

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
April 14, 2009
Regular Meeting
Closed Session 7:00 P.M.
Open Session 7:30 P.M.**

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

Absent: Councilwoman Margaret Karcher

Staff Present: Borough Administrator Robert W. Bruschi, Borough Police Lieutenant Nicholas Sutter, 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 April 14, 2009, 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 D, Resolution 2009-R133**, as follows:

**RESOLUTION 2009-R133
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON APRIL 14, 2009**

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 — Princeton Township

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.

Councilwoman Trelstad moved to approve; Council President Koontz seconded. Council members Koontz, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved.

Borough Council recessed into closed session.

April 14, 2009

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

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

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

Presented for approval were the minutes of the open session of March 10, 2009.

Council President Koontz moved to approve the minutes of the open session of March 10, 2009, Councilman Goldfarb seconded, and Council approved unanimously.

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

Mr. Bruschi reported that Council discussed ongoing talks with Princeton Township regarding North Ridge and other sewer 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.

Henry Landau, Landau's on Nassau Street, returned to Council stating he was dismayed by Council's prior demeanor to all merchants. He stated Princeton Borough is not four elements—merchants, government, university, homeowners, Borough is one town and no part can survive without the others. Mr. Landau stated that Borough has removed 120 to 150 meters (20–25%), due to various building projects, in the highest priced parking area of town. He stated that Borough revenue has decreased 20%; retail revenues have also decreased 20% because those parking spaces are gone.

Mr. Landau indicated that Christopher Budzinski, Borough Engineer, had sent the 23-page document pertaining to parking on Route New Jersey 27 to him. Mr. Landau read the portion about Princeton Borough: "Two-hour time limit parking metered between 8:00 A.M. and 6:00 P.M. except Sundays. . . ." Mr. Landau stated that all parking on Nassau Street is presently illegal since it is enforced until 7:00 P.M. Mr. Landau stated that all fines collected between 6:00 and 7:00 P.M. should be refunded. Mr. Landau emphasized that the ordinance passed April 7, 2009, must be rewritten to comply with New Jersey statute regarding Route 27.

Robert Landau, 102 Nassau Street, stated he had not attended a Borough Council meeting for 10 years. He was extremely disappointed during the April 7, 2009, meeting with the process of public information gathering; a formality, he thought. Mr. Landau stated he was disappointed that Council seemed to pit residents against merchants—he is both. As a merchant, Mr. Landau needs the residents as customers; as a resident, he needs shopkeepers in the stores. He felt Council members were unaware of the ramifications of the decisions they were making.

Mr. Robert Landau pointed to Councilman Goldfarb's comment "that he thinks all the merchants do is complain." Mr. Landau stated that he is as interested in the well-being of Borough as anyone. Mr. Landau stated merchants' roll is to provide Council with opinion and information

and Council's responsibility is to hear and listen and make the best decision. Mr. Landau listed sources of competition that local stores are facing; merchants should not have to consider elected officials as their opposition.

Kathy Moralda, owner Cranbury Station gallery and President of Borough Merchants for Princeton, agreed with Landau brothers and expressed merchants disappointment with April 7 results. Ms. Moralda noted that Palmer Square already has a special improvement district (SID) and formation of another would tap her store twice for fees.

Councilman Goldfarb responded saying there must be a SID formula that is fair to the tenants of Palmer Square. Regarding merchant complaints, Councilman Goldfarb offered clarification of an earlier statement, stating merchants say they are suffering under *all* economic conditions, making it difficult for Council to draw conclusions about relative success.

Councilman Goldfarb also mentioned some new thoughts since April 7.

1. Merchants had a chance to assess a tax that they could control spending; instead Borough Council imposed a tax that government controlled.
2. Acknowledging discourse between merchants and Council has been strained - a SID is a better vehicle for representing interests of the retail community in dealing with elected officials. More constructive dialogue must be found.

In another matter, Councilman Martindell asked about resolution of Township debt to Borough on sewer projects. He noted Township expanded its scope of review to include 2008, thereby delaying an accounting and payment even further.

