

**Approved Minutes  
Open Session  
Of the Mayor and Council of the Borough of Princeton  
November 12, 2008  
Regular Meeting  
Closed Session 6:30 P.M.  
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 Engineer Christopher M. Budzinski, Land Use Development Official Derek Bridger, Police Lieutenant Sharon Papp, Planning Board Director Lee O. Solow, Deputy Borough Clerk Delores A. Williams

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 November 12, 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-R257**, as follows:

**RESOLUTION 2008-R257  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
INTO CLOSED SESSION ON NOVEMBER 12, 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. Personnel — Police
2. Professional reappointments
3. Negotiations — Princeton Township/Northridge

**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.

November 12, 2008

Councilman Koontz moved to approve, Council President Karcher seconded. Council members Karcher, Koontz, Martindell, Trelstad, and Wilkes voted in the affirmative. Councilman Goldfarb voted nay. Mayor Trotman proclaimed the resolution approved five to one.

Borough Council recessed into closed session.

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

Mayor Trotman asked all present to rise for **Agenda Item D, Salute to the Flag.**

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

No minutes were submitted for approval.

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

Mr. Bruschi reported that Council discussed professional reappointments and negotiations with Princeton Township regarding Northridge.

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.

There were no public presentations.

Mayor Trotman read **Agenda Item H, Report (1) — Monthly Police Report — Sharon Papp, Lieutenant**

**RESOLUTION 2008-R258  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE MONTHLY CHIEF OF POLICE REPORT**

**WHEREAS**, Anthony V. Federico, Chief of Police of the Borough of Princeton prepared a comprehensive report detailing the police activity for the month of September 2008; and

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

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council hereby accept the September 2008 Monthly police report prepared by the Chief of Police.

Lt. Papp reported that Wilson Road construction defects were resolved. Washington/Prospect pedestrian issues are being reviewed by campus police (who noted the “Walk” signal was malfunctioning) for better enforcement.

Councilman Goldfarb questioned a marked drop-off of DWI offenses from 2007, and Lt. Papp said she would investigate and report to Council next month. Lt. Papp stated police responded to a complaint of speeding on John Street by placing an officer there for an hour every day.

Councilwoman Trelstad moved to accept the police report, Council President Karcher seconded, and Council accepted unanimously.

Mayor Trotman read **Agenda Item H, Report (2) — Affordable Housing Plan** — *Shirley Bishop, PP/LLC, Borough AH Consultant; Lee Solow, Director, Regional Planning; Land Use Development Official Derek Bridger*

Mayor Trotman described an optimum calendar for the affordable housing plan:

1. Council accept today
2. Planning Board review and accept December 4
3. Council adopt December 9
4. File with New Jersey December 31

Ms. Bishop summarized the third-round plan as described September 9, 2008. Ms. Bishop requested direction from Council for preparation of a plan for Planning Board evaluation.

Mayor Trotman 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. Councilman Koontz moved to accept Ms. Bishop's report and Councilwoman Trelstad seconded. Council accepted unanimously.

Ms. Bishop provided an overview of the spending plan. Princeton Borough is fortunate to have a surplus of nearly \$180,000 (allocated to new construction).

Ms. Bishop stated that Karen Cayci, Borough Attorney, is preparing a resolution of *intent to bond* that Council must adopt by year end, concurrent with endorsement of the affordable plan.

Mayor Trotman read by title **Agenda Item I, Old Business (1) — Public Hearing and Adoption: Ordinance 2008-27** A BOND ORDINANCE AMENDING SECTION 3(a) OF BOND ORDINANCE NUMBERED 2001-15, AS AMENDED BY ORDINANCE 2008-03 AND SECTION 3 (n) OF BOND ORDINANCE NUMBERED 2006-16, AS AMENDED BY ORDINANCE 2008-05 OF THE BOROUGH OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY FINALLY ADOPTED NOVEMBER 27, 2001 AS AMENDED FEBRUARY 26, 2008 AND JULY 25, 2006 AS AMENDED FEBRUARY 26, 2008, RESPECTIVELY, IN ORDER TO AMEND THE DESCRIPTIONS OF THE PROJECTS.

