



RESOLUTION 21-393

**Resolution Extending Temporary Use and Access Agreement With
Palmer Square Station, LLC**

WHEREAS, Princeton owns certain real property situate in the Municipality of Princeton, which has been designated as Green Acres encumbered property, said property being designated as Block 20.02, Lot 71, on the Princeton Municipal Tax Map, (the “Princeton Property”); and

WHEREAS, Palmer Square Station, LLC (“PSS”) is the owner of certain real property situate in the Municipality of Princeton, being designated as Block 20.02, Lot 70, on the Princeton Municipal Tax Map, (“PSS Property”) and the former Princeton Palmer Square Post Office Building (“Building”); and

WHEREAS, the Building was listed in the National Register of Historic Places on June 27, 1975 as a part of the Princeton Historic District (NR number 75001143); and

WHEREAS, the Building is subject to a Historic Preservation and Conservation Easement with the New Jersey Historic Trust (“Preservation Easement”) dated September 21, 2017, which Easement is recorded in the Office of the Mercer County Clerk in Deed Book 6302, Page 1228, to preserve the historic, cultural and aesthetic features of the Building; and

WHEREAS, the Preservation Easement requires PSS to preserve and maintain the protected features of the Building in good condition; and

WHEREAS, PSS has received approval to redevelop the Building which necessitates completion of the historic preservation work on the Building; and

WHEREAS, to protect the Building and its structural integrity, parts of the basement of the Building need to be waterproofed from the exterior of the Building, the brickwork on the

Building's façade needs to be repaired and repointed, and the stairs and handicap ramp need to be rebuilt; and

WHEREAS, in order to complete the aforementioned basement waterproofing repairs to the Building, PSS needs access to and use of a portion of the Princeton Property during August and September, 2021 to excavate a trench along portions of the west side of the Building; and

WHEREAS, in order to complete the aforementioned façade repointing and repairs and to rebuild the steps and handicap ramp, PSS needs access to and use of the north and west sides of the Building from October through December, 2021 to install scaffolding; and

WHEREAS, on August 9, 2021, the Mayor and Council adopted Resolution #21-267, which authorized Princeton to enter into a temporary use and access agreement with PSS in order to give PSS access to the Princeton Property to facilitate the completion of the preservation work on the Building, which agreement was reviewed and approved by the New Jersey Department of Environmental Protection, Green Acres Program ("Green Acres"); and

WHEREAS, the agreement is set to expire on December 31, 2021; and

WHEREAS, paragraph 12 of the agreement expressly authorizes the parties to extend the agreement, provided the extension is in writing and is made subject to the approval of Green Acres; and

WHEREAS, PSS has indicated that it requires additional time to complete the necessary preservation work on the Building, and to that end has requested a four-month extension of the agreement; and

WHEREAS, the Mayor and Council find the request to be reasonable;

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

1. The temporary use and access agreement entered into between Princeton and PSS on August 9, 2021 is hereby extended for an additional four months, or until April 30, 2022, on the same terms and conditions as set forth in said agreement and subject to the approval of Green Acres.

2. This resolution, when counter-signed below by PSS, shall constitute the written memorialization of the extension granted herein, as required by paragraph 12 of the agreement. By counter-signing below, PSS agrees to be bound by all of the terms and conditions set forth in the August 9, 2021 agreement as if said terms and conditions were fully restated herein.

3. This resolution shall take effect immediately.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Niedergang		X		X	X			
Ms. Pirone Lambros		X	X		X			
Ms. Sacks		X			X			
Mr. Williamson	X							
Mayor Freda		X						

I, Delores A. Williams, Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held December 21, 2021.

Delores A. Williams, Municipal Clerk

ATTEST



Delores A. Williams, RMC, Clerk

Date: 1/25/2022

MUNICIPALITY OF PRINCETON

By:



Hon. Mark Freda, Mayor

WITNESS

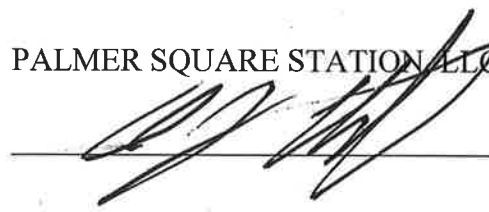


Date:

1/20/22

PALMER SQUARE STATION LLC

By:



ATTACHMENTS:

- Memo to Council re temporary access easement extension (DOCX)