

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
September 25, 2007
Regular Meeting
Closed Session 6:30 P.M.
Open Session 8:00 P.M.**

Present: Council President Margaret Karcher, Councilwoman Winifred Benchley, Councilman David Goldfarb, Councilman Andrew Koontz, Councilman Roger Martindell, Councilwoman Barbara Trelstad, and Mayor Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Engineer Carl E. Peters, Assistant Borough Attorney Karen L. Cayci, 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 September 25, 2007, 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 of 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 2007-R219** as follows:

**RESOLUTION 2007-R219
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON SEPTEMBER 25, 2007**

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 — NHKT
2. Princeton Township negotiations — North Ridge pump station
3. Library parking

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 Karcher moved to approve and Councilwoman Benchley seconded.

Councilman Martindell moved to exclude NHKT from closed session discussion and Councilman Koontz seconded.

Councilman Martindell questioned Council's future credibility regarding Nassau HKT negotiations without a baseline public position. He wondered how "final" a "final offer" is. He proposed a first step of providing such a baseline position to the public before any further closed session talks.

Councilman Koontz supported Councilman Martindell's point adding he also opposed entering closed session because of the amount of attention granted the developer by Mayor and Council to date.

Councilwoman Trelstad proposed considering NHKT *written response* in private before going before the public.

Council President Karcher agreed with Councilwoman Trelstad, saying that postponing any discussion to a scheduled public session is simply stalling, that members of the public opining on various points does not move the process forward.

Councilman Goldfarb pointed out that Council members (with inquiries of the results obtained by a Council negotiating committee) requested full Council participation in NHKT deliberations.

Councilwoman Benchley feared not going to closed session for the topic might be a delaying tactic stating final settlement is near and pursuing "ephemeral" avenues can lead nowhere. She stressed that *negotiating* is not equivalent to *conceding*.

Councilman Koontz pointed out that the reason for closed discussion is to protect the interests of the public. He expressed his fear that closed discussions now might have the opposite effect, negotiating at the expense of the public.

Councilman Martindell emphasized that his objection is that Council will create a *new* negotiating position behind closed doors.

Mayor Trotman called for a vote of the motion to exclude NHKT from closed session. Councilman Martindell and Councilman Koontz voted aye; Council President Karcher, Councilwoman Benchley, Councilman Goldfarb, and Councilwoman Trelstad voted nay. Mayor Trotman proclaimed the motion not to discuss NHKT in closed session failed.

Councilman Goldfarb moved to exclude Township issues (North Ridge and library parking) from closed discussion. He stated that all facts are known and the matter should be discussed publicly in Joint Session with Princeton Township.

Mr. Bruschi indicated that certain Borough positions versus Princeton Township might be pursued through legal measures.

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Councilman Martindell seconded Councilman Goldfarb's motion to exclude the two Township matters from closed discussion.

Councilwoman Benchley suggested a brief review in closed session to establish relevant points to be presented to the public at a later date.

Mayor Trotman called for a vote to exclude Northridge and Library Township issues from closed session. Councilman Goldfarb, Councilman Koontz, Councilman Martindell and Councilwoman Trelstad voted aye; Council President Karcher and Councilwoman Benchley voted nay. Mayor Trotman proclaimed the motion not to discuss these Princeton Township matters in closed session carried. For clarity, Mayor Trotman repeated that Council *will not* discuss Princeton Township in closed session today.

Mayor Trotman called for a vote on Council President Karcher's motion to withdraw to closed session. Council President Karcher, Councilwoman Benchley, Councilman Goldfarb, and Councilwoman Trelstad voted aye; Councilman Koontz and Councilman Martindell voted nay. Mayor Trotman proclaimed the motion passed, and Borough Council recessed into closed session.

At 8:03 P.M. the Council reconvened into open session.

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

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

Presented for approval were the minutes of the open session of September 4, 2007.

Councilwoman Trelstad moved to approve the minutes of the open session September 4, 2007, Councilman Goldfarb seconded and Council approved unanimously after minor revisions.

Presented for approval were the minutes of the open session of September 11, 2007.

Councilman Goldfarb moved to approve the minutes of the open session September 11, 2007, Councilwoman Benchley seconded and Council approved unanimously after minor revisions.

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

Mr. Bruschi described Council's procedure for closing open NHKT construction items in a face-to-face meeting with HKT. Mr. Bruschi also reported that Council discussed the differences between the two sides of the issues.

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

Linda Sipprelle, Nassau Street, asked the status of some specific open items. Mr. Bruschi responded that building permit for Bldg C has been issued, that work on the punch list is progressing. He addressed questions regarding financing (the developer is responsible), legal fees (not decided) the pergola, and so forth. Ms. Sipprelle requested early public discussion of the downtown project.

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

Mayor Trotman read **Agenda Item H, Report (1) – Annual Report – Princeton Senior Resource Center (PSRC) – Susan Hoskins, Director**

Susan Hoskins reported on another busy year at PSRC, including activities not generally apparent to the public, such as governance, Center policies, endowments, and insurance. She mentioned the importance of the Boomer population becoming the Senior population. Ms. Hoskins invited everyone to visit their new Web site www.princetonsenior.org.

Ms. Hoskins described “Plan for the Future Day,” a biannual program of outreach and education including workshops. She clarified that the three generations served by the Center (“Boomer” = born post World War II; “Great” = adult during World War II; “Silent” = pre World War II) all have different ideas and goals for today and into the future. Planning for retirement years can be problematic for all ages.

Ms. Hoskins sought Council’s assistance for capital funds in regards to the Center’s sound remediation system and damaged floors. She pointed out that the Suzanne Patterson building is used every night and all day on weekends.

Councilman Goldfarb suggested Ms. Hoskins pursue a way, however difficult that may be, to make *all* participants in *all* programs aware of *all* initiatives at the Center. Ms. Hoskins requested Council’s aid in publicizing Center activities and services.

Councilman Martindell offered Council support to increase collaboration by Public Works/Police/Postal workers on caregiver issues. Fire Department and Rescue Squad members might also notify PSRC when help is needed.

Council President Karcher voiced the idea of a “catchy” name for services for seniors.

Mayor Trotman read by title **Agenda Item I, New Business (1) – Introduction and Order to Publish: Ordinance 2007-24 ORDINANCE CONCERNING SALARIES AND COMPENSATION OF CERTAIN PERSONNEL OF THE BOROUGH OF PRINCETON.**

Council President Karcher moved to introduce Ordinance 2007-24, Councilwoman Benchley seconded. Robert Bruschi, Borough Administrator, reminded Council that many maximum numbers must be revisited before Council approves.

Councilman Martindell stepped out at 8:46 P.M.

Hearing no comment from Council, Mayor Trotman opened public discussion. Seeing no one, she closed the public portion.

Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Benchley, Goldfarb, Koontz, and Trelstad voted in the affirmative. Councilman Martindell was not present. Mayor Trotman proclaimed the ordinance introduced, with a public hearing to be held October 23, 2007.

Mayor Trotman read **Agenda Item I, New Business (2) — Resolution 2007-R220** as follows:

**RESOLUTION 2007-R220
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
FOR RENEWAL OF MEMBERSHIP IN THE MID JERSEY
MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Borough of Princeton is a member of the Mid Jersey Municipal Joint Insurance Fund; and
WHEREAS, said renewal membership terminates as of January 1, 2008*, unless earlier renewed by agreement between the Municipality and the Fund; and
WHEREAS, the Municipality desires to renew said membership;
Now therefore, be it resolved as follows:

1. The Borough of Princeton agrees to renew its membership in the Mid Jersey Municipal Joint Insurance Fund for a period of three (3) years beginning January 1, 2008, and ending January 1, 2011 *, and to be subject to the Bylaws, Rules and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Borough Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Mid Jersey Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

*12:01 a.m.

Councilwoman Trelstad moved to approve Resolution 2007-R220, Councilman Goldfarb seconded and Borough Council approved five to zero (Councilman Martindell not present).

Mayor Trotman read **Agenda Item I, New Business (3) — Resolution 2007-R221** as follows:

**RESOLUTION 2007-R221
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
TO AWARD A CONTRACT TO GAMETIME, INC.**

WHEREAS, the Borough of Princeton wishes to purchase an Playground Equipment through the New Jersey's Cooperative Purchasing Program (N.J.S.A. 40A:11-12) and;

WHEREAS, GameTime, Inc. P.O. Box 11407, Birmingham, AL 35967 has been awarded the New Jersey State Contract #A59052 for Playground Equipment and;

WHEREAS, the Playground Equipment costs \$34,219.00 and the appropriate monies are provided in the Capital Fund Budget for Parks and Playgrounds and;

NOW THEREFORE BE IT RESOLVED that the Mayor and Borough Council of the Borough of Princeton authorize the Borough Administrator to purchase the above Playground Equipment for Potts Park under state contract from GameTime, Inc..

Councilman Koontz moved to approve Resolution 2007-R221 and Councilwoman Benchley seconded. Councilman Koontz summarized the history of the resolution and the inclusion of

rehabilitation of the basketball court and standards for pathways. Borough Council approved Resolution 2007-R221 unanimously.

Mayor Trotman read **Agenda Item I, New Business (4) – Resolution 2007-R222** as follows:

**RESOLUTION 2007-R222
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
CHAPTER 159- SPECIAL BUDGET ITEM**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Princeton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the sum of \$780.00 which item is now available as a miscellaneous revenue anticipated from **“State of New Jersey – Department of Health – Comprehensive Tobacco Control”** and

SECTION 2.

BE IT FURTHER RESOLVED, that a like sum \$780.00 be and the same is hereby appropriated under the caption of **“State of New Jersey – Department of Health – Comprehensive Tobacco Control”**.

Councilman Koontz moved to approve Resolution 2007-R222, Councilwoman Benchley seconded and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item J, Bill List for September 25, 2007 — Resolution 2007-R223** as follows:

**RESOLUTION 2007-R223
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE SEPTEMBER 25, 2007 BILL LIST**

WHEREAS, Decimus W. Marsh, Chief Financial Officer has forwarded the bills received for payment by the Borough of Princeton for review and approval by the Mayor and Council; and

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

CURRENT ACCOUNT (7-01)	\$1,708,700.81
RESERVE ACCOUNT (6-01)	
PARKING UTILITY OPERATING FUND (7-05)	11,025.54
PARKING UTILITY OPERATING FUND (6-05)	13,380.59
AFFORDABLE HOUSING OPERATING ACCT (7-24)	
IMPROVEMENT ASSESSMENT (7-11)	
AFFORDABLE HOUSING OPERATING ACCT (6-24)	
CAPITAL ACCOUNT (C-04)	285,114.41
PARKING UTILITY CAPITAL FUND (P-06)	
ESCROW (E-30)	783.75
TRUST FUND (T-13)	59,605.55
GENERAL INSURANCE (6-14)	
FLEXIBLE SPENDING FUND (5-22)	
MANUAL (6-01)	5,428,379.08
ASSESSMENT TRUST FUND (5-11)	
GRANT (G-02)	471.68

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NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list of September 11, 2007 as presented.

Councilwoman Trelstad moved to approve Resolution 2007-R223, seconded by Councilwoman Benchley and approved unanimously by Borough Council.

Councilman Koontz moved to adjourn, seconded by Councilwoman Benchley. There being no further business, Mayor Trotman adjourned the open session meeting at 8:52 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk