

PRINCETON TOWNSHIP COMMITTEE MEETING
January 25, 2010

A meeting of Township Committee was held on this date at 7:00 p.m. in the main meeting room of the Princeton Township Municipal Complex, 400 Witherspoon Street.

NOTICE OF MEETING

The Clerk read the following 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 2010 Schedule of Regular Meetings. On January 3, 2010 at 1:25 p.m., said schedule was posted on the official bulletin board in the Municipal Building, transmitted to the Princeton Packet, the Trenton Times, the Trentonian, the Town Topics, and filed with the Township Clerk.

ROLL CALL

The Township Clerk then called the roll.

Present: Mayor Miller and Mesdames Lempert and Nemeth and Messrs. Goerner, and Liverman.

Absent: None.

Also Present: Mrs. Monzo, and Messrs Kiser, Pascale, Schmierer and Lt. Henderson

MINUTES

Ms. Nemeth offered a motion to approve the minutes of December 21, 2009. The motion was seconded by Mr. Liverman and carried by those present.

Ms. Nemeth offered a motion to approve the minutes of December 29, 2009. The motion was seconded by Mr. Goerner and carried by those present

Mr. Goerner offered a motion to approve the minutes of January 3, 2010. The motion was seconded by Ms. Lempert and carried unanimously

CONSENT AGENDA

Contains items of a routine nature, which are approved by a single vote.

a. Bills & Claims

b. Maintenance/Performance Guarantees

- The Hun School, Major Site Plan Athletic Facilities, Release of performance guaranty along with any remaining escrows. No maintenance guaranty required.

- The Medical Center at Princeton, Princeton House, New Additions and Alterations, Resolution confirming satisfactory completion of project and stating that the surety has been released of the obligation under the bond.

- c. Resolution: Authorizing participation in Continuity of Government Planning
- d. Resolution: Appointments to Boards and Commissions
- e. Resolution: Wastewater Management Plan
- f. Resolution: Open Space Plan Amendment
- g. Resolution: Binding Arbitration
- h. Resolution: Local Finance Board Application
- i. Professional Services Agreements:
 - Brandstetter Carroll, Final Design Community Park Pool, Not to Exceed \$442,000.
 - Hunter Research, Inc., Quaker Road Pathway Project, Not to Exceed \$2,937.50

Mr. Liverman offered a motion to approve the consent agenda as presented. Ms. Nemeth seconded the motion, which was carried unanimously.

(Bills & Claims and Resolutions appended to this set of minutes.)

ORDINANCE INTRODUCTIONS

Refunding Bond Ordinance

Mayor Miller read by title on first reading a proposed ordinance entitled REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF GENERAL IMPROVEMENT BONDS, SERIES 2002, APPROPRIATING \$6,850,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$6,850,000 FOR FINANCING THE COST THEREOF.

Mr. Goerner offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously. The public hearing was set for February 8, 2010.

Affordable Housing Development Fees

Mayor Miller read by title on first reading a proposed ordinance entitled AN ORDINANCE BY THE TOWNSHIP OF PRINCETON CONCERNING AFFORDABLE HOUSING DEVELOPMENT FEES AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968."

Mr. Schmierer said that with the adoption this past year of the New Jersey Economic Stimulus Act, the Statewide 2.5% non residential development fee which superseded our Non-Residential Fee Ordinance which was suspended to serve as an economic stimulus for non-residential construction. The COAH regulations, however, did permit an increase from 1% to 1.5% of the equalized assessed value for residential development fees. The proposed ordinance would bring the Township ordinance into conformance with State law.

Mr. Goerner offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously. The public hearing was set for February 8, 2010.

Bond Ordinance, Sewer Laterals

Mayor Miller read by title on first reading a proposed ordinance entitled BOND ORDINANCE AUTHORIZING AS A LOCAL IMPROVEMENT SEWER LATERAL REPAIRS BY THE PRINCETON SEWER OPERATING COMMITTEE OF DEFECTIVE SEWER LATERALS INVOLVING PROPERTIES LOCATED ON GALLUP ROAD AND HILLSIDE AVENUE WITHIN THE TOWNSHIP OF PRINCETON, APPROPRIATING THE SUM OF \$300,000.00 THEREFOR, PROVIDING FOR THE FINANCING OF SAID APPROPRIATION BY THE MAKING OF A DOWN PAYMENT AND THE ISSUANCE OF BONDS AND NOTES OF SAID TOWNSHIP AND FURTHER PROVIDING FOR A SPECIAL ASSESSMENT OF 100% OF THE COST THEREOF UPON THE BENEFITTED PROPERTY OWNERS.

Mr. Schmierer said that as part of the Princeton Sewer Operating Committee (PSOC) sanitary sewer lateral repair program, it is recommended that thirty seven properties within the Gallup Road sanitary sewer area and fourteen properties within Hillside Avenue sewer area have their laterals televised to determine whether or not they are in need of repair. PSOC has prepared a cost estimate totaling \$300,000. as the maximum cost of televising all of these laterals and repairing them. The cost of the repairs, where needed, would be assessed to the benefitted property owners.

Mr. Goerner offered a motion to approve the proposed ordinance on first reading. Mr.

Liverman seconded the motion, which was carried unanimously. The public hearing was set for February 8, 2010.

Solicitors Ordinance

Mayor Miller read by title on first reading a proposed ordinance entitled AN ORDINANCE CONCERNING SOLICITATION WITHIN THE TOWNSHIP OF PRINCETON AND AMENDING "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Mr. Schmierer said that during a work session on January 11, 2010, Township Committee discussed with representatives of the Princeton Packet proposed amendments to the Township's Solicitation Ordinance. Following that discussion, Committee indicated a willingness to amend the current solicitation ordinance with the proposed amending ordinance.

Mr. Goerner offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously. The public hearing was set for February 8, 2010.

Loading Zones, John Street

Mayor Miller read by title on first reading a proposed ordinance entitled AN ORDINANCE CONCERNING LOADING ZONES AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Mr. Schmierer said that the Mexican Village recently received approvals from the Planning Board to relocate to the former Stonaker & Stonaker building at the intersection of Leigh Avenue and John Street. One of the conditions of approval was to designate a Loading Zone near the rear parking area on John Street for restaurant deliveries. This zone is only needed on Mondays.

Mr. Goerner offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously. The public hearing was set for February 8, 2010.

COMMENTS FROM THE AUDIENCE

Henry Frank, 126 Valley Road asked that Township Committee not engage in any projects that are not absolutely necessary so as not to raise taxes.

Jerry Palin, Bouvant Drive asked if there was an overlay zone on White Oak Drive. Lee Solow, Planning Director said that he was not aware of any.

WORK SESSION
Wastewater Management Plan

Lee Solow, Planning Director, explained the changes with the Wastewater management Plan. He said that he fully expected that the State will come back with more suggestions.

Sarah Hollister, 437 Rideview Road asked if the residents had been informed, saying that she was surprised to hear this.

Jennifer Coffey, Stony Brook Millstone Watershed Association, presented a power point presentation, focusing on the sewer aspect and the environmentally sensitive areas.

Mr. Goerner said that he was not comfortable endorsing the proposed plan this evening. Mr. Solow said that he did not believe that this was time sensitive so Township Committee need not take an action tonight and that additional discussions could be had.

Daniel Harris, Dodds Lane said that he was concerned with flooding.

Wendy Mager, Friends of Princeton Open Space, 459 Cherry Hill Road said that she endorses sitting down with the various stake holders.

Wendy Kazerski, Environmental Commission said that the commission will make a presentation at a later time.

Ms. Lempert thanks the staff and asked that this issue is put off tonight to get more information.

Mayor Miller said that it was the consensus of Township Committee to take no action on the resolution this evening and come back to committee on February 22, 2010.

Open Space Plan

Mr. Solow explained to Township Committee the Open Space Plan. He said that a resolution needs to be adopted at some point so that the Township can move ahead with the plan.

Ms. Lempert thanked Mr. Solow for his help in putting this plan together and for working with our partners.

Ms. Lempert made a motion to approve the resolution authorizing the Open Space Plan Amendment. The motion was seconded by Mr. Goerner and carried unanimously.

(Resolution appended to this set of minutes)

CLOSED SESSION

RESOLUTION

**TO GO INTO CLOSED SESSION
(Open Public Meetings Act Sec.3)**

BE IT RESOLVED by the Township Committee of the Township of Princeton:

1. This body will now convene into a closed session that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7B of the Open Public Meetings Act.
2. The general nature of the subject or subjects to be discussed in said session is as follows:

Personnel/Potential Litigation

3. Stated as precisely as presently possible, the following are the time when and the circumstances under which the discussion conducted at said session can be disclosed to the public:

Within 90 days or upon settlement of litigation, if applicable

- **Resolution: Requesting the State to Establish Municipal Service Fees to be paid by Students Attending Colleges and Universities within the Municipality.**
- **Municipal Prosecutor**
- **Appointments**
- **Low Litigation Status Report**
- **Mercer Street Closing**

The above referenced issues were discussed by Township Committee.

There being no further business the meeting was adjourned at 9:15 p.m.

Linda S. McDermott
Township Clerk