

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
February 8, 2011
Regular Meeting
Closed Session 6:00 P.M.
Open Session 7:30 P.M.**

Present: Council President Kevin Wilkes, Councilwoman Jo Butler,
Councilwoman Jenny Crumiller, Councilman David Goldfarb,
Councilman Roger Martindell, Councilwoman Barbara Trelstad, Mayor
Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Attorney Maeve E.
Cannon, Land Use Development Official Derek Bridger, Chief Finance
Officer Sandra L. Webb, 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 February 8, 2011, 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 2011-R41**, as follows:

**RESOLUTION 2011-R41
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON FEBRUARY 8, 2011**

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. Negotiations — Princeton Township
2. Negotiations — Princeton University
3. Personnel

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.

Council President Wilkes moved to approve; Councilman Goldfarb seconded. Council members Butler, Crumiller, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved.

Borough Council recessed into closed session.

At 7:30 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, Approval of Minutes.**

Presented for approval were the minutes of the open session of January 11, 2011.

Councilwoman Trelstad moved to approve the minutes of the open session of January 11, 2011, Councilman Goldfarb seconded, and Council approved unanimously. Councilwoman Trelstad commented that Firestone Library passes are now available from Princeton Public Library.

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

Councilman Martindell mentioned sharing assessor and fire inspection functions with Princeton Township. Borough Administrator Robert Bruschi stated that proposals will be provided for review.

Councilman Martindell also followed up on creation of a Borough tickler file and asked to view a sample page. Mr. Bruschi said data has been entered; he undertook to make drafts available for inspection.

Councilman Martindell asked again about costs associated with the Sgt. Riley case. Mr. Bruschi replied that final figures are available and a fine-tuned report will be available shortly.

Chip Crider, 22 Bank Street, questioned Princeton University's (PU) latest thoughts on the arts and transit area design. He favored a light rail system for best long-term needs. Mr. Crider wanted PU to fund a long-range transportation study.

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

Mayor Trotman read **Agenda Item G, Discussion (1) — Debt Management Plan (DMP) — Robert W. Bruschi, Administrator; Sandra Webb, Chief Finance Officer.**

Mr. Bruschi declared that Borough managing its debt load is not new. A new methodology, initiated in 2004, included maintenance of infrastructure (sewer lines, roads, parks, rolling stock, buildings and grounds, and so forth) with appropriate funding within a prescribed ceiling (that is, cap for any long-term debt).

To accomplish asset management into the future, Mr. Bruschi said Borough must be flexible in overseeing capital budgets by integrating new debt into debt being retired. Advantageous refinancing of current debt must be captured whenever possible. Borough needs to deal with unspent balances to maximize allocation of cash and debt.

Mr. Bruschi said administration annually examines requests for capital funding to manipulate spending so as to integrate everyone's needs over time. He named Council "steward of the assets."

Mr. Bruschi noted management of roads and sidewalks (largest piece of infrastructure)—from rebuilding from scratch to timely resurfacing—was aggressive during the past five years. Mr. Bruschi pointed out that capital budgets have consistently exceeded actual expenditures; providing for more than used means unspent balances or projects dropped from consideration.

Mr. Bruschi stressed that the DMP focuses on impact on taxpayers. He mentioned debt areas—assessment bonds, sewer, and parking—where funding originates from non-tax-supported sources (sometimes in partnership with property owners). Mr. Bruschi distinguished among

- Bonds—permanent financing—(planned at 4%)
- Bond anticipation notes—short-term loan with only *interest* payment—(planned at 2%; recent actual at 0.0039%)
- EIT (environmental investment trust) funding—half borrowed at prevailing rate and half at zero percent—for sewer lines and associated above-ground work
- Improvements to parking garage, lots, and meters are self-supporting through the parking utility.

Borough has saved hundreds of thousands of dollars employing EIT funding.

Using a slide presentation, Mr. Bruschi demonstrated a DMP through 2015:

- Capital budget requests—anticipated "placeholders"
- Existing debt service—actual projects already authorized and funded
- Existing road projects (EIT)—about \$1.6 improvements
- Estimated future debt service—based on current capital plan
- Total debt service—if future "guesses" actually come about.

Mr. Bruschi thought the plan was reasonable until 2014, when consolidation of fire functions into a single station would be implemented (a highly unlikely occurrence in light of current plans). Mr. Bruschi stated that inclusion of the fire department request in the five-year projection demonstrates a capital "spike," which must be anticipated and achieved with a long-term approach.

Mr. Bruschi noted including \$2 million for a new pool in the DMP would cost about \$146,000 in debt service per year. He remarked that every reduction of \$100,000 ordananced would save \$7,300 in debt service expense.

Mr. Bruschi expressed comfort with the DMP aspect of Borough's overall financial position.

Councilwoman Trelstad wondered what items were included in the 2011 capital requests of \$5.8 million. Mr. Bruschi answered that a \$2-million pool is covered; in a normal forecast, it might be considered a spike year (see \$3.7 for 2012, for example).

Councilman Goldfarb emphasized maintaining a fixed debt-service amount from year to year. Councilman Goldfarb also stressed that funds are allocated *at the time of actual spending* and not when a project "place keeper" is estimated as a future guideline.

Councilwoman Crumiller asked if EIT money is available for the pool. Mr. Bruschi responded the pool does not qualify; tiny portion—not worth the labor—might be funded by EIT.

Councilman Martindell observed that Finance Committee looks at capital requests before a draft budget is presented to Council. Important to keep communications on topic by so advising requesting bodies.

Councilman Martindell thought Council should consider the impact of increased pool fees. Mr. Bruschi suggested beginning that discussion with Finance and then informing Council of recommendations. Mayor Trotman countered that, with adoption of the ordinance on the agenda for February 22, 2011, there is not enough time to deal with pool fees beforehand. Mr. Bruschi stated that Finance Committee will offer Council a decision on fees before February 22.

Councilman Martindell wanted Council to pay closer attention to discretionary use of the Recreation revolving fund. Mr. Bruschi said Finance will attend to the revolving fund in the same meeting.

Councilwoman Butler noted that users of capital projects are not required to pay for them (example: After improvements, Mercer Street was not converted to a toll road).

Council President Wilkes agreed that it behooves Council to manage the expectations of those making capital requests. Council President Wilkes wanted to inspect the list of "standard" \$3.5 million capital requests for 2011 (before \$2 million for a pool) to identify possible postponements.

Former Mayor Marvin Reed asked if a new fire apparatus is purchased every three years (agreement for seven pieces over 21 years). Mr. Bruschi acknowledged the plan; however, some equipment will not be replaced, thereby reducing the fleet.

Mr. Reed indicated that the original DMP was designed to pace "other" capital expenditures around a large item in order to maintain a consistent total from year to year. Specifically, Mr. Reed said, some items in the 2011 total requests of \$5.777 million will be deferred to 2012 or 2013. Mr. Bruschi explained that the DMP presented is strictly requests.

Mr. Reed stated that total funding for the pool project (\$2.1 million for Borough), regardless of source, needs to be bonded in order to commence construction.

Mr. Bruschi declared that Council needs to be comfortable with a maximum request list before learning details on each project. He will provide raw project information as requested.

Mayor Trotman listed next steps to be

1. Mr. Bruschi will get fee and revolving fund information from Recreation for the Finance Committee;
2. Recreation team will be invited to Council's February 22 meeting;
3. Mr. Bruschi will distribute to Council raw data on components of \$5.777 million capital requests.

Councilman Goldfarb stated that Borough has no vulnerability from present borrowings; very little debt is exposed to interest rate fluctuation. He said interest rate increases can only affect future loans. Mr. Bruschi commented that early financing is possible if an upward trend is foreseen.

Mayor Trotman read **Agenda Item H, New Business (11) — Resolution 2011-R52** as follows:

**RESOLUTION 2011-R52
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING A SERVICE AGREEMENT WITH
SOMERSET COUNTY COUNCIL ON AFFORDABLE HOUSING (SCCOAH)**

WHEREAS, the Borough wishes to enter into an agreement with **Somerset County Coalition on Affordable Housing (SCCOAH)**, a nonprofit collaboration of business, financial institutions, social service agencies, public officials and housing advocates, (the "Provider"), for the performance by the Provider of professional services in connection with the marketing and qualification of tenants for affordable housing units; 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 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 **Somerset County Coalition on Affordable Housing (SCCOAH)**

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

To serve as the Administrative Agent for the Borough of Princeton and to administer and enforce affordability controls as provided in N.J.A.C. 5:80-26.14, for certain housing units as more fully set forth in the contract:

Under this contract, the Provider shall at all times act as an independent 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.

2. The Borough shall pay the Provider the following compensation:

An amount not to exceed Eight Thousand One Hundred Dollars (\$8,100.00).

3. 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.

4. 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.

5. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.
6. 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.

