

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
July 1, 2008
Regular Meeting
Open Session 7:30 P.M.**

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

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Borough Attorney Karen L. Cayci, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 7:30 P.M. and asked all present to rise for **Agenda Item C, Salute to the Flag.**

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

Presented for approval were the minutes of the open session of June 4, 2008.

Councilman Koontz moved to approve the minutes of the open session of June 4, 2008, Councilwoman Trelstad seconded, and Council approved unanimously.

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

Henry Landau, Landau's of Nassau Street, stated he had received a hand-delivered letter informing him of the closing of the Tulane lot on Tuesday, July 1, 2008, with a meeting on July 9 to explain the course of action to the public. He requested prompt information regarding available spaces and access to the lot.

Robert Bruschi, Borough Administrator, broke down the phases of Tulane lot development:

1. Close main section of parking lot (corner Tulane and Spring)
2. Four to six weeks later, close spaces behind Nassau Street (eventual site of construction trailers)
3. Construction process to determine opening/closing of alleys, placement of fences, and so forth

Mr. Bruschi promised that staff will review with Council and public the entire schedule (Gantt chart), traffic patterns, access, and other matters.

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Councilman Goldfarb asked that reimbursement for lost parking revenues be discussed at the developer meeting.

Councilman Wilkes noted the crude nature of the planning document and requested increased pedestrian safety measures.

Mayor Trotman emphasized that Borough's best interest is served with maximum safety.

Mr. Bruschi estimated that the outside construction window is approximately 18 months.

Mr. Landau noted the enormous loss of revenue with elimination of Tulane parking spots, but Councilman Wilkes countered that the parkers will cross the street to Spring garage—always the strategy to maintain parking income.

Mr. Landau proposed the 12-foot-wide roadway between the building and Record Exchange be widened to accommodate two police SUVs. He suggested moving the trash access doors to face Witherspoon Street so that two fire trucks can enter the back area.

Mayor Trotman stressed that, before Planning Board consideration, all applications must pass inspections. She promised that Council will follow up regarding emergency vehicles' needs.

Mayor Trotman mentioned the Louis Bay Future Municipal Leaders Scholarship competition for New Jersey high school students. The theme was to raise awareness of local government. Mayor Trotman announced that Kathleen Alexandridis, Borough's representative, was a semifinalist with an entry describing Borough's efforts to maintain the beauty of the area with regulations and ordinances that embrace environmental challenges of today. Mayor Trotman presented the award from the League of Municipalities to Kathleen.

Ms. Alexandridis thanked Mayor Trotman and Council. The most important thing she learned was the level of *care* for the environment found in the Borough. Ms. Alexandridis plans to attend Rensselaer Polytechnic Institute next year and major in environmental engineering.

Mayor Trotman had invited firefighters to attend Council meeting for recognition of their long-term service. Although none attended, Mayor Trotman named all the firefighters and acknowledged with gratitude their help over the years.

Councilman Martindell requested an agenda item—either open or closed session—in the near future to contemplate the relationship with Township governing body. He mentioned specifically the difficulty collecting \$1.8 million, admittedly owed to the Borough, and which cost taxpayers almost a tax point per year. Councilman Martindell reminded everyone that in December 2007, at the time that Borough agreed to assign its interest in SOC lands to Borough *and* Township, Township representatives had committed to meet with Borough four times in 2008. He stated that the relationship *alone*—not in connection with matters of joint interest—must be considered by Council.

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

Mayor Trotman added two items to the agenda: Resolution 2008-R188 and The Little Vintner.

Mayor Trotman read **Agenda Item F, New Business (1) — Resolution 2008-R181** as follows:

**RESOLUTION 2008-R181
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPOINTING NEAL A. SNYDER, C.T.A.
AS THE BOROUGH TAX ASSESSOR**

WHEREAS, the Borough of Princeton appointed Neal A. Snyder, C.T.A as the Borough Tax Assessor effective December 1, 2003 to fill an unexpired term; and

WHEREAS, pursuant to N.J.S.A. 40A: 9-148 the Mayor and Council of the Borough of Princeton appointed Neal A. Snyder, C.T.A. as the Borough Tax Assessor for a four year term from July 1, 2004 through June 30, 2008.

NOW THEREFORE BE IT RESOLVED, pursuant to N.J.S.A. 40A: 9-148 the Mayor and Council of the Borough of Princeton do hereby appoint Neal A. Snyder, C.T.A. to serve a four year term from July 1, 2008 through June 30, 2012.

