to the Borough of invoices in duplicate in the form prescribed by the Borough not later than the tenth (10th) day of the month following that covered by the invoice, and shall specify in detail the periods for which fees are claimed for the services performed. Payment is subject to availability of funds and the adoption of the final 2007 Municipal Budget by the Mayor and Council of the Borough of Princeton.

1. The form of contract shall include standard provisions common to professional service agreements entered into by the Borough and shall be subject to approval by the Borough Attorney.

2. This contract shall be awarded without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law because the subject services will be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

3. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

**GRANT AGREEMENT
BETWEEN
BOROUGH OF PRINCETON
RESOLUTION 2008-R78**

**AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
GRANT IDENTIFIER:
GOVERNING BODY RESOLUTION**

The governing body of BOROUGH OF PRINCETON
desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of
approximately \$«Grant Requested» to fund the following project:
Community Forestry Management Plan

\$3,000.00 Green Communities Grant

Therefore, the governing body resolves that MILDRED T. TROTMAN or
the successor to the office of MAYOR is authorized (a) to make application for such a grant, (b) if awarded, to
execute a grant agreement with the State for a grant in an amount not less than \$ 3,000.00 and not more than
\$ 3,000.00 , and (c) to execute ☐ any amendments thereto ☒ any amendments thereto which do not increase
the Grantee's obligations.

*The MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON authorizes and hereby agrees to
match 33.3% of the Total Project Amount, in compliance with the match requirements of the agreement. The
availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the
match will be made up of in-kind services (if allowed by grant program requirements and the agreement).*

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its
performance pursuant to the agreement.

Introduced and passed FEBRUARY 26, 2008, .
Ayes: 6
Noes: 0
Absent: 0

* The portion of this form between the asterisks should only be completed if matching funds are required under the
terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must
be provided and appended hereto, breaking out the in-kind services to be provided by the Grantee.

CERTIFICATION*

I, ANDREA LEA QUINTY , ☒ municipal clerk ☐ county clerk ☐ utilities Authority Clerk
(print name)

☐ (other, specify) of BOROUGH OF PRINCETON certify that this resolution was duly adopted by MAYOR
AND COUNCIL OF THE BOROUGH OF PRINCETON at a meeting duly held on the 26TH day of FEBRUARY,
2008; that this resolution has not been amended or repealed; and that it remains in full force and effect on the date I
have subscribed my signature. **

ANDREA LEA QUINTY

(print name)

BOROUGH CLERK

(print title)

Date: FEBRUARY 27, 2008

* Certification must be signed by an official other than the individual authorized to execute the agreement.

- **** This date must be no more than sixty (60) days prior to the Grantee's execution of the agreement. If the original certification expires prior to the Grantee's execution, Grantee must submit a currently certified copy of this Attachment C when it returns the executed agreement to the Department.

**RESOLUTION 2008-R79
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON**

WHEREAS, the Borough desires to enter into a professional services agreement in connection with certain activities as hereafter more particularly stated.

WHEREAS, the services to be performed are professional services which are exempt from public bidding under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton as follows:

The Mayor and Clerk are hereby authorized to enter into a contract for professional services with Alan D. Porter, Esq., Porter, Muller & Gaynor, LLP (hereinafter referred to as "Provider") to provide Special Legal Counsel from January 1, 2008 through December 31, 2008, as hereafter more particularly stated.

1 The contract so authorized shall require the Provider to provide services and other related duties, as follows:

Provider shall serve as a consultant to the Regional Planning Board of Princeton to review and evaluate various land development applications as filed with the Board to the Provider, and specifically authorized by the Board's Planning Director, the Borough Engineer or their designees. The Provider shall complete all its work in a timely fashion and within the statutory review period as provided for the New Jersey Municipal Land Use Law, NJSA 40:55D-1 et seq., and Chapter 17A of the "Code of the Borough of Princeton, New Jersey, 1974." The Provider shall also meet with the representatives of the Borough and the applicant as may be necessary in order to discuss with said representatives, as well as with members of the respective Boards or their staff, the various telecommunications issues associated with the development application forwarded to the Provider for review and comment.

Under this Agreement, Provider shall at all times act as an independent professional contractor and not as an employee of the Borough, and shall have no authority to act as an agent or representative of the Borough or to enter into any financial or other contractual commitment on behalf of the Borough without the prior written approval of same granted in accordance with law. The Borough shall pay the Provider the following compensation with a rate schedule of:

Legal review of applications and representation at meetings \$195.00 per hour; Matters of Litigation: \$200.00 per hour as needed.

Rendition of Invoices: Payment of fees will be made upon the submission to the Provider to the Borough of invoices in duplicate in the form prescribed by the Borough not later than the tenth (10th) day of the month following that covered by the invoice, and shall specify in detail the periods for which fees are claimed for the services performed. The provider shall give written notice to the Borough when the Provider has billed eighty (80%) of the compensation set forth in paragraph I of the Agreement.

2. The form of contract shall include standard provisions common to professional service agreements entered into by the Borough and shall be subject to approval by the Borough Attorney.

3. The contract shall be awarded without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law because the subject services will be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

4. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

Councilman Goldfarb moved to approve Resolutions 2008-R75, 2008-R76, 2008-R77, 2008-R78, and 2008-R79 in block, Councilman Koontz seconded, and Borough Council approved unanimously six to zero.

Mayor Trotman read **Agenda Item I, Report (1) – Corner House/Princeton Alcohol and Drug Alliance (PADA) – Gary DeBlasio, Director**

Mr. DeBlasio summarized the program for the evening and introduced Tim Prugar, class of 2006, Interclub Council (ICC) Advisor.

Mr. Prugar recognized the eating clubs' common goal with Princeton Borough and Borough police: To provide a safe environment for Princeton University students and to guard the welfare and continued well-being of the community at large.

William Scharf, outgoing ICC president and former PADA member, listed some safety initiatives at the eating clubs:

- To hire professional security officers
- To check identification and wrist-band (of age) students
- To make available nonalcoholic beverages
- To provide Patrol by CPR and first-response experts
- To provide tip-certified bartenders
- To host workshops on prevention of sexual assault
- To inculcate an attitude of responsibility and maturity regarding alcohol issues

Mr. Scharf stated that the most dangerous drinking at Princeton is almost entirely out of clubs' hands; namely, uncontrolled, hard liquor consumption in *dorms*. Steps taken to address this include revised dormitory RCA policy and newly established alcohol coalition.

Chris Merrick, past Tiger president, described a "code of conduct" document, created two years ago, that established a safety patrol of five members required to remain sober and responsible for all activities until departure of the last guest. The effort resulted in greater awareness and response on the part of all members.

Jon Fernandez, past Tower president, supported continued strengthening of the relationship among clubs, Borough, Corner House, and the University itself. Describing steps taken (member patrol, professional security, wrist bands, and so forth), he expressed the sense of moral obligation he and his officers feel toward keeping their members and guests safe. Citing practices as recently as 10 years ago, he emphasized that the model is working.

Tommy Curry, past Colonial president, spoke of his club's court-mandated community service under the direction of Mr. DeBlasio.

Mr. Scharf referred Mayor and Council to Mr. Curry's article in the *Daily Princetonian* of February 22, 2008, titled "High-Risk Thinking About High-Risk Drinking."

Councilman Goldfarb asked Mr. Prugar if his position is paid; Mr. Prugar replied that he is paid by the graduate ICC.

Councilman Goldfarb differentiated between licensed liquor establishments in town and eating clubs and the relative legal accountability for patrons' comportment. He noted that alcohol related issues extend beyond the high-risk drinking itself to damaging or dangerous behaviors

due to bad judgment from excessive alcohol consumption. Councilman Goldfarb asked if clubs address “objectionable” behavior.

Mr. Scharf pointed out that clubs do not *sell* alcohol and do not come under the jurisdiction of the ABC. He said clubs take action against alcohol abuse that cannot be found at any other college in the country (for example, club representation on PADA).

Councilwoman Benchley recognized improvement in the drinking environment at the University. She worried that prosecution of club presidents would hinder application for leadership by people of desirable quality/character. Supporting Councilwoman Benchley’s concern, Mr. Curry noted that his mother had objected to his running for club president (with the implied liability), and that two days after election he was charged with an offense from a previous regime.

Mr. Fernandez stated that campus leadership roles can be found outside the clubs. No one gains if student leaders like Mr. Curry are driven away from *club* management. He predicted a breakdown in community (safety) relationships if prosecution of club presidents escalates.

Councilman Koontz observed similar “words” but a greater commitment from club leaders this year. Formerly the club presidency platform was based on life-of-the-party-in-chief. Candidates are newly aware of the responsibilities and risks entailed with supplying alcohol.

Mr. Prugar stated that engagement by and responsibility of club graduate boards has changed along with initiation of undergraduate programs. Graduate boards work closely with deans and representatives of the alcohol coalition to address the emerging trend of consistent, persistent, and dangerous high-risk drinking.

Council President Karcher, speaking to the University, commended the selection process that resulted in the quality of leadership now present in the student body. She noted superlative behavior of current University students as a group.

Council President Karcher proposed a future committee to include club presidents, Mr. DeBlasio, the police chief, the prosecutor, the public safety committee, and herself that will address ongoing alcohol issues.

Janet Dickerson, Vice President of Campus Life, introduced her team of 10 University representatives present at the meeting.

Sanjeev Kulkarni, Cochairman of the Princeton University Alcohol Coalition (ACC), stated that the purpose of the ACC is to take a broad and strategic look at the issue of alcohol on campus. Their mission evolved to focus on high-risk drinking and its consequences to health/safety and well-being of those drinking, other students, property, and community standards. Their goal is to define a strategic plan by May 2008.

Mr. Kulkarni provided a profile of the ACC:

- Several undergraduates

- Two graduate students
- Faculty member from the Chemistry Department
- Staff members from across the University
- Individuals from a variety of departments

He listed stakeholders as various undergraduate groups including the ICC, University departments and offices, community partners (Borough police, Councilman Goldfarb, Township police, Princeton Fire & Rescue, Corner House, HiTOPS, two alumni groups). ACC workshops concerned reasons for high-risk drinking and ways to address them, structures that affect high-risk drinking, and responsibilities regarding high-risk drinking.

Mr. Kulkarni indicated that the coalition will next draft a plan (to be presented May 9, 2008, to the Healthier Princeton advisory board) after feedback from stakeholder groups. He referred interested parties to the ACC website off the main University website.

Hillary Herbold, Dean of Undergraduate Students, addressed guidelines for residential college advisors (RCAs) regarding alcohol-related situations. Her team sought input from other campuses' RCA programs with a formal questionnaire. They discovered that Princeton's weakness was in the area of *developing* disruptive or dangerous circumstances. RCAs were taught to recognize and shut down developing problems.

John Kollegian, Director of Counseling and Psychological Services at McCosh, reviewed trends. Psychological problems among college students are becoming more frequent and more complex; drinking (substance abuse) is only part of the picture.

Councilman Martindell noted that the University is expressing concern about high-risk drinking, is devoting resources to the problem, is coping aggressively. Councilman Martindell asked about statistics that define the scope of the problem.

Ms. Dickerson replied that, while the particulars requested by Councilman Martindell are not available, the University has noted a trend toward *trust* that allows students to support their friends' need for assessment and aid from McCosh.

Councilwoman Benchley commended the efforts of the ACC to date. Councilwoman Benchley asked what action RCAs must take when they identify inappropriate (illegal) activity. Dr. Herbold answered that RCAs are empowered to halt the activity, but they are not required to report for disciplinary action. Dr. Herbold clarified that Princeton's primary focus is on curtailing dangerous behavior to keep people safe. She stated that there are no adults in the dormitories.

Councilman Martindell left the meeting at 9:48 P.M.

Councilman Goldfarb opined that discipline is an important part of the process. He noted that the clubs have taken greater "ownership" of the problem than the University. Dr. Herbold countered that University staff feel that *everyone* is responsible for drinking behavior on campus or off.

Dr. Herbold, citing a survey of peer institutions (Ivy League and other elite private colleges), stated that Princeton is the most stringent and the only school that metes out permanent disciplinary probation for an initial alcohol violation of any magnitude (exception: open container violation). More typical discipline at the peer institutions is merely conversation with a dean and informal warning. Dr. Herbold reviewed Princeton's schedule of sanctions for alcohol violations.

Councilman Koontz likened RCAs with club presidents and asked if RCAs are accountable (liable) for enforcement decisions. Dr. Herbold replied that there are known job expectations, and RCA actions that fall short are dealt with as "job performance" issues. Such evaluations are overseen by Dean of Students staff members on a case-by-case basis.

Council President Karcher mentioned that 600 members of unsanctioned fraternities and sororities on campus receive more guidance from their national units than from the University.

Mayor Trotman read **Agenda Item J, Bill List for February 26, 2008 — Resolution 2008-R80** as follows:

**RESOLUTION 2008-R80
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE FEBRUARY 26 2008 BILL LIST**

WHEREAS, Sandra L. Webb, Chief Financial Officer has forwarded the bills received for payment by the Borough of Princeton for review and approval by the Mayor and Council; and

WHEREAS, the Borough Clerk has certified that the vouchers listed on the attached register are a follows:

CURRENT ACCOUNT (8-01)	\$1,716,943.64
RESERVE ACCOUNT (7-01)	64,999.45
PARKING UTILITY OPERATING FUND (8-05)	315,887.72
PARKING UTILITY OPERATING FUND (7-05)	
AFFORDABLE HOUSING OPERATING ACCT (8-24)	4,986.38
IMPROVEMENT ASSESSMENT (8-11)	
AFFORDABLE HOUSING OPERATING ACCT (7-24)	
CAPITAL ACCOUNT (C-04)	32,784.30
PARKING UTILITY CAPITAL FUND (P-08)	
ESCROW (E-30)	
TRUST FUND (T-13)	11,340.10
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (5-22)	
MANUAL	1,610,330.10
ASSESSMENT TRUST FUND (5-11)	
GRANT (G-02)	2,499.25

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list of February 26, 2008 as presented.

Councilman Koontz moved to approve Resolution 2008-R80, Councilwoman Benchley seconded, and Council approved unanimously.

Councilman Koontz moved to adjourn. There being no further business, Mayor Trotman adjourned the open session meeting at 10:20 P.M.

February 26, 2008

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk