

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
January 13, 2009
Regular Meeting
Closed Session 6:00 P.M.
Open Session 7:30 P.M.**

Present: Council President Andrew Koontz, Councilman David Goldfarb, Councilwoman Margaret Karcher, Councilman Roger Martindell, Councilwoman Barbara Trelstad (*arrived 6:05 P.M.*), Councilman Kevin Wilkes, and Mayor Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Attorney Karen L. Cayci, Borough Engineer Christopher M. Budzinski, Borough Police Chief Anthony V. Federico, Special Counsel Arthur Tribault, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 6:00 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 January 13, 2009, 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 read **Agenda Item C, Resolution 2009-R33**, as follows:

**RESOLUTION 2009-R33
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON JANUARY 13, 2009**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public forum from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances may presently exist; and

WHEREAS, the Governing Body wishes to discuss the following issues:

1. Personnel — Police
2. Personnel — Municipal Court Judge
3. Negotiations — PBA
4. Negotiations — Lease Agreement
5. North Ridge

WHEREAS, minutes will be kept and once the matter involving confidentiality of the above no longer requires that confidentiality, then minutes can be made public; and

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

Councilwoman Karcher moved to approve; Councilman Goldfarb seconded. Council members Koontz, Goldfarb, Karcher, Martindell, and Wilkes voted in the affirmative. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved five to zero.

Borough Council recessed into closed session.

At 7:35 P.M. Council reconvened into open session.

Mayor Trotman asked all present to rise for **Agenda Item D, Salute to the Flag.**

Mayor Trotman read **Agenda Item E, Summary — Closed Session Discussion — Robert W. Bruschi, Borough Administrator**

Mr. Bruschi reported that Council discussed police personnel matters with an attorney retained to advise and prosecute. Council will resume closed talks to cover municipal appointments and labor contracts.

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

Kate Warren, 17 Jefferson Road, favored holding the annual firemen's inspection parade despite budget constraints. Mr. Bruschi refuted the notion that fire department funds are in jeopardy.

Seeing no one further from the public, Mayor Trotman closed the public portion.

Mayor Trotman read **Agenda Item G, Correspondence (1) — Dogs in Parks and Public Plaza/Dog Park — Ella Khazak, Spruce Circle**

Council President Koontz suggested that the matter be forwarded to both Recreation (parks) and Health for resolution. He explained that the concern about dogs in parks arises from possible danger to young children. Mayor Trotman asked Council President Koontz to follow up.

Mayor Trotman read **Agenda Item H, Report (1) — Monthly Police Report — Anthony V. Federico, Chief of Police**

**RESOLUTION 2009-R34
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE MONTHLY CHIEF OF POLICE REPORT**

WHEREAS, Anthony V. Federico, Chief of Police of the Borough of Princeton prepared a comprehensive report detailing the police activity for the month of November 2008; and

WHEREAS, the Mayor and Council reviewed said report at their Regular Meeting attended by Chief of Police Federico and made various inquiries of Chief Federico.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby accept the November 2008 Monthly police report prepared by the Chief of Police.

Council President Koontz moved to accept the police report and Councilwoman Trelstad seconded. Counsel accepted unanimously.

Mayor Trotman read **Agenda Item H, Report (2) — Community Forestry Management Plan (CFMP)** — *Alexandra Radbil, Polly Burlingham, Shade Tree Commission*

Polly Burlingham, Chair of Shade Tree Commission, described the membership qualifications and mission of Shade Tree.

Alexandra Radbil stated that CFMP is a like a contract between Princeton Borough and State of New Jersey—Borough commits to tend to the trees and New Jersey will indemnify Borough in case of damage or loss. The state funded a consultant to assist with writing the CFMP. New Jersey identifies objectives and Shade Tree chooses activities to represent those objectives. After approval of Borough's CFMP, New Jersey offers a stewardship incentive of \$25,000 (a percentage to be matched by volunteer hours) to assist with maintenance and inventory.

Ms. Radbil mentioned that the state provides a free tree inventory software (I Tree) to be tied to Borough's global mapping system with eventual link to Borough Website.

Councilwoman Trelstad thanked Shade Tree members for the monumental effort of writing CFMP and encouraged Council to approve the plan.

Mayor Trotman proposed CFMP for the January 27, 2009, agenda for approval by Council.

Ms. Burlingham addressed the current budget crunch and suggested no plantings 2009/10 will qualify Borough for Cool Cities grant. CFMP already tackles ways to spend money now to save money in the future.

Councilman Martindell favored placing high budgetary priority on trees.

Mayor Trotman read by title **Agenda Item I, New Business (1) — Introduction and Order to Publish: Ordinance 2009-01 AN ORDINANCE AMENDING CHAPTER 17A OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974.**

Councilman Goldfarb moved to introduce Ordinance 2009-01; Council President Koontz seconded. Councilman Wilkes read a statement opposing inclusion of upper story decks in Floor Area Aggregate. Christopher Budzinski, Borough Engineer, defended the language since decks are used as "active livable space." Councilman Goldfarb moved to table the ordinance pending investigation of complaints from neighbors; Council President Koontz seconded. Councilwoman Karcher noted that "ordinary buffers" (such as bushes) are missing with elevated noise sources.

Mr. Budzinski requested deferring "deck" and "floor area aggregate" in order to move forward with the rest of Ordinance 2009-01. Mover and seconder agreed to the change.

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 Koontz, Goldfarb, Karcher, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing to be held February 10, 2009.

Mayor Trotman read **Agenda Item I, New Business (2 – 11) — Resolutions 2009-R35, 2009-R36, 2009-R37, 2009-R38, 2009-R39, 2009-R40, 2009-R41, 2009-R42, 2009-R43, and 2009-R44**, as follows:

**RESOLUTION 2009-R35
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVAL OF CHANGE ORDER #1 – FINAL TO S. BROTHERS CONSTRUCTION, INC.**

WHEREAS, change orders are regulated by Local Finance Board Regulations (N.J.A.C. 5:30-14,4) and;

WHEREAS, there is a need to amend the contract with S. Brothers Construction, Inc. as outlined in the change order prepared by the Borough Engineer and;

WHEREAS, the Chief Financial Officer has certified that funds are available under Capital Account No. C-04-07-014-301 - \$41,215.53; and

WHEREAS, the Mayor and Council of the Borough of Princeton is satisfied that the requested change order is necessary.

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

1. Change Order #1 – to the Contract between the Borough of Princeton and S. Brothers Construction, Inc. for the Reconstruction of Cleveland Lane and a portion of Lafayette Road in the amount of \$41,215.53 is hereby approved.
2. The Borough Engineer and Clerk are hereby authorized to sign the Change Order on behalf of the Borough

**RESOLUTION 2009-R36
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR ENGINEERING CONSULTING SERVICES**

WHEREAS, the Borough of Princeton desires to enter into a professional services agreement in connection with certain activities 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.

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 engineering services with Carl E. Peters LLC, 63 Moran Avenue, Princeton NJ 08542 (hereinafter referred to as "Provider") to provide consultant services for the Borough from January 13, 2009 through December 31, 2009, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional engineering services and other related duties as cited in the proposal letter of January 6, 2009 (attached), for a total contract amount not to exceed \$7,500.00.

Under this Agreement, Provider shall at all times act as an independent professional contractor 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.

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.

**RESOLUTION 2009-R37
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
AUTHORIZING AN AWARD FOR PROFESSIONAL SERVICES
DESIGN OF HARRISON STREET PARK**

WHEREAS, the Borough had previously entered into an amended agreement dated June 4, 2008 as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44 A-20.4 and A-20.5 with Edgewater Design LLC, (the "Provider") for the performance by the Provider for professional services in connection with certain activities being conducted by the Borough, as hereafter more particularly stated; and

WHEREAS, the previous agreement had expired on December 31, 2008 and the Borough wishes to continue to retain the Provider to complete the project; and

WHEREAS, the Provider has completed and submitted a Business Entity Disclosure Certification which certifies that the Provider has not made any reportable contributions to a political or candidate committee in the Borough of Princeton in the previous one year, and that the contract will prohibit the Provider from making any reportable contributions through the terms of the contract, and

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

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Princeton, the Mayor and Clerk are hereby authorized to enter into a contract for the aforesaid services with the Provider for continued work on the conceptual design and preparation of bid documents for the rehabilitation of Harrison Street Park

There is no additional fee for this contract extension

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.

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 2009-R38
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON**

**AUTHORIZING AN AWARD FOR PROFESSIONAL SERVICES
IN CONNECTION WITH A GIS WORK PLAN**

WHEREAS, the Borough had previously entered into an agreement as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44 A-20.4 and A-20.5 with Civil Solutions, a division of Adams, Rehmann and Heggan Associates, Inc., (the "Provider") for the performance by the Provider for professional services in connection with certain activities being conducted by the Borough, as hereafter more particularly stated; and

WHEREAS, said Agreement has now expired; and the Borough wishes to continue to retain the Provider to complete its services for GIS work plan; and

WHEREAS, the Provider has completed and submitted a Business Entity Disclosure Certification which certifies that the Provider has not made any reportable contributions to a political or candidate committee in the Borough of Princeton in the previous one year, and that the contract will prohibit the Provider from making any reportable contributions through the terms of the contract, and

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

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Princeton, the Mayor and Clerk are hereby authorized to enter into a contract for the aforesaid services with the Provider for continued work on the Borough GIS system to develop base mapping and implementation, maintenance, expansion and on site assistance.

