

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
March 4, 2008**

**Regular Meeting
Closed Session 7:00 P.M.
Open Session 7:30 P.M.**

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

Absent: Council President Margaret Karcher

Staff Present: Borough Administrator Robert W. Bruschi, Borough Attorney Karen L.
Cayci, Chief Finance Officer Sandra L. Webb, Borough Clerk Andrea Lea
Quinty

Mayor Trotman 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 4, 2008, 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 2008-R81** as follows:

**RESOLUTION 2008-R81
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON MARCH 4, 2008**

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. 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.

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Councilman Goldfarb moved to approve, which was seconded by Councilwoman Benchley and approved by Council members Benchley, Goldfarb, Koontz, Martindell, and Trelstad. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved five to zero.

Borough Council recessed into closed session.

At 7:32 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, Summary – Closed Session Discussion – Robert W. Bruschi, Borough Administrator**

Mr. Bruschi reported that Council discussed several personnel matters and briefly reviewed NHKT negotiations. He advised the public that there have been no discussions with the developer and no change in status.

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

Mindy Fisch of the *Daily Princetonian* asked about the status of cell phone towers (other than Verizon) to be built or improved on campus. Councilman Goldfarb suggested that he contact Lee Solow of the Planning Board.

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

Mayor Trotman read **Agenda Item G, Report (1) – 2008 Budget Review – Robert W. Bruschi, Borough Administrator**

Mr. Bruschi gave a quick overview of progress on the 2008 budget. He advised members of the governing body and the public of some hurdles to be faced.

Mr. Bruschi reminded everyone that New Jersey requires a maximum tax levy increase of 4.0% with certain add-ons (pension, insurance, cost of capital improvement funding, debt service), resulting in a total boost of approximately 6.5% permitted.

Mr. Bruschi stated that the preliminary budget is about \$25 million (up about 4.4%), or a tax impact of 6.5 cents (6½%). Obstacles Mr. Bruschi mentioned were \$300,000 less revenue from construction fees than anticipated (a \$600,000 impact – \$300,000 less cash plus surplus expectation limited to 2006 receipts) and reduced state aid of \$100,000 (with a possible further reduction later in the year). 2008 revenue will be amplified by construction code increases and raised sewer rate.

Mr. Bruschi noted that it is likely that New Jersey will stand fast on distributions to municipalities. He expressed confidence in a one-year solution for the Borough to meet new state regulations. The challenge will be finding new ratables in future years.

Councilman Martindell asked about increasing rates in the parking garage. Mr. Bruschi stated that the issue was addressed when meter charges in the central business district and garage were increased in 2007.

In response to an inquiry from Councilman Martindell, Mr. Bruschi declared that renegotiation regarding University contribution will probably occur in 2008. Mayor Trotman added that she and Mr. Bruschi had met with University officials to begin discussion in December 2007 and will meet with them again this year.

Councilman Martindell asked about bond reconciliation issues with the Township; namely, a claim for \$2.6 million. Mr. Bruschi said most outstanding issues were resolved to the mutual satisfaction of both Chief Finance Officers. Mr. Bruschi expected net revenue to the Borough.

Councilman Martindell noted an increase in Borough's contribution to the sewer authority's budget versus a claim against the Township for the North Ridge trunk line. Mr. Bruschi stated that the two finance officers are addressing the topic.

Councilman Martindell proposed that Council aggressively pursue (1) garage rates, (2) bond claim against the township, and (3) North Ridge reimbursement as sources of revenue for taxpayer relief.

Councilman Koontz brought up Agenda Item 5, **Resolution 2008-R86**, approving purchase of diesel fuel and winter mix. He wondered if Borough could find more savings through expanded use of additional cooperative purchasing systems. Mr. Bruschi replied that Borough is very assertive in seeking favorable pricing.

Councilwoman Benchley asked about use of outside firms for grant searching. Mr. Bruschi answered that available grants were being brought to Borough's attention.

Councilwoman Benchley noted the League of Municipalities efforts to influence the legislature about negotiating with police departments. Mayor Trotman stated that Mercer County mayors agree that they must unite regarding police arbitration.

Mr. Bruschi pointed out Palmer Square development will be a tax boon to the Borough but the hospital district will be the largest single new ratable of the future.

Councilman Martindell asked about a joint meeting with Township representatives outside the context of the joint budget. Mayor Trotman responded that a date had not been set as of this time; but she would reach out at the next ad hoc meeting with Township, scheduled for April 1, 2008, to schedule a combined session of both governing bodies.

Mayor Trotman asked Councilwoman Trelstad, as Council Liaison to the Princeton Environmental Commission, to report on activities of the commission. Councilwoman Trelstad stated that Sustainable Princeton is continuing with new, energized members on the commission.

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She mentioned an upcoming joint recycling event in May 2008 that will include shredding and computer/TV/electronic recycling (possibly fluorescent light bulbs as well).

Councilwoman Trelstad, as Council Liaison to the Human Services Commission, noted that the Commission received a \$20,000 grant from J. Seward Johnson Trust to fund six summer positions for students (2008 and 2009).

