

PRINCETON TOWNSHIP COMMITTEE MEETING
August 17, 2009

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 Deputy 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 2009 Schedule of Regular Meetings. On January 4, 2009 at 1:10 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 Deputy Clerk then called the roll.

Present: Ms. Nemeth, Ms. Lempert, and Mr. Liverman.

Absent: Mayor Miller and Mr. Goerner

Also Present: Ms. Monzo, and Messrs Killian, Pascale, Schmierer and Lt. Henderson.

MINUTES

Mr. Liverman stated that the minutes from June 22 and July 13, 2009 will be carried to the September 14, 2009 meeting for approval due to the lack of a quorum necessary to vote on those minutes.

CONSENT AGENDA

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

- a. Bills & Claims
- b. Maintenance/Performance Guarantees
 - James Britt, Princeton University
 - Boiler House Renovations/Re-Use: Completion time extension to September 30, 2009
 - New South Data Center Expansion: Completion time extension to September 30, 2009
 - 294-306 Alexander Street: Completion time extension to September 30, 2009
 - Rafael Sharon, Snowden Communities, LLC, 606 Snowden Lane: Release of maintenance guaranty and any other remaining escrow accounts.
 - James Banks, Town Topics Realty Venture Group, LLC: Authorizing the Township Engineer and Attorney to act on the maintenance bond if the current maintenance guaranty due to expire on September 10, 2009 is not extended or if the work on the project is not completed prior to the expiration date.
 - Steve Distler, JAT Holdings/The Bank of Princeton: Completion time extension to December 1, 2009.
- c. Street Closing Requests:

- Jill Ray, Rollingmead, Snowden Lane to Littlebrook Road, September 7, 2009, 1:00 p.m. to 9:00 p.m. with approval of the Traffic Safety Officer.
- Margi Hofer, Castle Howard Court cul-de-sac, September 7, 2009, 5:00 p.m. to 8:00 p.m. for a Labor Day Party with approval of the Traffic Safety Officer.

- d. Music Amplification Requests:
 - Robert von Zumbusch, Mountain Lakes for a wedding reception on August 22, 2009, 5:00 p.m. to 10:00 p.m.
 - Jill Pronnicki, Mountain Lakes for a wedding on October 16, 2009, 6:00 p.m. to 11:00 p.m.

- e. Resolution: 2010 Application for Municipal Alliance funding in the amount of \$28,020.00

- f. Resolution: "Over the Limit, Under Arrest" 2009 Impaired Driving Crackdown Grant

- g. Resolution and Agreement: 2009-2010 Deer Management Program: United Bowhunters of New Jersey

- h. Resolution and Agreement, Supplemental Professional Services Agreement: Environmental Management Associates, Inc., Environmental services relating to the Department of Public Works Garage, Valley Road and Route 206, Not to Exceed \$9,670.

- i. Resolution and Asset Contribution Agreement: New Jersey American Water Company in connection with the Quaker Road Water Main Installation.

- j. Resolution: In Support of Princeton Ridge Preserve

Mr. Liverman removed item j from the consent agenda.

Ms. Nemeth offered a motion to approve the consent agenda excluding item j. Ms. Lempert seconded the motion which was carried unanimously by those present.

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

Item J - Resolution In Support of Princeton Ridge Preserve: Ms. Lempert commented that Township Committee wishes to endorse the concept of a Princeton Ridge Preserve and encourages the acquisition and preservation of lands within the Princeton Ridge area through various public and private initiatives.

Jim Waltman, Executive Director, Stony Brook-Millstone Watershed Association thanked Township Committee for considering this resolution and said he applauds this effort to move forward. He also stated that the Watershed is committed to working with the Township and private citizens to move forward on this initiative.

Wendy Mager, President, Friends of Princeton Open Space said she echoed Mr. Waltman's comments of delight and support of this resolution.

Ms. Lempert offered a motion to approve the resolution. Ms. Nemeth seconded the motion which was carried unanimously by those present.

ORDINANCE PUBLIC HEARING

Mr. Liverman read by title on second and final reading an ordinance entitled: **AN ORDINANCE BY THE TOWNSHIP OF PRINCETON CONCERNING THE SPEED LIMIT ON SYCAMORE ROAD, AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968", AND REPEALING ORDINANCE NO. 2009-6.**

Mr. Schmierer explained that the proposed ordinance would decrease the speed limit on Sycamore Road from 30 m.p.h. to 25 m.p.h. He continued that the Police Department conducted a speed study and confirmed that 25 m.p.h. was an appropriate speed limit.

Ms. Nemeth offered a motion to approve the proposed ordinance on second and final reading. Ms. Lempert seconded the motion, which was carried unanimously by those present.

ORDINANCE INTRODUCTIONS

Mr. Liverman read by title a proposed ordinance entitled: **BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$3,816,834 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,377,422 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

Mr. Pascale explained that the items within the ordinance have a useful live of five years or more and he continued by highlighting items listed within the ordinance.

Ms. Lempert offered a motion to approve the proposed ordinance on first reading. Ms. Nemeth seconded the motion, which was carried unanimously by those present.

The public hearing was scheduled for September 14, 2009.

Mr. Liverman read by title a proposed ordinance entitled: **AN ORDINANCE CONCERNING THE POSITION OF FIRE OFFICIAL AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".**

Mr. Schmierer explained that the Fire Official recently reviewed the Township Code and found that his position did not appear on the list of exempt employees and that this ordinance is a house keeping item to have the correction made.

Ms. Nemeth offered a motion to approve the proposed ordinance on first reading. Ms. Lempert seconded the motion, which was carried unanimously by those present.

The public hearing was scheduled for September 14, 2009.

COMMENTS FROM THE AUDIENCE

Henry Frank, 126 Valley Road, complimented Township Committee on the budget summary piece included with the current tax bill mailing. He asked that more information be given about the school and county tax portion.

Kip Cherry, 24 Demspey Avenue addressed Committee concerning flag lots, minor subdivision procedures and zoning regulations within the Township. Mr. Liverman thanked Ms. Cherry for her presentation and suggested that she attend a ZARC meeting on September 10th.

Daniel Harris, representing Save Princeton Ridge said that he was thrilled by the Township Committee resolution to support a Princeton Ridge Preserve.

CLOSED SESSION

Ms. Nemeth offered a motion to enter into closed session. The motion was seconded by Ms. Lempert and carried unanimously by those present.

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:

Negotiations/Litigation/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

Township Committee and staff discussed various ongoing negotiations and joint issues with Princeton Borough and Attorney Schmierer discussed the status of ongoing litigation and pending litigation.

There being no further business the meeting was adjourned at 9:00 p.m.

Kathy Brzezynski, Deputy Clerk