

PRINCETON COUNCIL MEETING
October 14, 2013

A meeting of the Mayor and Council was held on this date at 7:00 p.m. in the Main Meeting Room in the municipal complex, 400 Witherspoon Street, Princeton, NJ 08540.

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 2013 Schedule of Regular Meetings. On January 1, 2013 at 2:15 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, the Town Topics, and filed with the Municipal Clerk.

ROLL CALL

The Municipal Clerk then called the roll.

Present: Mesdames Butler, Crumiller, Howard and Messers Liverman, Miller and Simon and Mayor Lempert.

Absent: None.

Also Present: Mr. Bruschi, Ms. Monzo Mr. Kiser, and Mr. Schmierer.

PLEDGE OF ALLEGIANCE

The audience participated in the Pledge of Allegiance.

MINUTES: May 13, 28, September 23, 2013

Ms. Crumiller offered a motion to approve the Council minutes of May 13, 2013 as presented.

The motion was seconded by Mr. Liverman and carried unanimously.

Mr. Liverman offered a motion to approve the Council minutes of May 28, 2013 as amended.

The motion was seconded by Ms. Butler and carried unanimously.

Mr. Miller offered a motion to approve the Council minutes of September 23, 2013 as amended.

The motion was seconded by Ms. Butler and carried unanimously.

COMMENTS FROM THE PUBLIC

Chip Crider, Bank Street, commented on recent parking enforcement issues noting that everyone lost in this incident except the merchants who participated in the scam.

Dale Meade, 48 Oakland Street, discussed an email that he recently sent to Council regarding property tax issues. He said that the Tax Assessor reviews values on property taxes, but said that he believes that the Princeton Tax Assessor does not follow the process and that he was not doing his job. He said that he believes that there is something wrong with the system and that he has serious questions. Mr. Meade asserted that the compliance plan, the assessment to sales ratio, was not equalized when the two towns consolidated.

(Mr. Meade's comments appended to this set of minutes)

Mayor Lempert asked for a report on partial assessments at the next Council meeting. Ms. Crumiller said that Council would take what Mr. Meade said seriously and look at the numbers.

Neira Livid said that she was disappointed in the negativity of the events that have been happening lately. She said that she supported Mr. Schmierer as the municipal attorney and asked that his reappointment be reconsidered, noting that it is best to utilize an experienced person and that it is not urgent to replace him. She said that Princeton is being watched by other municipalities and that Council has many other things on their plate than replacing the municipal attorney.

Mr. Simon asked that the agenda be amended and that a closed session be added with the following items. Negotiations: Princeton University and Professional Services for 2014, and Litigation: Avalon Bay.

Mayor Lempert said that she was uncomfortable to have a closed session at this time.

Ms. Butler said that she seconded Mr. Simon's proposal.

Mayor Lempert said that she has reached out to William Kearns, Esq. for a closed session training session.

Ms. Howard said that she thought that this was a terrific idea, that she would support this and that it should be scheduled quickly.

Ms. Butler said that she agrees with the training but said that there is pressing business to be addressed. She felt that this was a move to less transparency.

Ms. Crumiller said that issues with closed session were discussed in the last closed session meeting and thought everyone was in agreement who they should be handled.

Ms. Howard said that discussing issues outside of closed session put tax payers at risk and jeopardize current litigation.

Mr. Simon offered a motion to add a closed session as requested to this agenda. The motion was seconded by Ms. Butler. Ms. Crumiller, Ms. Butler and Mr. Simon voted in the affirmative for the motion, and Ms. Howard, Mr. Miller, Mr. Liverman and Mayor Lempert voted in the negative. The motion was defeated.

PRESENTATION

Human Services Update, Elisa Neira

Elisa Neira, Director Human Services provided an update to Council on the current activities of the Human Services Department. Ms. Neira said that a needs survey will be given out face to face at various events, noting that they are trying to reach 1000 households with the survey.

(Ms. Neira's comments appended to this set of minutes)

Ms. Howard said that we need to make sure that we are appropriately targeting our resources.

13-264 Resolution: Housing Board, Spending Plan, Shirley Bishop

Shirley Bishop, Affordable Housing Consultant, presented a consolidated spending plan to Council for their approval. She said that this would be used for the rehabilitation of low to moderate housing that is currently occupied. Ms. Bishop said that there is \$125,000. in the account waiting to be expended.

(Consolidated Spending Plan appended to this set of minutes)

Christy Peacock, Affordable Housing Coordinator said that the rehabilitation program is being set up as a loan.

Mr. Liverman offered a motion to approve resolution 13-264 as presented. The motion was seconded by Mr. Simon and carried unanimously.

REPORTS

Princeton University Canopy, Kristen Appelget

This report was tabled until the Council Meeting of October 28, 2013.

Ms. Howard said that the flu shot clinic is scheduled for October 22, 2013 at the Suzanne Paterson Center. The Legal Committee is reviewing the RFP for the Municipal Attorney and should be advertised by the end of the week. Mr. Simon said that he preferred to discuss this in closed session.

Ms. Crumiller said that the Public Works Committee was discussing crosswalks. She also noted that residents are using less garbage and that the tonnage has gone down.

Mr. Miller said that the Animal Control Committer has been discussing coyotes. Mayor Lempert asked if the information could be added to the municipal website. Ms. Butler said that N.J. Wildlife should be approached to see if they have a coyote program.

(Mr. Miller's comments appended to this set of minutes)

Ms. Butler said that Corner House will be having an All Dessert Competition and that Lance Liverman would be this year's honoree. She also noted that the Recreation Department was taking registrations for Dillon basketball and registration for the Christmas Spectacular at Radio City Music Hall, winterizing Community Park Pool and working in the former Borough Parks. She also made comments on the "Great Plant Rescue".

(Ms. Butler's comments appended to this set of minutes)

Mr. Simon noted that the next Council meeting with the Citizens Finance Advisory Council will be October 22, 2013. He also said that information has now been posted to the municipal web site from the meetings of the Alexander Street University Place Task Force, which deals with traffic and transit issues near Alexander Street and University Place. He also asked Mr. Kiser and Mr. West to update the web site to provide notification of the two upcoming public presentations planned by the ASUP Task Force. The first presentation is planned as a public meeting on Saturday November 9 on the Princeton University campus, and the second presentation is planned for a

Planning Board meeting in December. Which Planning Board meeting has not yet been finalized, but it will most likely be either Thursday December 5 or Thursday December 12.

Mayor Lempert reminded everyone that Special General Election Day would be held on Wednesday, October 16, 2013. She also said that she would be having a Meet the Mayor on October 17, 2013, 5:00 p.m. to 7:00 p.m. in Meeting Room A. Mayor Lempert noted that the first Council Meeting in November will be on Tuesday, November 12, 2013. She said that she participated in a Hispanic Heritage Month celebration at the John Witherspoon Middle School. She also recently went to Hamilton Township to view that Ham Stat call center

Mr. Kiser said that the Moore Street/Vandeventer Street project is moving along and that the Alexander Street/University Place connector road is scheduled to be opened.

Ms. Monzo reported that Robert McQueen and the Princeton IT Department were recent recipients of the prestigious GMIS Government to Government Award for its work during the consolidation.

Mr. Bruschi said that the investigation of parking enforcement issues concluded that procedures and a system will be put in place to make this more difficult. He said that there will not be any new hires until this procedure is in place and a review of job descriptions is completed. He noted that the matter has also been sent to the Mercer County Prosecutors Office for further review. Ms. Butler asked if there was any idea of what the lost revenue might be. Mr. Bruchi said that he did not and that there was no way of knowing. He said that all tips would be followed up on and that daily supervision of meter readers would be handled by the police department. Mr. Bruschi said that more than one merchant was involved and that information came from the management of one of the businesses.

RESOLUTIONS

13-265 Resolution Accepting Princeton Township 2012 Audit

Ms. Butler offered a motion to approve resolution 13-265 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

13-266 Resolution Approving the Corrective Action Plan

Ms. Butler offered a motion to approve resolution 13-266 as presented. The motion was seconded by Mr. Liverman and carried unanimously.

13-267 Resolution Determining The Form And Other Details Of Not To Exceed \$25,500,000 Of General Obligation Refunding Bonds

Mr. McManimon, McManimon, Scotland and Baumann reviewed the proposed resolution with Council.

Mr. Simon offered a motion to approve resolution 13-267 as amended. Mr. Simon requested that resolution 13-267 be amended to provide refunding not to exceed \$19,500,000, consistent with Mr. McManimon's presentation. The motion was seconded by Mr. Liverman and carried unanimously.

13-268 Intervener Status, Transco Pipeline

Mr. Miller offered a motion to approve resolution 13-268 as presented. The motion was seconded by Ms. Crumiller and carried unanimously.

13-269 Resolution and Agreement, Deer Hunting Services, United Bowhunters of New Jersey for 2013-2014.

Mr. Miller offered a motion to approve resolution 13-269 as amended. The motion was seconded by Ms. Crumiller and carried unanimously.

13-270 Supplemental Professional Services Agreement, Harry Haushalter, Esq., Tax Consultant, Not to Exceed \$35,000.

Ms. Crumiller offered a motion to approve resolution 13-270 as amended. The motion was seconded by Mr. Simon and carried unanimously.

13-271 Support Marriage Equality

Ms. Howard offered a motion to approve resolution 13-271 as amended. The motion was seconded by Mr. Simon and carried unanimously.