Councilman Koontz moved to adopt Ordinance 2008-27; Councilwoman Trelstad seconded.

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

November 12, 2008

Mayor Trotman deferred **Agenda Item I (2) — Resolution 2008-R254** — to a later date.

Mayor Trotman read by title **Agenda Item J, New Business (1) — Introduction and Order to Publish: Ordinance 2008-32 AN ORDINANCE AMENDING CHAPTER 17A OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974.**

Councilman Goldfarb moved to introduce Ordinance 2008-32; Councilman Wilkes seconded.

Christopher Budzinski, Borough Engineer, noted a gap in the original ordinance: No definition for attics or decks and their inclusion/exclusion in floor area calculations—Ordinance 2008-32 repairs that gap and clarifies height computations. Councilman Goldfarb pointed out that the Ordinance needs a better explanation of uninhabitable space in attics.

Mayor Trotman 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 Trotman called for a roll call vote. Deputy Borough Clerk called the roll.

Councilman Goldfarb requested deferral of the ordinance and moved to “pull” the vote for revision of language on attics. Councilman Wilkes seconded and Council agreed six to zero.

*Councilman Martindell left the Council chamber at 8:35 P.M.*

Mayor Trotman read **Agenda Item J, New Business (2) — Resolution 2008-R259** as follows:

**RESOLUTION 2008-R259  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING AGREEMENT WITH N. J. TRANSIT  
FOR COMMUNITY SHUTTLE PROGRAM**

**WHEREAS**, the Borough of Princeton wishes to participate in the Community Shuttle Program through New Jersey Transit Corporation ( NJ Transit) pursuant to which a shuttle motor bus and partial operational funding would be provided to the Borough by NJ Transit for the first 36 months of operation to allow local transport within the Borough of Princeton to the NJ Transit Dinky station ( the Community shuttle bus); and

**WHEREAS**, the Borough will charge no fares for the Community Shuttle bus; and

**WHEREAS**, NJ Transit requires that the Borough execute a formal agreement with NJ Transit in order to participate in the Community Shuttle Program; and

**WHEREAS**, the Borough’s Chief Finance Officer has certified that funding is available for the Borough’s share of the cost of operation of the Community Shuttle bus through the Borough’s Parking Utility Budget;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Princeton that the Mayor and Clerk are authorized to execute the attached agreement with New Jersey Transit Corporation entitled “ Agreement for Operating Local shuttle Motor bus Passenger Service and Equipment Lease Between NJ Transit Corporation and Borough of Princeton”.

Councilwoman Trelstad moved to approve Resolution 2008-R259 and Council President Karcher seconded. Mr. Bruschi explained that there are compliance issues with N. J. Transit (in particular, more stringent alcohol policy) for formal Borough acceptance of the Free B vehicle. Council discussed various concerns about the shuttle. Council President Karcher proposed

formation of a task force to assess *all* shuttles in the Borough in order to coordinate activity with University, N.J. Transit, Suburban, and Free B.

Mayor Trotman called the question and Council approved the resolution unanimously five to zero.

Mayor Trotman read **Agenda Item J, New Business (3) — Resolution 2008-R260** as follows:

**RESOLUTION 2008-R260  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
TO AMENDING THE BOROUGH'S P.P.M. TO INCLUDE THE FEDERAL  
DRUG/ALCOHOL TESTING POLICY FOR OPERATORS/  
MECHANICS OF THE COMMUNITY SHUTTLE**

**WHEREAS**, the Borough of Princeton anticipates execution of a Community Shuttle Program Agreement with New Jersey Transit; and

