

**Minutes for the Transition Task Force of Princeton**

**February 22, 2012**

**Commencing at 7:02 p.m.**

**Borough Hall – Princeton NJ**

**CALL TO ORDER**

The meeting was called to order at 7:02 p.m., By Chair Freda with Ms. Phyllis Persicketti reading the Open Public Meetings Act Statement:

**READ OPMA ANNOUNCEMENT**

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, February 14, 2012. Said Notice was posted in the official bulletin board transmitted to the Princeton Packet, Trenton Times, and Town Topics and filed with the Township Clerks.

**ROLL CALL**

Present: Chair Freda, Vice-Chair Sillars, Mayor Goerner, Mayor Moore, Administrator Pascale (Township), Administrator Bruschi (Borough), Mr. Bernard Miller, Ms. Berkhout, Ms. Mather, Mr. Patteson, Mr. Middlekauff, Mr. Davis, Ms. Butler, (Borough Council), Mr. Levine (alternate) and Mr. McCarthy (DCA Representative).

Absent: None

**APPROVAL OF THE FEBRUARY 8, 2012 MINUTES**

The minutes will be tabled to the next meeting, per Chair Freda.

**POINT OF ORDER:**

Voting, per the resolution: The TTF shall make decisions by majority vote of its members present who are residents of the Borough and majority vote of its members who are residents of the Township. So, when the TTF votes, they will poll by representatives from each municipality. (Reminder: a quorum is three (3) voting members from each municipality).

**DECISION ITEMS:**

☐ *Attorney recommendation, possible appointment* – Mr. Middlekauff said that on February 17, 2012, the TTF Attorney Selection Team consisting of Ms. Berkhout, Administrator Bruschi, Administrator Pascale and Mr. Middlekauff met with three candidates and discussed the role of the attorney, level of interest, reason for interest, experience and what the candidate would bring

to the table. The choice was William Kearns, Esq. Mr. Kearns billing rate was also the lowest of the three candidates. Mr. Kearns gave a preliminary not to exceed the number of \$40,000. Chair Freda said that the TTF will recommend to the Township to prepare a Professional Services Agreement with Mr. Kearns and adopt it on their agenda next Monday evening.

William Kearns, Esq., gave his credentials to the TTF. Mr. Kearns will be used for most items unless there is a specialty item and Mr. Kearns and the TTF deem it appropriate to facilitate another attorney. Mr. Kearns suggested that although he did some labor and union contracts, it would be advisable to obtain a labor specialist. Mr. McCarthy said that by statute there are DCA requirements and they will look at union contracts, etc., and work with the Administrators and the attorney. Cost needs to be managed and Chair Freda said this would be achieved by the TTF members when needing action on items; they would let Chair Freda, Vice Chair Sillars and the key contact person Mr. Middlekauff, who will reach out to the attorney.

Chair Freda pointed out that the resolution clearly states that the TTF is not to use the municipal attorneys once an attorney has been appointed. The elected officials serving on the TTF can go back to the governing bodies and ask to amend the one section of the resolution using the municipal attorneys would allow for more leeway, per Chair Freda. A motion was made to appoint Mr. William Kearns, Esq., as the TTF attorney by Ms. Mather. Representatives from the Township – (five “AYES” votes –zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays) - motion passes. Therefore, Mr. William Kearns was unanimously voted to be the TTF attorney.

■ *CGR Proposal. Discussion, possible action.* (Vice Chair Sillars, Mr. Miller and Mr. Middlekauff)- Vice Chair Sillars said that CGR ‘s proposal was broken down in two pieces: (a) General Project Management support, which consisted of establishing timelines, critical task, identify issues and goals of a task and how to prioritize the tasks and (2) staff support. Cost proposal: initially = \$82,000 consisting of 400 hours of work. Chair Freda and Vice Chair Sillars reviewed scope and proposed \$60,000 due to eliminating time at the end of the year since the TTF needs to finish before then. CGR will be a support contractor who will be managed by Chair Freda and Vice-Chair Sillars. A motion was made by Mr. Miller to proceed with CGR. Representatives from the Township – (five “AYES” votes –zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays) - motion passes to continue with CGR.