13-272 Tax Exempt Status, Klepper Property

Mr. Simon offered a motion to approve resolution 13-272 as presented. The motion was seconded by Ms. Butler and carried unanimously.

13-273 Employment Contract, Administrator

Ms. Howard offered a motion to approve resolution 13-273 as amended. The motion was seconded by Mr. Liverman and carried unanimously.

(Resolutions appended to this set of minutes)

ORDINANCE PUBLIC HEARING

Mayor Lempert read by title an ordinance entitled AN ORDINANCE AMENDING SECTION 2-116 OF THE CODE OF THE TOWNSHIP OF PRINCETON CONCERNING THE ANIMAL CONTROL ADVISORY COMMITTEE.

Mayor Lempert opened the public hearing.

There being no public comment, the public hearing was closed.

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

ORDINANCE INTRODUCTION

Mayor Lempert read by title on first reading a proposed ordinance entitled AN ORDINANCE AMENDING PARKING REGULATIONS ON A PORTION OF ALEXANDER STREET AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Ms. Butler noted that there was not a lot of parking available on Alexander Street.

Mike Oliver, Alexander Street said that he was concerned because he did not have off street parking for his business.

Mr. West, Engineering said that provisions would be made for such parking issues.

Ms. Butler offered a motion to approve the proposed ordinance on first reading. The motion was seconded by Ms. Crumiller and carried unanimously. The public hearing will be held on October 28, 2013.

CONSENT AGENDA

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

a. Bills and Claims

b. 13-274 Banner Request over Washington Road, November 4 to November 11, 2013 for Princeton University Concerts, announcing "*A Trilling Event*".

c. 13-275 Banner Request over Washington Road, November 11 to November 18, 2013 for Princeton Triangle Club, announcing their fall production.

d. 13-276 Banner Request over Washington Road, November 18 to November 25, 2013 for Corner House, Announcing the winner of the Autumn Nights All-City Dessert Competition.

e. 13-277 Banner Request over Washington Road, March 10 to March 17, 2014 for Princeton University Concerts, announcing "*Leave it to Ludwig*".

f. Maintenance/Performance Guarantees:

- 343 Jefferson Road Minor Subdivision, Blk 7000, Lt 3, Igor Barsky, Completion time extension to December 31, 2013.

- McCaffrey's Emergency Generator, Blk 7401, Lt 1, Release of performance guaranty contingent upon retainage of a cash amount of \$375.00 which is 15% of the performance guaranty amount and will serve as the required two year maintenance guaranty.

g. 13-278 Resolution, Appointments, Boards and Commissions

h. 13-279 FY 2012 Great Road Bid Award – 60 Calendar Day Time Extension Request To Award Construction Contract

i. 13-280 Bid Award: Fall Tree Planting, Pat Scanlon Landscaping, Inc., New City, NY, \$15,954.00

j. 13-281 Bid Award: 1500 Gallon Truck Mounted Sewer Jet, Bucks County International, Inc.,

Ms. Butler offered a motion to approve consent agenda items "a-i" in block. The motion was seconded by Mr. Liverman and carried unanimously.

Ms. Crumiller offered a motion to approve item "j". The motion was seconded by Mr. Simon and carried unanimously.

(Resolutions appended to this set of minutes.)

There being no further business the meeting was adjourned at 10:45 p.m.

Linda S. McDermott
Municipal Clerk

Date: October 14, 2013
To: Princeton Council
Subject: Property Tax Issues in Princeton
From: Dale Meade, Princeton Fair Tax Revaluation Group

In the October, 2013 time frame, there are several property tax issues that need to be addressed:

1. Added assessments for property under construction – I remind you of the New Jersey statutory requirements specified in N.J.S.A. 54:4-23 and 4-35 and below from the NJ Assessors Manual 2012(attached)

"All real property must be valued as of October 1 of the pretax year for the next calendar tax year. For structures under construction on pretax year October 1, the assessment is a "partial assessment" based on the portion of final value present on that date. The Added Assessment is based on the value added between October 1 and the date the structure is completed."

Two types of property are affected by the Added Assessment Law.

1. Structural Changes. New structures, additions to existing structures, and improvements of existing structures are subject to the Added Assessment Law if they are completed after the statutory annual October 1 assessment date. A structure is "completed" when it is substantially ready for the purpose for which it was intended. The structure need not actually be in use; it is taxable when it is ready for use."

2a. Exempt Properties becoming Taxable. Real property which ceases to be exempt because of changes in use, ownership, nonprofit status or anything which alters the basis for exemption, may make the property subject to the Added Assessment Law.

2b. Real Property Sold by a Municipality. Exempt real property sold by a municipality to a non-exempt owner is treated as an Added Assessment in the same manner as structures completed during the year.

There are a very large number of properties under construction in the Municipality with a total added assessment that would bring in additional tax revenue in the range of millions of dollars per year. I do not understand why the Municipality does not insist that the Assessor rigorously follow the Added Assessment Law as is the case in other municipalities. I sometimes get the impression that Princeton officials are actually directing the Assessor not to actively enforce the Added Assessment Law. As evidence, I recall August 16, 2010, when the Princeton Township Committee unanimously approved removing the added assessment that had been placed correctly on 144 Terhune Avenue by ASI during the Revaluation.

1. Examples of Preferential Treatment for Properties under Construction

Residences at Palmer Square - The ~ \$200 million dollar Residences at Palmer Square (RPS) project is now essentially completed with minor landscaping and external brickwork on the entrances along Paul Robeson Place in the final stages. This represents a very large property value and should be assessed at the full value consistent with the N.J.S.A. The typical listing prices for Townhouses are ~ \$1.8 M, but completed units are assessed at \$395,000 for land and a partial building assessment of \$400,000 for a total assessment of \$795,000. This is approximately ½ of the value for the Townhouse. According to the 2013 Tax List, there were 23 Townhouses assessed at ½ their value, or an under assessment of \$11M, which means a lost tax revenue of about \$220,000 from the Townhouses alone. In 2011, the 66 apartments were in a similar under assessed situation. In 2013, this is more difficult to examine from the public records since the 66 apartments were consolidated into single unit in 2012 with a large reduction in assessment. The total assessment on the RPS has decreased by \$17M between 2010 and 2013 resulting in \$340,000 of lost tax revenue. **The Town of Princeton is losing somewhere in the range of \$560,000 of tax revenue per year due to the under assessments on the Residences at Palmer Square.** Have special deals been made to reduce assessments for the Residences at Palmer Square?

McMansions Under Construction-About 20 McMansions are in various stages of construction after tear down of a smaller house. The Assessor follows the law by decreasing assessment to "Vacant Land" October 1 after tear down, but does not follow the law the following October 1 when an essentially completed McMansion is on the property but is not yet sold. The net benefit to a McMansion owner has been as large as \$60,000 per year. The average tax rebate to the developer/owner is ~ \$20,000 per property **or a loss in tax revenue to Princeton in the range of \$400,000 per year.** Other Municipalities follow the law, why doesn't Princeton? Residents are filing appeals to correct this one property at a time.

2. Commercial Property Assessments -

The Princeton Shopping Center - The Princeton Shopping Center sold in June 2012 for \$65M, at that time it was assessed at \$30.5 M. Amazingly, the Shopping Center Owners had just won an Appeal in 2011 to reduce the PSC assessment from \$34M to \$30.5M. There is something seriously wrong, if the Appeals process resulted in an assessment of only ½ the sales price a few months later. The 2013 assessment is \$30.5M, less than ½ its market value. **The Town of Princeton is losing \$600,000 of Tax revenue due to the under assessment of The Princeton Shopping Center. This egregious case is being appealed in Tax Court by the residents of Princeton.**

Princeton Medical Center properties at Witherspoon, Henry and Harris were tax exempt in early 2012, and were required to be assessed at the fair market value. The Main building Boro Block 21.02 lot 1 was assessed as: land =\$33M, Improvement = \$93M for a total assessment of \$126M. The Medical Center ceased operating at the Witherspoon location in early June 2012. At that point in time, the properties in the Witherspoon, Henry, Harris area were no longer exempt, and the taxes should have been collected starting ~ July 1,

2012. How much property tax was collected for the period July 1, 2012 to December 31, 2012? The Main Hospital Building was assessed at \$126M in early 2012, and was then decreased to \$16M by 2013. The assessments on the Medical Center Properties need more investigation.

The 'Lahieres' properties on Witherspoon St were assessed \$3.63M during the 2010 Revaluation, and on October 22, 2010 were sold for \$4.65M. In 2013, these properties are now assessed at only \$3.15M.

Land Only Assessments - Vacant Land is often vastly under assessed, some examples Block 5601, L-2, 4.35 acres, assessed at \$870,000 sold 8/17/11 for \$1,680,000, R=1.93 Block 5601, L-4, 9.77 acres, assessed at \$547,800 sold 8/17/11 for \$1,830,000, R= 3.34 These discrepancies were brought to the attention of the Township Committee in November 2011, before the Township participated in the purchase of Block 5601, L-4 for a price that was 3.34 times the Revaluation assessment the year before. Something is wrong!

The list goes on and on.....

3. Maintenance of Property Assessment

After the 2010 Revaluation, the Princeton Assessor filed Compliance Plans for 2011, 2012 and 2013 as a means to correct errors from the Revaluation and follow recent trends. The Compliance Plans follow the same methodology of a Mass Appraisal as a Revaluation. Namely, recent sales, assessment appeals, real estate listings, etc. of various neighborhoods are used to adjust assessments of all properties in those neighborhoods. The main difference between a Compliance Plan and a Revaluation is that less than 50% of the properties can be adjusted in a single year using a Compliance Plan.

The errors noted in the 2010 Revaluations were:

- unjustifiable and seemingly arbitrary differences in the land value assessments for various neighborhoods
- unexplainable differences between the assessments of similar houses in the same neighborhood
- obvious errors in the property data sheets

I have been trying to understand the 2013 Compliance Plan for Princeton as approved by the County Tax Administrator, County Tax Board and endorsed by the Princeton Council.

There are obvious errors in the Summary Tables presented in the Plan. There are other entries for which there is no basis for a change -namely no sales in a neighborhood. On September 3, 2013, I filed an OPRA Request for the documentation that support the 2013 Compliance Plan. As of October 14, the Princeton Assessor has not complied with my request for records sufficient to support the 2013 Compliance Plan.

4. Consolidation of Borough and Township required equalization of Assessments. –

The ratio of Assessment to Sales price in the Borough for 2010, 2011 and 2012 were systematically lower than that ratio for the Township by more than 3%. This means that the Borough assessments were more than 3% low relative to their fair market value than the Township assessments. This should have been corrected in the Consolidation or in the 2013 Compliance Plan. There is no evidence that this greater than 3% difference was corrected, despite the fact that the compliance plan adjusted some neighborhoods by as little as 1.2%.

This oversight should be corrected in the Compliance Plan for 2014 that will be prepared within the next month by the Assessor and submitted to the Mercer County Tax Board.

5. The Resolution 13-272 is apparently an example of the Princeton Local government directing the assessor to reduce the assessment on a particular property. If the assessor is following State law, this resolution is irrelevant. **So is the Princeton Council directing the Assessor not to follow State Law?** Are there any other cases where the Princeton Local government has directed the assessor to reduce assessments on particular properties or classes of properties??

Council Meeting

October 14, 2013

Community Needs Assessment

Thank you for having me today. I'm Elisa Neira-Director of Human Services and I'm here today to update you on some exciting things that Human Services has been working on. First, I would like to introduce to you our "Bienvenidos a Princeton" folleto which means Welcome to Princeton. This book which was 3 years in the making and is the product of the hard work of Laura Encinas, HS Commission Member, Lucia Acosta from the Princeton Public Library, Nina Lavado, Princeton Regional Schools, Rebecca Salazar LA Legal Defense and Education Fund, and Maryam Mian (2nd grader at CP whose art work is the front cover of this book). The purpose of this book was to provide our Princeton Spanish speaking families with a resource guide filled with useful information such as resources, services, and systems essential to Princeton Residents. We were able to finally print 2500 copies of this book and I have been distributing them through the schools and service providers who serve this population. And I wanted to take this opportunity to present this to the Mayor and Council and to the community and to also acknowledge the people who worked very hard in its development. I also wanted to talk about an initiative that the department has undertaken which is the planning and the development of a community needs assessment. One of the projects I had in mind when I was hired for this position was to conduct a community needs assessment to better understand the needs of the community. I was told that one of the biggest challenges was the lack of communication and relations with hard to reach groups. Since then, my focus has been to take a step back and evaluate the department and its structure and the community it serves in efforts to improve the delivery of its services. So since July the department took its great initiative to develop a plan to conduct a community needs assessment.

Diana Alvarez began volunteering for the department back in July, because of her background education and experience she was a perfect fit to assist with this project. In the past few months, we have been working along with an advisory committee, on the

development of the CNA which purpose is to determine if there are any unmet needs and service gaps that some of Princeton's low-income households may face that we may not be aware of. After meeting with more than 25 organizations, agencies, other municipal departments, and key people from the Princeton community, one of them being Ralph Widener who shared with us very useful data for this project-we were able to define the most relevant areas in which the CNA will focus on which are Basic Needs such as Food, Housing, and Healthcare and accessibility of resources such as transportation, legal matters, childcare, employment, and safety.

We believe that the outcome of this research project will be beneficial to not only the HS department, to Princeton, and to most service providers in order to maximize and improve service delivery and advocacy efforts based on data and input from this population. The methodology of the CNA is to gather data through a survey and focus groups which will provide us with both quantitative and qualitative data. Our plan is to distribute the questionnaire by holding events throughout the community such as local churches, community-based groups and partner organizations, an incentive will be given to the participants. We have made great relationships with churches and other organizations in town who have committed to helping us with the events by offering space, helping with the advertisement of the events to make sure they are well attended. Our goal is to reach between 500 and 1,000 households.

To date, we have a final draft of a comprehensive questionnaire which has been tested by a small group of people who are considered representative of this population. Throughout the development of this questionnaire, we have received feedback from the members of the advisory committee, the Human Services Commission, the Department of Human Services of Snohomish County, WA (who have conducted a similar CAN in their county), and the Princeton University has been so instrumental in this project-both survey Research Center (Dr. Edward Freeland and his students). Survey methods graduate students-

We hope that this project is the first step of many to take a more comprehensive approach to recognize the challenges and the needs of our community that may be unknown or underestimated. -this department has a lot of potential, I can also foresee the outcome of

projects like the CAN -- they can be very instrumental to all of our community service providers and organizations who serve the different groups in our community in their efforts to develop new programs or modify their current programs based on findings from this type of research.

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Memorandum

To: Princeton Affordable Housing Board
From: Shirley M. Bishop, P.P.
Date: September 17, 2013
Re: Consolidation of Former Princeton Borough and Township Spending Plans

I. Background

As you are aware, municipalities that are under the jurisdiction of the Court or the Council on Affordable Housing (COAH) may impose, collect and expend development fees. Both the former Township and Borough have been imposing, collecting and expending trust fund money in accordance with approved spending plans. However, now that there is one consolidated Princeton it is appropriate to have one consolidated spending plan.

It is important to consolidate the two spending plans at this time. COAH has approved the former Borough's plan to spend \$135,582.58 for rehabilitation (A contract is in place for the rehabilitation) and \$127,711.31 for affordability assistance. However, there were no recipients for those funds in the former Borough. Rather than sitting in an account, the funds should be available community-wide. As a result, a consolidated spending plan is proposed and attached for your review.

II. Consolidated Spending Plan

The consolidated plan is a combination of the two plans with the appropriate calculations for administration and affordability assistance.

The projection of future development fees remains the same as well as the housing activities.

Princeton / Mercer County
Consolidated Affordable Housing Trust Fund Spending Plan
September 3, 2013

INTRODUCTION

The former Princeton Borough and the former Princeton Township / Mercer County prepared Housing Elements and Fair Share Plans that addressed their regional fair shares of the affordable housing needs in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.).

As of January 1, 2013, the Township and Borough consolidated and became known as Princeton.

Development Fee Ordinances creating dedicated revenue sources for affordable housing were approved for the former Borough by the Superior Court on December 15, 1995 and adopted on June 8, 1995. The former Township's Development Fee Ordinance was approved by COAH on October 11, 1995 and adopted on June 24, 1996. A new Development Fee Ordinance for the consolidated Princeton is in the process of being prepared.

In the meanwhile, the original Development Fee Ordinances established the former Borough and the former Township Affordable Housing Trust Funds.

As of January 1, 2013 Princeton had a beginning balance of \$701,193.43.

All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

From January 1, 2005 through December 31, 2012, the former Borough and the former Township expended funds on affordable housing activities that were previously approved by COAH and documented in the Annual Trust Fund Monitoring Reports submitted to COAH.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, Princeton considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and

3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows:

All PIL have been collected. However, PIL are not currently anticipated to be collected or assessed, except as they may incidentally flow from obligations for fractions of units in inclusionary developments.

(c) Other funding sources:

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income and proceeds from the sale of affordable units. *No other funds have been or are anticipated to be collected.*

(d) Projected interest:

Interest on the projected revenue in the Affordable Housing Trust Fund is based on the average interest rate of one percent.

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2013 THROUGH 2018										
(a) Development fees:											
1. Approved Development											
2. Development Pending Approval											
3. Projected Development											
(b) Payments in Lieu of Construction											
(c) Other Funds (Specify source(s))											
(d) Interest											
Total											

Princeton projects a total of \$1,515,000 in revenue to be collected between January 1, 2013 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Princeton:

(a) Collection of Development Fee Revenues:

i Collection of development fee revenues shall be consistent with the Princeton Development Fee Ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L. 2008, c. 46, Sections 8 (C. 52:27D-329.2) and 32-38 (C.40:55D-8.1 through 8

(b) Distribution of Development Fee Revenues:

The governing body shall adopt a resolution authorizing the expenditure of development fee revenues consistent with the COAH-approved spending plan. Once a request has been approved by resolution, the CFO shall release the requested revenue from the Affordable Housing Trust Fund for the specific use approved in the governing body resolution.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)

COAH has approved \$135,582 for rehabilitation and \$400,000 for a market to affordable program. In addition, \$480,000 will be dedicated as contributions to buy-down low income rental units.

(b) Affordability Assistance (N.J.A.C. 5:97-8.8)

Projected minimum affordability assistance requirement:

Actual development fees and interest through 12/31/2012		\$5,271,033.02
Development fees projected 2013-2018	+	\$1,500,000
Interest projected 2013-2018	+	\$15,000
Less housing activity expenditures through 12-31-12	-	\$4,083,314.10
Total	=	\$2,702,718.92
30 percent requirement	x 0.30 =	\$810,815.76
Less Affordability assistance expenditures	-	\$292,480.62
PROJECTED MINIMUM Affordability Assistance	=	\$518,335.06

Requirement 1/1/2005 through 12/31/2018		
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018	÷ 3 =	\$172,778.35

Princeton will dedicate 518,335.06 from the affordable housing trust fund to render units more affordable, including \$172,778.35 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

Down payment assistance loans, association fee assistance to bring homeowner association dues current, mortgage buy-ins to homeowners to avoid foreclosure, assistance with emergency repairs, energy efficiency and a market to affordable program to render more units affordable to households earning 30 percent or less of median income.

It should be noted that COAH approved \$127, 711.31 for affordability assistance.

(c) Administrative Expenses (N.J.A.C. 5:97-8.9)

Princeton projects that \$1,163,161.73 will be available from the Affordable Housing Trust Fund to be used for administrative purposes. However, Princeton only intends to allocate \$400,000 at this time but may increase this amount at a later date. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Administrative salaries and benefits for municipal employees and/or consultant fees to implement an affordable housing program, preparation of a Housing Element/ Fair Share Plan, spending plan and amendments, an affirmative marketing program, income qualification of households, monitoring the turnover of sale and rental units, preserving existing affordable housing and compliance with COAH monitoring requirements.

PRINCETON PROJECTED MAXIMUM ADMINISTRATIVE EXPENSES		
Actual Development Fees and Interest to 12/31/12		\$5,271,033.02
Development Fees Projected 1/1/13-12/31/18	+	\$1,500,000
Interest Projected 1/1/13-12/31/18	+	\$15,000
Payments in Lieu of Construction through 12/31/18	+	\$0.00
Less RCA Expenditures through 2018	-	\$0.00
Total Projected Administrative Expenses from Trust Fund	x.20	\$1,357,206.60
Less Actual Administrative Expenses through 12/31/12	-	\$194,044.87
Total Remaining Projected Administrative Expenses		\$1,163,161.73

4. EXPENDITURE SCHEDULE

Princeton intends to use Affordable Housing Trust Fund revenues for the creation and/or rehabilitation of housing units up to 2018 as described in the former Borough's and former Township's Housing Elements and Fair Share Plans. Where applicable, the funding schedule below parallels the new implementation schedule and is summarized as follows: Rehabilitation, affordability assistance, rental contributions, administration and a market to affordable program.

5. EXCESS OR SHORTFALL OF FUNDS

The governing body of Princeton has adopted a resolution agreeing to fund any shortfall of funds required for implementing the consolidated affordable housing programs. In the event that a shortfall of anticipated development fees occurs, Princeton will bond or utilize general revenues. A copy of the adopted resolution is attached. Princeton may also elect to amend its Fair Share Plan.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the affordable housing obligation will be used for affordability assistance, to increase the administrative expenses up to the 20 percent cap, for the purchase of existing residences to create group homes, for housing rehabilitation, contribution to rental housing and/or to expand the market to affordable program.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with Princeton's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

SUMMARY

Princeton intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the adopted Housing Elements and Fair Share Plans of the former Borough and the former Township in addition to any waivers granted by COAH.

Princeton has a remaining balance of \$701,193.43 as of January 1, 2013 and anticipates an additional \$1,515,000 in revenues for a total of \$2,216,193.43. Princeton will dedicate \$1,015,582.58 towards rehabilitation, a market to affordable program and a rental contribution program, \$800,610.85 to render units more affordable, and \$400,000 to administrative costs. Any shortfall of funds will be offset by bonding.

SPENDING PLAN SUMMARY	
Balance as of January 1, 2013	\$ 701,193.43
PROJECTED REVENUE 2013-2018	
Development fees	+ \$1,500,000
Payments in lieu of construction	+ \$00.00
Other funds	+ \$00.00
Interest	+ \$15,000
TOTAL REVENUE	= \$2,216,193.43
EXPENDITURES	
Funds used for Rehabilitation	- \$135,582.58
Funds used for New Construction	
Market to Affordable	- \$400,000
Rental Contribution	- \$480,000
	- \$
	- \$
	- \$
	- \$
	- \$
	- \$
Affordability Assistance	- \$ 800,610.85
Administration	- \$400,000
Excess Funds for Additional Housing Activity	
	-
	-
	-
TOTAL PROJECTED EXPENDITURES	= \$2,216,193.43
REMAINING BALANCE	= \$0.00

To: The Mayor and Council

Date: Oct. 14, 2013

Subject: Report of the Animal Control Advisory Committee – Recommendations for Dealing With the Coyote Problem in Princeton

1. In our meeting on Oct 3rd the Animal Control Advisory Committee (ACAC) discussed the fact that anecdotal evidence indicates that the coyote population in at least two areas of the municipality, the vicinity of the Princeton Community Village (PCV) and the Institute for Advanced Study (IAS), has increased to the point where there have been numerous coyote sightings and some interaction between humans and coyotes.
2. In the Oct 3rd meeting the ACAC considered recommending to the Mayor and Council that the municipality contract with White Buffalo to conduct a culling program for coyotes concurrent with our annual White Buffalo deer cull. This information was conveyed to the Mayor and Council in writing as a report on the Oct 3rd meeting of the ACAC.
3. Following the Oct 3rd meeting members of the ACAC did a search on-line on methods of coyote population control. From the literature reviewed, the Committee concluded that:
 - Coyotes are a pervasive problem in both urban and suburban areas
 - Coyotes do not have any natural predators in suburban areas similar to Princeton
 - Several authors recommended that an education program is the most effective way of controlling coyote/human interaction in a suburban setting. Some authors suggest that culling in a suburban area leads to interbreeding of coyotes and dogs, and that the population quickly returns to pre-culling levels.
 - Some authors suggested that culling techniques have worked in rural areas. These include baiting, trapping, shooting and denning. Locating and destroying the coyote dens appears to be an effective practice as it disrupts the coyotes and they move to another area.

Additionally, the ACAC contacted Tony DeNicola, the President of White Buffalo, on the question of coyote population control in a suburban area. Tony pointed out, that unlike

deer that tend to stay within about ¼ mile of where they were born, coyotes range over a much larger distances. Several miles is not uncommon. He said that a cull is not likely to be effective. If an area is cleared an of coyotes, new coyotes will move in. Tony recommended a public education campaign to educate our residents not to leave pet food outside, not to feed coyotes, not to leave small pets out at night, not to approach coyotes and to take action to frighten coyotes if they approach you. It's worth noting that the foregoing advice comes from the company that stood to benefit if Princeton conducted a coyote cull.

Given the results of our literature review and the recommendations from Tony DeNicola, the ACAC believes that we need further information before we can make a recommendation to the Mayor and Council concerning coyote population control. For these reasons, the ACAC recommends:

- A program to educate our residents on the best practices to reduce interaction between coyotes, humans and their pets
- That our Animal Control Officer collect quantitative data on the level and seriousness of the coyote problem in Princeton for presentation to the ACAC in June '14
- That our Animal Control Officer be authorized to destroy any coyote dens that he locates in the course of his work

Any recommendation for coyote population control program will be postponed pending further research on the effectiveness of these programs, an evaluation of the success of the education program and evaluation of quantitative data on the extent of the problem.

Bernie Miller

Chair
Animal Control Advisory Committee

To: jo.butler@verizon.net

Subject: great plant rescue

Sometimes outcomes are bigger than the sum of their parts. The Great Plant Rescue was just that.

This summer, I was contacted by Patricia Taylor and Barbara Trelstad about the possibility of saving some of the beautiful plantings from around the hospital before they were lost in the demolition of the building. Their idea was to move them to Princeton Housing Authority. It sounded like a relatively simple endeavor, but we needed a lot of cooperation. The good news is we got it, and on Friday, Oct 4, the Great Plant Rescue was executed.

I want to thank Jon Vogel at Avalon Bay for agreeing to let us remove the plants.

Pam Hersh, and the Princeton Healthcare System for their help in coordinating with Avalon Bay.

Thanks to Bob Bruschi and Liz Lempert for their efforts on behalf of the municipality.

I want to thank the folks at DPW -- Bob Hough, Wayne Carr, Bill Urian and his entire Crew -- including one exceptional heavy equipment operator.

Thanks to our arborist Greg O'Neill for his contributions.

Thanks to Malcolm Roach, the Supervisor of Maintenance at the Housing Authority, who received over 80 plants.

Thanks to the folks at the Rec department for their involvement and willingness to chip in.

Thanks especially to the volunteer master gardeners -- Gail Ullman, Barbara Trelstad and really to Patricia Taylor for keeping this moving when it could have bogged down.

By the time this was over, plants were also moved to the municipal complex, the senior Resource Center, the Arts Council and Harrison St. Park.

I would like to close with a note written by Susan Friedman the Home Friends Director and Care Coordinator at the Sr. Resource Center on behalf of the residents of Spruce Circle -- who by the way, was also seen with her hands in the dirt.

"The residents of Spruce Circle wish to express their deep appreciation for and pleasure in the gift of the beautiful shrubs, trees and ornamental grasses donated to us by the hospital and planted by the maintenance crew from the Princeton Housing Authority.

Our Sincere thanks to everyone who worked together to make this possible.

Sincerely,

The Residents of Spruce Circle"

I think this is a project of which we can all be proud. It was a great coordinated effort from the top down, across departments and between community members.

Jo Butler

Senior Search Consultant

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