

**Approved Minutes
Open Session
Of the Mayor and Council of the Borough of Princeton
May 1, 2012
Work Session 7:00 P.M.**

Present: Council President Barbara Trelstad, Councilwoman Jo Butler, Councilwoman Jenny Crumiller, Councilwoman Heather Howard, Councilman Roger Martindell, Councilman Kevin Wilkes, Mayor Yina Moore

Absent: None

Staff Present: Assistant Borough Attorney Henry Chou, Chief Finance Officer and Assistant Administrator Sandra L. Webb, Deputy Borough Clerk Delores A. Williams

Mayor Moore 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 May 1, 2012, 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 Moore asked all present to rise for **Agenda Item C, Salute to the Flag**.

Mayor Moore read **Agenda Item D, Public Presentation**, and asked if anyone present wished to address Council with an issue not on the agenda. Mayor Moore explained the five-minute limit for public presentations; no dialogue with Council members is permitted during this portion of the agenda. If so indicated, Council will take action at a later date.

Alexi Assmus, 32 Maple Street, addressed the fiscal impact of the hospital site redevelopment. She reminded that Avalon Bay aggressively pursues real estate tax appeals. Ms. Assmus provided a page from the brochure of Avalon’s tax agent, Property Tax Assistance, stating that they had reduced Avalon’s tax liability by nearly 30%. Ms. Assmus requested a fiscal impact analysis of high-density housing at the site.

Councilman Martindell observed that Council’s approvals to Avalon may be of significant economic consequence to the town. That calculation, however, cannot under law be a factor in Council’s decisions for land-use zoning.

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Anne Neumann, Borough resident speaking on behalf of the Affordable Housing Board, stated that \$250,000 of additional Princeton University PILOT money was designated for the Borough's most pressing needs; that is, not general operating expenses. The Affordable Housing Board requested a new annual line item in the municipal budget for affordable housing.

Alain Kornhauser, local resident and transportation professional, looked to alleviate fears that taxpayers may incur a financial burden associated with passenger service at the Dinky station. He detailed aspects of the Dinky easement that will terminate five years after permanent abandonment of passenger service. Mr. Kornhauser stressed that the perpetual right to have public transportation on that property is owned by the public.

Council consulted with Assistant Borough Attorney Henry Chou on elements of the rail property, easement, rights of way, and Time of Decision rule as applied to the E5 zone.

Councilman Martindell raised *Daily Princetonian's* request for a retail newspaper box on Nassau Street. He thought delaying their application until after the town merger was unreasonable. Council granted permission for the application to proceed. Eliot Perlsax, Princeton University freshman living at Whitman College in Township, said he had been denied an application by the Borough Clerk's office on three occasions. Deputy Clerk Delores Williams acknowledged Mr. Perlsax's request and advised him that it will be presented before Mayor and Council for review and approval at a future meeting.

Councilman Martindell strongly objected to Township's plan to promote an officer to acting police chief. As a member of the Personnel Committee, Councilman Martindell called the Township's proposal deleterious to the interests of the combined town. Councilman Martindell said that to enhance the chances of a present Township policeman becoming a chief or captain in the joined police department—based on former town affiliation and not merit—is retrograde, parochial, and a corrupt way to conduct the public's business.

Councilwoman Crumiller suggested adding police personnel appointments to the agenda for the joint Borough/Township meeting of May 7, 2012.

Councilman Wilkes, Borough police commissioner, explained that promotions are vetted by merit, the Transition Task Force, and Personnel Committee. For the joint department, a merit-based strategy is being developed while considering overall seniority, years in rank, operational experience, past performance, job knowledge, supervision assignments, and coordinating investigations, among other more intangible factors.

Council President Trelstad said she and Mayor Moore are meeting on May 2 with Township Mayor Goerner and Deputy Mayor Lempert to discuss general joint issues including police employment.

Seeing no one further, Mayor Moore closed the public portion.

Mayor Moore read **Agenda Item E, Report (1) — Princeton Community Housing 2011 Annual Report** — *Sandra Persichetti, Executive Director*.

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Ms. Persichetti reported happy news: Elm Court's community garden has been expanded to more than 30 plots (some elevated for handicapped gardeners) for seniors to grow vegetables. She said Free B service is working well for residents of Elm Court.

Ms. Persichetti stated three new units have been added to the affordable inventory:

1. Deeding of 246 John Street to Princeton Community Housing is complete. The building will be converted to a two-bedroom, low-income rental unit.
2. Closing on 6 Shirley Court occurred March 2012; tenant took occupancy May 1.
3. Also May 1, Princeton Community Housing received a signed contract for 5 Shirley Court.

Ms. Persichetti mentioned a waiting list of more than 500 families, with a delay of at least 18 months to obtain housing. Princeton Community Housing is actively recruiting a new Executive Director to replace Ms. Persichetti after 2012.

Ms. Persichetti noted ongoing challenges of bed bugs, mold, and other interior maintenance issues. She stressed that not everyone is homeowner material, which is how Princeton Community Housing can help.

Ms. Persichetti described members of the waiting list as primarily local workers, with some Princeton residents needing Princeton Community Housing affordable assistance.

Councilman Martindell wondered why sewer charges had decreased, in the face of higher water bills. Ms. Persichetti answered the skewing was due to some water costs being attributable to the previous year.

Mayor Moore read **Agenda Item F, Old Business (1) — Public Hearing — 2012 Municipal Budget** — *Sandra Webb, Chief Financial Officer.*

Ms. Webb established that Councilman Martindell, Finance Chair, will present budget amendments to be followed by a public hearing. There will be no vote on the budget during this meeting.

Councilman Martindell focused on minor changes by Administration since original introduction of the 2012 budget:

1. Tax rate not changed
2. Joint agency expenses—reduced from first draft
 - a. Planning \$3300
 - b. Fire \$3600
 - c. Health \$4600
 - d. Corner House \$4100
 - e. Recreation \$2200
 - f. Senior Resource Center \$900
 - g. Human Resources \$1300

3. Joint agency expenses—increased
 - a. Sewer \$54,000—Stony Brook billing formula changed
 - b. Library \$45,000—downtown parking for employees absorbed

Kristen Appleget, Princeton University, announced that demolition of the Merwick building required Borough to obtain alternate parking—Spring Street Garage—for library workers as of fall 2011.

Councilman Wilkes suggested that library staff park on the top level of the Spring Street Garage with a special sticker system.

Ms. Webb reported an addition of \$50,000 contingency to the Administration budget as a placeholder for upcoming contracts. Ms. Webb inserted funds for potential tax appeals on commercial properties (\$10,000), and associated legal fees (\$37,000).

Councilwoman Howard emphasized that there will be no increase in dependence on surplus, an important principle.

Ms. Webb stated that extra salary dollars budgeted for the tax department will flow directly to surplus at the end of the year.

Mayor Moore noticed that employee group insurance was up \$300,000.

Ms. Webb described the budget process:

1. Introduce amendments;
2. Advertise amending resolution;
3. Adopt resolution and budget Tuesday, May 8.

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

Anne Neumann asked Council for a set-aside in the budget for an increased number of affordable units. The Affordable Housing Board proposes a relief loan program for those homeowners hardest hit in the recent property tax revaluation.

Councilman Martindell asked the Affordable Housing Board to write a detailed proposal for Council consideration. He thought transaction costs for small loans (\$2,000 to \$5,000) would be prohibitive.

Council reviewed the July 2012 deadline for committing unspent COAH trust funds—or have the moneys confiscated by the state. Mayor Moore announced that Land Use Development Official Derek Bridger is responsible for a timely written description of a plan for the trust funds. Ms. Webb assured Council that Mr. Bridger is diligently pursuing affordable opportunities.

Ms. Appleget clarified that Princeton University’s \$300,000 contribution is dependent on expansion taking place; probably donated to the town of Princeton after 2012.

Seeing no one further, Mayor Moore closed the public discussion and returned to Council.

Councilman Martindell read and moved **Agenda Item G, New Business (1) — Resolution 2012-R164** as follows:

BOROUGH OF PRINCETON
MERCER COUNTY, NEW
JERSEY

RESOLUTION 2012 R-164 TO AMEND
BUDGET

WHEREAS, the local municipal budget for the year 2012 was approved on the 6th day of March, 2012, and;

WHEREAS, the public hearing on said budget has been held as advertised, and;

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Princeton,

County of Mercer, that the following amendments to the approved budget of 2012 be made:

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
Recorded Vote	(((
(Insert last names)	(((
Butler			
Crumiller			
Howard			
Martindell			<u>Absent</u>
Trelstad			(
Wilkes			(
		<u>FROM</u>	<u>TO</u>

3. Miscellaneous Revenues - Section D: Special Items
of
General Revenue Anticipated with Prior Written
Consent
of the Director of Local Government Services -
Shared

Service Agreements Offset with Appropriations:				
Princeton Township Joint Services:				
Maintenance of Sewerage Facilities	829,425.00	775,036.00	-54,389.00	

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Health Services	289,955.00	294,621.00	4,666.00
Fire Services	138,622.00	141,012.00	2,390.00
Fire Facilities	70,064.00	71,272.00	1,208.00
Senior Citizen Program	97,162.00	98,134.00	972.00
LOSAP Alternative	26,100.00	26,550.00	450.00
Total Section D: Shared Service Agreement Offset with Appropriations	1,631,131.00	1,586,428.00	-44,703.00
Summary of Revenues			
3. Miscellaneous Revenues:			
Total Section D: Interlocal Municipal Service Agreements Offset with Appropriations	1,631,131.00	1,586,428.00	-44,703.00
Total Miscellaneous Revenues	14,784,986.65	14,740,283.65	-44,703.00
4. Receipts from Delinquent Taxes	600,000.00	694,703.00	94,703.00
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	16,184,986.65	16,234,986.65	50,000.00
7. Total General Revenues	26,441,338.55	26,491,338.55	50,000.00
8. General Appropriations			
(A) Operations - within "CAPS"			
General Government			
Administrative & Executive Other Expenses	72,119.00	122,119.00	50,000.00
Assessment of Taxes			
Salaries & Wages	35,430.00	0.00	-35,430.00
Other Expenses	11,475.00	0.00	-11,475.00
Legal Services & Costs			
Other Expenses	200,000.00	236,905.00	36,905.00
Defense of Tax Appeals	30,000.00	40,000.00	10,000.00
Municipal Land Use Law (NJS 40:55D-1) Planning Board (Joint)			
Other Expenses	120,189.00	116,912.00	-3,277.00
Public Safety			
Fire			
Miscellaneous Other Expenses	59,913.00	57,523.00	-2,390.00
Fire Facilities	50,736.00	49,528.00	-1,208.00
Streets and Roads			
Mechanics			
Other Expenses	85,510.00	88,010.00	2,500.00
Maintenance of Sewerage Facilities			

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Other Expenses	500.00	54,889.00	54,389.00
Health and Welfare			
Board of Health			
Other Expenses	43,900.00	39,234.00	-4,666.00
Drug Abuse Program (Coner House)			
Other Expenses	130,071.00	125,924.00	-4,147.00
Recreation and Education			
Joint Recreation Board			
Other Expenses	427,765.00	425,496.00	-2,269.00
Senior Citizens Program			
Other Expenses	97,161.00	98,134.00	973.00
Department of Human Services			
Other Expenses	72,337.00	70,983.00	-1,354.00
Total Operations {Item 8(A)} within "CAPS"	13,784,082.10	13,872,633.10	88,551.00
Total Operations Including Contingent within "CAPS"	13,784,082.10	13,872,633.10	88,551.00
Detail:			
Salaries and Wages	7,152,240.35	7,116,810.35	-35,430.00
Other Expenses (Including Contingent)	6,631,841.75	6,755,822.75	123,981.00
Deferred Charges and Statutory Expenditures - Municipal within "CAPS"			
Statutory Expenditures: Contribution to:			
Consolidated Police and Firemen's Pension Fund (H-1) Total General Appropriations for Municipal Purposes within "CAPS"	19,000.00	21,000.00	2,000.00
(A) Operations - Excluded from "CAPS"			
Maintenance of Free Public Library	1,315,000.00	1,360,883.00	45,883.00
Total Other Operations - Excluded from "CAPS"	3,832,999.75	3,878,882.75	45,883.00
Shared Service Agreements			
Princeton Township Joint Services			
Maintenance of Sewerage Facilities			
Other Expenses	147,564.00	93,175.00	-54,389.00
Fire			
Other Expenses	128,337.00	130,727.00	2,390.00
Fire Facilities	70,064.00	71,272.00	1,208.00
Losap Alternative	26,100.00	26,550.00	450.00

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Health			
Other Expenses	15,380.00	20,046.00	4,666.00
Senior Citizens Program			
Other Expenses	97,162.00	98,134.00	972.00
Total Shared Service Agreements	1,631,131.0	1,586,428.00	-44,703.00
	0		
Total Other Operations - Excluded from "CAPS"	3,716,705.9	3,717,885.95	1,180.00
	5		
Total Operations - Excluded from "CAPS"	5,513,284.7	5,514,464.75	1,180.00
	5		
Detail:			
Other Expenses	4,085,459.0	4,086,639.00	1,180.00
	0		
Municipal Debt Service - Excluded from "CAPS"			
Environmental Infrastructure Loan Program	641,199.00	599,468.00	-41,731.00
(H-2) Total General Appropriations for Municipal Purposes	9,798,205.7	9,757,654.75	-40,551.00
	5		
Excluded from "CAPS"			
(O) Total General Appropriations Excluded from "CAPS"	9,798,205.7	9,757,654.75	-40,551.00
	5		
(L) Subtotal General Appropriations {Items (H-1) and (O)}	25,410,470.63	25,460,470.63	50,000.00
9. Total General Appropriations	26,441,338.55	26,491,338.55	50,000.00
	55		

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for his certification of the 2012 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S. 40A:4-9, be published in the Princeton Packet in the issue of May 4, 2012, and that said publication contain notice of public hearing on said amendment to be held at the Princeton Borough Hall on May 8, 2012 at 7:00 o'clock p.m.

It is hereby certified that this is a true copy of a resolution amending the budget, introduced by
1st day of May
2012.

Certified by me

May 1, 2012

May 1st 2012

Delores Williams, Deputy Borough Clerk

Councilman Wilkes seconded. Mayor Moore called for a roll call vote. Deputy Borough Clerk called the roll. Council members Trelstad, Butler, Crumiller, Howard, Martindell, and Wilkes voted in the affirmative. Mayor Moore proclaimed the budget amendments introduced.

Mayor Moore read **Agenda Item H, Resolution 2012-R165**, as follows:

**RESOLUTION 2012-R165
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON
INTO CLOSED SESSION ON MAY 1, 2012**

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. Litigation

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.

Councilman Martindell moved to approve; Councilman Wilkes seconded. Council members Trelstad, Butler, Crumiller, Howard, Martindell, and Wilkes voted in the affirmative. Hearing no nay votes, Mayor Moore proclaimed the resolution approved. Mayor Moore adjourned the open session meeting at 9:05 P.M. Borough Council recessed into closed session.

Respectfully submitted,

**Delores A. Williams
Deputy Borough Clerk**