

PRINCETON TOWNSHIP COMMITTEE MEETING
February 25, 2008

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 2008 Schedule of Regular Meetings. On January 6, 2008 at 1:00 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, and the Town Topics, and filed with the Township Clerk.

ROLL CALL

The Township Clerk then called the roll.

Present: Mayor Marchand, Mrs. Bergman and Messrs. Goerner, Liverman and Miller.

Absent: None.

Also Present: Mrs. Monzo, and Messrs Kiser, Pascale, Schmierer and Chief Emann

CONSENT AGENDA

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

- a. Bills & Claims
- b. Maintenance/Performance Guarantees
 - Top Line Construction - Route 206 & Cherry Valley Road Connector Road, Release performance contingent upon acceptable two-year maintenance.
 - Top Line Construction - Improvements of Guyot Pathway and Carnahan Place, Release performance contingent upon acceptable two-year maintenance.
- c. Resolution and Agreement: Small Animal Veterinary Endowment (SAVE) for animal boarding, Not to Exceed \$10,000
- d. Resolution: Budget Transfer \$12,500.
- e. Resolution: Opposing Revisions to the Wrongful Death Act
- f. Professional Services Agreements:
 - Allen D. Porter, Esq., Planning Board Attorney 2008
 - Louis Rago, Esq., Special Counsel to the Planning Board, 2008
 - French & Perillo Associates - Stony Brook Bridge & Pathway Project, Not to Exceed \$167,548.
 - Community Grants Planning & Housing, Sustainability Grant Application, Not to Exceed \$3500.
- g. Music Amplification Request: Elizabeth James, for a Bar Mitzvah, May 17, 2008 at 1759 Stuart Road West, 1:00 p.m. to 5:00 p.m.

- h. 2008 Canoe Concession Agreement for Turning Basin Park, Mr. Steve Androsko, \$3400.
- i. Resolution: Truck Diversion
- j. Resolution: Designated Bus Stops on Bunn Drive

Mrs. Bergman offered a motion to approve the consent agenda as presented. Mr. Miller seconded the motion, which was carried unanimously.

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

ORDINANCE PUBLIC HEARINGS

Ewing Street Sidewalks

Mayor Marchand read by title an ordinance entitled BOND ORDINANCE AUTHORIZING AS A LOCAL IMPROVEMENT THE CONSTRUCTION OF A SIDEWALK ALONG THE EASTERLY SIDE OF EWING STREET BETWEEN GUYOT AVENUE AND THE PRINCETON BOROUGH LINE AT FRANKLIN AVENUE, APPROPRIATING THE SUM OF \$38,760.00 THEREFOR, PROVIDING FOR THE FINANCING OF SAID APPROPRIATION BY THE MAKING OF A DOWN PAYMENT AND ISSUANCE OF BONDS OR NOTES OF SAID TOWNSHIP AND FURTHER PROVIDING FOR THE SPECIAL ASSESSMENT OF FIFTY (50%) PERCENT OF THE COST THEREOF.

Mr. Kiser said that the Engineering Department has recommended installing concrete sidewalks along the easterly side of Ewing Street between Guyot Avenue and the Princeton Borough line at Franklin Avenue. It is estimated the total cost of the work will be \$38,760. and that there are sixteen property owners which will be assessed fifty percent of the cost of this capital project which is payable over ten years. The terms of a grant that has been secured by the Township say that the sidewalk has to be installed this year.

Chief Emann said that he had ridden down the street earlier that evening and concurred that there was a need for sidewalks.

Mr. Goerner said that he was not in favor of sidewalks on both sides of the roadway between Valley Road and Guyot, only on the western side. Mr. Kiser said that he had ten positive responses from the neighbors.

Mayor Marchand opened the public hearing

Henry Frank, 126 Valley Road said that he was opposed to spending taxpayer money on Ewing Street. He said that other roads need the work more and that it was a waste of money to use it on Ewing Street.

Mr. Kiser said that although the surface of the street is fine, the sanitary sewer is not. The storm drainage pipes are failing and need to be replaced.

There being no further public comment, Mayor Marchand closed the public hearing.

Mr. Liverman offered a motion to approve the proposed ordinance on second reading. The motion was seconded by Mr. Miller and carried unanimously.

Revaluation

Mayor Marchand read by title an ordinance entitled AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53 TO UNDERTAKE JOINTLY WITH THE BOROUGH OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY, A COMPLETE REVALUATION OF ALL REAL ESTATE WITHIN BOTH MUNICIPALITIES FOR TAX EQUALIZATION PURPOSES.

Mr. Schmierer said that the Township of Princeton last completed a revaluation of all real estate in 1996. Through the Tax Assessor, Neal Snyder, C.T.A., both the Township and Borough of Princeton have been advised by the Mercer County Board of Taxation and the Director of the Division of Taxation that the Township's ratio of assessed value to true value now required revaluation. As of October 1, 2007, this ratio for the Township was 47.45%.

Mr. Snyder has been working with the Borough of Princeton to prepare a cooperation request for proposals to undertake and complete a Real Property Revaluation Program in order to determine new assessments to be certified for use in the calendar year 2009. Mr. Snyder has also been working with the Chief Financial Officers in both communities to prepare an estimate for the cost of revaluation. It is anticipated that this cost for the Township will be approximately five hundred thousand (\$500,000.00) dollars.

Mr. Schmierer said that since revaluation only occurs every ten to twelve years, the State of New Jersey allows a municipality to pay for this extraordinary expense as a “special emergency appropriation”. He said that this phraseology is, of course a misnomer but does provide the municipality with flexibility to either bond for these expenses or issue “special emergency notes” which can be paid over five years as a part of the Operating Budget.

N.J.S.A. 40A:4-53 begins the process of a “special emergency appropriation” by having a municipality adopt an Ordinance authorizing this financing technique. If the Ordinance is adopted, then pursuant to N.J.S.A. 40A:4-55, a subsequent Resolution would be adopted and filed with the Director of the New Jersey Division of Local Government Services setting forth the municipal appropriation for the Revaluation Program.

Mayor Marchand opened the public hearing. There being no public comment, the public hearing was closed.

Mrs. Bergman offered a motion to approve the proposed ordinance on second reading. The motion was seconded by Mr. Goerner and carried unanimously.

ORDINANCE INTRODUCTIONS

Carbon Monoxide

Mayor Marchand read by title on first reading a proposed ordinance entitled AN ORDINANCE AMENDING SMOKE DETECTOR PROVISIONS AND ADDING CARBON MONOXIDE ALARM REQUIREMENTS WITHIN THE “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968”

Mr. Schmierer said that Ron DiLapo, Fire Official has recommended amending Chapter 10 of the Township Code to specifically require not only the installation of smoke detectors but now carbon monoxide alarms. This would bring the Township into compliance with the Uniform Fire Safety Act.

Mr. Schmierer said that when inspections are performed, Mr. DiLapo and his inspectors will then check to make sure that not only the smoke alarm but the carbon monoxide alarm is working properly.

Mr. DiLapo has also recommended a reduced fee for inspections to units defined as affordable housing. Instead of charging sixty dollars for the fire inspection, affordable units upon resale will be charged thirty five dollars.

Mr. Goerner offered a motion to approve the proposed ordinance. The motion was seconded by Mr. Liverman and carried unanimously. The public hearing was scheduled for March 10, 2008.

Various Road Improvements

Mayor Marchand read by title on first reading a proposed ordinance entitled BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$3,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,350,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

Mr. Kiser said that this ordinance would cover improvements to various roads, walk paths, the Smoyer Park Dam and pavement striping at intersections. All roadway improvements have been coordinated with the Sewer Operating Committee.

Mr. Miller offered a motion to approve the proposed ordinance. The motion was seconded by Mr. Goerner and carried unanimously. The public hearing was scheduled for March 24, 2008.

COMMENTS FROM THE AUDIENCE

Henry Frank, 126 Valley Road discussed with Township Committee his concerns about leaves in the roadway.

REPORTS

Mr. Liverman said that the recent Corner House fundraiser was a success.

Mr. Goerner said that the Citizens Finance Committee was still accepting applications.

Mr. Miller thanked the Department of Public Works for their work during the recent snowstorm.

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:

Pending Litigation/Negotiations

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

Tarlow/Kelty Litigation

Mr. Pascale provided Township Committee with a status report regarding the Tarlow/Kelty litigation.

Department of Public Works Negotiations

Mr. Pascale offered Township Committee a status report regarding the Department of Public Works contract negotiations.

There being no further business the meeting was adjourned at 9:10 p.m.

Linda S. McDermott
Township Clerk