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**RESOLUTION 22-116**

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**Resolution of the Mayor and Council of Princeton Authorizing the Purchase of 0.133 Wetland Mitigation Credits and 0.265 Riparian Zone Mitigation Credits from Cranbury Run LLC in the Not to Exceed Amount of \$161,190.00 for Corrective Action Repairs at the Princeton Sanitary Landfill**

WHEREAS, the Municipality of Princeton is in the process of finalizing corrective action construction plans to bring the Princeton Sanitary Landfill into compliance with applicable regulations in response to a June 15, 2015 Warning Letter from the New Jersey Department of Environmental Protection (“NJDEP”) (NJDEP EA ID# WRN150001-132295); and

WHEREAS, as part of this process, Princeton has obtained permits from the NJDEP, Division of Land Use Regulation for Wetlands Permitting (“DLUR”) under the New Jersey Freshwater Wetlands Act; and

WHEREAS, as a condition of NJDEP Permits 1114-21-0002.1 - LU210001, 1114-21-0002.1-LUP200001, and 1114-21-0002.1-FWW180001, Princeton must complete certain wetland and riparian zone mitigation efforts pursuant to N.J.A.C. 7:7A-11 et seq. and the DLUR’s directives; and

WHEREAS, Princeton’s mitigation proposal includes the purchase of wetland and riparian zone mitigation credits from a NJDEP-approved mitigation bank with available credits; and

WHEREAS, the DLUR has determined that Princeton may purchase credits as an appropriate mitigation alternative in this case; and

WHEREAS, in 2010, the NJDEP approved a mitigation bank known as the Cranbury Mitigation Bank, which is currently operated and maintained by Cranbury Indian Run LLC and

designed and constructed to mitigate for the filling, flooding, excavating, impacting or draining of specific waters, wetlands and riparian zones of the State of New Jersey; and

WHEREAS, Princeton has been authorized by the DLUR to purchase mitigation credits from the Cranbury Mitigation Bank for purposes of satisfying the conditions of the permits issued under the New Jersey Freshwater Wetlands Act by the DLUR, and specifically the following:

- One Hundred Thirty-Three Thousandths (0.133) Wetland Mitigation Credits; and
  - Two Hundred Sixty-Five Thousandths (0.265) Riparian Zone Mitigation Credits;
- and

WHEREAS, the details of the purchase and sale of the mitigation credits are set forth in a proposed Agreement to Purchase Wetland and Riparian Zone Mitigation Credits between Princeton and Cranbury Indian Run LLC; and

WHEREAS, the cost of the mitigation credits from the Cranbury Mitigation Bank is \$161,190.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in 04-215-21-021-076-336 to pay for said services.

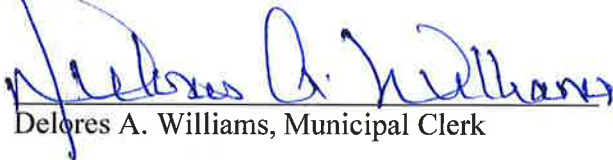
NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the Agreement to Purchase Wetland and Riparian Zone Mitigation Credits (“Agreement”), consistent with this Resolution and the above “Whereas” clauses.
2. Cranbury Indian Run LLC shall be paid \$161,190.00 for the Mitigation Credits, and in accordance with the Agreement.

3. The Clerk shall submit proof of purchase of mitigation credits to the attention of the Mitigation Unit Supervisor, NJDEP, Division of Watershed Management and Restoration at Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420.

Councilperson	Absent	Present	1 <sup>st</sup>	2 <sup>nd</sup>	Yea	Nay	Abstain	Disqualified
Ms. Pirone Lambros		X			X			
Ms. Niedergang		X		X	X			
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Sacks		X	X		X			
Mr. Newlin		X			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 March 14, 2022.



Delores A. Williams, Municipal Clerk

**ATTACHMENTS:**

- Memo to Council re Mitigation Credits(DOCX)
- Credit Purchase Agreement\_Municipality of Princeton\_020322\_for review (DOCX)