

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
July 26, 2011
Regular Meeting
Closed Session 6:00 P.M.
Open Session 7:30 P.M.**

Present: Council President Kevin Wilkes, Councilwoman Jo Butler, Councilwoman Jenny Crumiller, Councilman David Goldfarb (*arrived during the closed session*), Councilman Roger Martindell, Councilwoman Barbara Trelstad, Mayor Mildred Trotman

Absent: None

Staff Present: Borough Administrator Robert W. Bruschi, Police Chief David J. Dudeck, Borough Clerk Andrea Lea Quinty

Mayor Trotman called the meeting to order at 6:00 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 July 26, 2011, 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 2011-R189**, as follows:

**RESOLUTION 2011-R189
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON JULY 26, 2011**

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 University (PU)

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; Councilwoman Crumiller seconded. Council members Wilkes, Butler, Crumiller, Martindell, and Trelstad voted in the affirmative. Hearing no nay votes, Mayor Trotman proclaimed the resolution approved.

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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.**

Presented for approval were the minutes of the open session of June 14, 2011.

Councilwoman Trelstad moved to approve the minutes of the open session of June 14, 2011, Council President Wilkes seconded, and Council approved unanimously.

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

Councilwoman Crumiller asked Mayor Trotman to reschedule introduction of the E5 ordinance from August 23 to a later date. Councilwoman Crumiller so moved and Council President Wilkes seconded. Borough Administrator Robert W. Bruschi agreed a mid-September date would facilitate public notification and Council members' absences. Council voted unanimously to defer E5 public hearing to September.

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

Mayor Trotman read **Agenda Item G, Correspondence (1) — Princeton University Request Way-Finding Signage.**

Councilman Goldfarb recused himself at 7:35 P.M. because his employer has advised PU on this topic.

Kristin Appleget of PU requested four vehicular wayfinding signs toward parking to be placed in the Borough public right of way. Borough's endorsement will ease PU's ability to put signs on Nassau Street, a state highway. Ms. Appleget sought a resolution and a license agreement to permit the signage.

Council President Wilkes, liaison to Traffic and Transportation (TT) spoke on behalf of its Chair, Anton Lahnston, against sign pollution. Councilwoman Trelstad suggested Council agree to go forward with draft documents that will await agreement from TT before finalization.

Council President Wilkes moved conditional approval, Councilwoman Butler seconded, and Council accepted unanimously.

Mayor Trotman announced addition of **Resolution 2011-R190** and **Resolution 2011-R206** to the agenda.

Mayor Trotman read **Agenda Item H, Presentation (1) — Alternative Planning Options E5**

a. Rutgers Urban Design (RUD) Studio - Jim Constantine

Mr. Constantine provided global scope of town planning and stated that a study of the Alexander / University area was conducted in 1992 with a view to converting the Dinky to a streetcar.

Mr. Constantine averred that heavy rail (referring to the actual weight and operational characteristics of the train) is no longer appropriate for a two- to three-mile shuttle connection. Light rail (that is, streetcar) can safely run in lane amidst traffic and through pedestrian plazas. Mr. Constantine showed slides of successful streetcar lines (Kenosha, Portland, Little Rock, among others).

Mr. Constantine defended engaging “outside eyes” to examine Dinky operations and pursued a regional perspective, including employment statistics and economic activity along the Route One corridor, to reveal the population desirable to Princeton businesses.

Mr. Constantine introduced Ben Jacobs who will describe reconciliation of views of various stakeholders (Township, Borough, University, public).

Mr. Jacobs demonstrated the first proposed route for the streetcar—straight from Princeton Junction up University Place to Nassau Street, using existing tracks with minimal modification. PU had opposed the idea as detrimental to campus life. Mr. Jacobs then showed a “swing out” around Forbes College (a loss of some acreage on the golf course), which was the finalized routing design.

Mr. Jacobs observed that numerous stops along the way encourage ridership, but slow the trip. RUD decided on three stops (Faculty Road, Forbes, Nassau) that were near concentrated ridership and close enough in to be walkable within five minutes.

Mr. Jacobs displayed the Township RMU streetscape as a guideline for enhancing the Alexander gateway with some spectacular details.

Mr. Jacobs went on to describe attractive architectural details (new Blair Arch, for example) and interesting retail opportunities around the Nassau stop near the French flower market. There will be two station buildings for travel purposes—ticketing, waiting, restrooms—as well as snack vendors, book retailer, and so forth.

Mr. Jacobs revealed estimated costs based on extrapolations from the New Haven light rail system. Governmental grants and private / public partnerships will provide funds, as will naming rights for cars, termini, whole line.

Mr. Jacobs insisted society benefits from streetcar lines as an investment—with payoffs such as tourism, retail activity, and property values. Win-win for PU and both towns.

Councilwoman Trelstad asked about the five-minute walk. Mr. Jacobs responded that a five-minute walk is considered to be one-quarter mile as defined by various Federal programs. Mr. Constantine noted that a 10-minute walk is New Jersey Transit (NJT)'s "village planning area."

Councilman Martindell remarked that most rail stations are located on the public right of way. Mr. Jacobs agreed; RUD's goal was to bring the depot to the front of a dynamic space. Mr. Constantine mentioned the subtle impact on visitors when a trolley goes by.

Councilwoman Crumiller asked the speed of streetcars compared to heavy rail. Mr. Jacobs demurred to the expertise of URS. Ron Chance of URS interjected that streetcars can run at 45 miles per hour, but would not be found doing so in populated areas where speed would be about 12 mph or less. Mr. Chance distinguished between streetcar and light rail train that can exceed 55 mph.

Council President Wilkes clarified that a multi-stop system does not require parking at all stops; Nassau would be a pedestrian stop.

Mr. Constantine pointed out that the Nassau stop would interface with New York coaches. Only one downtown taxi stand would be needed (presently stands at Witherspoon and Dinky).

Council members quizzed the experts on cost estimates. Mr. Jacobs replied there is a wide range of approaches to creating a streetcar system

**b. Stephen A. Gazillo, AICP, Director of Transportation Planning,
URS Corporation**

Mr. Gazillo admired Princeton, noting there are some perplexing transportation issues. Mr. Gazillo introduced Mr. Chance, National Director, with expertise in both design and construction of major transit programs; and Phil Maccioli, President of 21st Century Rail (Hudson Bergen light rail).

Mr. Chance said URS is designer of every modern streetcar operation in existence and designer / builder ("design build" concept) of 3 of 10 largest light rail projects in the United States. He presented slides demonstrating URS projects around the country.

Mr. Gazillo emphasized doorstep-to-doorstep travel and the importance of the 5- or 10-minute walk. He said the essence of *pedestrian friendly* transit can be seen in Amsterdam where bicycles, walkers, and trams coexist in an active, vibrant street.

Mr. Gazillo said streetcar and light rail technologies are merging. Some notable differences:

- Streetcar—shorter trips (2 to 3 miles)
- Light rail—faster; longer trips (10 to 20 miles)
- Streetcar—weight similar to semi-ton truck (safe on bridges)
- Light rail—dedicated right of way
- Streetcar—mixed traffic

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- Both—overhead wires (lithium batteries available)
- Visually indistinguishable.

Mr. Maccioli described all aspects of the New Haven streetcar line.

Mr. Maccioli described all aspects of the Hudson-Bergen Light Rail.

Councilwoman Butler wondered why students at Yale do not want to ride buses. Mr. Maccioli noted a *separate-but-equal* transit situation in New Haven. Yale has indicated interest in replacing some campus shuttle routes with streetcars.

Councilwoman Trelstad repeated that Yale's internal transit system is not open to the public.

