

PRINCETON TOWNSHIP COMMITTEE MEETING
April 20, 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 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 1:15 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 Miller and Mesdames Lempert and Nemeth and Messrs. Goerner and Liverman.

Absent: None.

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

MINUTES

Mr. Goerner offered a motion to approve the minutes of March 23, 2009. The motion was seconded by Mr. Liverman and carried unanimously.

JOINT PROCLAMATION – 150th Anniversary Princeton Public Schools

Mayor Miller read the aforementioned proclamation proclaiming the 150th Anniversary of the Princeton Public Schools in Princeton Township.

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

- a. Bills & Claims
- b. Maintenance/Performance Guarantees
 - Mr. James J. Britt, Esquire, Princeton University, Boiler House Renovation, Completion time extension to July 31, 2009
 - Mr. James J. Britt, Esquire, Princeton University, Whitman College, Completion time extension to September 30, 2009
 - Mr. James J. Britt, Esquire, Princeton University, 294-306 Alexander Street, Completion time extension to July 31, 2009.

- Don Stryker, Princeton Friends School, School Annex – Renovations of Schoolmaster’s House, Completion time extension to April 30, 2010.
- Boyd, Laura & John, 62 Cherry Hill Road, Minor Subdivision – B 5201 L 10, Release of Maintenance Guaranty along with any remaining escrows.
- John Kantorek, Stony Brook Regional Sewer Authority, Installation of Trees, Completion time extension to June 30, 2009.

c. Music Amplification Requests:

- Kristen Suozzo, Birthday Party at Mountain Lakes, April 25, 2009, 7:00 p.m. to 11:00 p.m.
- Princeton University Reunions, May 28, 29, 30, 31, 2009, 9:00 p.m. to 2:00 a.m.
 - *55th Reunion Class of 1954 – Palmer Pavilion, Princeton Stadium
 - *60th and 65th Reunion Classes of 1949 & 1944 – Forbes College Tent
 - *30th Reunion Class of 1979 – Scully Courtyard
- Kate Doliwa, Wedding at Mountain Lakes, June 13, 2009, 5:00 p.m. to 11:00 p.m.

d. Appointments:

- Revaluation Committee
- Construction Board of Appeals, George Feddish

e. Contract Extension – Crosstown 62, Greater Mercer Ride Provide, Inc.

f. Littlebrook School, Request to Stencil Storm Drains

g. Resolution: NextG for Fiberoptic System

h. Resolution: To Support Funding Application for Cherry Valley Road Improvement Project

Mr. Liverman suggested that approval for Princeton University Reunion music amplification requests end at 11:00 p.m.

Mr. Goerner offered a motion to approve the consent agenda as amended for item “c”. Ms. Nemeth seconded the motion, which was carried unanimously.

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

ORDINANCE PUBLIC HEARINGS

Sanitary Sewer, Quarry Lane

Mayor Miller read by title an ordinance entitled BOND ORDINANCE AUTHORIZING AS A LOCAL IMPROVEMENT THE CONSTRUCTION OF A SANITARY SEWER LINE ALONG QUARRY LANE A DISTANCE OF 370’ FEET FROM MOUNTAIN AVENUE WITHIN THE TOWNSHIP OF PRINCETON, APPROPRIATING THE SUM OF \$46,620.00 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 UPON THE BENEFITTED
PROPERTY OWNER.

Mr. Kiser said that there are three properties on Quarry Lane not connected to the public sanitary sewer system. The Engineering Department prepared a plan to extend the public sanitary sewers a distance of 370' from Mountain Avenue to connect all three properties. The estimated cost is \$46,620.00 and the three property owners have agreed to pay 100% of the cost of the sewer installation. There would be a special assessment over ten years plus interest at the Township's prevailing interest rate.

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

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

Enforcement Provisions, Affordable Housing Program

Mayor Miller read by title an ordinance entitled AN ORDINANCE BY THE TOWNSHIP OF PRINCETON PROVIDING FOR ENFORCEMENT PROVISIONS FOR ITS AFFORDABLE HOUSING PROGRAM AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968"

Mr. Schmierer explained that new COAH suggested that provisions in the code make it clear that a municipality can enforce their local or state affordable housing regulations and seek all remedies available including foreclosure, tenant eviction, recoupment of funds from a sale in violation of a regulation for the recapture of illegally charged rents. He said that actions can be pursued in court to terminate an owner's equity in a property if that property is not in compliance with the Affordable Housing Program and is perhaps illegally being rented to a non qualified household. Finally the Township, as it has in the past, can attend the Mercer County Sheriff's Sale and bid to acquire foreclosed first purchase money mortgages so as to complete a foreclosure and retain the unit as a part of the affordable housing inventory.

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

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

Stopping or Standing Vehicles

Mayor Miller read by title an ordinance entitled AN ORDINANCE CONCERNING STOPPING OR STANDING VEHICLES ON STREETS OR PARTS OF STREETS WITHIN THE TOWNSHIP OF PRINCETON AND AMENDING THE “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968”

Mr. Schmierer said that the Princeton Traffic Safety Committee has recommended a new regulation prohibit parking on Herrontown Road, the south side between Route 206 and Mount Lucas Road, The Township regulates parking on various sides of streets in Section 11-23.1 of the Township Code. He said that the proposed ordinance establishes the new parking regulations prohibiting parking on Herrontown Road, south side between Route 206 (State Road) and Mount Lucas Road. The ordinance moves the current designation from Guyot Avenue from Section 11-8.1 to Section 11-23.1 so all similar regulations are noted in one section of the code. The Ordinance then repeals Section 11-8.1 since this section is no longer necessary.

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

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

2009 MUNICIPAL BUDGET INTRODUCTION

Mr. Pascale and Mrs. Monzo presented a power point presentation to the governing body detailing the 2009 municipal budget.

Mr. Pascale said that the proposed budget represented the lowest tax increase in seven years.

In summary, the proposed 2009 tax increase is 3%; the average homeowner increase is \$139.45.

Ordinance Introduction:

Mayor Miller read by title on first reading a proposed ordinance entitled TOWNSHIP OF PRINCETON CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

Mr. Goerner offered a motion to approve the proposed ordinance on first reading. Mr. Liverman seconded the motion, which was carried unanimously. The public hearing was set for May 18, 2009

Resolution to Introduce 2009 Municipal Budget (Public Hearing May 18, 2009)

Mr. Goerner offered a motion to approve the resolution introducing the 2009 municipal budget. The motion was seconded by Ms. Nemeth and carried unanimously. The public hearing will be held May 18, 2009.

REPORTS

Mayor Miller reported that there will be a joint meeting with Princeton Borough on April 27 to discuss the issue of consolidation. Marc Pfeiffer, Deputy Director, New Jersey Division of Local Government Services will be making a presentation regarding consolidation in New Jersey.

Mr. Liverman announced that on May 13, 2009 will be the “Plaza” naming for former mayor Phyllis Marchand.

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/Potential Litigation/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

- Princeton Borough: SOC Audits – Findings
Capital Claims – Status Reports
North Ridge Sewer Non Binding Arbitration – Status Report

Mr. Pascale updated Township Committee regarding the status of the above referenced issues.

- Lowe Tract Litigation – Status Report

Mr. Schmierer reported on the status of the Lowe Tract litigation.

- Police Personnel – Status Report

Chief Emann reported on the status of the above referenced issue.

COAH Mediation – Status Report

Mr. Schmierer reported on the status of COAH mediation.

There being no further business the meeting was adjourned at 8:45 p.m.

Linda S. McDermott
Township Clerk