Council President Wilkes moved to approve Resolution 2011-R52 and Councilwoman Trelstad seconded.

Land Use Development Official Derek Bridger recommended contracting with SCCOAH until March 31, 2011 (because some existing applications are in transition), then transferring to Princeton Community Housing.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item H, New Business (12) — Resolution 2011-R53** as follows:

**RESOLUTION 2011-R53
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING A SERVICE AGREEMENT WITH
PCH DEVELOPMENT CORPORATION (PCHDC)**

WHEREAS, the Borough wishes to enter into an agreement with **PCH Development Corporation (PCHDC)**, a nonprofit corporation, (the “Provider”), for the performance by the Provider of professional services in connection with the marketing and qualification of tenants for affordable housing units; 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 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 **PCH Development Corporation (PCHDC)**

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

To serve as the Administrative Agent for the Borough of Princeton and to administer and enforce affordability controls as provided in N.J.A.C. 5:80-26.14, for certain housing units as more fully set forth in the contract:

Under this contract, the Provider shall at all times act as an independent 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.

2. The Borough shall pay the Provider the following compensation:
An amount not to exceed Eighteen Thousand Dollars (\$18,000.00).
3. 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.
4. 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.
5. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.
6. 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.

Councilwoman Trelstad moved to approve Resolution 2011-R53, Councilman Martindell seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item H, New Business (13) — Resolution 2011-R54** as follows:

**RESOLUTION 2011-R54
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING PROFESSIONAL SERVICES FOR PROFESSIONAL PLANNING
TO SHIRLEY BISHOP, P.P., LLC**

WHEREAS, the Borough previously entered into an agreement with **Shirley M. Bishop, P.P., LLC**, housing and planning consulting firm (the “Provider”), dated _____, for the performance by the Provider of professional services in connection with certain activities being conducted by the Borough, as hereafter more particularly stated; and

WHEREAS, the Borough wishes to extend the term and compensation under said agreement; 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 as follows:

The Mayor and Clerk are hereby authorized to enter into an amendment to its contract for the aforesaid services **with Shirley M. Bishop, P.P., L.L.C.**

1. The contract so authorized shall require **Shirley M. Bishop, P.P., LLC**, to provide services and other related duties, as follows:

To provide professional planning services in connection with various New Jersey Council on Affordable Housing requirements as they relate to the Borough’s third round affordable housing plan and other affordable housing planning needs, including preparation of a third round plan and appeals of that plan.

Under this 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.

2. The Borough shall pay the Provider the following additional compensation.

Services shall be provided at a rate of \$150.00 an hour and shall not to exceed Five Thousand Dollars (\$5,000.00) in accordance with a rate schedule, a copy of which is attached as Exhibit A to the Professional Services Agreement.

3. 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.

4. 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.

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

6. 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.

Councilwoman Trelstad moved to approve Resolution 2011-R54 and Councilman Martindell seconded.

Councilman Martindell commended Shirley Bishop, but noted the chaotic nature of the entire statewide affordable housing system. He asked if Borough should spend anything at all. Mr. Bruschi asserted that Ms. Bishop aids Borough by monitoring legislative activity on the subject,

and advising on possible impacts for Borough. Mr. Bridger noted that Ms. Bishop counsels in an on-call capacity.

Councilman Goldfarb observed that Ms. Bishop was hired to develop a COAH plan, which she did. Councilman Goldfarb maintained that Borough Attorney Maeve Cannon's firm has expertise in the area.

Mr. Bruschi stated that Ms. Bishop has served as a resource for Borough staff and attorney. He recommended keeping Ms. Bishop on retainer for a few thousand dollars. Council President Wilkes agreed with Mr. Bruschi's points.

Councilwoman Trelstad moved to amend Resolution 2011-R54 not to exceed \$5,000, Councilman Martindell seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item H, New Business (1-10) — Resolutions 2011-R42, 2011-R43, 2011-R44, 2011-R45, 2011-R46, 2011-R47, 2011-R48, 2011-R49, 2011-R50, and 2011-R51** as follows:

**RESOLUTION 2011-R42
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING A PROFESSIONAL SERVICES AGREEMENT
TO NEW JERSEY ANALYTICAL LABORATORIES, LLC
FOR GROUNDWATER AND SURFACE WATER ANALYSIS,
FEBRUARY 2011 TO JANUARY 2012**

WHEREAS, the Princeton Sewer Operating Committee has advised the Mayor and Council that it wishes to engage **New Jersey Analytical Laboratories, LLC**, 1590 Reed Road, Suite A 1, Pennington, New Jersey 08534 (the "Provider") for the performance by the Provider of professional services in connection with certain activities being conducted by the Princeton Sewer Operating Committee; 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

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

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 New Jersey Analytical Laboratories, LLC (the "Provider").

