

PRINCETON TOWNSHIP COMMITTEE MEETING
April 26, 2010

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 2010 Schedule of Regular Meetings. On January 3, 2010 at 1:25 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 Township Clerk.

ROLL CALL

The Township Clerk then called the roll.

Present: Mesdames Lempert and Nemeth and Messrs. Goerner, and Liverman.

Absent: Mayor Miller.

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

MINUTES

Mr. Liverman offered a motion to approve the minutes of March 8, 2010. The motion was seconded by Mr. Goerner and carried by four affirmative votes. Mayor Miller was absent.

Ms. Nemeth offered a motion to approve the minutes of March 22, 2010. The motion was seconded by Mr. Liverman and carried unanimously by four affirmative votes. Mayor Miller was absent.

Ms. Lempert offered a motion to approve the minutes of February 8, 2010. The motion was seconded by Ms. Nemeth and carried by four affirmative votes. Mr. Goerner abstained.

The minutes of March 31, 2010 were tabled.

CONSENT AGENDA

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

a. Bills & Claims

b. Maintenance/Performance Guarantees

- Gordon Bunn Drive MAB Associates, LLC, reduction of the performance guaranty – an amount of \$38,257.59 plus interest if applicable should be returned to the applicant from the cash portion of the guaranty. A new performance amount of \$619,741.60 is

recommended with a new Letter of Credit amount of \$557,767.44 and 10% cash in the amount of \$61,974.16 to be retained.

- c. Music Amplification Requests:
 - Princeton Academy of the Sacred Heart, Fundraising Gala, 1128 Great Road, 6:00 p.m. to 11:00 p.m.
 - Mindy Blatt, wedding at Mountain Lakes, June 5, 2010, 5:00 p.m. to 11:00 p.m.
 - Talia Andrei, wedding at Mountain Lakes, June 12, 2010, 5:30 p.m. to 11:00 p.m.
- e. Resolution: Appointing Alternate Safety Delegate to JIF
- f. Resolution: Fiber Technologies Networks, LLC, Granting Municipal Consent
- g. Resolution & Agreement: 235 Clover Lane Encroachment Agreement
- h. Request for Fireworks: Kathleen Winant, June 19, 2010 at 9:00 p.m. for a wedding at Coventry Farm contingent upon approval of the Fire Official.
- i. Resolution: Personnel Manual Amendments
- j. Resolution – Affordable Housing Unit
- k. Resolution – Increase in Temporary Budget
- l. Bid Award: Greenway Meadows Tree & Shrub Planting, Pat Scanlon Landscaping, New City, NY, Not to Exceed, \$3,887.50
- m. Request for Road Closure: Vicky Bergman, Leabrook Lane between 104 and 160, May 31, 2010, 4:00 p.m. to 7:00 p.m. for a block party contingent upon approval by the Traffic Safety Officer.

Mr. Liverman offered a motion to approve the consent agenda as presented. Ms. Lempert seconded the motion, which was carried unanimously by those present.

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

ORDINANCE INTRODUCTIONS

Deputy Mayor Goerner read by title on first reading a proposed ordinance entitled AN ORDINANCE ESTABLISHING CHARGES AND REQUESTS FOR TAX SALE CERTIFICATE REDEMPTIONS AND AMENDING THE “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968”.

Mr. Schmierer said that recent legislation contains two provisions regarding requests to a tax collector for calculations of the amount necessary to redeem a tax sale certificate.

The first addresses repeated requests for the redemption amount by those parties who are entitled to redeem the certificate. The legislation recognizes that repetitive requests for redemption amounts

should be paid by the individual/company making the request. Therefore, the legislation indicates that the first two redemption requests in a given calendar year can be provided at no charge. All subsequent requests in a calendar year can involve a charge by the Township in the amount of fifty dollars per request.

The second change arises when a lien holder is preparing to foreclose on a tax sale certificate and requests from you the calculation of the redemption amount prior to issuing the statutory notices to all parties concerning their intent to foreclose. In that instance, the new legislation also permits a fifty dollar charge for the office's preparation of the calculation.

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 set for May 24, 2010.

Deputy Mayor Goerner read by title on first reading a proposed ordinance entitled AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY CONCERNING CONSUMPTION OF ALCOHOL IN PUBLIC PLACES AND DISORDERLY CONDUCT AND AMENDING CHAPTER XIII OF THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968".

Mr. Schmierer said that currently the public intoxication ordinances are an issue as a result of litigation challenging the validity of such ordinances throughout the State. Judge Goldman said that she is concerned that she cannot enforce these sections of the Township Code knowing that there are State laws that likely superseded them. Mr. Schmierer said that he had been working with Judge Goldman on the proposed amendments in order to resolve any ambiguities that may exist as to whether portions of these sections are preempted by State law. The proposed revisions include broader language regarding the types of conduct and behavior that constitute public nuisances to avoid a possible conflict with State law. Additionally amendments have been made to clarify legal distinctions between the public consumption of alcoholic beverages by minors versus persons of legal age and at Judge Goldman's suggestion, community service has been included as a possible penalty for such violations.

Mr. Liverman 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 set for May 24, 2010.

COMMENTS FROM THE AUDIENCE

Henry Frank, 126 Valley Road commented on brush and leaves on the burm.

REPORTS

Ms. Nemeth commented that Affordable Housing will be sponsoring a Home Buyer workshop on May 1, 2010 at 8:30 a.m.

Mr. Liverman commented on the Corner House fundraiser.

Ms. Lempert commented on the upcoming "Stand Against Racism" program, Friday April 30, 2010.

Mr. Goerner noted that there will be a joint meeting with Borough Council on May 4, 2010

WORK SESSION

Stormwater Management Rules (NJAC 7:8), Tier A Permit Briefing

Joseph Skupien, Stormwater management Consulting, LLC, gave a power point presentation detailing Stormwater Management Rules.

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/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

- **Harris Settlement Agreement**
- **COAH**
- **Lavids**
- **Dog Abuse Incident**
- **Lindenfeld Donation**
- **PBA update**
- **Jt. Finance Committee status report**
- **Princeton First Aid & Rescue Squad**
- **Consolidation Study Commission, Citizen Appointments**

The above referenced issues were discussed by Township Committee.

There being no further business the meeting was adjourned at 8:40 p.m.

Linda S. McDermott
Township Clerk