Mayor Trotman observed that there were resolutions before Council that could be approved by consent and asked if Council had any comment.

Regarding **Resolution 2008-R83**, Borough Attorney Karen Cayci explained that telecommunication companies want to put their wires on pristine poles. Councilman Koontz asked if these are dark fibers, noting that dark fibers are middle height. He requested that the resolution be deferred to the cable committee and that a map of proposed wiring be provided to Council. Mr. Bruschi promised to research the issue. Council tabled addressing Resolution 2008-R83 pending receipt of further information.

Regarding **Resolution 2008-R85**, Councilman Martindell pointed out that the hybrid Toyota Highlander is a big SUV and wondered whether a smaller vehicle would perform the same function. Mr. Bruschi stated that an SUV for Health Department field inspections is necessary to carry equipment.

Regarding **Resolution 2008-R82**, Councilwoman Benchley, marking the importance of the resolution concerning impact of truck traffic diversion, said that if the governor's proposal to raise tolls is less drastic, trucks might not have to seek *free* roads such as Route 206. A better idea is to charge tolls on trucks in accordance with inflation and increase tolls on cars (automobile tolls currently much lower than other states).

Councilwoman Benchley suggested posting correspondence and resolutions regarding truck traffic on the website.

Mayor Trotman stated that Resolution 2008-R82 mirrors a resolution passed by the Township February 25, 2008.

Mayor Trotman read **Agenda Item H, New Business (1, 3 - 7) – Resolution 2008-R82, Resolution 2008-R84, Resolution 2008-R85, Resolution 2008-R86, Resolution 2008-R87, and Resolution 2008-R88** as follows:

**Resolution 2008-R82
Of the Mayor and Council of the Borough of Princeton
Concerning the Impact of Truck Traffic Diversion
Under the Governor's Proposed Toll Hike Plan**

Whereas The Borough of Princeton congratulates Governor Corzine for addressing ways to rein in the State budget, to pay down the state's debt, and to fund New Jersey's most pressing infrastructure and transportation needs, and

Whereas the Governor's plan calls for monetizing assets on state toll roads through an independent, state-owned nonprofit that will raise tolls on both cars and trucks in four stages between 2010 and 2022, and

Whereas, current tolls on cars (at \$.055 per mile in New Jersey) are significantly lower than the national average of \$.09 to \$.014 per mile, yet tolls on trucks are already at the national average of \$.22 per mile according to the state commissioned Steer Davies Gleave Study, and

Whereas, higher truck tolls are predicted to divert truck traffic from the Turnpike onto nearby “free” roads—with the State’s own consultants predicting a 14 percent diversion of truck traffic in 2010, rising to a nearly 40 percent diversion after the final toll increase in 2022, and

Whereas, the State’s truck regulations do not substantially reduce that diversion of truck traffic, because the regulations cover only the largest trucks, not standard-sized trucks, and because they contain a loosely defined “no backtracking” provision that allows the large trucks to continue along our town’s main streets which, failing exclusion under applicable exclusion waivers, are included in the state’s New Jersey Access Network, and

Whereas, truck traffic in the State of New Jersey is expected to rise 80 percent by 2020 and Mercer County is expected to be among the five counties predicted to see the greatest increases in truck traffic without even taking into consideration the diversion created under the Governor’s proposal for truck toll increases, and

Whereas Route 206 has been designated as part of the New Jersey Access Network and The Borough of Princeton appeals to the NJDOT, joined with appeals from every community along Route 206, to have these roadways removed from that network has been rejected out of hand by NJDOT, and

Whereas the NJDOT has not accepted any of the many requests of local communities and their residents to revise the Truck Rules in order to make the local deliveries section and other sections of the Rules more suitable for New Jersey’s local communities; and

Whereas, diversion of heavy traffic on local “free” roads will add to the state’s road maintenance costs amounting to as much as \$40 billion over the next two decades—more than the \$32 billion the State is now attempting to raise, and

Whereas Route 206 is in many places a narrow road without shoulders that traverses town centers and densely residential neighborhoods in which heavy goods vehicles present a continuing danger to residents, local drivers, pedestrians and bicyclists, and the presence of large numbers of trucks degrades the environment and causes economic disinvestment, and

Whereas, Governor Corzine has asked for suggestions about alternative approaches for mitigating the current state budget crisis and for funding infrastructure investments,

NOW THEREFORE, BE IT RESOLVED that The Borough of Princeton requests the Governor to revise his plan by combining price incentives and stricter regulations to keep truck traffic on the National Network, and specifically to consider the following:

- limit truck toll increases to the rate of inflation
- tighten state truck rules to encourage trucks to remain on the interstates and pay tolls, and
- phase in a small increase in the gas tax to replace funds that would otherwise have been collected by higher tolls on trucks (small increases could occur over the next twenty years without the gas tax ever reaching the current national average of 28.6 cents on the gallon), and

BE IT FURTHER RESOLVED that The Borough of Princeton specifically calls on the State

- to eliminate the “no backtracking” provision in the current truck rules, which permits trucks to move from one point of delivery to the next without returning to the National Network for Trucks; and
- to develop universally applicable criteria for roads to be excluded from the New Jersey Access Network; and
- to further modify the existing large truck rules taking into consideration the input from the many affected municipalities.