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

The Provider shall perform ground water and surface water analysis at the Princeton Sanitary Landfill for the period of February 1, 2011 to January 31, 2012. The scope of the work involves quarterly sampling of six (6) groundwater-monitoring wells and two (2) surface water locations at the Princeton Sanitary Landfill. The analysis is an annual requirement of a New Jersey Pollutant Discharge Elimination System (NJPDES) permit and closure plan with the NJDEP.

Under this 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 amount not to exceed Eight Thousand Six Hundred Twenty Dollars and No Cents (\$8,620.00).

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. 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.

4. A notice of this action shall be published in The Times of Trenton as required by law within ten (10) days of its passage.

5. 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 2011-R43
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE 2011 COUNCIL REPRESENTATIVES/LIAISON TO BOROUGH
COMMITTEES**

NOW BE IT RESOLVED that the Council members listed below are changes to the appointments as representatives to the Borough of Princeton committees as revised for the year 2011:

**ENVIRONMENTAL
AFFORDABLE HOUSING**

Councilwoman Crumiller
Councilman Martindell
(fulfills second appointment requirement)

PEDESTRIAN AND BIKE COMMITTEE Councilwoman Crumiller

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each committee, the Office of the Municipal Clerk and posted on the municipal bulletin board.

**RESOLUTION 2011-R44
OF THE BOROUGH OF PRINCETON
APPROVING A RIGHTS-OF-WAY USE AGREEMENT
BETWEEN THE BOROUGH OF PRINCETON AND FIBER TECHNOLOGIES NETWORKS, LLC
FOR THE INSTALLATION OF A TELECOMMUNICATIONS SYSTEM**

WHEREAS, the Borough of Princeton (the "Borough") desires to enter into a rights-of-way use agreement ("Use Agreement") with Fiber Technologies Networks, LLC ("Fibertech") with offices located at 300 Meridian Centre, Rochester, New York.

WHEREAS, Fibertech was approved by the New Jersey Board of Public Utilities ("BPU") to provide local exchange and interexchange telecommunications services throughout the State of New Jersey by Order of Approval in Docket No. TE05080683 on September 14, 2005 and intends to provide telecommunication services in accordance with that Order and the rules and regulations of the Federal Communications Commission and the New Jersey Board of Public Utilities; and

WHEREAS, pursuant to such authority granted by the New Jersey Board of Public Utilities, Fibertech may locate, place, attach, install, operate and maintain facilities within Public Rights-of-Way for purposes of providing telecommunications services; and

WHEREAS, Fibertech proposes to place its telecommunication facilities aerially on existing utility poles or in underground conduit in the Public Rights-of-Way within the Borough for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and,

WHEREAS, it is in the public interest for the Borough to promote competition in the telecommunications market and for the Borough to grant consent to Fibertech to occupy said Public Rights-of-Way within the Borough for this purpose; and,

WHEREAS, the consent granted herein is for the non-exclusive use of the Public Rights-of-Way within the Borough for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system.

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

Fibertech is hereby granted permission to install, operate and maintain its telecommunications system within the Borough of Princeton in accordance with the routing plan previously provided to the Borough for approval. If there should be any deviation from either the routing plan or method of installation as presently proposed, Fibertech will notify the Borough and post a performance bond for the work, if said bond is determined by the Borough to be required.

The Borough, pursuant to N.J.S.A. 48:3-18 has the authority to enter into the Use Agreement, which attached hereto and incorporated by reference herein in its entirety, with Fibertech for the use of utility poles upon such terms and conditions as agreed upon by the Borough and Fibertech.

The installation, operation and maintenance of Fibertech's telecommunications system shall not interfere with the safety or convenience of persons or vehicles traveling on public streets, highways or right-of-way within the Borough.

In accordance with the terms of the Use Agreement, Fibertech shall agree to indemnify, save, defend and hold harmless the Borough, and its officers, officials, agents, servants, administrators, and employees, from and against any and all liability or damages arising out of the use of said premises or property. Fibertech will post a \$10,000 bond which shall stay in effect as long as its equipment remains installed within the Borough of Princeton.

5. A notice of this action shall be published in The Times of Trenton and The Princeton Packet as required by law within ten (10) days of its passage.

6. 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 2011-R45
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING PROFESSIONAL SERVICES WITH UNIVERSITY MEDICAL CENTER
OF PRINCETON FOR HEALTHY CHILD WELL BABY CLINIC**

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 **University Medical Center at Princeton, 253 Witherspoon Street, Princeton NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2011 through December 31, 2011**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide **HEALTHY CHILD WELL-BABY CLINIC** services and other related duties as cited in the proposed contract (attached), for a total contract amount not to exceed **\$5,760**.

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 2011-R46
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON**

**APPROVING PROFESSIONAL SERVICES
FOR DEER CARCASS REMOVAL**

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 **Deer Carcass Removal Service, LLC, PO Box 328, Cream Ridge, NJ 08514** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2011 through December 31, 2011**, 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 agreement proposal of **January 1, 2011** 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 2011-R47
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING PROFESSIONAL SERVICES
FOR ADOLESCENT HEALTH EDUCATION WITH HiTOPS**

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 health education services with **HiTOPS, 21 Wiggins Street, Princeton NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2011 through December 31, 2011**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide adolescent health education services and other related duties as cited in the proposed contract (attached), for a total contract amount not to exceed **\$4,000.00**.

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 2011-R48
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING PROFESSIONAL SERVICES
FOR STD SERVICES WITH HITOPS**

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 STD services with **HITOPS, 21 Wiggins Street, Princeton NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2011 through December 31, 2011**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide adolescent sexual transmitted disease services and other related duties as cited in the proposed contract (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 2011-R49
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING PROFESSIONAL SERVICES FOR PEDIATRIC HEALTH SERVICES
WITH AMY GITTELL, D.O.**

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 **Amy Gittell, D.O.; 601 River Road, Yardley, PA 19067** (hereinafter referred to as "Provider") to provide

consultant services for the Borough from **January 1, 2011 through December 31, 2011**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional medical services and other related duties as cited in the contract (attached), for a total contract amount not to exceed **\$4,380.00**.

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 2011-R50
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING A PROFESSIONAL SERVICES AGREEMENT
FOR PUBLIC HEALTH NURSE WITH KATHERINE KORWIN**

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 **Katherine Korwin, 25 Shara Lane, Pennington, NJ 08534** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 4, 2011 through December 31, 2011**, as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide professional public health nurse services for a total contract amount not to exceed **\$4,500.00**.

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 2011-R51
OF THE MAYOR AND COUNCIL**

**OF THE BOROUGH OF PRINCETON
APPROVING PROFESSIONAL SERVICES AGREEMENT
WITH S.A.V.E.**

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 **SAVE, 900 Herrontown Road, NJ 08540** (hereinafter referred to as "Provider") to provide consultant services for the Borough from **January 1, 2011 through December 31, 2011**, 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 **February 1, 2011** (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.

Councilman Martindell moved to approve Resolutions 2011-R42, 2011-R43, 2011-R44, 2011-R45, 2011-R46, 2011-R47, 2011-R48, 2011-R49, 2011-R50, and 2011-R51; Councilwoman Trelstad seconded; Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, Bill List for February 8, 2011 — Resolution 2011-R55** as follows:

**RESOLUTION 2011-R55
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE FEBRUARY 8, 2011 BILL LIST**

WHEREAS, Finance Officer Sandra L. Webb 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 as follows:

CURRENT ACCOUNT (11-01)	185,568.74
RESERVE ACCOUNT (10-01)	99,219.80
PARKING UTILITY OPERATING FUND (11-05)	7,220.68
PARKING UTILITY OPERATING FUND (10-05)	14,113.92
AFFORDABLE HOUSING OPERATING ACCT (11-24)	
AFFORDABLE HOUSING OPERATING ACCT (10-24)	
IMPROVEMENT ASSESSMENT (11-11)	

February 8, 2011

CAPITAL ACCOUNT (C-04)	60,015.27
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	12,741.56
TRUST FUND (T-13)	
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (11-22)	
MANUAL	1,801,271.04
ASSESSMENT TRUST FUND (11-11)	
GRANT (G-02)	

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list February 8, 2011 as presented.

Councilwoman Trelstad moved to approve Resolution 2011-R55, Council President Wilkes seconded, and Borough Council approved five to one; Councilman Goldfarb was opposed.

Council President Wilkes moved to adjourn the open session. Council President Wilkes moved to return to complete outstanding items from the earlier closed session. Councilwoman Trelstad seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 9:00 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk