

**Minutes for the Joint Consolidation/ Shared Services Study Commission of
Princeton Borough
and
Princeton Township
April 18, 2012 – 7:10 p.m.
Township Municipal Building – Committee Room, Princeton NJ**

CALL TO ORDER

The meeting was called to order at 7:10 p.m., with Phyllis Persicketti reading the Open Public Meetings Act Statement:

The following is an accurate statement concerning the providing of notice of this meeting and said statement shall be entered in the minutes of this meeting.

Notice of this meeting as required by sections 4a, 3d, 13 and 14 of the Open Public Meetings Act has been provided to the public in the form of the written notice attached hereto,

On February 2, 2012, said notice was posted in the official bulletin board, transmitted to the Princeton Packet, the Trenton Times, the Town Topics, filed with the Township Clerk and posted on the Princeton Borough and Princeton Township websites.

ROLL CALL - ATTENDEES

Commission Members Present – Anton Lahnston, (Chair), Mayor Chad Goerner, Ryan Lilienthal, Bernie Miller, Bill Metro, M. Patrick Simon, Alice Small, Carol Golden , Barbara Trelstad, Heather Howard, and Department of Community Affairs (DCA) Representative Eugene McCarthy

Absent: Vice-Chair Haynes, Bob Bruschi, (Borough Administrator), and Kathleen Monzo (Acting Township Administrator)

Roll Call was called by Board Secretary Persicketti. There was a quorum present, therefore, the meeting was held.

REVIEW and APPROVE MINUTES FROM FEBRUARY 15, 2012

Minutes were distributed. Ms. Trelstad's name was spelled incorrectly and will be changed to reflect such. A motion was made to approve the minutes and seconded by Ms. Golden. All commission members voted in favor. There were no abstentions, therefore, the February 15, 2012 minutes were approved.

DISCUSSION OF ISSUES AND/OR CONCERNS BY COMMISSION MEMBERS IN THEIR ADVISORY ROLE WITH:

TRANSITION TASK FORCE

Chair Lahnston indicated that he made all but one TTF meetings. Key issues (such as personnel) are being discussed and addressed at a deeper level and the work of the subcommittees is evolving. The TTF is moving forward. CGR outlined a schedule for the TTF. With respect to Personnel, Chair Lahnston said that the TTF is looking at the different benefits for the employees for the Borough and the Township -- because differences exist between the two. The most recent presentation is not yet on the website. Secondly, last night, there was a discussion of how to down size, which was recommended by the Consolidation Commission. Mr. Miller said that options are also being proposed and severance packages are being discussed. Chair Lahnston noted that the Consolidation Commission was advised by the DCA to not become deeply involved in severance discussion since there was too much speculation prior to the vote last November.

TRANSITION TASK FORCE SUBCOMMITTEE

FINANCE – Mayor Goerner said that they met with the attorney at the last Joint Finance Subcommittee meeting. The committee is broken down into some working groups and working on evaluating the two municipal budgets. They are also tracking all transition costs. They also reached out to Division of Taxation and a letter went out on April 18, 2012 that asked for the State to sign-off on compliance, so that consolidated Princeton does not have to have a full reassessment, bringing this issue to a fair resolution.

In the future, open space tax will be analyzed and recommendations will be made for the full TTF and the governing bodies to have a referendum on the ballot for an open space tax for the consolidated municipality.

Chair Lahnston replied that he had the sense that TTF is putting transition costs into two (2) buckets. These are Task Force transition costs and there are actual municipal transition costs. Mayor Goerner said that the TTF has the budget which exists for the operation of the different services the TTF needs to engage to complete its job. This is a subset of the total transition costs. This was a requirement by resolution to establish the TTF. They are required to submit a budget to the governing bodies for approval. This TTF budget which will include the various professional services that the TTF will need, will be included as a transition cost. Ms. Howard said that they will be keeping track of the broader range of costs to get the 20% reimbursement from the State. Chair Lahnston asked about the 20% reimbursement discussed in February with Assemblyman Jack Ciattarelli, District 16 (Hunterdon, Mercer, Middlesex and Somerset Counties). He was working on a piece of legislation. Chair Lahnston asked if it is now time to go back and revisit this issue with the Assemblyman?" Mayor Goerner replied that he spoke to the Assemblyman and they are still trying to work through issues. Currently, the legislation is focusing on the budgets, which is consuming most of their time. If the legislation does not pass,

it means that the cost for transition have to go to an emergency appropriation which will have to be approved by the Local Finance Board. Chair Lahnston's concern was: what should the Consolidation Commission do as a follow-up? Mayor Goerner suggested writing a letter to assemblymen and senator and encourage them to support the bill. Chair Lahnston said that he would like some assistance in drafting the letter. Ms. Howard replied that she would assist Mr. Lahnston in the letter preparation process. The number of the Bill is: Assembly Bill No.471. Mr. Sillars (public member and also Vice Chair of the TTF and Chair of the Finance Subcommittee for the TTF) said that the CGR timeline for Finance issues is the end of May of 2012.

INFRASTRUCTURE AND OPERATIONS – Ms. Trelstad said the subcommittee is working on the structure of the combined Public Works department. There has been considerable discussion and they are struggling with recreation maintenance. They are having a meeting on Friday to meet the subcommittee's deadline of April 30, 2012. The recreation maintenance people are currently not unionized and they are available on demand. For Recreation there should be active 24/7 coverage during the active recreation season.

COMMUNICATIONS OUTREACH - Ms. Golden said that they meet every few weeks. Princeton Future is commencing on May 5, 2012 and is a significant event. CGR is creating slides for each subcommittee chair to discuss what has been done to date and the future timeline. The subcommittee has scheduled a meeting in the fall at the Nassau Club of Princeton. to discuss the transition to consolidation.

Ms. Howard gave credit to Chair Lahnston for reaching out to the Woodrow Wilson Graduate School and a graduate school consulting group that does free-consulting on public interest matters. Four (4) students will consultant with the TTF and write up the experience on transition. Mr. McCarthy said the students also reached out to the State DCA and they will include the transition experience on the State level as well. They will produce a case study in the fall, per Ms. Howard.

PUBLIC SAFETY – Mr. Miller said the police department made a presentation which was held on March 23, 2012. Population status came out to be larger than the Consolidation Commission Report. There is a difference between the 51 recommended by the Consolidation Commission and the police department number of 81. They are now down to 56 which does not include the University's Public Safety Department. The relationship between the University and the new Police Department is presently unclear. The TTF was meeting with the County Prosecutor's Office for their input with respect to the police and the university police patrol.

INFORMATION TECHNOLOGY

Pat Simon reported that the software has been put together for the township and borough excluding the police. The subcommittee has presented their proposals to the TTF. One issue that exists is how to proceed with consultants because both the township and borough have different contracts. Therefore, out-source vs. insource is being discussed.

PERSONNEL

Ms. Small said that their comparison methods and options have been presented. The selection process has been put together in terms of how to reach the Commission's staffing goals. A proposal has been put together for pay options for involuntary separation. An issue: it was decided early that that the TTF would adhere to OPMA, per Mrs. Small. Therefore, subcommittees should invite the public to meetings. However, discussions of staff organization charts and individuals were held in closed session. Mrs. Small and Ms. Haynes feel that in the statute there is no exemption for discussion of organization charts. The only time individuals are protected is when they are discussing their skills and abilities and consent is needed for a public meeting. Mrs. Small is requesting that a clear and concise legal memorandum be drafted to set out the requirements of the statute and add the sections which permit closed sessions so that the committees can determine whether it is appropriate. Chair Lahnston said that these observations and suggestions need to go to the TTF.

AFFORDABLE HOUSING

Mayor Goerner stated that Affordable Housing will be looked at when the Personnel Subcommittee deals with organizational services. A new subcommittee on Affordable Housing will be developed at a later date. Ms. Howard said she would like to serve as the liaison to the Affordable Housing subcommittee and Ms. Golden expressed interest in serving on the Affordable Housing Subcommittee – if one materializes.

BOARDS, COMMISSIONS, COMMITTEES

Mr. Miller said that the committee will meet on April 19, 2012. The subcommittee has started an inventory on all the various boards, commissions and committees – both joint and in the individual municipalities. When they combine the boards, there will be a reduction in the number of volunteer opportunities in consolidated Princeton. Mr. Miller also noted that Princeton has worked well with the boards as they currently stand. This is an issue of concern and how it can be resolved is being addressed. Mr. Miller also noted that more of Princeton's younger people should be serving on committees and commissions.

FACILITIES AND OTHER ASSETS

Mr. Miller said that legal counsel has indicated that other assets such as vehicles will be transferred from the two municipalities to the consolidated Princeton. Furthermore, KSS is engaged and did an inventory on space available, including township and borough hall, recreation department facilities etc., Parking for the police is also being looked at to see if it is adequate.

CONFLICT OF INTEREST STATEMENT

Background

All committee members received a two (2) page document. Mayor Goerner stated that the policy has been in place in the Township since 2004. Issues have come to light which triggered putting forth some type of policy in place which was presented to the governing bodies at a previous meeting. The document was also presented to the Transition Task Force (TTF) on April 17, 2012. The TTF did not recommend any changes to the document. The document was presented to the Consolidation Commission members on April 18, 2012. Ms. Trelstad stated that Borough Council would review the document at their meeting next week. Chair Lahnston asked to entertain a motion to accept the document as presented. The motion was made by Mr. Miller to accept the document stating that the language is appropriate and the committee is not recommending any changes to it. The motion was seconded by Ms. Golden.

Discussion

Mr. Lilienthal asked if they are voting on the language only and not signing on. Mayor Goerner indicated it is up to the governing bodies to decide how they will implement this. Mr. Lilienthal said that he is concerned because his wife works for the law firm of Stark and Stark and Mr. Lilienthal has no idea about what, or how, or even if the firm is involved in Princeton. This is a concern because the document talks about 'immediate family members' and there may be a conflict of interest. Does he need to discuss this matter with Stark & Stark, as to whether they are involved in Princeton: (such as: work with the planning board, zoning board, municipal court, etc). Mayor Goerner replied that this would be a personal decision. Mr. Lilienthal replied that he would probably have to abstain from voting. This policy either directly limits or chills a willingness to volunteer in the municipality because no one wants to be in conflict or accused of being in conflict or have that type of confrontation, per Mr. Lilienthal.

Mayor Goerner said that this has been a standing policy in the township for a long time. Chair Lahnston said that this is a legitimate concern and this policy is trying to avoid conflicts. Mayor Goerner stated that the TTF is trying to merge two municipalities together and what they are trying to prevent are conflicts of interests.

Mr. Metro indicated that he made his background clear when coming on board. He signed up as an individual and made it clear that he is volunteering as a private citizen. If this document was presented and shared it with his partners, (his business: municipal government services and solutions), he may not have become a Commission member. Princeton needs to step back, per

Mr. Metro. Everything is of a regional nature. He thinks the document is unfair and he may have to tell people in his company to back-off on sales campaigns because they are associated with Princeton. This is a grey matter and not clear. It is not good for Princeton per Mr. Metro.

Mayor Goerner replied that the policy applies to all state and local employees and officials. When the township solicits people to apply, there is a section on the application which expresses any conflict of interest. It is critical to memorialize what is already in place for all the Boards, Committees and Commissions in Princeton. He sees no problem with this and plans to move forward from the Township's perspective. Ms. Trelstad said this has not been place in the Borough and there is concern on Borough Council's part and they may not pass it. Voting to send it to Borough Council is not tantamount to signing the document per Ms. Trelstad.

Mrs. Small asked if the intent of the document was to go back to the beginning, when the Commission was started, which would cover the entire period from the Commission's inception to the present date. Chair Lahnston asked that when this document goes to Borough Council, will Borough Council ask for the opinion of the Consolidation Commission and the TTF. It was noted that the TTF has already said okay. Ms. Trelstad said that she cannot speak for Borough Council. Chair Lahnston feels there has to be a decision made on this matter; yet respects what everyone is saying. Borough Council will discuss it. Mrs. Small said that if they vote in favor and when the time comes, the individuals will be asked to sign. Chair Lahnston said that his interpretation of this is that if the Borough Council and the Township Committee say "Yes" this will be enforced. However, if members say that they will not operate as a Commission member under these conditions, the Commission member is making a statement about not participating.

Is the Commission voting tonight, or are we just referring this to the Borough, per Mrs. Small? Ms. Golden said that the vote tonight is not saying 'I am signing onto this', but we think that this a policy which makes sense and should be looked at by the governing body. Mr. Simon disagrees and feels that it reads, "I am in favor of this policy." That is his interpretation and given the issues raised this evening, Mr. Simon said he would have to abstain.

Decision:

Mayor Goerner stated that issues were raised and they should be discussed by the governing bodies. A decision will not be made at this time and this matter should be deferred back to the governing bodies. Chair Lahnston said that a motion should be made at this time to reflect such. Therefore, Mr. Miller made a motion to state that the Consolidation Commission is not making a decision on this matter at this time, and the Consolidation Commission is deferring the 'Conflict of Interest Statement' back to the governing bodies with their concerns captured and the concerns should be noted. Ms. Golden seconded the motion. A general all 'in favor' vote took place. All Commission members voted in the affirmative and there were no oppositions to the motion. Therefore, the motion passed.

PUBLIC COMMENTS

No one from the public came forward.

BUDGET UPDATE

Chair Lahnston said that the Consolidation Commission has \$29,353 remaining in its budget which is available to the commission from now until the commission dissolves.

DECISION ON MEETING SCHEDULE FOR 2012

The primary work of the commission is with the subcommittees of the TTF. Chair Lahnston sees no reason to schedule meetings unless there is a reason. Therefore the meeting scheduled on May 16, 2012 will be canceled.

ADJOURNMENT

No other business came before the Committee; therefore, a motion was made to adjourn and seconded. The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Phyllis Persicketti, Board Secretary
Joint Consolidation/Shared Services
Study Commission

/p