

PRINCETON TOWNSHIP COMMITTEE MEETING
December 17, 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 Chief Emann.

MINUTES

Mr. Liverman offered a motion to approve the minutes of October 22, 2007 as presented. The motion was seconded by Mr. Miller and carried unanimously.

Mr. Liverman offered a motion to approve the minutes of November 1, 2007 as presented. The motion was seconded by Mr. Miller and carried unanimously.

Mr. Liverman offered a motion to approve the minutes of November 12, 2007 as presented. The motion was seconded by Mr. Miller and carried by four affirmative votes. Mr. Goerner was absent from that meeting.

Mr. Liverman offered a motion to approve the minutes of November 26, 2007 as presented. The motion was seconded by Mr. Miller and carried unanimously.

CONSENT AGENDA

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

- a. Bills & Claims
- b. Maintenance/Performance Guarantees:

- Hal Hoeland, Princeton Development Group, Princeton Day School, Bldg Reconstruction and Expansion performance guaranty reduction to 30%. An amount of \$16,474.52, plus interest should be returned from the cash portion of the guaranty.
- Hal Hoeland, Princeton Development Group, Institute for Defense Analysis Release of Maintenance Guaranty in the form of Letter of Credit # SM414599C along with any remaining escrows for this project.
- David Cohen, Seija Subdivision , Completion time extension to June 4, 2008
- Princeton Academy of the Sacred Heart – Recreation Fields, Completion time extension to June 1, 2008.
- Church & Dwight – 101 Thanet Circle, Emergency Generator, Release cash maintenance guaranty in the amount of \$750.
- Harry P. Skopas, 81/85 Mountain Avenue, Plant Screening and Driveway Apron, release of performance guaranty in the total amount of \$8,348 plus interest, less \$1,252.20 to act as a two year maintenance guaranty for the project.

c. Resolution: 2006 Recycling Tonnage Grant

d. Professional Services Agreement, Gregory Sandusky for Tax Maps Maintenance, not to exceed \$17,000.00.

e. Resolution: Declaring Gypsy Moth a public nuisance in order to secure funding from the Department of Forestry

f. Resolutions Authorizing Purchase of Three Affordable Units at Washington Oaks and Two Affordable Units At Griggs Farm

g. Resolution: Governors Lane 2006 Reimbursement

Mrs. Bergman offered a motion to approve the consent agenda without item “g”. Mr. Goerner seconded the motion, which was carried unanimously.

Mr. Goerner offered a motion to approve item “g” of the consent agenda. Mr. Liverman seconded the motion which was carried by four affirmative votes. Mr. Miller recused himself from the vote because he is a resident of Governors Lane.

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

ORDINANCE PUBLIC HEARINGS

Duffy Place

Mayor Marchand read by title an ordinance entitled AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER AND STATE OF NEW JERSEY NAMING “DUFFY PLACE”.

Mr. Kiser explained that the new connector road linking Route 206 and Cherry Valley Road was completed this past summer and that the road was originally envisioned by the Planning Board as part of their Master Plan back in the 1980’s. Mr. Kiser said that the individual who pursued this connection was Duffy Hutter who was a long time member of the Planning Board and also served on Township Committee.

Mayor Marchand opened the public hearing. There being no 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. Liverman and carried unanimously.

Mayor Marchand asked Mrs. Hutter's family to come up to accept the replica of the street sign naming Duffy Place.

Traffic Signal, Great Road and Cherry Valley Road

Mayor Marchand read by title an ordinance entitled AN ORDINANCE APPROVING THE TRAFFIC SIGNAL AT THE INTERSECTION OF THE GREAT ROAD (CR 601) AND CHERRY VALLEY ROAD AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968"

Mr. Schmierer explained that Township Committee had adopted an Omnibus Motor Vehicle Traffic Ordinance back in September, 2006 which contained the designation of the new traffic light at the intersection of The Great Road and Cherry Valley Road and that the NJDOT requested that we amend the Ordinance to specifically refer to the as-built traffic signal plan dated August 14, 2007.

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

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

REPORTS

Mr. Goerner said that he had a meeting with Kris Kollori at New Jersey Department of Transportation recently regarding the exclusionary request for Route 206. The NJDOT has denied Princeton Township requests and there will be no changes to the regulations with the new regulations going into effect on January 22, 2008.

Mr. Liverman reported that the Christmas donations for Human Services helped about 190 children have a better holiday season.

WORK SESSION
Draft 2008 Township Committee Meeting Schedule

It was the consensus of Township Committee to accept the proposed 2008 meeting schedule for Township Committee noting that Mr. Goerner would be absent on January 14, 2008. The schedule will be on the agenda for approval on January 6, 2008 (Reorganization).

Senior Housing Overlay Ordinance Discussion

Lee Solow, Planning Director reviewed with Township Committee his memorandum dated December 14, 2007 regarding issues discussed at the Township Committee meeting of December 3, 2007 as they pertain to the RSC-2 Senior Housing ordinance amendments.