Councilwoman Trelstad asked the cost of a starter system that would extend the few feet up University to Nassau. Mr. Maccioli's experience was that costs run \$25 to \$35 million per mile. Mr. Chance explained that that quote represents a streetcar—light rail is twice that. Mr. Chance employs \$28 million (rule of thumb) a mile as an all-in price covering vehicles and contingencies. He commented that Princeton's outlay would be less because of existing dedicated right of way. Construction of surface transit interferes with traffic and disrupts business and daily life.

Councilwoman Crumiller asked how many riders per day make the system viable. Mr. Maccioli stated that Federal support depends on cost/effectiveness ratio (ridership one factor) to be justified against other programs in the country.

URS representatives discussed with Council new ridership that could be found with a streetcar:

- Carnegie Center workers
- Palmer Square workers
- Alexander corridor residents.

Mr. Maccioli listed considerations in favor of installing a new transit system:

1. Ridership
2. Environmental factors
3. Economic development
4. Quality of life

Council President Wilkes asked 21st Century Rail's status with Hudson-Bergen Light Rail.
Answer: Paid operator.

Council President Wilkes asked what percentages of funding dollars come from Federal coffers. Mr. Chance replied that 80% (Federal) to 20% (local) funds for study phases and capital outgo are seen.

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Councilman Martindell thought Princeton could not provide a suitable population mass to support URS-type operations. URS staff saw great potential during a community walk-around. Smaller communities are seeking trolley lines, especially in the face of increasing gasoline prices. They have seen successful operations come in at modest initial investment.

Councilman Martindell addressed cost of the right of way as the most expensive component. Mr. Gazillo countered that 90% of in-street running is on public property.

Councilman Martindell said the by-far-cheapest option is to leave the Dinky station where it is and extend a straight shot to Nassau. Mr. Maccioli has seen development spring up around the tracks; development attracts riders.

Mayor Trotman opened the public discussion—one question per person; no dialogue with Council—and asked if anyone in the audience wished to address Council on this issue.

Alan Kornhauser, 24 Montadale Circle, Township, commented that the straight-shot idea was superior as it goes through campus more simply than the path around Forbes that diminishes the golf course. He said the public must buy back the Dinky and preserve the transit corridor as is.

Dianna Common, Rider University alumna, stressed the transportation *link* to areas outside Princeton.

Andrew Koontz, citizen and Freeholder, thought it ironic that people feared lack of support for a streetcar when Princeton is presently served by heavy rail.

Chip Crider, Bank Street, said the problem is applying a main-line solution to a last-mile problem. He provided energy consumption comparisons that led him to favor PRT.

Kip Cherry, Township, questioned the zoning implications of creating population density at transit sites. Mr. Maccioli stated that Jersey City did make zoning adjustments.

Sheldon Sturgis read a statement from Princeton Future thanking participants for proving that Town & Gown can resolve an impasse, citing specific elements of the MOU.

Peter Marks, Borough resident, commented that a light rail system is intended to facilitate development of greater population density in an area that is largely green, a notion antithetical to sustainable Princeton.

Councilman Goldfarb returned to the Council chamber at 10:00 P.M.

Mayor Trotman read **Agenda Item H, Presentation (2) — Letter NJ Transit Regarding Removal of the Dinky Station from Princeton Borough.**

Mayor Trotman declared Presentation (2) pulled from today's discussion.

Mayor Trotman read **Agenda Item H, Presentation (3) — Resolution 2011-R190** as follows:

**RESOLUTION 2011-R190
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
OPPOSING THE REMOVAL OF THE
RAILWAY STATION LOCATED IN
THE BOROUGH OF PRINCETON**

Whereas, Princeton University proposes to remove the Princeton Branch rail terminus and station known as the “Dinky station” south from its present location along the public roadway on University Place; and

Whereas, the Mayor and Council of the Borough of Princeton do not support the University’s plan as currently contemplated to move the “Dinky station” for the following reasons:

- the proposed move is contrary to smart growth norms
- the proposed move is contrary to state development and redevelopment plans
- the proposed move is contrary to New Jersey Transit Policy
- the proposed move is not in the best interest of the residents of the Borough of Princeton

Now therefore, the Borough Clerk is hereby directed to deliver a copy of this Resolution to: the Trustees of Princeton University, individually; the President of Princeton University; the Executive Director and members of the Board of New Jersey Transit, individually; and the Clerk of the Township of Princeton.

Councilwoman Crumiller moved to approve Resolution 2011-R190 and Council President Wilkes seconded. Councilman Goldfarb, acknowledging that his employer represents PU, stated flatly that PU’s intentions for the Dinky are not dependent on Borough Council’s zoning decisions. Councilman Goldfarb, therefore, did not feel precluded from voting on Resolution 2011-R190. Councilman Goldfarb planned to vote in favor.

Councilman Martindell called Resolution 2011-R190 a “first step” and feared it was a last step in Borough’s stand against removal of the station. Councilman Martindell thought Resolution 2011-R190 was inadequate and too passive to be of maximum use.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item I, Report (1) — Monthly Police Report** — *David Dudeck, Chief of Police*.

**RESOLUTION 2011-R191
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE MONTHLY CHIEF OF POLICE REPORT**

WHEREAS, David Dudeck, Chief of Police of the Borough of Princeton prepared a comprehensive report detailing the police activity for the month of May 2011; and

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

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby accept the May 2011 Monthly police report prepared by the Borough Police Administration.

Councilwoman Trelstad spoke of innumerable delivery trucks near D’Angelo’s on Spring and South Tulane Streets. She said new parking and loading zones must be enforced.

Councilman Martindell asked again about hiring civilian detectives to reduce police expense. Council President Wilkes will forward the answer to Council members.

Council President Wilkes moved to approve the police report, Councilwoman Trelstad seconded, and Council accepted unanimously.

Mayor Trotman read by title **Agenda Item J, Old Business (1) — Public Hearing and Adoption: Ordinance 2011-15, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 19, ARTICLE XI, SECTION 24 OF THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974” REGARDING MOTOR VEHICLES AND TRAFFIC.**

Councilwoman Trelstad moved to adopt Ordinance 2011-15; Council President Wilkes seconded.

Councilwoman Butler reviewed that Ordinance 2011-15 shortens meter periods on downtown streets to serve some merchants; perhaps other merchants will be hurt. Councilman Goldfarb explained that the affected spaces were specifically created for part-time restaurant workers who work from, say, 10 A.M. to 3 P.M. Councilwoman Trelstad expressed confusion over the meters on Williams and Olden Streets.

Councilman Goldfarb moved to table Ordinance 2011-15 and revisit the issue after input from Public Works. Councilwoman Trelstad seconded. Council voted unanimously to table.

Mayor Trotman read **Agenda Item K, New Business (1) — Resolution 2011-R192** as follows:

**RESOLUTION 2011-R192
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING CHANGE ORDER 2 – FINAL;
JC LANDSCAPE & CONSTRUCTION MANAGEMENT CO., INC.**

WHEREAS, change orders are regulated by Local Finance Board Regulations (N.J.A.C. 5:30-14.4) and;

WHEREAS, there is a need to amend the contract with JC Landscape & Construction Management Co., Inc. as outlined in the change order prepared by the Borough Engineer and;

WHEREAS, The final Change Order results in a reduction in the final contract amount of (-\$5,948.77); and

WHEREAS, the Mayor and Council of the Borough of Princeton is satisfied that the requested change order is necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Princeton as follows:

- 1. Change Order #2 – Final; to the Contract between the Borough of Princeton and JC Landscape & Construction Management Co., Inc. for the Rehabilitation of Harrison Street Park in the amount of (-\$5,948.77) is hereby approved.**

2. The Borough Engineer and Clerk are hereby authorized to sign the Change Order on behalf of the Borough

Councilwoman Trelstad moved to approve Resolution 2011-R192 and Councilman Goldfarb seconded.

Councilman Goldfarb commented that taxpayer cost for Mercer County parks is equivalent to the annual cost of Harrison Street Park (HSP).

Councilman Martindell worried that there is no hose in HSP and the water line has not been extended. He noticed that the plants are thriving in this hot summer of 2011—is more watering necessary? Councilwoman Trelstad will inform Public Works Director Wayne Carr that he needs to install a hose at HSP.

Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (2) — Resolution 2011-R193** as follows:

**RESOLUTION 2011-R193
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AWARDING CONTRACT
FOR CAPITAL PROJECT #11-01**

WHEREAS, the Borough of Princeton has determined the need for construction services in connection with Capital project # 11-01 Spring Street, South Tulane Street, and Lincoln Court Improvements; and

WHEREAS, the Borough has solicited bid proposals for same; and bid proposals were publically opened on July 19, 2011; and

WHEREAS, the Borough received the following bids:

S Brothers Inc. in the amount of \$181,130.40

Jonico in the amount of \$236,863.00 (corrected bid amount)

F&P Contractors, Inc. in the amount of \$259,380.00 (corrected bid amount); and

WHEREAS, the Borough Engineer and the Borough Attorney have reviewed the bids and determined that the bid submitted by S Brothers Inc., PO Box 751, South River, New Jersey, 08882 is a responsible bid and is within the Engineer's Estimate for this project; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available for the purposes set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton the contract for the project know as # 11-01 Spring Street, South Tulane Street, and Lincoln Court Improvements, be awarded to S Brothers Inc., PO Box 751, South River, New Jersey, 08882, in the amount of \$181,130.40 as set forth in the bid specifications.

The Mayor and Borough Clerk are hereby authorized and directed to execute said Contract on behalf of the Borough.

Councilwoman Trelstad moved to approve Resolution 2011-R193, Councilman Goldfarb seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (3) — Resolution 2011-R194** as follows:

**RESOLUTION 2011-R194
OF THE MAYOR AND COUNCIL**

**OF THE BOROUGH OF PRINCETON
APPROVING A SHARED SERVICES AGREEMENT
WITH THE TOWNSHIP OF PRINCETON
FOR THE INSTALLATION OF SHARROWS**

WHEREAS, *N.J.S.A.40A:65-1 et seq.*; permits municipalities to enter into Shared Services Agreements in order to economize involving municipal projects and to coordinate said projects; and

WHEREAS, the Borough of Princeton and the Township of Princeton wish to install on Witherspoon Street, Hamilton Avenue, Wiggins Street and Harrison Street thermoplastic sharrow symbols in order to designate on said streets a safe passage area for bicyclists; and

WHEREAS, the State of New Jersey at the same time has agreed to install thermoplastic sharrow symbols on Nassau Street; and

WHEREAS, the Township of Princeton has agreed to be the lead agency for both the Township and Borough of Princeton in contracting to provide for said services; and

WHEREAS, the Borough Council wishes to authorize said contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton enter into a Shared Services Agreement with the Township of Princeton to provide for and facilitate the installation of sharrow symbols on various roadways within both the Township of Princeton and Borough of Princeton in order to enhance bicycle safety. The Agreement authorized by this Resolution is on file in the Office of the Borough Clerk and may be inspected during regular office hours.

The Mayor and Borough Clerk are hereby authorized and directed to execute said Contract on behalf of the Borough of Princeton.

A certified true copy of this Resolution shall be furnished upon its adoption to the Clerk, Township of Princeton, 400 Witherspoon Street, Princeton, New Jersey 08540, and the New Jersey Department of Community Affairs, Division of Local Government Services, 101 South Broad Street, Trenton, New Jersey 08625.

Councilwoman Trelstad moved to approve Resolution 2011-R194, Councilwoman Crumiller seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (4) — Resolution 2011-R195** as follows:

**RESOLUTION 2011-R195
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING DISPOSAL OF SURPLUS PROPERTY (Vehicles)**

WHEREAS, the Borough of Princeton is the owner of certain surplus property which is not longer needed for public use; and

WHEREAS, Mayor and Council of the Borough of Princeton are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton as follows:

- (1) The sale of surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and condition of the State Contract. The terms and condition of the agreement entered into with GovDeals is available online at govdeals.com and also available on file in the Office of the Borough Clerk.
- (2) The sale will be conducted online and the address of the auction site is www.govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is listed on attached Exhibit A:

Councilwoman Trelstad moved to approve Resolution 2011-R195 and Councilman Goldfarb seconded. Mr. Bruschi stated that Borough trickles down police vehicles to other departments when appropriate; otherwise, the fleet is downsized. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (5) — Resolution 2011-R196** as follows:

**RESOLUTION 2011-R196
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING DISPOSAL OF SURPLUS PROPERTY (Various Items)**

WHEREAS, the Borough of Princeton is the owner of certain surplus property which is not longer needed for public use; and

WHEREAS, Mayor and Council of the Borough of Princeton are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton as follows:

- (1) The sale of surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and condition of the State Contract. The terms and condition of the agreement entered into with GovDeals is available online at govdeals.com and also available on file in the Office of the Borough Clerk.
- (2) The sale will be conducted online and the address of the auction site is www.govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is listed on attached Exhibit B/C:

Councilwoman Trelstad moved to approve Resolution 2011-R196, Council President Wilkes seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (6) — Resolution 2011-R197** as follows:

**RESOLUTION 2011-R197
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING CONTRACT
FOR PROFESSIONAL SERVICES
FOR THE INSTALLATION OF SECURITY CAMERAS
AT VARIOUS LOCATIONS IN THE BOROUGH OF PRINCETON**

WHEREAS, the Borough of Princeton wishes to higher NetQ Multimedia Company to provide for the installation of security cameras at the Spring Street Garage, PSOC Facility, and Witherspoon Plaza, through the State of New Jersey’s cooperative purchasing program (N.J.S.A. 40A:11-12); and

WHEREAS, NetQ Multimedia Company, PO Box 1092, Jackson New Jersey 08527, was awarded State Contract #A42299 for Network cabling; and

WHEREAS, the installation of security cameras at the Spring Street garage, Witherspoon Plaza and the PSOC facility, at a total cost of \$19,337.94; and

WHEREAS, the appropriate monies totaling \$19,337.94 are provided for by funding in the 2010 Current Fund Temporary Budget;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council authorize the Borough Administrator to contract for the above listed scope of work from NetQ Multimedia Company, PO Box 1092, Jackson New Jersey 08527, was awarded State Contract #A42299 for Network cabling

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Councilwoman Trelstad moved to approve Resolution 2011-R197 (correcting spelling) and Councilwoman Crumiller seconded. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (7) — Resolution 2011-R198** as follows:

**RESOLUTION 2011-R198
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
TO AWARD A CONTRACT TO PSX TO UPGRADE THE PARKING GARAGE PAY ON FOOT
PAY STATIONS**

WHEREAS, the Borough of Princeton wishes to upgrade it's Pay on Foot pay stations used in the Spring Street Garage; and

WHEREAS, PSX 708 Terminal Way, Kennett Square, PA 19348 has developed the proprietary software and hardware that is need to upgrade the Pay on Food Pay Stations; and

WHEREAS, the Pay on Foot pay stations upgrade costs \$68,230 and the appropriate monies are provided in the Capital Fund Budget for the Parking Garage Improvements to the Pay on Foot Stations; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Princeton authorize the Borough Administrator to purchase the parking garage Pay on Foot pay stations for the Public Works Department from PSX.

Councilwoman Trelstad moved to approve Resolution 2011-R198 and Councilman Goldfarb seconded. Mr. Bruschi stated that Borough is at the mercy of technology. He said the pay stations being upgraded were purchased in 2004. Council members objected that the system does not inform the parker that the SmartCard does not indicate a low balance on entrance to the facility. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (8) — Resolution 2011-R199** as follows:

**RESOLUTION 2011-R199
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING FIRE DEPARTMENT APPLICATION FOR
Ronald DiLapo**

WHEREAS, Ronald DiLapo has met all requirements of Borough of Princeton Code of Laws, Chapter 14, Section 25(a) through 25(f) as a member of the Mercer Engine Company #3

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.

Council President Wilkes moved to approve Resolution 2011-R199 and Councilwoman Trelstad seconded. Councilman Goldfarb said one the recommendations of the Kramer report was to encourage employees to volunteer as fire fighters and Mr. DiLapo did just that. Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (9) — Resolution 2011-R200** as follows:

RESOLUTION 2011-R200

**OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING AN AWARD FOR
LEGAL SERVICES**

WHEREAS, the Borough desires to enter into a professional services agreement in connection with certain activities as hereafter more particularly stated, and

WHEREAS, the services to be performed are professional services which are exempt from public bidding under the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Princeton as follows:

The Mayor and Clerk are hereby authorized to enter into a contract for professional services with Neil Yoskin, SOKOL, BEHOT, & FIORENZO. (hereinafter referred to as "Provider") to provide professional services for the Borough of Princeton through December 31, 2011, hourly rate of \$165.00 per hour not to exceed \$10,000 as hereafter more particularly stated.

1. The contract so authorized shall require the Provider to provide services and other related duties, as follows:

Provider shall serve as special counsel to the Borough of Princeton to handle such matters as requested by the Borough in relation to Castoro & Co., In v. Borough of Princeton et. als

Under this Agreement, Provider shall at all times act as an independent professional contractor and not as an employee of the Borough, and shall have no authority to act as an agent or representative of the Borough or to enter into any financial or other contractual commitment on behalf of the Borough without the prior written approval of same granted in accordance with law. The Borough shall pay the Provider pursuant to the contract with the Provider.

Payment of fees will be made upon the submission to the Provider to the Borough of invoices in duplicate in the form prescribed by the Borough not later than the tenth (10th) day of the month following that covered by the invoice, and shall specify in detail the periods for which fees are claimed for the services performed. The provider shall give written notice to the Borough when the Provider has billed eighty (80%) of the compensation set forth in paragraph I of the Agreement.

2. The form of contract shall include standard provisions common to professional service agreements entered into by the Borough and shall be subject to approval by the Borough Attorney.

3. The contract shall be awarded without competitive bidding as a contract for professional services under the provisions of the Local Public Contracts Law because the subject services will be performed by a person or persons authorized by law to practice a recognized profession and whose practice is regulated by law.

4. A notice of this action shall be published in the Princeton Packet as required by law within ten (10) days of its passage.

Councilman Martindell moved to approve Resolution 2011-R200, Councilwoman Trelstad seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (10) — Resolution 2011-R201** as follows:

**RESOLUTION 2011-R201
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING TAX REFUNDS**

WHEREAS, Sandra Webb, Chief Financial Officer has forwarded a list of residents for tax refund from the Borough of Princeton for review and approval by the Mayor and Council as follows:

<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Owner</u>	<u>Property Location</u>	<u>Amount</u>
52.01	6		Tsu-Kai, Chu	49 Aiken Ave. Princeton, NJ 08540	\$260.54
TOTAL TO BE REFUNDED					\$ 260.54

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NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton approve the tax refunds as presented.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the CFO, Tax Assessor and Tax Collector.

Councilman Martindell moved to approve Resolution 2011-R201, Councilman Goldfarb seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (11) — Resolution 2011-R202** as follows:

**RESOLUTION 2011- R202
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 \$100,000.00 is now available as a miscellaneous revenue anticipated from **“Princeton University – Fire Director”** and

SECTION 2.

BE IT FURTHER RESOLVED, that a like sum \$100,000.00 be and the same is hereby appropriated under the caption of **“Princeton University – Fire Director”**

Councilwoman Trelstad moved to approve Resolution 2011-R202, Councilwoman Butler seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item K, New Business (12) — Resolution 2011-R203** as follows:

**RESOLUTION 2011-R203
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
APPROVING THE EXTENSION OF THIRD QUARTER TAXES**

WHEREAS, there have been delays by the State of New Jersey in certifying municipal levies to the County creating a delay in establishing a tax rate for the year 2011; and

WHEREAS, subsequently the Borough of Princeton will be late in its annual tax mailing to the residents of the Borough; and

WHEREAS, the Mayor and Council wish to give the residents of Princeton an opportunity to pay their third quarter taxes without incurring a penalty; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Princeton that third quarter taxes may be paid until September 1, 2011 without incurring a penalty and payments made after the five day grace period will be subject to normal interest charges; and

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BE IT FURTHER RESOLVED that a copy of this resolution be on file and available for public inspection in the Office of the Borough Clerk.

Councilman Martindell moved to approve Resolution 2011-R203, Councilwoman Butler seconded, and Borough Council approved unanimously.

Mayor Trotman read **Agenda Item L, Bill List for July 26, 2011 — Resolution 2011-R204** as follows:

**RESOLUTION 2011-R204
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
APPROVING THE JULY 26, 2011 BILL LIST**

WHEREAS, Finance Officer 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 as follows:

CURRENT ACCOUNT (11-01)	1,041,838.54
RESERVE ACCOUNT (10-01)	22,543.48
PARKING UTILITY OPERATING FUND (11-05)	19,409.49
PARKING UTILITY OPERATING FUND (10-05)	
AFFORDABLE HOUSING OPERATING ACCT (11-24)	4,000.00
AFFORDABLE HOUSING OPERATING ACCT (10-24)	
IMPROVEMENT ASSESSMENT (11-11)	
CAPITAL ACCOUNT (C-04)	19,275.78
PARKING UTILITY CAPITAL FUND (P-06)	1,440.00
ESCROW (E-30)	12,229.16
TRUST FUND (T-13)	200.00
GENERAL INSURANCE	
FLEXIBLE SPENDING FUND (11-22)	
MANUAL	1,416,109.82
ASSESSMENT TRUST FUND (11-11)	
ANIMAL CONTROL TRUST (A-14)	
GRANT (G-02)	

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

Councilwoman Trelstad moved to approve Resolution 2011-R204, Council President Wilkes seconded, and Council approved unanimously.

Mayor Trotman read new **Agenda Item — Resolution 2011-R206** as follows:

**RESOLUTION 2011-R206
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON
AUTHORIZING THE BOROUGH ENGINEER
TO EXECUTE TREATMENT WORKS APPROVAL APPLICATIONS**

BE IT RESOLVED by the Mayor and Council of the Borough of Princeton hereby authorizes John M. West, Borough Engineer, to execute certification of consent by the governing body on Treatment Works Approval Applications as part of any development submission to NJDEP for sewer extension, upon determination by the Borough Engineer that the proposed sewer extension conforms with the requirements and conditions of all municipal ordinances, resolutions and regulations and otherwise should be approved consistent with the health, safety and welfare of the Princeton community.

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Councilman Martindell moved to approve Resolution 2011-R206, Councilwoman Butler seconded, and Borough Council approved unanimously.

Council President Wilkes moved to adjourn; Councilman Martindell seconded. There being no further business, Mayor Trotman adjourned the open session meeting at 10:27 P.M.

Respectfully submitted,

Andrea Lea Quinty
Borough Clerk