■ *Decision regarding Open Public Meetings Act (OPMA) and Subcommittees*

Discussion took place at the last meeting and there is concern as to whether the TTF should follow the OPMA at the sub-committee level. The Township Attorney stated that the TTF has to follow OPMA; but not the sub-committees. Chair Freda would like for the sub-committees to follow the intent of the Open Public Meetings Act. A discussion followed.

Mr. Kearns said that the TTF is an agency of the two towns. The resolution states that the TTF will subject themselves to the OPMA because they will have both open and closed sessions. With respect to the sub-committees, they are not a voting majority of the body; they are not subject to it, under any kind of standard. However, the TTF is creating the sub-committees and the TTF can establish a policy for the sub-committees to do as much as can be done in an open forum, per Mr. Kearns. Mayor Goerner said that the Consolidation/Shared Services Commission announced all their meetings and were open to the public. However, there were times when they

went into Executive Session. A motion was made by Ms. Mather to have the sub-committees abide by the Open Public Meetings Act and was seconded by Mr. Davis. Representatives from the Township – (five “AYES” votes –zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays) - motion passes to use the Open Public Meeting Act (OPMA) for the TTF and the sub-committee meetings.

☐ *Discuss/Decide Department Head Presentation Schedule*

Chair Freda would like to focus on the dates and administrators will work with the department heads to make sure the presentations are ready for availability.

☐ *Future Meetings and Locations*

Chair Freda provided a list of suggested dates and locations. Chair Freda would like to use the township buildings most of the time; but when possible, borough hall would be the next option. If both sites are unavailable, the Community Room at Township Hall will be looked at. All of the dates listed on the February 22, 2012 agenda should be held as open dates by the TTF.

☐ *Schedule Facilities Tours*

The administrators have suggested incorporating the tours with the department head presentation schedule. This is reflected in the schedule provided.

☐ *Create the IT Subcommittee Now?*

Chair Freda asked for a motion to create an IT Subcommittee and choose TTF members to serve on the IT subcommittee. Ms. Berkhout made the motion and Mayor Moore seconded the motion. Chair Freda will look for volunteers and/or appoint TTF members. Representatives from the Township – (five “AYES” votes –zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays) - motion passes to create an IT Subcommittee with five members from the TTF serving on it.

☐ *Other Subcommittees Now?*

Mr. Davis said that the Facilities and Other Assets Subcommittee needs to be formed and he volunteered to serve on it. A motion was made from this committee. Representatives from the Borough - (five “AYES” votes – zero Nays) - motion passes to create the Facilities and Other Assets Subcommittee.

☐ *Incorporation Question, Refer to Attorney to Research*

Mr. McCarthy said the new town does not have to go through a formal process and does not need to submit articles of incorporation to the State.

☐ *Use of Email*

Ms. Butler said that in the Borough, they have guidelines from their attorney regarding e-mail communications with respect to the Open Public Meetings Act and would like the attorneys opinion on this as part of the public record. Chair Freda reiterated that since the TTF is

following the OPMA, any e-mails are open for public review. Mr. Kearns said he would provide detail on the proper use of emails by the TTF and its' subcommittees.

☐ *Princeton Future Request to have TTF represented at their March 17, 2011*

*Pubic Presentation*

Chair Freda said that this is a moot point because the schedule which he proposed earlier has the TTF meeting at the same time, so we cannot provide a representative.

**DISCUSSION ITEMS:**

*1. Subcommittee makeup per the resolution that created the TTF.*

Chair Freda provided wording from the resolution creating the TTF. Discussion on what the resolution meant by these sections. Mayor Goerner said that to look at the subcommittee structure under the Consolidation and Shared Services Study Commission. The intent of having department representatives participate is important because it provides information and helps the TTF make decisions. Department heads should participate at subcommittee levels; however if a subcommittee goes into a closed session discussion the department representative would not be part of that. Chair Freda would like for the Subcommittee Chairs to understand that the staff is there and the staff is welcome and should be there and can say what they like.

