

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
August 23, 2011
Regular Meeting
Closed Session 6:30 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, Lt. Robert Currier, Jr., Chief
Finance Officer Sandra L. Webb, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 6:30 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 August 23, 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-R211**, as follows:

**RESOLUTION 2011-R211
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON AUGUST 23, 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 University

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

Councilman Goldfarb recused himself, the remainder of Borough Council recessed into closed session.

At 7:30 P.M. Council reconvened into open session.

Council President Wilkes departed prior the gavel for the open public meeting.

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 June 21, 2011.

Councilwoman Trelstad moved to approve the minutes of the open session of June 21, 2011, Councilman Goldfarb seconded, and Council approved unanimously five to zero.

Mayor Trotman read **Agenda Item G, Public Presentation**, and asked if anyone present wished to address Council with an issue not on the agenda. Mayor Trotman explained the five-minute limit for public presentations; no dialogue with Council members is permitted during this portion of the agenda. If so indicated, Council will take action at a later date.

Otto Lazareth, 19 Moran Avenue, asked if Borough meets the balanced budget requirement. Councilman Goldfarb responded, "Yes."

Kip Cherry of the Township repeated comments on Valley Road School (VRS)—its history (first ever viewing of black and white television), the famous and influential parents of its students, its role in the character of the Princetons. Ms. Cherry was against razing VRS and replacing it with a new \$9 million facility.

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

Mayor Trotman read **Agenda Item F, Report (1) — Monthly Police Report — Robert Currier, Police Lieutenant.**

**RESOLUTION 2011-R212
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE MONTHLY CHIEF OF POLICE REPORT**

WHEREAS, David Dudeck, Chief of Police of the Borough of Princeton prepared a comprehensive report detailing the police activity for the month of June 2011; and

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

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby accept the June 2011 Monthly police report prepared by the Borough Police Administration.

Lt. Currier announced formation of a safety initiative in conjunction with Traffic and Transportation Committee and Chief Dudeck. The focus will be on Nassau/Witherspoon and Nassau/Washington where both foot and bicycle traffic peak.

Mayor Trotman commented that a new page in the police report covering sharrows would be helpful. Councilwoman Trelstad suggested publishing what “sharrows” means to cyclists and drivers; to date, the public seems unaware.

Councilwoman Trelstad asked what the graph on “Calls for Service” represents. Lt. Currier replied that items cover any request for police assistance—from within the police department as well as from the public.

Councilwoman Butler wondered why juvenile offenses were markedly lower than last year. Lt. Currier saw no particular trend; he will get details for Council.

Councilwoman Butler thought a crackdown on jaywalkers was indicated. Mayor Trotman encouraged increased efforts to educate pedestrians about crosswalk and traffic light safety.

Councilman Martindell again sought information from Chief Dudeck—to be presented to Council members before his next appearance in September 2011—about hiring civilian detectives.

Councilwoman Trelstad moved to accept the police report, Councilman Martindell seconded, and Council accepted unanimously.

Mayor Trotman read **Agenda Item H, Discussion (1) — 2nd Quarter Financial Update – Sandra Webb, CFO; Robert W. Bruschi, Administrator.**

Ms. Webb stated “no surprises” in the June 30, 2011, financials. She pointed out that some major outlays are required during the first half of the fiscal year; in particular, pensions and some insurance premiums.

Councilman Goldfarb requested a list of delinquent taxpayers; Ms. Webb agreed to provide one.

Ms. Webb said the interest rate Borough charges on overdue tax payments has been reduced from 8% (first \$1,500) to 6% (first \$15,000).

Councilwoman Trelstad moved to accept the second quarter financial report, Councilman Goldfarb seconded, and Council accepted unanimously.

Mayor Trotman read **Agenda Item H, Discussion (2) — Best Practice Inventory – Sandra Webb, CFO; Robert W. Bruschi, Administrator.**

Ms. Webb described Governor Christie's Best Practices Inventory. New Jersey warns that a tally of nine questions answered "No" can result in loss of 5% of state aid. Borough anticipates full funding this year.

Councilman Goldfarb questioned General Management Item 7 about *requiring* elected officials to pursue relevant education. Borough Administrator Robert Bruschi suggested adding a note that elected officials acquiesce *voluntarily*.

Councilman Goldfarb pursued other items on the checklist—with all of which, Ms. Webb assured, Borough is in compliance.

Councilwoman Butler thought some information requiring public notice might be supplied with inserts in tax bills.

Councilman Martindell moved to accept the inventory questionnaire, Councilwoman Trelstad seconded, and Council accepted unanimously.

Mayor Trotman read by title **Agenda Item I, Old Business (1) — Public Hearing and Adoption: Ordinance 2011-10, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17A OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974 TO CREATE A NEW ZONE DISTRICT TO BE KNOWN AS ARTS, EDUCATION AND TRANSIT (E5) ZONE.**

Councilwoman Trelstad moved to carry Ordinance 2011-10 to a later date without discussion; Councilwoman Crumiller seconded. Council agreed four to zero, with Councilman Goldfarb abstaining.

Mayor Trotman read **Agenda Item J, New Business (1) — Resolution 2011-R213** as follows:

**RESOLUTION 2011-R213
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPOINTING A BOROUGH CONSTRUCTION CODE OFFICIAL**

WHEREAS, pursuant to N.J.A.C. 5:23-4.4, the Borough is required to employ a Licensed Construction Official who must meet the requirements of N.J.A.C. 5:23-5.6, including holding of a subcode official license, the requisite experience and completion of an approved Construction Official educational program as required by state law; and

WHEREAS, the Borough's current Construction Official is retiring as of January 1, 2012 and will be performing only the duties of the fire sub-code official until that time; and

WHEREAS, the Borough Administrator and the Borough Engineer have recommended that the Mayor and Council now appoint Thomas Moffat to serve as the Borough's Construction Official; and

WHEREAS, Mr. Moffat has been an employee of the Borough of Princeton for the past 6 months and has approximately 10 years experience in the area of building plan review and inspection and currently serves as the Building Subcode Official; and

WHEREAS, Mr. Moffat meets all state requirements to serve as Construction Official; and

WHEREAS, if appointed by the Mayor and Council, Mr. Moffat would serve as Construction Official and continue to serve as Building Subcode Official which is permitted by state law; and

WHEREAS, the Mayor and Council have determined that Mr. Moffat is fully qualified to serve as the Borough's Construction Official.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton that Thomas Moffat is hereby appointed to serve as the Borough's Construction Official. Pursuant to N.J.S.A. 52:27D-126, said appointment shall be for a four year term.

Councilwoman Trelstad moved to approve Resolution 2011-R213, Councilman Martindell seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, New Business (2) — Resolution 2011-R214** as follows:

**RESOLUTION 2011-R214
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
RELEASE OF CERTAIN MAINTENANCE BOND**

WHEREAS, THE Princeton Regional Planning Board had approved a major site Plan for Block 20.02, Lots 42 and 68, Nassau Inn Limited partnership, which required the submittal of a \$10,765.35 Maintenance Bond for Phase I of the approval, Yankee Doodle Tap Room Patio Expansion, which was submitted in cash by the applicant; and

WHEREAS, on August 12, 2011, the applicant has requested release of said Maintenance Bond; and

WHEREAS, the Borough Engineer advises that the improvements covered under this Bond are complete and satisfactory and recommends the release of the Maintenance Bond in the amount of \$10,765.35, which was posted for a one year period, expiring June 4, 2011; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton, the Chief Financial Officer is hereby authorized to release \$10,765.35 to Nassau Inn, Ten Palmer Square, Princeton, New Jersey 08542.

Councilman Goldfarb moved to approve Resolution 2011-R214, Councilman Martindell seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, New Business (3) — Resolution 2011-R215** as follows:

**RESOLUTION 2011-R215
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING AWARD OF CONTRACT
FOR CAPITAL PROJECT #10-08 SIDEWALK REPAIRS**

WHEREAS, the Borough of Princeton has determined the need for construction services in connection with Capital project # 10-08 Sidewalk Repairs; and

WHEREAS, the Borough has solicited bid proposals for same; and bid proposals were publically opened on August 2, 2011; and

WHEREAS, the Borough received the following bids:

TC Landscape Construction Group. in the amount of \$45,331.00

MNC General Contracting in the amount of \$49,140.00

A & A Curbing in the amount of \$63,327.00

Armandos Construction Inc. in the amount of \$65,865.80

Fiotakis Construction in the amount of \$82,896.00

WHEREAS, the Borough Engineer and the Borough Attorney have reviewed the bids and determined that the bid submitted by TC Landscape Construction Group, 55 Comstock Street, New Brunswick, New Jersey, 08901 is a responsible bid and is within the Engineer's Estimate for this project; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available for the purposes set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton the contract for the project know as # 10-08 Sidewalk Repairs, be awarded to TC Landscape Construction

Group, 55 Comstock Street, New Brunswick, New Jersey, 08901, in the amount of \$45,331.00 as set forth in the bid specifications.

The Mayor and Borough Clerk are hereby authorized and directed to execute said Contract on behalf of the Borough.

Councilwoman Trelstad moved to approve Resolution 2011-R215, Councilman Martindell seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, New Business (4) — Resolution 2011-R216** as follows:

**RESOLUTION 2011-R216
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF
ONE (1) CHEVROLET TAHOE 4WD
STATE CONTRACT #A67833**

WHEREAS, the Borough of Princeton wishes to purchase one (1) police vehicle, 2011 Chevrolet Tahoe, through the State of New Jersey's cooperative purchasing program (N.J.S.A. 40A:11-12); and

WHEREAS, Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, New Jersey 08002, was awarded State Contract #A67833 for police vehicles; and

WHEREAS, one (1) Chevrolet Tahoe police vehicle shall be full sized, four (4) door, 4WD SUV vehicle, at a total cost of \$27,117.00; and

WHEREAS, the appropriate monies totaling \$27,117.00 are provided for by funding in the 2011 Current Fund Temporary Budget;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council authorize the Borough Administrator to purchase the above listed Chevrolet Tahoe police vehicles from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, New Jersey 08002, awarded State Contract #A67833 for police vehicles

Councilwoman Trelstad moved to approve Resolution 2011-216 and Councilman Goldfarb seconded. Councilman Goldfarb voiced general concern that this type of purchase circumvents accounting practices that cover police vehicles. In particular, Councilman Goldfarb said there should be a *compelling* reason to choose a four-wheel-drive vehicle, other than that it can be capitalized. Mr. Bruschi promised that, during his tenure, no squad car will be replaced with an SUV through the capital budget.

Hearing no further discussion, Mayor Trotman called for a vote. Mayor Trotman proclaimed the motion passed.

Mayor Trotman read **Agenda Item J, New Business (5) — Resolution 2011-R217** as follows:

**RESOLUTION 2011-R217
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
TO AWARD A CONTRACT
TO DITSCHMAN / FLEMINGTON
FORD FLEET SALES FOR A
2012 FORD F-550 MASON DUMP**

August 23, 2011

WHEREAS, the Princeton Sewer Operating Committee (PSOC) C/O the Borough of Princeton wishes to purchase a 2012 Ford F-550 Mason Dump through the New Jersey Cooperative Purchasing Program (N.J.S.A. 40A:11-12); and

WHEREAS, Ditschman / Flemington Ford Fleet Sales, 215 Routes 202 & 31, Flemington, New Jersey 08822 has been awarded New Jersey State Contract # A79113 T2789 for a 2012 Ford F-550 Mason Dump; and

WHEREAS, the total cost of the 2012 Ford F-550 Mason Dump and accessories is \$70,469.00; and

WHEREAS, the appropriate monies are provided in the Capital Fund Budget for the PSOC in the amount of \$70,469.00 as provided by the attached certification of funds from the Chief Financial Officer.

NOW THEREFORE BE IT RESOLVED that the Mayor and Borough Council of the Borough of Princeton authorize the Borough Administrator to purchase the above 2012 Ford F-550 Mason Dump under State Contract # A79113 T2789 from Ditschman / Flemington Ford Fleet Sales.

Councilwoman Trelstad moved to approve Resolution 2011-R217 and Councilman Goldfarb seconded. Mr. Bruschi said that the last Mason Dump was replaced more than 15 years ago. Specifications for the truck were deemed larger than necessary for functionality; therefore, this truck is smaller than previous.

Hearing no further discussion, Mayor Trotman called for a vote. Mayor Trotman proclaimed the motion passed.

Mayor Trotman read **Agenda Item J, New Business (6-9) — Resolutions 2011-R218, 2011-R219, 2011-R220, and 2011-R221** as follows:

**RESOLUTION 2011-R218
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
SUPPORTING THE OVER THE LIMIT UNDER ARREST
2011 STATEWIDE CRACKDOWN**

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 25% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Over the Limit Under Arrest 2011 Statewide Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 19 through September 5, 2011; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE, be is resolved that the Governing Body of the Borough of Princeton declares its support for the Over the Limit Under Arrest 2011 Statewide Crackdown from August 19 through September 5, 2011 and pledges to increase awareness of the dangers of drinking and driving.

RESOLUTION 2011-R219

**OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY
YWCA PRINCETON FOR ANNUAL CRAFTERS' MARKETPLACE**

WHEREAS, YWCA Princeton wishes to advertise their Annual Crafters' Marketplace to be held on November 19th, and 20th, 2011; and

WHEREAS, YWCA Princeton has requested permission to install a banner over Washington Road to announce their event has received the approval of the Office of Community and State Affairs at Princeton University and pending all conditions and insurance requirements set forth are met for the period beginning Monday, November 14, 2011 through Monday, November 21, 2011; and

WHEREAS, this banner will be promptly removed after its use as required by Borough ordinances; and

WHEREAS, in accordance with Borough Ordinance 3-17 any banner that is removed by the Borough will be held by the Borough for thirty (30) days and then disposed of; and

WHEREAS, in accordance with Borough Ordinance 3-17 any applicant failing to remove a banner will not be permitted to display any banner for the succeeding two years; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby approve placement of said banner on Washington Road in accordance with Borough Ordinances 3-14-3-17.

**RESOLUTION 2011-R220
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
LICHAO CAI**

WHEREAS, Lichao Cai has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the Princeton Engine Company #1

WHEREAS, the membership application has been reviewed by the municipal officers; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton hereby approve the application for membership to the Office of the Borough Administrator, the Fire Chief and Fire Company.

**RESOLUTION 2011-R221
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
BRYAN E. HILL**

WHEREAS, Bryan E. Hill has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a junior member of the Mercer Engine Company #3

WHEREAS, the membership application has been reviewed by the municipal officers; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton hereby approve the application for membership to the Office of the Borough Administrator, the Fire Chief and Fire Company.

Councilman Martindell moved to approve Resolutions 2011-R218, 2011-R219, 2011-R220, and 2011-R221; Councilwoman Trelstad seconded; Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, Bill List for August 23, 2011 — Resolution 2011-R222** as follows:

**RESOLUTION 2011-R222
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE AUGUST 23, 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)	2,392,247.03
RESERVE ACCOUNT (10-01)	2,663.58
PARKING UTILITY OPERATING FUND (11-05)	31,326.10
PARKING UTILITY OPERATING FUND (10-05)	1,627.01
AFFORDABLE HOUSING OPERATING ACCT (11-24)	2,384.00
AFFORDABLE HOUSING OPERATING ACCT (10-24)	
IMPROVEMENT ASSESSMENT (11-11)	
CAPITAL ACCOUNT (C-04)	125,254.58
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	6,466.50
TRUST FUND (T-13)	3,367.50
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (11-22)	
MANUAL	3,138,889.49
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 as presented.

Councilman Martindell moved to approve Resolution 2011-R222, Councilwoman Trelstad seconded, and Council approved unanimously.

Councilman Martindell moved to adjourn; Councilwoman Butler seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 8:27 P.M.

Respectfully submitted,

**Andrea Lea Quinty
Borough Clerk**