

MEMORANDUM

TO: The Mayor and Council of the Municipality of Princeton
FROM: Greenbaum, Rowe, Smith and Davis LLP
DATE: May 22, 2026
RE: Resolution to Authorize the Municipality of Princeton to Submit a Grant Application to the New Jersey Department of Environmental Protection for Funding from the Hazardous Discharge Site Remediation Fund Grant Program

The Mayor and Council of the Municipality of Princeton (the “**Governing Body**”) are being asked to approve a resolution (the “**Resolution**”) to authorize the submission of a grant application, a copy of which is attached to the Resolution as Exhibit A (the “**Grant Application**”), to the New Jersey Department of Environmental Protection (the “**NJDEP**”) for funding in the amount of \$983,126.36 from the Hazardous Discharge Site Remediation Fund Grant Program (the “**Grant Program**”). The grant funding, if awarded, would be used to reimburse Terhune Development Urban Renewal LLC (the “**Redeveloper**”) for the costs incurred in pursuing certain environmental remedial actions on property dedicated to the Municipality of Princeton (the “**Municipality**”).

Background

On August 16, 2022, the Municipality of Princeton (the “**Municipality**”) entered into a redevelopment agreement, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”), with the Redeveloper to provide for the redevelopment of the real properties designated on the Official Tax Maps of the Municipality as Block 7401, Lots 1.02 and 1.012 (collectively, the “**Redevelopment Property**”). In accordance with the Redevelopment Agreement, the Redeveloper dedicated to the Municipality certain portions of the Redevelopment Property, together with all future improvements thereon, for the use and benefit of the public, which include a dog park, shopping center driveway connection, community park, natural plaza and Terhune Road improvement area, totaling 0.809 acres (collectively, the “**Public Areas**”). Thereafter, the Redeveloper encountered unanticipated contaminated historic fill on the Redevelopment Property, including within the Public Areas, during the construction of the redevelopment project. The Redeveloper incurred additional costs in connection with the removal of the contaminated historic fill from the Redevelopment Property, including from the Public Areas.

Grant Application and Funding

The Grant Program, through the NJDEP, provides grant funds to municipalities for the purpose of funding remediation activities on properties, dedicated to public recreation purposes, that have been designated for redevelopment under a redevelopment plan. The purpose of the Resolution is to authorize the submission of the Grant Application to request funding from the Grant Program in the amount of \$983,126.36. The Resolution also authorizes the Mayor to enter into and execute any and all agreements and/or documents, which are consistent with the Resolution, required by the NJDEP to receive and expend the grant funds. The grant funds, if awarded, would be used by

the Municipality to reimburse the Redeveloper for the costs incurred in pursuing remedial actions in the Public Areas.

Importantly, the Resolution does not authorize the expenditure of municipal funds, the incurrence of municipal debt, the issuance of municipal bonds, or the guaranty of any financial obligation by the Municipality to the Redeveloper or as a condition for receiving grant funding from the Grant Program.