**RESOLUTION 2008-R84
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON**

**APPROVING THE 2008 COMMITTEE APPOINTMENT
FOR A THREE YEAR TERM**

NOW BE IT RESOLVED that the individual listed below is appointed as a member to the Borough of Princeton Boards or Committees as follows:

BOARD OF HEALTH

SANDRA ANN FRIEDMAN
Through 01-01-2011

ROBERT E. CIOTTA
Through 01-01-2011

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

**RESOLUTION 2008-85
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF HYBRID SUV
STATE CONTRACT #71078**

WHEREAS, the Borough of Princeton wishes to purchase a 2008/09 Toyota Highlander Hybrid through the State of New Jersey's cooperative purchasing program (N.J.S.A. 40A:11-12); and

WHEREAS, Liberty Automotive Limited/Liberty Toyota, 204 West Route 130, Burlington, New Jersey 08016 was awarded State Contract #71078; and

WHEREAS, Toyota Highlander Hybrid represents the best combination of capabilities and fuel economy with a total cost of \$30,487; and

WHEREAS, The Borough of Princeton has qualified and will realize a \$4,000 reimbursement from the Board of Public Utilities for purchasing an alternate fuel technology vehicle making the adjusted total \$26,487; and

WHEREAS, the appropriate monies totaling \$30,487 are provided for by funding in the 2008 Current Fund Temporary Budget;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council authorize the Borough Administrator to purchase the above listed Toyota Highlander Hybrid from Liberty Toyota under State Contract #71078.

**RESOLUTION 2008-R86
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF DIESEL FUEL AND WINTER MIX THROUGH THE
MERCER COUNTY COOPERATIVE CONTRACT PURCHASING SYSTEM**

WHEREAS, the Borough of Princeton is a member of Mercer County Cooperative Contract Purchasing System #CK09-MERCER; and

WHEREAS, in accordance with N.J.S.A. 40A:11-10. The Borough of Princeton may purchase materials and services which have been bid for by the lead agency on our behalf; and

WHEREAS, the lead agency of the Mercer County Cooperative Contract Purchasing System #CK09-MERCER awarded the Master Contract for The Purchase of DIESEL FUEL AND WINTER MIX for a period of six months beginning February 22, 2008 through August 21, 2008; and

WHEREAS, Majestic Oil Company, Inc. 2104 Fairfax Avenue, Cherry Hill, New Jersey 08003 was the lowest responsible bidder based on the attached schedule A; and

WHEREAS, the cost and the appropriate monies are provided in the Current Fund Budget in the Various Borough Departments; and

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to purchase the above Diesel Fuel and Winter Mix under the Cooperative Purchasing Bid from Majestic Oil Company of Cherry Hill, New Jersey.

**RESOLUTION 2008-R87
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
CHARLES M. MCCARTNEY**

WHEREAS, Charles M. McCartney 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 NO. 1 and

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 2008-R88
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
PATRICK DELANEY**

WHEREAS, Patrick J. Delaney has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the HOOK AND LADDER FIRE COMPANY and

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.

Councilwoman Trelstad moved to approve Resolution 2008-R82, Resolution 2008-R84, Resolution 2008-R85, Resolution 2008-R86, Resolution 2008-R87, and Resolution 2008-R88; Councilman Martindell seconded. Borough Council approved unanimously five to zero.

Mayor Trotman read **Agenda Item J, Bill List for May 4, 2008 – Resolution 2008-R89** as follows:

**RESOLUTION 2008-R89
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE MARCH 4, 2008 BILL LIST**

WHEREAS, Sandra L. Webb, 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 (8-01)	320,539.07
RESERVE ACCOUNT (7-01)	2,090.24
PARKING UTILITY OPERATING FUND (8-05)	14,084.00
PARKING UTILITY OPERATING FUND (7-05)	
AFFORDABLE HOUSING OPERATING ACCT (8-24)	
IMPROVEMENT ASSESSMENT (8-11)	
AFFORDABLE HOUSING OPERATING ACCT (7-24)	
CAPITAL ACCOUNT (C-04)	19,691.87
PARKING UTILITY CAPITAL FUND (P-08)	
ESCROW (E-30)	430.49

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TRUST FUND (T-13)
GENERAL INSURANCE
FLEXIBLE SPENDING FUND (5-22)
MANUAL
ASSESSMENT TRUST FUND (5-11)
GRANT (G-02)

29.32

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the bill list of March 4, 2008 as presented.

Councilman Martindell moved to approve Resolution 2008-R89, Councilman Koontz seconded, and Council approved unanimously.

Councilman Koontz moved to adjourn. There being no further business, Mayor Trotman adjourned the open session meeting at 8:17 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk