

PRINCETON TOWNSHIP COMMITTEE MEETING
November 23, 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 Mr. Goerner.

Absent: Mr. Liverman.

Also Present: Messrs Kiser, Pascale, Schmierer and Chief Emann

VOLUNTEER AND EMPLOYEE SERVICE AWARDS

Mayor Miller and Township Committee recognized the following individuals for various years of service

Volunteers

5 YEARS

Ira Fuchs
Walter Kreig

Library
CATV

10 YEARS

David Cornell
Peter Madison

Housing Board
Planning Board

Antonio Pirone

Zoning Board of Adjustment

Frank Maddalon
Joseph Matticoli

Construction Board of Appeals
Construction Board of Appeals

45 YEARS

Charles Hunt

Board of Improvement Assessors

Township Employee Awards
5 YEARS

Lorraine Jones
Anastasia Ryan
Kathryn Monzo

Tax Assessor
Recreation
CFO

10 YEARS

Anne Criscitello
Cynthia Mendez
Janet Pellichero
Theodore Gibson
Edward Hujber
Fred Schulz

Zoning/Historic Preservation
Human Services
Public Works
Public Works
Public Works
Engineering

15 YEARS

Ilene Cutroneo
Jorge Narvaez
Kerry Philip
Lee Solow
Christopher Torres
Olivia Kidd
Shubhra Pakrashi

Planning
Police
Planning
Planning
Public Works
Finance
Finance

20 YEARS

Diane Laszczyk
Christine Lewandoski

Police
Historic Preservation

25 YEARS

Arthur Villaruz

Police

30 YEARS

Peter Kneski

Zoning

RETIREEES

Mildred Fiumenero
Caroline Sapio

Administration
Municipal Court

CONSENT AGENDA

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

- a. Bills & Claims

- b. Maintenance/Performance Guarantees
 - JAT Holdings/the Bank of Princeton – Release of performance guaranty subject to receipt of an acceptable two year maintenance guaranty in the amount of 15% of the original guaranty amount.
 - Orchard Holdings LLC, Mid-Block Crosswalk Improvements for Alexander Street and Harrison Street – Release of maintenance guaranty subject to approval of work by Mercer County.
 - Princeton University, 294-306 Alexander Street; Lot 7 & 8, Block 11501 – Release of performance guaranty along with any remaining escrows. No maintenance guaranty is required.
 - James J. Britt, Jr., Esq.: Maybury Hill Subdivision – Release of performance guaranty along with any remaining escrows. No maintenance guaranty is required.

- c. Resolution to Amend PBA Contract : Community Services Bureau

- d. Resolution and Agreement: County of Mercer, Municipal Alliance Contract 2010, \$28,020.00

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

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

ORDINANCE PUBLIC HEARINGS

Shade Tree Ordinance

Mayor Miller read by title an ordinance entitled AN ORDINANCE AMENDING SECTION 2-24.1, CONCERNING THE SHADE TREE COMMISSION, AND AMENDING THE LAND USE CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968, REGARDING TREE REMOVAL, PRESERVATION, AND MITIGATION.

Mayor Miller opened the public hearing.

Mr. Solow, Planning Director said that this ordinance amendment will strengthen our existing tree preservation standards, provides for mitigation when trees are removed and permits that the Shade Tree Commission, Environmental Commission and Traffic Safety Committee to comment on development applications. The ordinance was developed with input from the Township Shade Tree Commission, Environmental Commission and Regional Planning Board of Princeton. The ordinance also amends the Township Code to grant the Shade Tree Commission the power to review development applications, prepare reports and prepare criteria and guidelines for the use of funds collected in the Princeton Township Shade Tree Escrow Fund.

Joan Magee, Watershed Policy Specialist, Stony Brook Millstone Watershed Association, said that the SBMWA applauds this wonderful tree protection ordinance.

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

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

Grace Sinden, 120 Ridgeview Circle made the following comments regarding the proposed ordinance later in the meeting:

My name is Grace Sinden. I am a township resident living at 120 Ridgeview circle.

As a 13 year member of the Princeton Environmental Commission and Princeton Health Commission, now retired, I am here to support the ordinance regarding tree removal, preservation and mitigation.

When Princeton Township committed to be a sustainable community it was a significant step in following many other communities nationwide which made such a commitment. One of the most significant steps in that commitment is the one the township committee is taking tonight in the goal to preserve trees and woodlands and mitigation when there is no choice to preserve

this resource. This is in recognition of the critical role that trees and woodlands play in protecting our environment as well as public health.

The Township Committee Shade Tree Commission and Environmental Commission, as well as many other Princeton citizens have recognized what other communities in New Jersey and elsewhere have recognized that the removal of trees results in increased drainage control costs, increased soil erosion, increased buildup of atmospheric carbon and dust as well as decreased fertility of the soil and a decrease in the overall tree canopy.

The Township Committee and others have also recognized the negative impacts that removal of tree and woodland have on the health, safety, welfare and well-being of the residents of Princeton as well as the value of trees and woodlands in the integrity of the natural environment.

In addition, the Township Committee and others have recognized that trees are an important cultural, ecological, scenic and economic resource which also allow for the conservation of energy by providing shade in the summer and windbreak in the winter.

I commend the Township Committee and all those who have worked for this ordinance for many years. Thank you.

Mayor Miller thanked Mrs. Sinden for her comments.

Construction Code Fees

Mayor Miller read by title an ordinance entitled AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY CONCERNING CONSTRUCTION CODE FEES AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968"

Mr. Schmierer said that the Construction Department has reviewed the construction fees as they relate to that department. John Pettenati, Construction Official has recommended that

various fees be adjusted for permits and inspections which take place not only under the building subcode but under the plumbing and electrical subcodes as well.

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 Ms. Lempert and carried unanimously by those present.

COMMENTS FROM THE AUDIENCE

REPORTS

WORK SESSION

-Alexander Street Zoning Goals

Mayor Miller introduced Robert Durkee, Princeton University who outlined the proposed changes to the Alexander Street zoning. Ms. Nemeth said that the changes in the plan helped a lot. Mayor Miller said that Alexander Street would become a gateway to that part of the Princeton University campus. It was the consensus of Township Committee to move ahead with the proposed plan as presented by the University.

-2010 Sustainable Princeton Goals

Diane Landis outlined the goals for 2010 for Sustainable Princeton.

- Leaf Management (Environmental Commission Members)

Matthew Wasserman, Princeton Environmental Commission offered a power point presentation regarding the leaf management program. Mr. Goerner thanked the Environmental Commission for their work in this area and said that he would be in favor of expanding enforcement.

Steve Hiltner, Princeton Borough, Princeton Environmental Commission, said that he has knocked on doors on Abernathy Drive in an effort to educate the residents on leaf management. He said that the landscapers are out of control. Pam Machold said that a lot of this is education of

the public and enforcement. Ms. Lempert agreed that there is a further need for enforcement of leaf management issues.

-2010 Fire Prevention Fees

Ronald DiLapo, Fire Official was present to review a proposed ordinance increasing fire prevention fees for 2010. Mr. Goerner said that he was in support of the proposed ordinance. Ms. Nemeth said that she was afraid of putting undo hardship on residents and businesses. She asked if the inspections could be outsourced and whether the inspection timetable could be expanded to reduce the frequency of inspections.

Township Committee asked that Mr. DiLapo look at the proposed increases again and to look for another way to handle the proposed increases.

-New Citizen Service Law

Mr. Schmierer reviewed with Township Committee the new Citizen Service Law. And how it applies to the people serving on the Township's various boards and commissions. He said that there is no need to adopt a new ordinance but wanted to explain the state law to Township Committee.

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/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

- **Solicitors Ordinance**
- **Low Litigation Status Report**
- **Princeton University Arts and Transit Neighborhood**
- **Princeton University PILOT**
- **Valley Road School**
- **2010 Draft Township Committee Meeting Schedule**

The above referenced issues were discussed by Township Committee.

There being no further business the meeting was adjourned at 10:25 p.m.

Linda S. McDermott
Township Clerk