

**TOWNSHIP OF ROBBINSVILLE COUNCIL**  
**Regular Meeting**  
**February 12, 2015**

**CALL TO ORDER**

The regular meeting of the Township Council of the Township of Robbinsville was called to order on February 12, 2015 at 7:01 p.m. at the Court Facility located in Robbinsville. Ms. Ciaccio, Council Vice President, presided over the meeting.

**ROLL CALL**

The call of the roll showed the following to be present: Council Vice President Ciaccio and Council Members Calcagno and McGowan. Council President Witt arrived at 7:03 p.m. Council Member Boyne was absent. Also present were: Chief Financial Officer Bauer, Township Engineer McGough, Public Work Director Colarocco, Public Information Officer Nalbene, Attorney Roselli, and Municipal Clerk Seigfried.

**SUNSHINE STATEMENT**

The Municipal Clerk read the following statement: Adequate notice of this meeting has been provided as required under Chapter 231, P.L. 1975, specifying the time and place, with such notices being sent to the Times of Trenton, the Messenger Press and the Trentonian and being posted on the Municipal Building Public Notice Bulletin Board.

**PLEDGE OF ALLEGIANCE**

The Township Council members present led the public in the salute to the flag.

**APPROVAL OF MINUTES:**

Reorganization Meeting – January 2, 2015

Mr. Calcagno offered a motion to approve the above meeting minutes. The motion was seconded by Ms. Ciaccio.

**ROLL CALL:**

AYES: Calcagno, Ciaccio  
NAYS: None  
ABSTAIN: McGowan  
ABSENT: Boyne, Witt

There being two (2) ayes, no nays, and one (1) abstention, the minutes were declared approved.

Regular Meeting-January 8, 2015

Ms. McGowan offered a motion to approve the above meeting minutes. The motion was seconded by Ms. Ciaccio.

**ROLL CALL:**

AYES: Ciaccio, McGowan

NAYS: None  
ABSTAIN: Calcagno  
ABSENT: Boyne, Witt

There being two (2) ayes, no nays, and one (1) abstention, the minutes were declared approved.

#### REPORTS OF COUNCIL MEMBERS

Ms. McGowan said the Economic Development meeting was postponed until next Wednesday. She said the new Chair is Mr. Chase Taylor. She said the Township is opening up to a lot of different religious groups. She said the Chabad, which is a Jewish organization will be having an event on Sunday, March 2nd at the Senior Center. She said it is not a religious event. She said it will be a fun event for children. She expressed her sympathies to Chief Masseroni.

Mr. Witt arrived at 7:03 p.m. and assumed the chair of the meeting.

Ms. Ciaccio said our Robbinsville Municipal Alliance for Prevention of Substance Abuse received another award from the County. She said there is a box at the Police Station for people to get rid of old medicine. She said they are working hard. She said Monday, March 9<sup>th</sup> at 6:30 p.m., the Irish Parade will be having a fundraiser at St. Gregory the Great Church. She said there will be Irish music and dancing. She said the parade is funded 100 percent by donations.

Mr. Witt reiterated the sympathies to Chief Masseroni. He also reiterated the upcoming fundraiser for the Irish Parade.

#### REPORTS OF BUSINESS ADMINISTRATOR/MAYOR

Mr. McGough said Mayor Fried intends to present the budget at the next Council Meeting.

#### PUBLIC PARTICIPATION

Mr. Tony Rosica, 162 Robbinsville-Edinburg Road, said thank you to Ms. Ciaccio for bringing the status of the new development to his attention. He asked if everyone will get sewers on Route 526 from Line Road to Chambers Farm Road. He asked if the entrance to the new community will be further down towards Line Road and Meadowbrook Road.

Mr. McGough said that is the current plan. He explained the process of the Zoning change.

Mr. Rosica said it is his understanding that when it comes to sewer hook-up, Council has the authority to waive the fees.

Mr. Roselli said he will check the Ordinance.

Mr. Rosica asked, on behalf of the residents, if Council would consider waiving that fee.

Ms. Ciaccio said we have not done that in the past.

Ms. McGowan said there is a cost involved. She said we have to be able to cover the actual cost because it would not be fair to the other residents of the town.

Mr. Witt said we will look into it.

Mr. Rosica said he is asking for empathy. He said there were issues that effected Buckly Lane and Robbinsville-Edinburg Road as a result of the school being built. He said there were failed water lines that did get fixed, but they had to spend the money to hook up the lines. He said a lot of people have septic that have failed and had to be replaced. He said ever since the school was build, a number of people have issues of water in their basement. He said the drainage may have shifted when the school was built and he, along with other people had to waterproof their basements. He said it seems that everyone is getting sewers except two homes on the street.

Ms. Ciaccio said she checked that and they are not in the 208 plan.

Mr. Rosica asked if we can check the historical records to see if those properties were originally in the 208 plan.

Mr. McGough said the home owners on Buckly Lane did the work to get their houses into the 208. He suggested that the people who are not included in the 208 were not part of that group.

Mr. Rosica said he was not a part of that.

Mr. Calcagno said there was one plot of land that had sewer and we pulled it out and transferred capacity.

Ms. Ciaccio said we will check into those two homes that were left out.

Mr. Rosica asked what the procedure is to get those houses in.

Mr. McGough said it is a site-specific Waste Water Management Plan. He said the last one took two years. He said it is DEP.

There being no one further from the public wishing to speak, Ms. McGowan offered a motion to close the public participation portion of the meeting. The motion was seconded by Ms. Ciaccio.

There being four (4) ayes and no nays, the public participation portion of the meeting was declared closed.

#### ORDINANCES – INTRODUCTION

##### Ordinance 2015-5

Ms. Ciaccio offered a motion to introduce on first reading and have published according to law, “AN ORDINANCE OF THE TOWNSHIP OF ROBBINSVILLE, MERCER COUNTY AMENDING CHAPTER 225, “STREETS AND SIDEWALKS” OF THE CODE OF THE TOWNSHIP OF ROBBINSVILLE, ARTICLE III, SECTION 225-19, ENTITLED “SNOW,” as amended. The motion was seconded by Ms. McGowan. The public hearing will be held on February 26, 2015.

##### ROLL CALL:

|         |                                  |
|---------|----------------------------------|
| AYES:   | Calcagno, Ciaccio, McGowan, Witt |
| NAYS:   | None                             |
| ABSENT: | Boyne                            |

The motion carried.

Ordinance 2015-6

Ms. Ciaccio offered a motion to introduce on first reading and have published according to law, as amended, “AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF ROBBINSVILLE FOR 2015.” The motion was seconded by Mr. Calcagno. The public hearing will be held on February 26, 2015.

Ms. Seigfried said there is a law that states that the Township Council is supposed to be establishing salaries after each reorganization meeting. She said in the past, when we reorganized in July, it coincided with the budget. She said there are no changes in the salary ordinance, except for the judge’s salary. She said the judge’s salary is being increased because there are additional court sessions.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt  
NAYS: None  
ABSENT: Boyne

The motion carried.

ORDINANCES – PUBLIC HEARING

Ordinance 2015-4

Ms. Seigfried said there was a letter from Jerry Dasti explaining that the Planning Board had recommended the maximum building lot coverage to be 60,000 square feet.

Mr. McGough said the Planning Board looked at the Ordinance regarding the RR and had questioned why the 60,000 did not come over with the rest of what we are doing. He said the approval for this development is 50 houses.

It was moved by Ms. Ciaccio and seconded by Ms. McGowan to incorporate the amended language of the Ordinance.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt  
NAYS: None  
ABSENT: Boyne

The motion carried.

This being the time and place for a public hearing on “AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF ROBBINSVILLE, COUNTY OF MERCER, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 142 OF THE TOWNSHIP CODE ENTITLED “LAND USE”, IN PARTICULAR ARTICLE IV: DISTRICT REGULATIONS,” Mr. Witt opened the meeting for comments from the public.

There being none, it was moved by Ms. McGowan and seconded by Mr. Calcagno to close the public hearing.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt

NAYS: None

ABSENT: Boyne

The motion carried.

It was moved by Ms. Ciaccio and seconded by Ms. McGowan to adopt the Ordinance, as amended.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt

NAYS: None

ABSENT: Boyne

There being four (4) ayes and no nays, the ordinance was declared adopted.

CONSENT AGENDA

The following resolutions were approved as the consent agenda:

- Resolution 2015-65 Accepting Performance Guarantees-Sharbell, Gordon Simpson
- Resolution 2015-66 Authorizing Agreement for Continued Participation in the Home Investments Partnerships Program Consortium with Mercer County
- Resolution 2015-67 Shared Services Agreement with Mercer County for Municipal Alliance Grant
- Resolution 2015-68 Refund of Taxes-Disabled Vet\_
- Resolution 2015-69 Refund of Taxes-PILOT program
- Resolution 2015-70 Authorizing Change Order-S.Brothers Construction
- Resolution 2015-71 Award of Bid Hook Lift, Snow Plow, Hitch and Hydraulics for New\_ Public Works Vehicle
- Resolution 2015-72 Amending Professional Services Agreement for Labor Attorney
- Resolution 2015-73 Reestablishing Petty Cash Funds
- Resolution 2015-76 Designating Sharbell Washington, Inc./Brentwood Holdings, LLC as Redeveloper for Block 1, Lots 11.02 & 71 Town Center South
- Resolution 2015-77 Release of Plan Review Escrow-Variou Accounts
- Resolution 2015-78 Authorizing Shared Agreement with Allentown-Automotive Services
- Resolution 2015-79 Authorizing Shared Services Agreement with Allentown-Public Works Supervisory

Ms. McGowan offered the above items and moved their adoption. The motion was seconded by Ms. Ciaccio.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt

NAYS: None

ABSENT: Boyne

There being four (4) ayes and no nays, the resolutions were declared adopted.

RESOLUTIONS

Resolution 2015-62 Requesting Planning Board to Investigate an Area in Need of Redevelopment-UPE Site

Resolution 2015-63 Requesting Planning Board to Investigate an Area in Need of Redevelopment-USA Country Diner

Resolution 2015-64 Requesting Planning Board to Investigate an Area in Need of Redevelopment-Foxmoor Shopping Center

Mr. Witt said the UPE site would qualify for a redevelopment site. He said there is no reason to take further action on this since we know it would qualify.

Mr. McGough said the study is a minimum of \$35,000.

There was further discussion.

Ms. McGowan said we know it meets the criteria. She asked, if we don't officially ask the Planning Board to investigate it, can we do anything?

Mr. McGough said the Country Diner site is only two acres.

Ms. McGowan said something needs to get done on the UPE site. She said we need to know it will fit the criteria. She said if we do not go through the steps, we can't do anything.

Mr. McGough said we should go to the owners of the UPE site and ask them what they want to do. He said we need to tell them to do something. He said he received an e-mail from Mr. Pettinaro, informing him that Rite Aid is closing in Foxmoor and moving to the other site. He said the resolution is premature. He suggested putting some money for a study into the Planning Board budget during budget hearings.

After some further discussion, it was decided to pull the above Resolutions.

Resolution 2015-74 Professional Services (RFP)-Public Defender

Ms. Seigfried said a second account number was added under the certification of funds.

Mr. Calcagno offered the above resolution and moved its adoption, as amended. The motion was seconded by Ms. Ciaccio.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt

NAYS: None

ABSENT: Boyne

There being four (4) ayes and no nays, the resolution was declared adopted.

Resolution 2015-75 Authorizing Lease for Municipal Building with Sharbell Development Corporation

Ms. Seigfried said the account number for the certification of funds was added to the Resolution. She said the agreement was amended to reflect the current quote from Sharbell.

Ms. Ciaccio offered the above resolution and moved its adoption, as amended. The motion was seconded by Ms. McGowan.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt  
NAYS: None  
ABSENT: Boyne

There being four (4) ayes and no nays, the resolution was declared adopted.

Resolution 2015-76 Emergency Temporary Resolution

Ms. McGowan offered the above resolution and moved its adoption. The motion was seconded by Ms. Ciaccio.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt  
NAYS: None  
ABSENT: Boyne

There being four (4) ayes and no nays, the resolution was declared adopted.

PAYMENT OF BILLS:

|                  |            |                   |
|------------------|------------|-------------------|
| Current          | 4-01, 5-01 | \$5,140,645.67    |
| Sewer            | 4-07, 5-07 | \$15,567.12       |
| Capital          | C-04       | \$70,857.85       |
| Grant            | G-02       | \$12,183.22       |
| Inspections      | 5-21       | \$15,703.73       |
| Plan Review      | 5-20       | \$37,850.46       |
| Other Trust      | T-12       | \$120,437.68      |
| Animal Control   | T-15       | \$1,492.32        |
| Recreation Trust | T-18       | <u>\$2,094.71</u> |
| Total all funds  |            | \$5,416,832.76    |

Ms. McGowan offered a motion that all bills found in order and correct be approved for payment. The motion was seconded by Ms. Ciaccio.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt  
NAYS: None  
ABSENT: Boyne

There being four (4) ayes and no nays, the bills were declared approved.

SECOND PUBLIC PARTICIPATION SESSION

Mr. Paul Keris, 131 Edinburg-Robbinsville Road, asked why his house was not in the 208 plan Amendment.

Ms. Ciaccio said she looked at the map today and he is not in the 208. She said we don't know what happened.

Ms. McGowan said Mr. McGough was going to check to see if he was ever in it. She said if you are in it, you are usually not taken out of it.

Mr. McGough said he cannot answer that question tonight.

Ms. Ciaccio said we will look into it.

Ms. McGowan said if you have documentation to prove otherwise, that would be helpful.

Mr. Keris said he was told he was never going to see sewer.

Ms. Ciaccio said the State does not have your house listed in the 208 Plan.

Ms. Noushin Kanini, 806 Cypress, asked, regarding snow removal, if the town keeps an emergency list of nurses, doctors and other essential people. She said she missed work because she could not get out of her driveway.

Mr. Colarocco said, in the past, when we receive phone calls from doctors or somebody who needs to get out, we have gone out on an as-needed basis. He said it would be difficult to keep a list. He said every storm is different. He said they have contactors who plow Town Center because we don't have enough people to do it. He said if you have a specific problem, call Public Works.

Mayor Fried arrived at 7:40 p.m.

Ms. Kanini said that the High School Class of 2016 needs donations.

Ms. McGowan said it is all parent volunteers who are supposed to do the fundraising. She said the Township cannot be involved in it.

Ms. Kanini said she got an e-mail from the class saying they needed donations of baskets. She asked if Council can do anything for the donations.

Ms. McGowan said we cannot get involved as a Council, but we can individually.

Mr. Witt suggested she speak with someone individually.

Ms. Ciaccio said she just went to the pocketbook bingo, which was a fundraiser for the class of 2016.

Ms. McGowan said the parents of the Junior Class spend all year fundraising.

There being no one further from the public wishing to speak, Ms. McGowan offered a motion to close the public participation portion of the meeting. The motion was seconded by Ms. Ciaccio.

There being four (4) ayes and no nays, the public participation portion of the meeting was declared closed.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:42 p.m.

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Ron Witt, Council President

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Michele Seigfried, Municipal Clerk