Mr. Bruschi answered that Township has closed some questions—particulars as yet unknown. Borough 2008 sewer financials will be available for review soon.

Mayor Trotman announced plans to invite Princeton University to Council meeting May 5 or May 12, 2009, for dialogue regarding the arts neighborhood/dinky plans.

Mayor Trotman read **Agenda Item H, Oath of Office (1) — Resolution 2009-R134** as follows:

**RESOLUTION 2009-R134
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE APPOINTMENT OF SHARIM ABDUL-KARIM AS A PROBATIONARY
PATROL OFFICER EFFECTIVE APRIL 2009**

WHEREAS, in accordance with Section 26-5 of the Code of the Borough of Princeton, Shahid Abdul-Karim was given a conditional offer of employment pending completion of background, psychological and medical examinations; and

WHEREAS, Shahid Abdul-Karim has successfully completed all conditions and was therefore eligible for hire as a probationary patrol officer effective April 6, 2009

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby confirm the appointment of Shahid Abdul-Karim as probationary patrol officer in the Princeton Borough Police Department, effective April 14, 2009.

Council President Koontz moved to approve Resolution 2009-R134, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

April 14, 2009

Mayor Trotman swore in Officer Shahid Abdul-Karim. Officer Abdul-Karim's mother held the Bible as he took the oath.

Lt. Nicholas Sutter welcomed Officer Abdul-Karim to the department. Lt. Sutter spoke of Officer Abdul-Karim's sense of perseverance, commitment, and community spirit.

Mayor Trotman read **Agenda Item I, Report (1) — Monthly Police Report** — *Lt. Nicholas Sutter*.

**RESOLUTION 2009-R135
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 January 2009; 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 January 2009 Monthly police report prepared by the Chief of Police.

Councilwoman Trelstad questioned the high level of harassment charges. Lt. Sutter offered (1) bookkeeping error or (2) lump activity reporting by University. He will report back to Council if necessary.

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

Mayor Trotman read **Agenda Item I, Report (2) — Monthly Police Report** — *Lt. Nicholas Sutter*.

**RESOLUTION 2009-R136
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 February 2009; 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 February 2009 Monthly police report prepared by the Chief of Police.

Councilman Goldfarb noted pending investigations of eating club incidents. Lt. Sutter answered that most investigations have been concluded with no arrests. Some charges brought are still pending.

Council President Koontz moved to accept the police report, Councilman Wilkes seconded, and Council accepted unanimously.

Mayor Trotman read by title **Agenda Item J, New Business (1) — Introduction and Order to Publish: Ordinance 2009-10** AN ORDINANCE AMENDING CHAPTER 6 OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” REGARDING DOG LICENSING.

Council President Koontz moved to introduce Ordinance 2009-10; Councilwoman Trelstad seconded.

Council President Koontz observed that the ordinance is a “bookkeeping cleanup” to bring Borough into compliance with state statute. Council President Koontz and Councilman Goldfarb amended the language in Chapter 6-14 to align with the Whereas statement.

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. Borough Clerk called the roll. Council members Koontz, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing to be held April 28, 2009.

Mayor Trotman read by title **Agenda Item J, New Business (2) — Introduction and Order to Publish: Ordinance 2009-11** AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 24A OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” TO PERMIT LEASHED DOGS IN HARRISON STREET, MARQUAND AND QUARRY PARKS.

Council President Koontz moved to introduce Ordinance 2009-11; Councilwoman Trelstad seconded.

Council President Koontz recounted an incident in which a leashed dog was attacked by an unleashed dog; both owners were fined. Health Commission recommended Harrison Street, Marquand, and Quarry Parks for leashed dogs; Recreation Department concurred. (Council President Koontz announced that parks that are primarily or exclusively playgrounds are not suitable for dogs at all.)

Mayor Trotman opened the public discussion and asked if anyone wished to address Council on this issue.

Mary Ellen Iles, 219 Mercer Street, pointed out that there is no safe way (lack of sidewalks) to walk *around* Marquand Park with a dog on a leash.

Council President Koontz affirmed that signage will be clear—the Ten Commandments of parks. Council President Koontz specified that the enclosed Maggie’s Playground portion of Quarry Park is not open to dogs. Councilwoman Trelstad suggested including the information in Ordinance 2009-11 and such language was added with approval from seconder Trelstad.

Mayor Trotman called for a roll call vote. Borough Clerk called the roll. Council members Koontz, Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative. Mayor Trotman proclaimed the ordinance introduced with a public hearing to be held April 28, 2009.

Mayor Trotman read by title **Agenda Item J, New Business (3) — Introduction and Order to Publish: Ordinance 2009-12 AN ORDINANCE AMENDING CHAPTER 19 OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” REGARDING MOTOR VEHICLES AND TRAFFIC (Garage/Permits).**

Councilman Wilkes moved to introduce Ordinance 2009-12; Councilwoman Trelstad seconded.

Mr. Bruschi stated an error in the proposed wording had been corrected. Reviewing NJDOT documents, Borough Engineer Christopher Budzinski noticed that some Borough parking regulations were not current with state laws. On February 20, 2009, Mr. Budzinski wrote DOT listing possible upcoming Borough changes. Mr. Budzinski will track the documentation. Borough will pursue compliance with signage and so forth prior to rollout.

Mr. Bruschi emphasized that the only action of Ordinance 2009-12 is to permit charging 25 cents per hour from 9 P.M. to 9 A.M. at the garage.

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. Borough Clerk called the roll. Council members Goldfarb, Martindell, Trelstad, and Wilkes voted in the affirmative; Council President Koontz voted nay. Mayor Trotman proclaimed the ordinance introduced (four to one) with a public hearing to be held April 28, 2009.

Mayor Trotman read **Agenda Item J, New Business (4) — Resolution 2009-R137** as follows:

**RESOLUTION 2009-R137
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF PORTABLE TOILET SERVICE
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 Portable Toilets on March 11, 2009; and

WHEREAS, Johnny On The Spot, Inc., 3168 Bordentown Avenue, Old Bridge, New Jersey 08857 was the lowest responsible bidders based on the attached schedule A; and

WHEREAS, the Portable Toilet 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 Portable Toilet Service for the Borough under the Cooperative Purchasing Bid from Johnny On The Spot, Inc.

Council President Koontz moved to approve Resolution 2009-R137, Councilman Goldfarb seconded, and Borough Council approved unanimously.

April 14, 2009

Mayor Trotman read **Agenda Item J, New Business (5) — Resolution 2009-R138** as follows:

**RESOLUTION 2009-R138
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PURCHASE OF GENERATOR MAINTENANCE 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 Generator Maintenance on March 11, 2009; and FILENAME \p O:\word\MINUTES\jb draft\draft 4.14.09.doc

WHEREAS, Performance Plus, 2127D Route 206, Southampton, NJ 08088 was the lowest responsible bidders based on the attached schedule A; and

WHEREAS, the Generator Maintenance 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 Generator Maintenance for the Borough under the Cooperative Purchasing Bid from Power Tech Services.

Councilman Goldfarb complained of the ridiculous regulation that requires thousands of dollars to hire a contractor to exercise generators—an example of excess spending in New Jersey. Council discussed finding a way to perform the job internally. Mr. Bruschi stated the need to comply.

Council President Koontz moved to approve Resolution 2009-R138, Councilman Goldfarb seconded, and Borough Council approved four to one with Councilman Martindell against.

Mayor Trotman read **Agenda Item J, New Business (6) — Resolution 2009-R139** as follows:

**RESOLUTION 2009-R139
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE PLACEMENT OF A BANNER AS REQUESTED BY HOMEFRONT**

WHEREAS, HomeFront a community organization wishes to increase public awareness of their upcoming Week of Hope in the Borough of Princeton held the week of May 9 through 16, 2009 and

WHEREAS, HomeFront has requested permission to install a banner over Washington Road to announce this event and 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 Monday May 4th through Monday May 11 2009; 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.

April 14, 2009

Councilwoman Trelstad moved to approve Resolution 2009-R139, Councilman Goldfarb seconded, and Borough Council approved unanimously.

Council President Koontz moved to adjourn; Councilwoman Trelstad seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 8:10 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk