

PRINCETON TOWNSHIP COMMITTEE MEETING  
April 23, 2012

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 Deputy 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 2012 Schedule of Regular Meetings. On January 3, 2012 at 8:00 p.m., said schedule was posted on the official bulletin board in the Municipal Building, transmitted to the Princeton Packet, the Trenton Times, the Town Topics, and filed with the Township Clerk.

**ROLL CALL**

The Deputy Township Clerk then called the roll.

Present: Mayor Goerner, Ms. Lempert, Ms. Nemeth, Mr. Liverman and Mr. Miller.

Absent: None.

Also Present: Ms. Monzo, Mr. Kiser, Mr. Schmierer and Lt. Morgan.

**MINUTES**

Mr. Liverman offered a motion to approve the minutes of November 14, 2011. The motion was seconded by Mr. Miller and carried by unanimously.

Mr. Miller offered a motion to approve the minutes of December 5, 2011. The motion was seconded by Ms. Nemeth and carried unanimously.

Ms. Nemeth offered a motion to approve the minutes of December 19, 2011. The motion was seconded by Mr. Liverman and carried unanimously.

Mr. Miller offered a motion to approve the minutes of December 28, 2011. The motion was seconded by Mr. Goerner and carried by three affirmative votes. Ms. Lempert and Mr. Liverman were absent from that meeting

Ms. Lempert offered a motion to approve the minutes of January 3, 2012. 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  
-Princeton University, Boiler House Renovation/Re-Use, Release of Maintenance Guaranty along with any other remaining escrows.
- c. Music Amplification Requests:  
-Princeton Academy of the Sacred Heart, Fundraiser, 1128 Great Road, May 19, 2012, 6:00 pm to 11:00 pm.  
-Lena Chang Sheeran, Party, 23 Edgerstoune Road, June 2, 2012, 2:00 pm to 11:00 pm.
- d. Resolution: Affordable Assistance Loan, \$2,500.
- e. Interlocal Agreement for \$200,000 –Funding of MOU Transit and Traffic Studies
- f. Bid Award – Ascape Landscape & Construction Corp. – 2012 Cherry Valley Road Tree Planting for the low bid amount of \$5,356.00
- g. Resolution and Shared Services Agreement: Neuman Litigation

After a question from Mr. Miller regarding funding for item e, Mr. Schmierer explained that in order to have funding in place for the Traffic and Transit studies, it is recommended that a three party agreement be entered into between the Township, Borough and University. Mr. Miller requested that an additional paragraph be inserted into the Resolution stating the Township's payment is contingent upon payment by the Borough (25%) and the Trustees of Princeton University (50%).

Mr. Liverman offered a motion to approve the consent agenda. The motion was seconded by Mr. Miller and carried unanimously.

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

### **ORDINANCE PUBLIC HEARINGS**

Mayor Goerner read by title an ordinance entitled AN ORDINANCE BY THE TOWNSHIP OF PRINCETON CONCERNING PARKING ON WALNUT LANE AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968" .

Mr. Kiser said that the Traffic Safety Committee recommends establishing a no parking zone on Walnut Lane a distance of fifty-five feet on either side of its intersection with Hickory Court and to do so will improve the sight distance for traffic safety.

Mayor Goerner opened the public hearing

Henry J. Frank, 126 Valley Road, question Mr. Kiser concerning the sight distance.

There being no further 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 Ms. Lempert and carried unanimously by those present.

Mayor Goerner read by title an ordinance entitled AN ORDINANCE AUTHORIZING THE EXTENSION OF THE QUAKER ROAD PATHWAY FROM THE UPDIKE FARMSTEAD TO MERCER COUNTY BRIDGE #330.2 AND APPROPRIATING THE SUM OF \$90,000.00 THEREFOR

Mr. Kiser explained that the Quaker Road Pathway has been completed from the Friends Schools to the Historical Society Headquarters at the Updike Farmstead and recommends a further extension from the Updike Farmstead to the Mercer County Bridge. Mr. Kiser continued that the Township has received an additional NJDEP Recreation Trails Grant in the amount of \$24,700.00, and that the additional amount of 65,300.00 would be covered by the Developers Off-Tract Improvement Account with no tax dollars being contributed to the project.

Mayor Goerner opened the public hearing

Henry J. Frank, 126 Valley Road, stated he felt it was a waste of money and nobody uses it.

There being no further 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.

Mayor Goerner read by title an ordinance entitled TOWNSHIP OF PRINCETON CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A: 4-45.14).

Ms. Monzo explained that the ordinance allows for a 3.5% increase over the previous year's final budget.

Mayor Goerner 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 by those present.

### **ORDINANCE INTRODUCTION**

Mayor Goerner read by title on first reading a proposed ordinance BOND ORDINANCE BY THE TOWNSHIP OF PRINCETON AUTHORIZING AS A LOCAL IMPROVEMENT THE CONSTRUCTION OF SIDEWALKS ALONG THE ENTIRE LENGTH OF GROVER AVENUE ON THE WEST SIDE OF THE STREET, APPROPRIATING THE SUM OF \$44,000.00 THEREFOR, PROVIDING FOR THE FINANCING OF SAID APPROPRIATION BY THE MAKING OF A DOWN PAYMENT AND ISSUANCE OF BONDS OR NOTES OF SAID TOWNSHIP AND FURTHER PROVIDING FOR THE SPECIAL ASSESSMENT OF FIFTY (50%) PERCENT OF THE COST THEREOF ON PROPERTY OWNERS ON BOTH SIDES OF GROVER AVENUE AND RESCINDING ORDINANCE NO. 2012-3.

Mr. Kiser explained that Township Committee had previously adopted ordinance 2012-3 providing for sidewalks on both sides of Grover and since then they have meet with the Grover Avenue residents and determined to construct the sidewalk on only the western side of Grover Avenue but that all owners would share in the cost of the assessment and decreasing individual assessments by approximately 60%.

Ms. Lempert offered a motion to approve the proposed ordinance on first reading. Mayor Goerner seconded the motion, which was carried unanimously. The public hearing was set for May 21, 2012.

### **2012 MUNICIPAL BUDGET PUBLIC HEARING**

Ms. Monzo explained that the public hearing will be carried to May 21, 2012 as the Division of Local Government Services was not able to review the budget prior to tonight's scheduled public hearing.

### **WORK SESSION- Conflict of Interest Policy**

Mayor Goerner reviewed with Committee the Conflict of Interest Policy and explained that this policy goes along with Township procedure already in place for all its board and commission members.

All other members of Committee concurred that the policy is reasonable and standard operating procedure.

Mr. Liverman offered a motion to approve the conflict of interest policy. Ms. Nemeth seconded the motion which was approved unanimously.

#### **COMMENTS FROM THE AUDIENCE**

Chip Kreider, asked Township Committee to do more concerning the Right-Of-Way ordinance that Princeton Borough recently introduced.

#### **REPORTS**

Mr. Schmierer went over the regulations under the Open Public Meetings Act and of what would constitute a quorum in regards to establishing a Personnel Selection Committee. Princeton Borough has recommended that three Borough and three Township representatives make up the committee, which Mr. Schmierer said would consist of a quorum for the Township and would be governed to follow all noticing requirements.

Following further discussion it was the consensus of Township Committee that only two members of each governing body serve on a Personnel Selection Committee.

Mr. Schmierer also reported on the fiscal and legal impacts of Ordinance 2012-7 recently introduced by Princeton Borough, which provides for the preservation of a portion of the existing Dinky Right-of Way. Mr. Schmierer noted that ordinance amends the official Borough Zoning Map and that the next step is planning board recommendation either for or against. He continued that a decision will have to be made in the not too far future, whether the Borough will exercise its option to buy and that everyone needs to be aware that the potential cost to the municipality could be quite significant.

Mayor Goerner said that it was not in the financial interests of the resident of the Township or Borough, or eventually a consolidated municipality.

After discussion it was the consensus of Township Committee to reaffirm the Memorandum of Understanding originally agreed upon the Township, Borough and University and agreed that any decision that has a financial impact on the Township should be discussed in a joint sessions and passed by both governing bodies.

**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

- **Glasberg Negotiations**
- **Police Personnel**
- **Acting Administrator Compensation**

The above referenced issues were discussed by Township Committee.

There being no further business the meeting was adjourned at 9:30 p.m.

Kathy Brzezynski  
Deputy Township Clerk