- 1 **Princeton Preference:** Mr. Solow said that it appears that consensus was reached on requiring a Princeton preference for market rate units, but how it would be defined was not clear. The following suggestions were discussed: emergency service volunteers, township employees, library employees and Board of Education employees; eliminating the three mile criteria and including residents of the Borough. Mr. Miller suggested that the three mile criteria be eliminated.
- 2 **Expansion of Princeton Community Village (PCV) detention basin by the developer:** Mr. Solow said that there was a consensus to require any future development in the RSC-2 zone to expand the PCV basin. Improvement and enlargement of the PCV basin by the developer of the RSC-2 zone will preserve trees that would otherwise be removed from the Lowe tract, provide the needed additional capacity for the PCV proposed expansion and serve to upgrade a sub-standard basin which was constructed in the 1970's prior to the Township's restrictive storm water management ordinances being in place. Mr. Solow said that once the basin is improved the peak discharges from the basin will actually be significantly less than what occurs today. It was the consensus of Township Committee to approve this element.
- 3 **Leadership and Energy and Environmental Design (LEED) Certification:** Mr. Solow said that LEED is a green building rating system that was developed by the United States Green Building Council in 2000 and is a tool for buildings of all types and sizes. Mr. Solow asked whether the intent is to encourage the construction of sustainable and green buildings or whether the Township wants to require a specific level of LEED certification.

Mayor Marchand said that the ordinance could apply to any developer. Mrs. Bergman said that typically the Regional Planning Board makes decisions at this level of detail. She said that she supported the language to achieve LEED certification but hesitated to designate a level. Mr. Pascale said that the goal was to make it affordable to seniors. Mrs. Bergman asked how it would effect COAH and Mr. Solow said that he did not know. Mr. Liverman said that it was not out of line to ask for LEED certification. Mr. Goerner said that he though it was better to forge a balance and that the LEED certification should be in the ordinance. Mr. Goerner asked if the application came before the Planning Board, would they require the higher LEED standard. Mrs. Bergman said that she didn't know that it depended on the application. She said that she wanted to revert back to the original language. Mr. Goerner said that he was comfortable with the silver level. Mr. Miller said that LEED documents are complex and that it was wrong to specify a level. It was a 4-1 consensus for LEED certification in the proposed ordinance.

4. Amount of common open space and undisturbed open space: Mr. Solow said that the proposed amendment dramatically increases the amount of open space required for development in the RSC-2 zone. The amount of common open space and/or undisturbed open space can be modified upward if Township Committee decides not to utilize the 3.13 acre parcel on the eastern side of Bunn Drive for development purposes. Mayor Marchand said that the position of the Township should be to require the three acres. She said that the Township owns land but that there may be other needs in the future that the property would be ideal for. Mr. Goerner said that he agreed with that concept. Mrs. Bergman said that the developer's agreement should include the three acres. Mr. Liverman said that he was in favor of banking the land for affordable housing. Mr. Goerner asked if that issue could be left open and flexible in the proposed ordinance. Mr. Miller said that he agreed with Mr. Goerner. It was the consensus of Township Committee to include the three acres.

6. Number of middle income units: Mr. Solow said that there appears to be a consensus that some of the units should be made affordable to middle income seniors. He said that it was not clear if there was a desire to reduce the required number of middle income units in return

for other considerations. It was the consensus of Township Committee that preference should be given to middle income as these are the market rate units.

9. Density: Mr. Solow said that the ordinance currently provides for a density of seven dwelling units per acre. He said that the December 3rd draft removed the affordable housing units from the density calculations. Mr. Solow asked how many units is the Township comfortable with. Mr. Schmierer said that there is some flexibility with density per COAH. Mr. Goerner said that he was comfortable with a cap of 158, which includes market, middle and affordable units. It was the consensus of Township Committee to include this in the proposed ordinance. Regarding the 12 affordable units, there was a consensus of Township Committee to have eight moderate units and four low income units.

Mr. Solow said that Township Committee has given direction and that Township Committee is in agreement so that the ordinance can be drafted for introduction in the beginning of 2008.

COMMENTS FROM THE AUDIENCE

Olivia Applegate, Random Road discussed the need to address the flood issue in Princeton Township. She said that Harry's Brook becomes "a raging Delaware River" and the further development on The Ridge will cause flooding below.

Mr. Goerner said that he couldn't make a motion to revise an ordinance if he didn't have the specifics. He said that he would defer her suggestion to the Flood Control Commission.

Ms. Applegate said that nothing will happen, that nothing has changed in four years and that the Township needs to acknowledge the problem.

Mayor Marchand said that the process would be to go back to the Flood Control Commission. The Mayor said that she could never change anything without review.

Mr. Goerner said that he would defer to the Flood Control Commission and have Mr. Kiser report back to Township Committee.

Mr. Kiser said that none of the restrictions would change what is happening to Harry's Brook.

Travis Silverman, Brickhouse Road, thanked Township Committee for their leadership at the recent joint meeting between the Township and the Borough.

Daniel Harris, Dodds Road asked Mr. Kiser how the discharge flows from Princeton Community Village would be reduced and how would it reduce flooding at Harry's Brook. Mr. Harris asked how discussions with Mr. Hillier about the Lowe Tract begin and when was the last time there were discussions regarding the Princeton Shopping Center. Mr. Solow said that only the northern section of the shopping center is zoned for senior housing. Mayor Marchand said that there is huge opposition by the neighbors of the shopping center. Mr. Harris said that there was opposition to the Lowe Tract.

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/Personnel
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

Police Officer

Chief Emann updated Township Committee on the status of police officers.

Valley Road Site

Mr. Pascale provided Township Committee with a status report on the Valley Road site.

Library Parking

Mr. Pascale provided Township Committee with a status report regarding library parking.

Princeton Borough, Issues, Joint Meetings

The governing body discussed issues with Princeton Borough and future joint meetings.

There being no further business the meeting was adjourned at 10:40 p.m.

Linda S. McDermott
Township Clerk