



Municipality of Princeton

Municipal Building
400 Witherspoon Street
Princeton, NJ 08540-3496

Department of Community Development
Office of the Engineer
Telephone (609)921-7077
Fax: (609) 688-2027

ROBERT V. KISER, P.E.
Director of Engineering

MEMORANDUM

To: Robert Bruschi, Princeton Administrator
From: Robert V. Kiser, P.E., Director of Engineering
Date: February 21, 2013
Subject: **Route 206 Resurfacing Project; Approval of Right of Entry Agreements**

The New Jersey Department of Transportation (NJDOT) plans to mill and resurface Route 206 later this year between Nassau Street and Arreton Road. Included in the resurfacing project is the installation of new curb ramps and sidewalks at certain cross walk locations to comply with current ADA accessibility requirements.

In this regard, please find the attached letter from NJDOT requesting the Municipality of Princeton to execute two (2) right of entry agreements to allow for the installation of curb ramps and sidewalks on Municipal property. Also, attached please find an aerial view of the Route 206/Cherry Hill Road intersection as provided by NJDOT. Two (2) of the new curb ramps to be installed are located on Municipal property, at southeast and southwest corners of the intersection as indicated on the plan.

In consideration of the above, it is recommended that the Princeton Council authorize the attached right of entry agreements to be executed for the following two (2) properties:

- Block 5201, Lot 12 – southwest corner of Route 206 / Cherry Hill Road Intersection
- Block 7003, Lot 1 – southeast corner of Route 206 / Cherry Hill Road Intersection

Please contact me if you have any questions.

Robert V. Kiser, P.E., Director of Engineering

RVK/cc

c: Linda S. McDermott, Municipal Clerk
Edwin W. Schmierer, Municipal Attorney
Jack West, P.E., Land Use Engineer
Fred Schulz, Design Manager/Surveyor
Deanna L. Stockton, P.E., Assistant Engineer

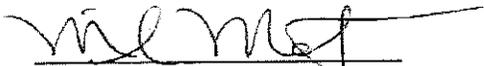
NEW JERSEY DEPARTMENT OF TRANSPORTATION
RIGHT OF ENTRY

BLOCK: 7003
LOT: 1

MUNICIPALITY: Princeton Township
COUNTY: Mercer

The undersigned property owner(s) (hereinafter called "OWNER") grants to the New Jersey Department of Transportation (hereinafter called "NJDOT") a right of entry to allow NJDOT to enter the above-referenced property for the purposes of constructing a sidewalk and associated site improvements as shown on the plan attached hereto and made part of hereof, upon the following terms and conditions:

1. All work shall be done solely at the expense of NJDOT. NJDOT shall perform, or cause a contractor to perform, all work in a good and workmanlike manner, pursuant to applicable NJDOT specifications, and consistent with the attached plan.
2. NJDOT, its employees, contractors, or any other individual or entity who enters upon the OWNER's property pursuant to this right of entry shall not unreasonably prevent the OWNER, its tenants, assigns, customers, or any other individuals or entities, from entering upon the premises during construction.
3. Subject to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq., and the availability of funds, NJDOT shall be responsible for personal injuries and property damage caused by the actions of NJDOT and its employees occurring during the activities set forth above. NJDOT shall require its contractor to maintain insurance pursuant to applicable NJDOT specifications.
4. NJDOT shall not be responsible for substances or materials on or beneath the surface of the subject property, which items existed prior to entry.
5. The OWNER shall notify any subsequent purchaser of this right of entry and this right of entry is binding on all successors and assigns.



New Jersey Department of
Transportation
Roadway Design Group 2

Authorized Officer

Dated: 1/18/13
Route 206 Resurfacing
UPC: 123450

Dated: _____

NEW JERSEY DEPARTMENT OF TRANSPORTATION
RIGHT OF ENTRY

BLOCK: 5201
LOT: 12

MUNICIPALITY: Princeton Township
COUNTY: Mercer

The undersigned property owner(s) (hereinafter called "OWNER") grants to the New Jersey Department of Transportation (hereinafter called "NJDOT") a right of entry to allow NJDOT to enter the above-referenced property for the purposes of constructing a sidewalk and associated site improvements as shown on the plan attached hereto and made part of hereof, upon the following terms and conditions:

1. All work shall be done solely at the expense of NJDOT. NJDOT shall perform, or cause a contractor to perform, all work in a good and workmanlike manner, pursuant to applicable NJDOT specifications, and consistent with the attached plan.
2. NJDOT, its employees, contractors, or any other individual or entity who enters upon the OWNER's property pursuant to this right of entry shall not unreasonably prevent the OWNER, its tenants, assigns, customers, or any other individuals or entities, from entering upon the premises during construction.
3. Subject to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq., and the availability of funds, NJDOT shall be responsible for personal injuries and property damage caused by the actions of NJDOT and its employees occurring during the activities set forth above. NJDOT shall require its contractor to maintain insurance pursuant to applicable NJDOT specifications.
4. NJDOT shall not be responsible for substances or materials on or beneath the surface of the subject property, which items existed prior to entry.
5. The OWNER shall notify any subsequent purchaser of this right of entry and this right of entry is binding on all successors and assigns.



New Jersey Department of
Transportation
Roadway Design Group 2

Authorized Officer

Dated: 1/18/13
Route 206 Resurfacing
UPC: 123450

Dated: _____



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

CHRIS CHRISTIE
Governor

JAMES S. SIMPSON
Commissioner

KIM GUADAGNO
Lt. Governor

January 18, 2013

Fred Schulz
Design Manager
Princeton Twp.
Engineering Dept.

RE:
Rt. 206A
Resurfacing
Nassau St. to Arretton Rd.
Princeton Boro & Twp.
Mercer County
UPC CODE: 123450

Dear Mr. Schulz.

Transmitted for your review and assistance are two (2) sets of construction plans (C-7) and construction detail (CD-1) entitled Curb Ramp Details. Reference is made to the curb ramp detail entitled Route 206 at Cherry Hill Road.

We are currently preparing contract documents for the subject resurfacing project. As part of our resurfacing project scope of work and in accordance with the latest American Disability Act (ADA), we are required to provide clear access from the roadway to existing pushbutton facilities at all intersections within the state's jurisdiction.

Our review of the subject intersection (Cherry Hill Road) indicates that although traffic signal facilities have been installed, they are situated on property not owned by the State of New Jersey and the Department of Transportation.

In order to perform the subject curb ramp and sidewalk work to provide ADA accessibility to existing pushbuttons as shown on the attached plans we would encroach onto Township property (SE & SW corners) and onto private property (NE corner, Block 7004, Lot 1, Tax Map Sht. 70).

For the work at the SE & SW corners owned by the Township, please execute the enclosed "Right of Entry" form to allow the State's contractor to enter the subject property to perform the work shown on Construction Plans. Upon execution, please return to this office.

For work at the NE corner owned by the private entity, please consider obtaining the Right of Entry from that owner on our behalf. If this is not a desired or practical course of action on your part, please provide current mailing addresses or points of contact for our further action.

Thank you for consideration in this matter. If you have any questions, please call Bruce Cartmell of my staff at 609-530-8284.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Martynenko", with a long horizontal flourish extending to the right.

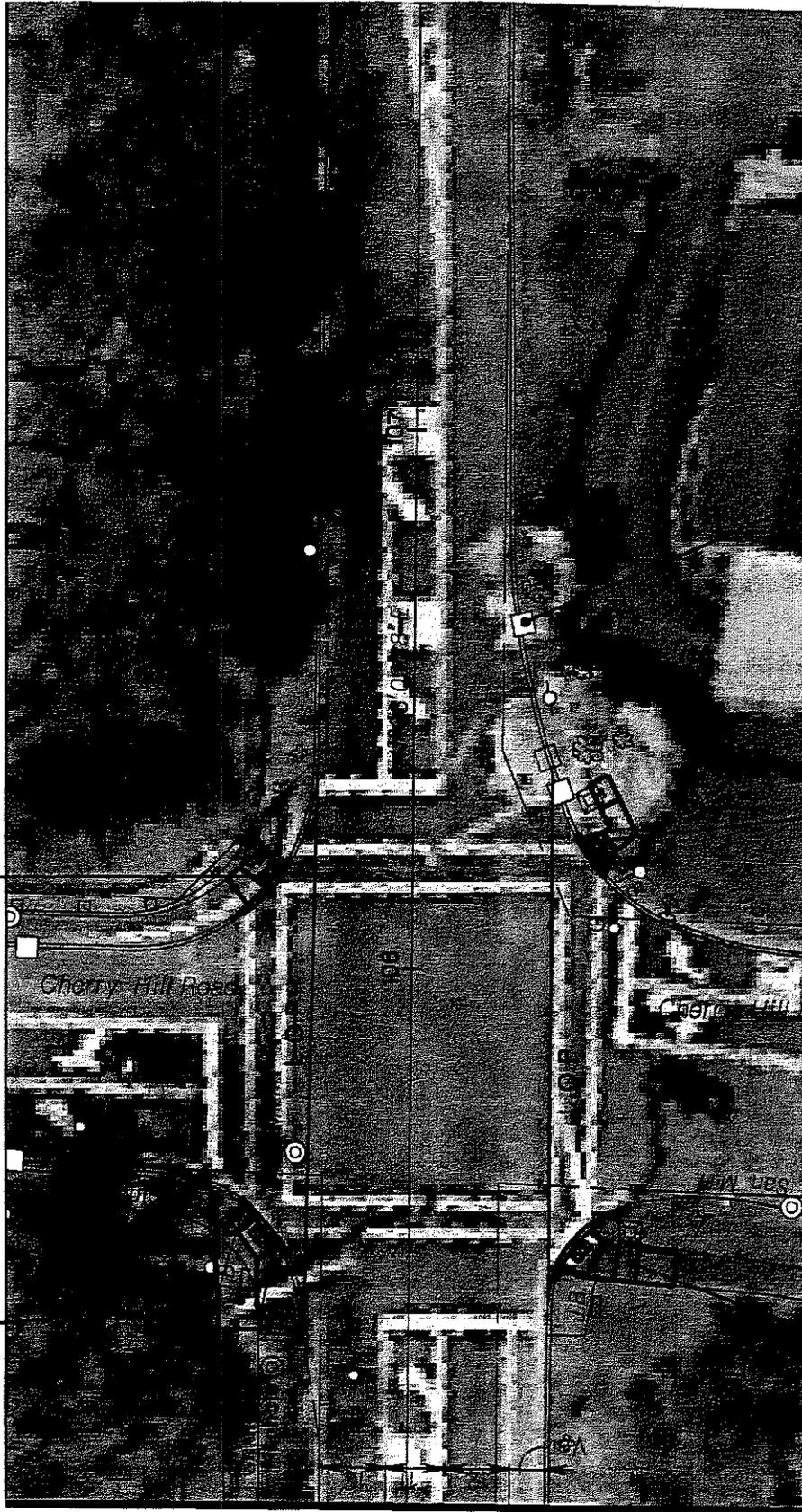
Mike Martynenko
Manager
Roadway Design Group 2

Cc: Bruce Cartmell, Jairo Forero, Vinu Patel, Tad Hall

ROUTE 2061
 CHERRY HILL RD.
 INTERSECTION

17 SY 606012
 SEE CD-1
 1 SY 606084
 12 LF 607021

11 SY 606012
 SEE CD-1
 1 SY 606084
 18 SF 607021



MATCH LINE STA. 105+00

PLAN SHEET NO. 6

16 SY 606012
 SEE CD-1
 1 SY 606084
 13 LF 607021

10 SY 606012
 SEE CD-1
 1 SY 606084
 7 LF 60721

1 UNIT 602210
 1 UNIT 602214

RESOLUTION
OF THE MAYOR AND COUNCIL
OF THE MUNICIPALITY OF PRINCETON
COUNTY OF MERCER, STATE OF NEW JERSEY

**APPROVAL OF RITH OF ENTRY AGREEMENTS IN CONNECTION WITH
NJDOT ROUTE 206 RESURFACING PROJECT**

WHEREAS, the New Jersey Department of Transportation (NJDOT) wishes to resurface Route 206 between Nassau Street and Arreton Road; and

WHEREAS, as part of the resurfacing project NJDOT plans to install new curb ramps and sidewalks that comply with current ADA requirements at the Route 206 and Cherry Hill Road intersection; and

WHEREAS, the ramps and sidewalks on the southeast and southwest corners of the Route 206 and Cherry Hill Road intersection would be located on Municipal property, known as Lot 12, Block 5201 and Lot 1, Block 7003; and

WHEREAS, the NJDOT requires that right of way agreements be executed by the Municipality of Princeton to allow for the improvements to be installed on Municipal property; and

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

1. The Mayor of Princeton is hereby authorized to sign the NJDOT right of entry agreements on behalf of the Municipality.

CERTIFICATION

I, Linda S. McDermott, Clerk of the Municipality of Princeton, hereby certify that the foregoing resolution was adopted by the Mayor and Council of the Municipality of Princeton at its meeting held on 25th day of February 2013.

Linda S. McDermott, Municipal Clerk