BE IT FURTHER RESOLVED, a certified true copy of this Resolution shall be furnished by the Princeton Borough Clerk to Neal A. Snyder, C.T.A., and the Mercer County Board of Taxation upon its adoption.

Councilman Koontz moved to approve Resolution 2008-R181 and Councilman Goldfarb seconded. Mayor Trotman announced tabling of Resolution 2008-R188 pending coordination with Princeton Township.

Mayor Trotman read **Agenda Item F, New Business (2) — Resolution 2008-R182** as follows:

**RESOLUTION 2008-R182
DETERMINING THE FORM AND OTHER DETAILS OF NOT
EXCEEDING \$2,200,000 GENERAL IMPROVEMENT BONDS, SERIES 2008, OF
THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW
JERSEY AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY
ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW
JERSEY PURSUANT TO THE 2008 NEW JERSEY ENVIRONMENTAL
INFRASTRUCTURE TRUST FINANCING PROGRAM.**

WHEREAS, the Borough of Princeton (the “Borough”), in the County of Mercer, New Jersey, has determined that there exists a need within the Borough to rehabilitate the sewer system throughout the Borough (the “project”) as defined in each of that certain Loan Agreement (the “Trust Loan Agreement”) to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the “Trust”) and that certain Loan Agreement (the “Fund Loan Agreement”, and together with the Trust Loan Agreement, the “Loan Agreements”) to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”), all pursuant to the 2008 New Jersey Environmental Infrastructure Trust Financing Program (the “Program”);

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the “Trust Loan”) and the State (the Fund Loan”, and together with the Trust Loan, the “Loans”) pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Boroughs General Improvement Bonds, Series 2008, to the Trust in an aggregate principal amount not to exceed \$1,100,000 (the “Trust Loan Bond”) and General Improvement Bonds, Series 2008, to the State in an aggregate principal amount not to exceed \$1,100,000 (the “Fund Loan Bond”, and together with the Trust Loan Bond, the “Borough Bonds”) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and

N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein;

WHEREAS, in connection with the issuance of the Borough Bonds to the Program, the governing body of the Borough wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Borough (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Borough Clerk, Counsel to the Borough, Project Engineer or Appraiser and/or Bond Counsel to the Borough (collectively, the "Borough Representatives") on or before the date when the Borough is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Borough authorizes release of the same.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Borough as follows:

Section 1. in accordance with N.J.S.A. 40A:2-27(a) (2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Borough hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$1,100,000 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$1,100,000 to the State in accordance with the provisions hereof. The Borough Bonds have been referred to and are described in a bond ordinance of the Borough, which bond ordinance is entitled "BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF THE SEWER SYSTEM IN AND BY THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$6,720,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,720,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF" and was finally adopted by the Borough at a meeting duly called and held on June 14, 2005, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Borough (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued;
 - (b) The maturity and annual principal installments of the Borough Bonds, which maturity shall not exceed 20 years;
 - (c) The date of the Borough Bonds;
 - (d) The interest rates of the Borough Bonds;
 - (e) The purchase price for the Borough Bonds; and
- (1) The terms and conditions under which the Borough Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Borough Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Borough hereby determines that certain terms of the Borough Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Borough Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Borough Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon & Scotland, L.L.C. is hereby authorized to arrange for the printing of the Borough Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Borough auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Borough Bonds. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Borough is hereby authorized to accept and hold the Escrow Documents on or before the Escrow Closing Date and to release same upon the direction of the Borough.

Section 7. The terms of the Borough Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Borough.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Borough Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Borough Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Councilman Koontz moved to approve Resolution 2008-R182; Councilwoman Trelstad seconded.

Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Goldfarb, Koontz, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the resolution approved.

