

# MASON, GRIFFIN & PIERSON

A PROFESSIONAL CORPORATION  
COUNSELLORS AT LAW

## MEMORANDUM

To: Mayor and Council of Princeton

From: Lisa M. Maddox, Esq.  
Assistant Princeton Attorney

Date: April 23, 2014

Re: **Proposed Ordinance for Introduction: Chapter 27A, "Corner House"**

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Attached is Chapter 27A, "Corner House," proposed for introduction at the mayor and council's April 28, 2014 meeting.

Based on the discussion at the mayor and council's April 16, 2014 meeting, the Code Subcommittee reviewed the language in section 1 of Chapter 27A regarding the appointment of a council member to serve as a Board member, rather than as a non-voting liaison.

Prior to consolidation, the Corner House Board was a joint board of the two separate municipalities. In addition to the Foundation member and resident-members appointed to serve on the Board, one member of each governing body was appointed to serve as Board members. Just prior to consolidation in 2013, both municipalities amended this language via reciprocal ordinances to recognize the consolidated municipality and require that there be one council member sitting on the Board as a member thereof.

A review of the ordinances governing the composition of Princeton's various other statutory and advisory bodies reveals a variation from body to body. In some cases, such as the Historic Preservation Commission, Recreation Board, Animal Control Advisory Committee and Shade Tree Commission, the council member is a non-voting liaison. For other advisory bodies, such as the Corner House Board, Sewer Operating Committee and Cable Television Committee, the council member is a voting member. In addition, there are statutory bodies – such as the Planning Board – which are required by law to have among its members a council member.

The Code Subcommittee recommends that the Corner House Board continue to have among its voting members a council member; Corner House receives a portion of its budget from the municipality and the Subcommittee believes that it is important to maintain the presence of a council member on its Board.

Similarly, the Subcommittee recommends that the composition of each of the municipality's advisory and statutory bodies, and in particular the status of the council member as either a voting member or a non-voting liaison on those bodies, be reviewed on a case by case basis to ensure that the municipality's needs (and any relevant statutes) are satisfied.

Finally, the language in section 1 of the attached has been clarified (from the April 16<sup>th</sup> version) to delete the language that required that the council member appointed to serve on the Board be appointed by the council, as that language is not contained in the reciprocal ordinances adopted in 2012 and is not reflective of current practice.

Please do not hesitate to contact me should you have any questions or concerns.

Attach.

# **MASON, GRIFFIN & PIERSON**

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cc: Robert W. Bruschi, Administrator (w/attach.)  
Kathy Monzo, Assistant Administrator (w/attach.)  
Linda S. McDermott, Clerk (w/attach.)  
Trishka W. Cecil, Esq., Attorney (w/attach.)  
Edwin W. Schmierer, Esq. (w/attach.)

**AN ORDINANCE BY PRINCETON  
CONCERNING CORNER HOUSE  
AND AMENDING THE "CODE OF  
THE BOROUGH OF PRINCETON,  
NEW JERSEY, 1974" AND THE  
"CODE OF THE TOWNSHIP OF  
PRINCETON, NEW JERSEY, 1968".**

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, *N.J.S.A.* 40:43-66.35 consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to *N.J.S.A.* 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, the Princeton Council's Code Subcommittee has reviewed and consolidated Chapter 27A of the "Code of the Borough of Princeton, New Jersey, 1974" and a portion of Chapter 2 of the "Code of the Township of Princeton, New Jersey, 1968" pertaining to Corner House; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Chapter 27A, consisting of Sections 27A-1 through 27A-3, of the "Code of the Borough of Princeton, New Jersey, 1974," and Article XX of Chapter 2, consisting of Sections 2-84 through 2-86 of the "Code of the Township of Princeton, New Jersey, 1968," regarding the "Corner House Board" are hereby repealed.

Section 2. Section 2-77 of Chapter 2 of the "Code of the Borough of Princeton, New Jersey, 1974," and Section 2-104 of Chapter 2 of the "Code of the Township of Princeton, New Jersey, 1968," also regarding Corner House, are hereby repealed.

Section 3. A NEW Chapter 27A of the "Code of the Borough of Princeton, New Jersey, 1974," entitled "Corner House," as set forth on Exhibit A attached hereto and made a part hereof is hereby adopted to set forth the duties and authority of the Corner House Board and Corner House Executive Director, and to replace the aforementioned provisions of the "Code of the Borough of Princeton, New Jersey, 1974" and the "Code of the Township of Princeton, New Jersey, 1968".

Section 4. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 6. The provisions of the attached Chapter 27A shall be applicable within Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted.

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Linda S. McDermott, Clerk

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Liz Lempert, Mayor

Ordinance Introduced:

Ordinance Adopted:

EXHIBIT A

**CHAPTER 27A. CORNER HOUSE.**

**Sec. 27A-1. The creation of a Corner House Board.**

There is hereby established a Corner House Board consisting of nine members as follows:

- (a) Seven residents of Princeton;
- (b) One member of the Corner House Foundation, ex officio;
- (c) One member from the council.

The Foundation shall annually designate its member of the board. The term of the member from the council shall be for one year. The mayor, with the advice and consent of council, shall appoint the resident-members. On the initial appointment to the board, two residents shall be appointed for a one year term, two residents for a two year term and three residents for a three year term. All members of the board shall serve until their respective successors are appointed and have qualified. All reappointments shall be for the term of three years. Members of the board shall annually select one of its members to serve as the chairperson of the board. The board shall meet regularly to discharge its duties. The Corner House Foundation member shall serve in an ex officio capacity and shall have no voting rights on the board.

**Sec. 27A-2. Corner House Board; powers and duties.**

The Corner House Board shall provide recommendations to the council concerning the operations and administration of Corner House, the municipal treatment and prevention agency addressing substance abuse and education programs associated with same. Additionally, the board shall:

- (a) Provide advice to the council concerning the planning, development, administration and operation of programs and activities in the area of drug abuse and drug abuse prevention and shall devise and recommend methods for measuring and reporting upon the effectiveness of ongoing programs with the Princeton community; and
- (b) Help guide the philosophy, policies and procedures of Corner House as it implements its programs for prevention, education and treatment involving substance abuse; and
- (c) Make recommendations to the council on requests for public funding for Corner House; and
- (d) Review recommendations submitted to the board by the Corner House executive

director regarding the Corner House operating budget; and

(e) Undertake such additional duties and responsibilities as requested by the council concerning programs for substance abuse prevention, education and treatment for the Princeton community.

**Sec. 27A-3. Corner House executive director; duties.**

(a) Corner House shall be overseen and administered by the Corner House executive director. The executive director shall be a department head and subject to all of the municipality's administrative procedures, including but not limited to its personnel manual. The executive director shall be appointed by the mayor with the advice and consent of the council, and shall receive such compensation as shall be prescribed by the council in the annual salary ordinance. The Corner House executive director shall, under the supervision and control of the administrator, do the following:

(1) Study, recommend, administer, implement and enforce personnel, organizational and policy decisions for Corner House;

(2) Keep the board informed of all matters within the executive director's jurisdiction by such reports as he/she deems advisable or as may be requested by the board and administrator and by an annual report of his or her work for the benefit of the public served by Corner House;

(3) Prepare annually the operating budget for Corner House;

(4) Serve as the Princeton Alcohol and Drug Alliance ("PADA") coordinator or his or her designee; and

(5) Such additional duties as may be requested of the executive director either by the Corner House Board or the administrator, or both.