*2. Consolidation Commission Liaisons.*

The Consolidation Commission will provide liaisons to most or all subcommittees as a resource as needed. Not to provide direction; but to provide background and detail on the how and the why of their recommendations. Chair Freda said that the liaisons from the Consolidation Commission are resources to the subcommittees. They are not there to tell the TTF what to do or how to do it. They are there to help the TTF understand why the Consolidation Committee recommended what they did and give the back-up background. Chair Lahnston agreed with the afore-mentioned comment made by Chair Freda. They are not voting members. They would like to be notified of the subcommittee meetings and they like to attend and help.

*3. Subcommittee Reports (may include all or some of: presentation of each subcommittee's description, work statement and scope of jurisdiction).*

Chair Freda said that the subcommittee reports may include a presentation of each subcommittee's description, work statement, scope of work. If citizen members were selected from the resumes submitted, they can make those announcements, as well.

Chair Freda said that as each subcommittee that presents their scope of work, the TTF has to agree and endorse it and also agree with the appointment of the citizen members being recommended.

*Personnel – Report, member recommendations, future meeting dates – (Four members of the TTF are: Thea Berkhout, Jo Butler, Gary Patteson and Jim Levine). Ms. Berkhout gave a summary: members met on 02/13/12; Ms. Berkhout was named Chair and Mr. Levine will be*

Vice-Chair; they identified three additional members; Bruce Topolosky, Jill Jachera and Shirley Meeker.

Brief discussion took place and the amendments are listed below.

SCOPE OF WORK: PERSONNEL SUBCOMMITTEE:

Recommend consistent guidelines and equitable procedures for merging employees and departments, taking into account existing contractual agreements and employment policies. Assist with an overall organizational structure for all merged departments in conjunction with subcommittees that are focusing on particular departments. Act as a resource to the other relevant subcommittees focused on merging specialized areas. Recommend a process for staff to develop best business and service practices in the new merged departments. Work for high quality service levels expected by the public. Evaluate the need and/or mechanism to pay severance to various employee groups. Recommend a process for merging personnel policies and procedures as well as compensation and benefits packages. Recommend the development of a unified employee manual reflecting the new policies and procedures.

A motion was made to approve and amend the afore-mentioned outlined by the Personnel Subcommittee by Mayor Goerner and seconded by Mr. Davis. Representatives from the Township – (five “AYES” votes –zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays) - motion passes to approve the Scope of Work as amended and the citizen members named above by Ms. Berkhout to join the Personnel subcommittee.

Ms. Berkhout indicated that there needs to be a moratorium on hiring. Administrator Bruschi said that the Borough have held back on filling positions pending consolidation. They filled some positions to be the Director of Emergency Services because that was a necessity and is a one person department. Administrator Pascale replied that in the Township, the staff was reduced by 18 percent over the past few years. To put an overall blanket on hiring would not be feasible. Mayor Goerner would like to try to keep status quo when looking at the existing organizational structures. Question raised on Township plans to hire two new patrol officers. Mayor Goerner stated that the police and emergency services matter should be heard at the next joint meeting and a consensus of both governing bodies could be reached as how to proceed.

*Public Safety – Report, member recommendations, future meeting dates*

Chair Freda stated the committee met on 02/21/12. Member from the TTF are: Chair Freda, Ms. Butler and Mr. Miller.

SCOPE OF WORK: PUBLIC SAFETY SUBCOMMITTEE:

Recommend to TTF the structure (including dispatch and technology), staffing and phasing of staffing changes for the new police department. Recommend to the TTF the structure and staffing for the emergency management function. Define the role. Get quotes out to have the two departments’ Rules & Regulations and Standard Operating Procedures reviewed and condensed in one set of each for the new department. Solicit legal opinions on who has the authority to name the new police chief and decide other matters that must be in place in 2012.

Ms. Mather made a motion to accept the Public Safety Scope of Work to include the structure of dispatch and technology which was seconded by Mr. Middlekauff. Representatives from the Township – (five “AYES” votes –zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays).

*Communications and Outreach – Report, member recommendations, future meeting dates*

*Suggested Rules of Engagement*

Ms. Mather is Chair. Mayor Moore also serves on this subcommittee. Ms. Mather is waiting for more resumes too add new members and is still waiting for CGR’s role and proposal relating to Community Outreach.

A motion was made by Ms. Butler to endorse Community Outreach and seconded by Mr. Patteson. Representatives from the Township – (five “AYES” votes –zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays).

*TTF Public Works/PSOC/Recreation Maintenance (PPRM) Subcommittee*

TTF Members: Chair Freda, Ms. Butler and Mr. Middlekauff. Will have their first meeting on February 24, 2012. Discussion Items: additional members to the subcommittee. The Administrators and various department heads will also be in attendance.

SCOPE OF WORK: PUBLIC WORKS/PSOC/RECREATION MAINTENANCE (PPRM) SUBCOMMITTEE:

The PPRM Subcommittee will commence by gaining a thorough understanding of the operations of the relevant separate departments in the Borough and the Township. Thereafter, the PPRM Subcommittee will make recommendations to the TTF on the following matters:

- Integrating the following functions:
  - Public Works
  - PSOC (Sewer Operating Committee)
  - Recreation Maintenance
- Merging departmental operating procedures
- Determining headcount/org chart
- Identifying potential non-headcount efficiencies
- Identifying potential service improvements
- Dealing with key outside vendors

We will identify what reading materials, documents and other inputs we will need from the administrators to get started. For starters, we will want to have current org charts and detailed orientations/briefings on the functionality of each department as it currently stands.

We will be looking to add two additional citizen members to the subcommittee, culled from the resumes that have been received.

The Borough and Township administrators will serve as the senior committee support, in attendance at every meeting, schedules permitting. The administrators are identifying other municipal employees who will serve as “subcommittee staff”.

In general, we will be meeting every other Friday, in weeks when the full TTF is not meeting. A motion to adopt the Scope of Work by the Public Works/PSOC/Recreation Maintenance and seconded. Representatives from the Township – (five “AYES” votes – zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays).

*Joint Finance Committee Subcommittee – Report, member recommendations, future meeting dates*

Vice Chair Sillars said that the subcommittee is made up of Borough and Township: Ms. Crumwell (phonetic), Roger Mandell (phonetic), Heather Howard, Ms. Lembert, Mayor Goerner, Mr. Simon and Vice Chair Sillars.

#### SCOPE OF WORK – JOINT FINANCE COMMITTEE SUBCOMMITTEE:

Establish and monitor the budget for the TTF and communicate it through the TTF to the governing bodies for approval; monitor the proposed 2012 municipal budgets; support the creation of the 2013 municipal budget for Princeton and analyze the combined Open Space Tax to determine the requirements for a potential inclusion of a referendum question on the November 2012 ballot. They discussed adding three (3) additional members. Mayor Goerner said that the first official meeting will take place on February 23, 2012 and then meet every other Thursday thereafter. Mr. McCarthy said that DAC will sit in on tax matters and advise. Mr. Middlekauff would like for language to be added in to reflect the Joint Finance Committee Subcommittee is more than a subcommittee of TTF. Ms. Butler made a motion to adopt the Scope of Work by the Joint Finance Committee Subcommittee and seconded by Mr. Patteson. Representatives from the Township – (five “AYES” votes – zero Nays) – Representatives from the Borough - (five “AYES” votes – zero Nays).

*Committees, Commissions and Boards Subcommittees – Report, member recommendations, future meeting dates*

Mr. Davis stated that the subcommittee consists of himself and Mr. Miller and they would like to have a third member join. They have screened resumes and several people are highly qualified to be on the committee. Mr. Miller did a draft of what the Scope of Work would be.

SCOPE OF WORK – BOARDS, COMMITTEES and COMMISSIONS SUBCOMMITTEES:

Mr. Davis stated that they will prepare an inventory boards, committees and commissions subcommittees that have been established by the two municipalities. Identify ordinances and resolution establishing them. Identify New Code or Public Law and review scope and function of them. Recommend a set of board, committees and commissions to be established by the new municipality. Define the scope of the boards, committees and commissions and prioritize the recommended set of boards, committees and commissions, to be established by the new municipality which must be in place and running by the first week of January 2013. Prepare resolutions for action by the new governing bodies to establish the boards, committees and commissions subcommittees for the new Princeton.

Mr. McCarthy said that they are reaching out to the New Jersey State Library to change the Charter from Joint Library to Municipal Library.

Mayor Moore said that she encourages working with the Planning Board Attorney who is beginning to look at what needs to be done to ensure a smooth transition as there will be applications pending.

Mayor Goerner made a motion to adopt the Scope of Work of the Committees, Commissions and Boards Subcommittees and the motion was seconded by Mr. Middlekauff. Representatives from the Township – (*five* “AYES” votes –zero Nays) – Representatives from the Borough - (*five* “AYES” votes – zero Nays).

**OTHER BUSINESS:**

No other business came before the TTF.

**PUBLIC COMMENT:**

The public comments portion of the meeting began at 9:09 p.m.

Kate Warren – likes the Borough conference room for the meeting. Ms. Berkhout asked if the TTF was mandated by statue. Mayor Goerner said “Yes”. She did see reference to the agency (DCA) is mandated to create a TTF and they were created by the governing bodies. Will the subcommittees be posted on CGR website? Chair Freda said “YES”. Princeton Borough Housing Authority is mandated by law. She addressed the definition of a Charter. What is the Governor’s position on the transition cost that he promised for Princeton? Mr. McCarthy stated there is no change in it. There is no additional shared grant, per Mr. McCarthy. Mayor Goerner said that DCA stated that they would receive the 20% first year transition cost reimbursement. Both Mayor Goerner and Mayor Moore sent a letter to the Governor’s Office requesting additional assurance that money would be provided to the municipality.

Kevin Wilks represented the Borough Police Public Safety Committee. They have been working on this project since 2011. The Police Public Safety Subcommittee which was referred to by Chair Freda will look into the standard operating procedures, rules and regulations of the new



united police force. New rules and regulations need to be in place for training prior to January 1, 2013. Mr. Wilks handed a report which was submitted by the Rodgers Group, a consultant to do the accreditation process as a sub-contractor. He handed out the proposal which do the same thing for the new united police force. This item is very important budget item in the TTF budget and needs to be voted on by the governing body. The two police chiefs reviewed the proposal submitted by the Rodgers Group. In addition, the insurance company offers a discount if the police force is accredited and brings a saving to the municipality. ‘Accredited police force’ means a police force has been deemed by outside panel of police experts that the procedures and policies are meeting the high standards in the state.

Kathy Manzo –Chief Financial Officer in the Township, congratulated Chair Freda on a great meeting. The agenda is jam-packed and it was gone through efficiently. Ms. Manzo addressed the staff appointments to the subcommittees. She referred to the resolution which enacted the TTF and it states that the subcommittees shall involve the participation of elected officials, staff members and residents. Ms. Manzo feels that the staff appointments are being treated differently than the other appointments to the subcommittees. What could possibly legally discuss in closed session that would exclude staff members? Ms. Manzo would like clarification as to what can and cannot do in closed session. Will there be staff appointments appointed to the subcommittees at this evening’s meeting because a lot of subcommittees met. Per Chair Freda, the Administrators will work on this matter on February 23, 2012.

No one else from the Public came forward; therefore, the Public Comments portion of the meeting was closed at 9:22 p.m.

No other business came before the Transition Task Force, therefore, a motion was made to adjourn the meeting at 9:23 p.m. by Mayor Moore and the motion was seconded by Ms. Butler. All Transition Task Force members were in favor.

Respectfully submitted,

Phyllis Persicketti, Board Secretary

Transition Task Force