Mayor Trotman read **Agenda Item F, New Business (3) — Resolution 2008-R183** as follows:

**RESOLUTION 2008-R183
AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN
AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF PRINCETON, IN
THE COUNTY OF MERCER, NEW JERSEY AND EACH OF THE NEW
JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE
OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF
ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE
EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL
PURSUANT TO THE 2008 NEW JERSEY ENVIRONMENTAL
INFRASTRUCTURE TRUST FINANCING PROGRAM**

WHEREAS, the Borough of Princeton (the Borough'), in the County of Mercer, New Jersey, has determined that there exists a need within the Borough to rehabilitate the sewer system throughout the Borough (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the Loan Agreements') to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2008 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust

Loan, the “Loans”) pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Borough’s General Improvement Bonds, Series 2008, to the Trust in an aggregate principal amount not to exceed \$1,100,000 (the “Trust Loan Bond”) and General Improvement Bonds, Series 2008, to the State in an aggregate principal amount not to exceed \$1,100,000 (the “Fund Loan Bond”, and together with the Trust Loan Bond, the “Borough Bonds”) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Borough Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the Escrow Agreement”) to be entered into by and among the Trust, the State, the Borough and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the “Financing Documents) are hereby authorized to be executed and delivered on behalf of the Borough by either the Mayor or the Chief Financial Officer in substantially the forms filed in the Borough Clerk’s Office with such changes as the Mayor or the Chief Financial Officer (each an “Authorized Officer), in their respective sole discretion, after consultation with counsel and any advisors to the Borough (collectively, the “Borough Consultants”) and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the “Program Consultants”, and together with the Borough Consultants, the “Consultants”), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Borough Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Borough as determined hereunder and to affix the corporate seal of the Borough to such Financing Documents.

Section 2. The Authorized Officers of the Borough are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Borough to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof the Borough Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Councilman Goldfarb moved to approve Resolution 2008-R183; Councilwoman Trelstad seconded. Hearing no discussion, Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Karcher, Goldfarb, Koontz, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the resolution approved.

Mayor Trotman read **Agenda Item F, New Business (4) — Resolution 2008-R184** as follows:

**RESOLUTION 2008-R184
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY THE
YWCA PRINCETON**

WHEREAS, The Princeton Family YMCA is planning the “Conquer the 5K’S” 5K Race to be held throughout the Princeton Area on Sunday, August 24, 2008; and

WHEREAS, The Princeton Family YMCA has requested permission to install a banner over Washington Road in Princeton with approval of the Office of Community and State Affairs at Princeton University beginning Monday, August 18 through Monday, August 25, 2008 to inform the public of the Conquer The 5K Race; 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.

Councilman Koontz moved to approve Resolution 2008-R184, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item F, New Business (5) — Resolution 2008-R185** as follows:

**RESOLUTION 2008-R185
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF ROCK SALT
THROUGH THE COOPERATIVE PRICING SYSTEM
OF MERCER / MIDDLESEX COUNTIES**

WHEREAS, the Borough of Princeton is a member of Cooperative Pricing System of Mercer / Middlesex Counties #61-CPSMMC; and

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

WHEREAS, the lead agency of the Cooperative Pricing System of Mercer / Middlesex Counties #61 awarded the Master Contract for Rock Salt on June 11, 2008; and

WHEREAS, International Salt Co., LLC, 655 Northern Blvd., Clarks Summit, PA 18411 was the lowest responsible bidder based on the attached schedule A; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to purchase the above for the Borough under the Cooperative Purchasing Bid.

Councilman Koontz moved to approve Resolution 2008-R185, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item F, New Business (6) — Resolution 2008-R186** as follows:

**RESOLUTION 2008-R186
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF VEHICLE COLLISION REPAIR
THROUGH THE COOPERATIVE PRICING SYSTEM**

OF MERCER / MIDDLESEX COUNTIES

WHEREAS, the Borough of Princeton is a member of Cooperative Pricing System of Mercer / Middlesex Counties #61-CPSMMC; and

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

WHEREAS, the lead agency of the Cooperative Pricing System of Mercer / Middlesex Counties #61 awarded the Master Contract for Vehicle Collision Repairs on June 11, 2008; and

WHEREAS, Body By Mule, 550 Route 130, Hamilton, NJ 08691 was the lowest responsible bidder based on the attached schedule A; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to purchase the above for the Borough under the Cooperative Purchasing Bid.

Councilwoman Trelstad moved to approve Resolution 2008-R186, Councilman Koontz seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item F, New Business (7) — Resolution 2008-R187** as follows:

**RESOLUTION 2008-R187
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF PHOTOCOPIER PAPER
THROUGH THE COOPERATIVE PRICING SYSTEM
OF MERCER / MIDDLESEX COUNTIES**

WHEREAS, the Borough of Princeton is a member of Cooperative Pricing System of Mercer / Middlesex Counties #61-CPSMMC; and

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

WHEREAS, the lead agency of the Cooperative Pricing System of Mercer / Middlesex Counties #61 awarded the Photocopier Paper purchase contract on June 11, 2008; and

WHEREAS, WB Mason Company, 535 Secaucus Road, Secaucus, NJ 07094 was the lowest responsible bidder based on the attached schedule A; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to purchase the above for the Borough under the Cooperative Purchasing Bid.

Councilwoman Trelstad moved to approve Resolution 2008-R187 and Council President Karcher seconded. Council discussed recycled versus virgin copy paper and the types of machines that accommodate each. Borough Council approved unanimously.

Mayor Trotman read new **Agenda Item, Resolution 2008-R188**, as follows:

RESOLUTION 2008-R188

**OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE EMERGENCY REPAIR
OF THE STORMWATER DRAINAGE SYSTEM
AT THE PRINCETON SEWER OPERATING COMMITTEE'S
RIVER ROAD SITE**

WHEREAS, there is a stormwater drainage system at the Princeton Sewer Operating Committee's (PSOC) River Road Site that conveys stormwater from the area north of the "police shooting range," past the Stony Brook Regional Sewerage Authority (SBRSA) Wastewater Treatment Plant, to a point of discharge on the southern portion of the River Road Site; and

WHEREAS, the PSOC staff recently observed that the upstream drainage area was flooded after a series of rain events, that the above stated storm sewer is not working properly and based upon explorations conducted by the PSOC staff the storm sewer appears to be broken; and

WHEREAS, Robert A. Hough, P.E., Manager of the PSOC, has advised that it is essential to the health, safety and welfare of the citizens of Princeton Borough and Township that this storm sewer work properly and as intended; and

WHEREAS, any attempt to proceed with the full competitive procurement process to obtain construction services will consume several months; and

WHEREAS, N.J.S.A. 40A:11-6 allows for an emergency contracting procedure where the need for certain services could not have been reasonably foreseen and the immediate acquisition of such services was necessary to protect the public health, safety and welfare; and

WHEREAS, the PSOC has obtained three (3) proposals for the repair of the storm sewer; and

WHEREAS, Integrated Construction & Utilities, LLC, Edison, New Jersey submitted a responsive proposal to repair the storm sewer in the amount of \$40,968.00 plus \$4,100, an approximate 10% contingency, for a total not to exceed \$45,068.00; and

WHEREAS, the Assistant Borough Administrator / Chief Financial Officer has certified that funds are available to contract for such construction services on an emergency basis; and

NOW, THEREFORE, BE IT RESOLVED by the Princeton Borough Mayor and Council that an emergency construction services for the repair of the storm sewer at the PSOC River Road Site to Integrated Construction & Utilities, LLC, Edison, New Jersey for a total not to exceed \$45,068.00 is hereby authorized; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute the necessary Agreement with Integrate Construction & Utilities, LLC.

Mr. Bruschi explained that, during a recent deluge, a 30" drain pipe at PSOC property became completely clogged, resulting in flooding of the River Road land. Mr. Bruschi said that immediate action is mandatory for health and safety reasons. He said there are otherwise-assigned funds (for sewer projects) available for PSOC emergency repairs. The Township will be billed for this service.

Councilman Wilkes expressed concern that the drain pipe problem could ever have occurred—routine monitoring and maintenance should prevent such large expenditures for repair. Precautionary programs must be established.

Councilwoman Trelstad moved to approve Resolution 2008-R188 and Council President Karcher seconded. Borough Council approved unanimously.

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Mayor Trotman introduced The Little Vintner as the “little man who sits out drinking the water.” The Princeton-Colmar Sister City Association (our sister city in France) requested relocation of The Little Vintner to a more visible site closer to Borough Hall. Mayor Trotman reported that Public Works can do some of the work entailed, but some must be contracted to hook up and light the statue at a cost of less than \$5,000.

Councilman Koontz welcomed the idea of moving The Little Vintner to the proposed location and suggested the Parks Alliance as a partner in the endeavor.

Councilman Wilkes noted that moving the statues to the walkway with new lamppost heads provides for future enhancement.

Councilman Wilkes moved to accept the request and Councilman Koontz seconded. Council approved unanimously.

Councilman Koontz moved to adjourn. There being no further business, Mayor Trotman adjourned the open session meeting at 8:35 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk