

PRINCETON TOWNSHIP COMMITTEE MEETING
September 10, 2007

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 2007 Schedule of Regular Meetings. On January 4, 2007 at 7:00 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 and Mrs. Bergman and Messrs. Goerner, Liverman and Miller.

Absent: None.

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

Mayor Marchand asked the audience for a moment of silence on the eve of the sixth anniversary of September 11th.

CONSENT AGENDA

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

- a. Bills & Claims
- b. Maintenance/Performance Guarantees
 - The Hillier Group, Town Topics, Release of performance guaranty contingent upon receipt of an acceptable two year maintenance guaranty in the amount of 15% of the original guaranty or \$18,712.26.
 - Chris Hannington, Princeton Shopping Center - Prototype of Awning No.2, Release of cash performance guaranty and any other remaining escrows. No maintenance guaranty required.
- c. Resolution: Affordability Assistance Loan, Applicant #13, \$5,000
- d. Resolution and Agreement: Municipal Alliance Contract with Mercer County, January 1, 2008 to December 31, 2008, \$28,556.
- e. Resolution: Extension of Time to Award Construction Contract for the Stony Brook Pedestrian Bridge Project to December 11, 2008.
- f. Music Amplification Requests:

- DARE New Jersey, Annual Gala at Drumthwacket, October 6, 2007, 6:00 p.m. to 11:00 p.m.
 - Ruth Thurmond Scott, Fundraiser, September 30, 2007, D & R Greenway, 3:00 p.m. to 7:00 p.m.
 - Stephanie Ashe, for a wedding to be held on September 15, 2007, 37 Redding Circle, 2:00 p.m. to 9:00 p.m.
- g. Resolution and Agreement: Griggs Farm, Bus Stop Shelter Installation
- h. Professional Services Agreements:
- Environmental Management Associates Inc., Completion of John Street DPW Site Environmental Site Assessment, Not to Exceed \$9,500.
 - International Association of Chiefs of Police, Assessment Center, Police Promotional Exam, Not to Exceed \$29,000.
- i. Route 206/Cherry Valley Road Connector Road Improvements, Top Line Construction Approval of Final & Change Order No. 1 in the amount of \$34,168.99

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

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

ASSESSMENT CONFIRMATION HEARING

Springdale Road Sidewalks

Mayor Marchand opened the public hearing for the Springdale Road Sidewalk assessment. There being no public comment the public hearing was closed. Mrs. Bergman offered a motion approving the Springdale Road Sidewalk assessment. Mr. Goerner seconded the motion which was carried unanimously.

ORDINANCE PUBLIC HEARINGS

Potentially Dangerous Dogs

Mayor Marchand read by title an ordinance entitled AN ORDINANCE BY THE TOWNSHIP OF PRINCETON ESTABLISHING A LICENSING FEE FOR "POTENTIALLY DANGEROUS" DOGS AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Mr. Schmierer said that Chapter 6 of the Princeton Township Code has a provision permitting the Small Animal Control Officer or Health Officer to have a dog declared "potentially dangerous" following a municipal court proceeding. A "potentially dangerous" dog would be found by the court to have

attacked a person causing serious bodily injury or having attacked another dog or another domestic animal causing serious injury, or a dog which has engaged in dog fighting.

Mr. Schmierer said that the State Law has recently been changed to permit a municipality to charge a license fee of \$700.00 for a “potentially dangerous” dog, an increase from the current \$100.00 fee.

Mayor Marchand opened the public hearing.

Ruth Randall, 52 Gulick Road, said that she was in support of the ordinance but asked what else could be done. In the event of an attack, who should be called? Who follows thru with penalties? What happens to the dog? Who informs neighbors and the community at large? Ms. Randall suggested that a study committee be set up to examine these issues.

Sue Tillet, 128 Jefferson Road, said that leash laws lull people into a false sense of security. Guide dogs are trained and bred to be non confrontational, noting that she has had guide dogs that have been attacked. She asked that there be separate laws to protect guide dogs and that she agreed with the need for a study committee.

Karen Gordon, Edgerstoune Road said that she supported the ordinance and Ms. Randall’s statements. She said that she agreed with the need for a study committee.

Mayor Marchand said that the suggestions should be quite easy to implement. She said that any dog not on a leash is breaking the law in Princeton Township.

David Henry, Health Officer said that we are preempted by the state as far as a more stringent law. He said that a task force can make suggestions to legislators and offer more public education.

It was the consensus of Township Committee for more community education and to have it and the task force spear headed by the Department of Health.

Virginia Kerr, 124 Jefferson Road, suggested that the Township take a look at the current leash law. She said that there was no place to walk a dog off the leash. Ms. Kerr suggested that the Township create some hours when people can walk their dogs off the leash and consider a dog park.

Mr. Goerner said that he had three dogs and asked that the Township explore other alternatives for people who walk their dogs.

Maria Evans, Leigh Avenue, said that she too owns multiple dogs and that she agreed with Ms.

Kerr.

Jim Furey, 319 Witherspoon Street, said that he spoke with Mark Johnson, Small Animal Control Officer, about dog parks and the need for small confined areas for smaller dogs.

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

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

Herrontown Circle Curbing Bond Ordinance

Mayor Marchand read by title an ordinance entitled BOND ORDINANCE AUTHORIZING AS A LOCAL IMPROVEMENT THE INSTALLATION OF BELGIUM BLOCK CURBING ALONG A PORTION OF HERRONTOWN CIRCLE, APPROPRIATING THE SUM OF \$18,000.00 THEREFORE, 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.

Mr. Kiser said that in preparation for the resurfacing work to Herrontown Circle, seven property owners have contacted the Engineering Department and requested the installation of Belgium block curbing. Six of these property owners are along the southern side of Herrontown Circle. There is one property owner on the northerly side which would also like Belgium block curbing. The installation of the curbing for all these properties will improve the channeling of storm water flow from Herrontown Road.

Mr. Kiser estimated that the cost of installing the curbing along all seven properties totals \$18,019.58 and since the curbing is being requested by the property owners, they would have to pay 100% of the cost as a local improvement.

Mayor Marchand opened the public hearing.

Henry Frank, 126 Valley Road, pointed out a typographical error in the proposed ordinance which would be corrected.

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

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

Griggs Farm Supplemental Bond Ordinance

Mayor Marchand read by title an ordinance entitled BOND ORDINANCE MAKING A SUPPLEMENTAL APPROPRIATION OF \$40,000 FOR ADDITIONAL IMPROVEMENTS WITHIN THE GRIGGS FARM COMMUNITY FOR SIDEWALK REPLACEMENT, CURB CUTS, LIGHTING, STORM WATER IMPROVEMENTS AND TRAFFIC STRIPING BY THE TOWNSHIP OF PRINCETON PROVIDING THAT SAID SUPPLEMENTAL APPROPRIATIONS SHALL BE BORNE AS A GENERAL EXPENSE OF SAID TOWNSHIP AND PROVIDING FOR THE FINANCING OF SAID APPROPRIATION BY THE MAKING OF A DOWN PAYMENT AND BY THE ISSUANCE OF BONDS AND NOTES OF SAID TOWNSHIP.

Mr. Schmierer said that the Township has applied to the New Jersey Department of Community Affairs for a supplemental Small Cities Discretionary Grant in the amount of \$40,000. for various capital improvements to the Griggs Farm community.

The Township had previously received a \$200,000. Small Cities Discretionary Grant to pay for various improvements within the Griggs Farm community including sidewalk replacement, curb cuts, storm sewer improvements, additional lighting and traffic striping. The Township has been advised by Community Grants and Planning that additional funds may be available and that an application has been submitted for an additional \$40,000. grant. In order to authorize the expenditure of the \$40,000., if it is received, a supplemental bond ordinance is required.

The Mayor opened the public hearing.

Henry Frank, 126 Valley Road, asked if the supplemental ordinance had been approved yet. Mr. Kiser said that it had not. Mayor Marchand said that this ordinance was just to put monies in place for the project but that we would not move ahead unless we receive the grant money that has been applied for.

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

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

REPORTS

Mr. Miller reported that the Fire Chief has resigned effective September 25, 2007 to move out of the area.

Mr. Miller also noted that the Gypsy Moth spraying had been quite successful and that the Shade Tree Committee was moving ahead with the tree replacement program.

Mr. Goerner said that he had spoken to Commissioner Koloria's office who said that they were still working through the comments regarding Route 206.

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:

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

Hillier

Mr. Solow and Mr. Kiser reviewed with Township Committee the status on the Hillier project.

North Ridge Sanitary Sewer

Mr. Schmierer reviewed with Township Committee his follow up letter to Mr. Herbert.

Borough Billings

Mrs. Monzo provided Township Committee with a status report on the Borough billings.

There being no further business the meeting was adjourned at 10:07 p.m.

Linda S. McDermott, Township Clerk