**WHEREAS**, in accordance with the Agreement, the Borough is obligated to establish and implement a drug and alcohol testing program that meets the requirements of the Federal Transit Administration (FTA) with respect the operation of mass transit, particularly regarding safety sensitive employees as defined by FTA ( the Program ) ; and

**WHEREAS**, the Borough administration has reviewed actual duties performed by employees and has determined that function of Vehicle Operator of the Community Shuttle and Mechanics for the Community Shuttle are currently the only job function which would be covered by the Program; and

**WHEREAS**, the Mayor and Council wish to amend the "Borough of Princeton Personnel Policies and Practices Manual" to cause establishment and implementation of the Program;

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Princeton that the "Borough of Princeton Personnel Policies and Practices Manual" is hereby amended to add as Appendix B, a "Substance Abuse Policy for Safety Sensitive Employees" attached hereto.

Councilman Koontz moved to approve Resolution 2008-R260, Councilwoman Trelstad seconded. Ms. Cayci will amend the resolution (and email changes) to specify inclusion of "mechanic" as a job covered. Mover and seconder accepted the change and Council approved the resolution unanimously five to zero.

Mayor Trotman read **Agenda Item J, New Business (4) — Resolution 2008-R261** as follows:

**RESOLUTION 2008-R261  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
AUTHORIZING TAX SALE FOR DELINQUENT TAX ASSESSMENT INSTALLMENTS**

**WHEREAS**, the Borough bills for assessments for local improvements and the homeowner has the option of paying the installment in full or spreading the payment out over ten years; and

**WHEREAS**, if any installment is not paid within thirty days of the date when it became due, the entire assessment balance becomes immediately due and draws interest at the rate charged on delinquent taxes; and

**WHEREAS**, any delinquency is enforced through the tax sale process.

**WHEREAS**, the Borough Council may authorize the tax sale for only the delinquent installment; and

**WHEREAS**, the Borough Council may authorize the homeowner to pay the amount of the delinquent installment plus interest from the due date to the date that payment of the delinquent installment is made; and

**WHEREAS**, after the delinquent installment is paid, the homeowner is reinstated on a regular installment payment schedule; and

November 12, 2008

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council hereby authorize the tax sale of only the delinquent installment and allow the homeowner to pay the delinquent installment plus interest from the due date to the date that payment of the delinquent installment is made and after the delinquent installment is paid, the homeowner is reinstated on a regular installment payment schedule.

Councilman Koontz moved to approve Resolution 2008-R261, Councilwoman Trelstad seconded, and Council approved the resolution unanimously five to zero.

**Mayor Trotman read Agenda Item J, Bill List for November 12, 2008 — Resolution 2008-R262** as follows:

**RESOLUTION 2008-R262  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON  
APPROVING THE NOVEMBER 12, 2008 BILL LIST**

**WHEREAS**, 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 a follows:

CURRENT ACCOUNT (8-01)	124,215.70
RESERVE ACCOUNT (7-01)	
PARKING UTILITY OPERATING FUND (8-05)	9,163.47
PARKING UTILITY OPERATING FUND (7-05)	
AFFORDABLE HOUSING OPERATING ACCT (8-24)	4,392.33
IMPROVEMENT ASSESSMENT (8-11)	
AFFORDABLE HOUSING OPERATING ACCT (7-24)	
CAPITAL ACCOUNT (C-04)	259,693.71
PARKING UTILITY CAPITAL FUND (P-08)	
ESCROW (E-30)	7,347.86
TRUST FUND (T-13)	
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (5-22)	
MANUAL	1,646.85
ASSESSMENT TRUST FUND (5-11)	
GRANT (G-02)	

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Princeton approve the bill list of November 12, 2008 as presented.

Councilman Koontz moved to approve Resolution 2008-R262, Council President Karcher seconded, and Council approved the resolution four to zero, with Councilman Wilkes abstaining..

Councilwoman Trelstad moved to adjourn; Council President Karcher seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 8:45 P.M.

Respectfully submitted,

**Delores A. Williams  
Deputy Borough Clerk**