There is no additional fee for this contract extension

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.
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 2009-R39
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING AN AGREEMENT TO DELTA DEVELOPMENT GROUP, INC**

WHEREAS, the Borough of Princeton desires to enter into an agreement in connection with certain activities as hereafter more particularly stated, and

WHEREAS, the services to be performed are 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 services with **Delta Development Group, 2000 Technology Parkway, Suite 200, Mechanicsburg, PA 17050** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 13, 2009 through December 31, 2009**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional consulting services and other related duties as cited in the proposal letter of December 5, 2008 (attached), for a total contract amount not to exceed **\$15,000.00**.

Under this Agreement, Provider shall at all times act as an independent professional

contractor 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.

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.

**RESOLUTION 2009-R40
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
DEER CARCASS REMOVAL SERVICE LLC**

WHEREAS, the Borough of Princeton desires to enter into a contract agreement in connection with certain activities 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.

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 agreement for services with **Deer Carcass Removal Services LLC, P.O. Box 328, Cream Ridge, NJ 08514** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 13, 2009 through December 31, 2009**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional **health** services and other related duties as cited in the proposal letter of **January 6, 2009** (attached), for a total contract amount not to exceed **\$500.00**.

Under this Agreement, Provider shall at all times act as an independent professional contractor 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.

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.

**RESOLUTION 2009-R41
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING AN AGREEMENT
TO SAVE FOR ANIMAL SHELTER SERVICES**

WHEREAS, the Borough of Princeton desires to enter into an agreement in connection with certain activities as hereafter more particularly stated, and

WHEREAS, the services to be performed are 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 services with **SAVE, 900 Herrontown Road, Princeton, NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 13, 2009 through December 31, 2009**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional **health** services and other related duties as cited in the proposal letter of **January 6, 2009** (attached), for a total contract amount not to exceed **\$5,000.00**.

Under this Agreement, Provider shall at all times act as an independent professional contractor 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.

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.

**RESOLUTION 2009-R42
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING A PROFESSIONAL SERVICES AGREEMENT TO
MARCIE E. TYSON, HEALTH EDUCATOR**

WHEREAS, the Borough of Princeton desires to enter into a professional services agreement in connection with certain activities 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.

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 **Marcia Tyson, 29-3B Bloomingdale Drive, Hillsborough, NJ 08844** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 13, 2009 through December 31, 2009**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional **health** services and other related duties as cited in the proposal letter of **December 11, 2008** (attached), for a total contract amount not to exceed **\$6,400.00**.

Under this Agreement, Provider shall at all times act as an independent professional contractor 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.

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.

**RESOLUTION 2009-R43
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING A PROFESSIONAL SERVICES AGREEMENT TO
PRINCETON HOMECARE SERVICES**

WHEREAS, the Borough of Princeton desires to enter into a professional services agreement in connection with certain activities 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.

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 **Princeton HomeCare, 208 Bunn Drive, Princeton NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 13, 2009 through December 31, 2009**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional **health** services and other related duties as cited in the proposal letter of **January 6, 2009** (attached), for a total contract amount not to exceed **\$9,490.00**.

Under this Agreement, Provider shall at all times act as an independent professional contractor 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.

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.

**RESOLUTION 2009-R44
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE 2009 COMMITTEE APPOINTMENTS
FOR A TWO YEAR TERM**

NOW BE IT RESOLVED that those listed below are appointed as alternate members to the Borough of Princeton committees for a two-year term as follows:

HISTORIC PRESERVATION REVIEW COMMITTEE

Nora Kerr (Alt.1)

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each committee and the Office of the Municipal Clerk.

January 13, 2009

Council President Koontz moved to approve Resolutions 2009-R35, 2009-R36, 2009-R37, 2009-R38, 2009-R39, 2009-R40, 2009-R41, 2009-R42, 2009-R43, and 2009-R44. Councilwoman Trelstad seconded.

Council discussed deer carcass removal (2009-40), fee for Carl E. Peters (2009-36), and health education services (2009-42).

Borough Council approved passage of the resolutions.

Council President Koontz moved to return to closed session. Councilman Goldfarb seconded. Council President Koontz moved to add North Ridge and Township negotiations to the closed agenda. Councilwoman Trelstad seconded. Mayor Trotman proclaimed the motion carried and adjourned the open session meeting at 8:25 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk