

**Approved Minutes  
Open Session  
Of the Mayor and Council of the Borough of Princeton  
March 27, 2012  
Regular Meeting  
Regular Session 7:00 P.M.**

Present: Council President Barbara Trelstad, Councilwoman Jo Butler,  
Councilwoman Jenny Crumiller, Councilwoman Heather Howard,  
Councilman Kevin Wilkes, Mayor Yina Moore

Absent: Councilman Roger Martindell

Staff Present: Borough Administrator and Acting Clerk Robert W. Bruschi, Borough  
Engineer John M. West, Police Chief David J. Dudeck

Mayor Moore called the meeting to order at 7:00 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 March 27, 2012, 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 Moore asked all present to rise for **Agenda Item C, Salute to the Flag.**

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

Presented for approval were the minutes of the closed sessions of September 13, 2011; October 4, 2011; October 25, 2011; November 9, 2011; November 22, 2011; December 6, 2011; and December 20, 2011.

Council President Trelstad moved to approve the minutes of the named closed sessions. Councilwoman Butler seconded and Council approved unanimously.

Presented for approval were the minutes of the open session of February 7, 2012.

Council President Trelstad moved to approve the minutes of the open session of February 7, 2012, Councilwoman Crumiller seconded, and Council approved unanimously five to zero.

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

Daniel Harris, 28 Dodds Lane in the Township, spoke of the MRRO zone—the last large tract to be developed in downtown Princeton—which is being considered for amendment in Ordinance 2012-05, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17A, LAND USE OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974 REGARDING MIXED RESIDENTIAL – RETAIL-OFFICE (MRRO) ZONE. Mr. Harris stated that Ordinance 2012-05 contains grammatical and legal incoherencies, which he has rewritten and presented to Mayor and Council members via email on January 19, 2012.

Mayor Moore noted that Mr. Harris has made suggested revisions to the building code, as well as, the zoning code in Ordinance 2012-05. Borough Administrator Robert Bruschi explained the procedure for amending ordinances, to involve input from the Regional Planning Board and Borough attorneys, as well as, Council members' ideas.

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

Mayor Moore read **Agenda Item F, Discussion (1) — University Medical Center of Princeton at Plainsboro Relocation Logistics** - *Barry Rabner, CEO & President; and Pam Hersh, Vice President of Government and Community Affairs of Princeton HealthCare System.*

Mr. Rabner updated Council on the hospital's activities since 2003 when it began planning for a new building. On March 15, 2012, Princeton HealthCare System received its temporary certificate of occupation from Plainsboro. Major equipment has been installed and is being tested.

Mr. Rabner described "a day in the life" that the hospital is conducting to assure that everything and everyone is operating properly for patient treatment to begin on May 22, 2012. The number of patients will be reduced by about half in order to staff both locations fully for one day. Patient movement by ambulance will begin at 7 A.M. and continue every four to five minutes throughout the day.

Mr. Rabner displayed a rendering of the new building, featuring the on-campus clinic. Upcoming developments include a fitness center, an ambulatory child care facility associated with the Children's Hospital of Philadelphia, and assisted living units.

Mr. Rabner described New Jersey Transit service—bus 655—running every 40 minutes from 5:30 A.M. to 8:00 P.M. and hourly 8:00 P.M. to 11:00 P.M. (weekdays). Free bus tickets for clinic patients in walking distance of the old location will be found at the Community Health Center (information only) at 281 Witherspoon; on-demand transportation will also be available (hospital shuttle or reimbursed taxi). Crosstown riders can reach Princeton HealthCare at no charge as well. Mr. Rabner mentioned the huge improvement in traffic flow at Harrison Street and Route One with the addition of designated turning lanes.

Police Chief David Dudeck asserted that the transfer route for the ambulances is well organized, with a primary route and three back-up routes.

Pam Hersh stated that a public information campaign will begin the end of April with a mailing to all current clinic patients. Churches, the public library, Arts Council, and Spanish-language publications will be asked to post notices in any places visible to clinic population; along with a multi-language phone line for answers.

Mr. Rabner clarified that no care will be provided at the Witherspoon site after May 22; complete decommissioning of the building will follow within a few months. Mr. Rabner committed to maintain the exterior of the building until demolition.

Mayor Moore read **Agenda Item G, Report (1) — Monthly Police Report — David Dudeck, Chief of Police.**

**RESOLUTION 2012-R134  
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 January 2012; 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 January 2012 Monthly police report prepared by the Borough Police Administration.**

Chief Dudeck reported car burglaries and residential burglaries in the east end of town. He warned residents to lock up and be alert to suspicious activity.

Council President Trelstad was concerned at the increased incidence of “failure to yield to pedestrians in crosswalk.” Chief Dudeck recommended education of residents and students on safe and proper use of crossings. He said police squads enforce cars and pedestrians periodically.

Chief Dudeck reported no conflicts between auto and cycle users in sharrows lanes. He said alcohol-related incidents are consistent month to month.

Council President Trelstad moved to accept the police report, Councilwoman Howard seconded, and Council approved unanimously five to zero.

Council President Trelstad read by title and moved **Agenda Item H, Old Business (1) — Public Hearing and Adoption: Ordinance 2012-04, AN ORDINANCE AMENDING CHAPTER 33, TREES AND SHRUBS OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974.**

Council President Trelstad moved all references to horses should be replaced with “an animal” or “the animal.” Councilman Wilkes seconded.

Mayor Moore asked about tying bicycles to trees—mode of transportation may have changed, but problem still exists.

Mayor Moore 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 Moore called for a vote. Council approved unanimously.

Council President Trelstad read and moved **Agenda Item I, New Business (1) — Resolution 2012-R135** as follows:

**RESOLUTION 2012-R135  
OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF PRINCETON  
AUTHORIZING AN AWARD FOR PROFESSIONAL SERVICES  
TRANSIT SHUTTLE ADMINISTRATION SERVICES**

**WHEREAS**, the Borough 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 Greater Mercer TMA Inc. (hereinafter referred to as "Provider") to provide administration services for the Borough Community Transit Group from March 28, 2012 through December 31, 2012, as hereafter more particularly stated.

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

Provider shall serve as a transportation administrative agency on behalf of the Borough of Princeton Community Transit Group to provide shuttle service administration of the freeB Daytime Route. Specifically, the Provider shall perform the following types of duties: contracting with service providers, handling customer service, providing detailed ridership and capacity analysis reports, performance monitoring, routing and scheduling, transit coordination, passenger surveys, online interactive maps, establishing policies and procedures for passengers and operator, and "directed work". This latter term is defined as projects, campaigns, and other work in which the TMA would incur additional costs and exceeds the scope of services or resources. If such work is identified as needed by the Princeton Borough Transit Group, the proposed costs would be approved first by the Transit Group before commencing work.

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

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.

Council President Trelstad noted omission of costs in Resolution 2012-R135. Council discussed payment and term, and decided the resolution was satisfactory as is.

Councilwoman Butler seconded and Council approved unanimously.

Council President Trelstad read and moved **Agenda Item I, New Business (2) — Resolution 2012-R136** as follows:

**RESOLUTION 2012-R136  
OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF PRINCETON  
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY  
YWCA PRINCETON FOR ETS FIRECRACKER 5K**

**WHEREAS**, YWCA Princeton wishes to increase public awareness of their ETS Firecracker 5KRun/Walk to be held on June 26, 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 **Wednesday, June 20 through Wednesday, June 27, 2012; 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.

Councilwoman Butler seconded and Council approved unanimously.

Council President Trelstad read and moved **Agenda Item I, New Business (3) — Resolution 2012-R137** as follows:

**RESOLUTION 2012-R137  
OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF PRINCETON  
TO EXECUTE AN AGREEMENT FOR CONTINUED  
PARTICIPATION IN THE HOME INVESTMENTS  
PARTNERSHIPS PROGRAM CONSORTIUM  
WITH THE COUNTY OF MERCER**

*Whereas*, the HOME Investment Partnerships Program seeks to expand the supply of decent and affordable housing, particularly rental housing, for low and very low income Americans; and,

*Whereas*, the HOME Investment Partnerships Program seeks to strengthen the abilities of state and local governments to design and implement strategies for achieving adequate supplies of decent, affordable housing; and,

*Whereas*, the HOME Investment Partnerships Program seeks to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and nonprofit organizations, in the production and operation of affordable housing; and,

*Whereas*, the HOME Investment Partnerships Program provides state and local governments with the flexibility to decide what kind of housing assistance, is most appropriate for meeting their housing needs; and,

*Whereas*, the HOME Investment Partnerships Program encourages state and local governments to use HOME funds efficiently and to undertake the most cost-efficient housing activities requiring the smallest state and local matching contributions for Federal funds; and,

*Whereas*, in order to qualify for funding under this program, a municipality or consortium of municipalities must have a minimum 'critical housing need' of \$500,000.00; and,

*Whereas*, the City of Trenton is the only municipality within Mercer County eligible, on an independent basis for HOME Investment Partnerships Program funds; and,

*Whereas*, the remaining Mercer County municipalities interested in participating in the HOME Investment Partnerships Program must pool together into a consortium to be eligible for finding; and,  
*Whereas*, there is no cost to municipalities to participate in the Mercer County HOME Investment Partnerships Program Consortium, aside from the required matching finds for any project a municipality may undertake; and,

*Whereas*, the Mercer County HOME Investment Partnerships Program Consortium would be a source of finding for a project the Borough of Princeton may undertake in its own affordable housing program without requiring the Borough of Princeton to undertake any specific projects; and,

*Whereas*, participation by the Borough of Princeton in the Mercer County HOME Investment Partnerships Program Consortium would be beneficial to its relations with other Mercer County municipalities, as a whole, meet the eligibility requirements for participation in the HOME Investment Partnerships Program; now,

*Therefore Be It Resolved*, participation in the Mercer County HOME Investment Partnerships Program Consortium is hereby endorsed; and,

*Be It Further Resolved*, that the Mayor and the Municipal Clerk are hereby authorized and directed to execute said Mercer County HOME Investment Partnerships Program Consortium Agreement.

Councilman Wilkes seconded and Council approved unanimously.

Council President Trelstad read and moved **Agenda Item I, New Business (4) — Resolution 2012-R138** as follows:

**RESOLUTION 2012-R138  
OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF PRINCETON  
APPROVING BINGO LICENSE BA: 347  
TO ST PAUL SCHOOL PTA**

**WHEREAS**, ST PAUL SCHOOL PTA has submitted a BINGO application to the Borough Clerk; and

**WHEREAS**, N.J.A.C. 13:47-4.1 requires seven (7) days to elapse before the Governing Body makes its findings and determinations; and

**WHEREAS**, the required waiting period is satisfied on March 20, 2012; and

**WHEREAS**, ST PAUL SCHOOL PTA, in accordance with N.J.A.C. 13:47-3 et seq, has submitted the required fees, four copies of their application, and the Legalized Games of Chance Control Commission (LGCCC) registration form with identification number.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Princeton that bingo license BA: 347 for ST PAUL SCHOOL PTA be approved; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk will forward the Finding and Determinations for BA: 347 to the LGCCC in accordance with N.J.A.C. 13:47-4.1.

Councilwoman Butler seconded and Council approved unanimously.

Council President Trelstad read and moved **Agenda Item I, New Business (5) — Resolution 2012-R139** as follows:

**RESOLUTION 2012-R139  
OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF PRINCETON  
AUTHORIZING THE CANCELLATION OF THE  
AFFORDABLE HOUSING 2011 BUDGET APPROPRIATIONS**

**WHEREAS**, the Borough has various balances in budget accounts for the Affordable Housing 2011 Budget; and

**WHEREAS**, the Borough's Administration has reviewed the affordable housing budget reserves; and

**WHEREAS**, funds have already been spent and charged to the budget; and

**WHEREAS**, it is the recommendation of the Administration that the remaining balances of the Affordable Housing 2011 budget be cancelled at December 31<sup>st</sup> and held in the Affordable Housing Utility Operating Fund as reserves to be used in 2012

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to cancel the 2011 Budget appropriations in the Affordable Housing budget.

Councilwoman Butler seconded. Mayor Moore called for a roll call vote. Acting Borough Clerk called the roll. Council members Trelstad, Butler, Crumiller, Howard, and Wilkes voted in the affirmative. Mayor Moore proclaimed the motion passed.

Council President Trelstad read and moved **Agenda Item I, New Business (6) — Resolution 2012-R140** as follows:

**RESOLUTION 2012-R140  
OF THE MAYOR AND COUNCIL  
OF THE BOROUGH OF PRINCETON  
APPROVING AN EMERGENCY TEMPORARY APPROPRIATION  
FOR THE 2012 AFFORDABLE HOUSING FUND BUDGET**

**WHEREAS**, an emergent 2012 condition has arisen with respect to the 2012 Affordable Housing Fund Budget, due to the lack of an adopted 2012 Affordable Housing Fund Budget and no adequate provision has been made in the 2012 temporary budget for appropriations for the next several months, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including the original 2012 temporary budget and this resolution total \$523,400.00

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made as per the attached appropriations in the amount of \$400,000.00

2. That the emergency temporary appropriation has been provided for in the 2012 Budget under the said title.

3. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Councilwoman Butler seconded. Mayor Moore called for a roll call vote. Acting Borough Clerk called the roll. Council members Trelstad, Butler, Crumiller, Howard, and Wilkes voted in the affirmative. Mayor Moore proclaimed the motion passed.

Council President Trelstad read and moved **Agenda Item J, Bill List for March 27, 2012 — Resolution 2012-R141** as follows:

**RESOLUTION 2012-R141  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE MARCH 27, 2012 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 (12-01)	280,386.31
CURRENT ACCOUNT (11-01)	2,740.37
RESERVE ACCOUNT (10-01)	
PARKING UTILITY OPERATING FUND (12-05)	25,519.59
PARKING UTILITY OPERATING FUND (11-05)	
AFFORDABLE HOUSING OPERATING ACCT (12-24)	
AFFORDABLE HOUSING OPERATING ACCT (11-24)	
IMPROVEMENT ASSESSMENT (11-11)	
ANIMAL CONTROL TRUST (A-14)	
CAPITAL ACCOUNT (C-04)	350,894.82
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	521.52
TRUST FUND (T-13)	250.69
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (11-22)	
MANUAL	1,107,155.30
ASSESSMENT TRUST FUND (11-11)	
GRANT (G-02)	4,940.00

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton approve the bill list as presented.

Councilwoman Butler seconded and Council approved unanimously.

Mayor Moore read **Agenda Item K, Resolution 2012-R142**, as follows:

**RESOLUTION 2012-R142  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
INTO CLOSED SESSION ON MARCH 27, 2012**

**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. Litigation

**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



*March 27, 2012*

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

Councilwoman Butler seconded. Hearing no nay votes, Mayor Moore proclaimed the resolution approved.

Council President Trelstad moved to adjourn and Councilwoman Butler seconded. There being no further business, Mayor Moore adjourned the open session meeting at 8:11 P.M. Borough Council recessed into closed session.

Respectfully submitted,

**Robert W. Bruschi**  
**Acting Borough Clerk**