

**TOWNSHIP OF ROBBINSVILLE COUNCIL**

**Regular Meeting**

**July 28, 2016**

**7:00 p.m. – Court Room**

**CALL TO ORDER**

The regular meeting of the Township Council of the Township of Robbinsville was called to order on July 28, 2016 at 7:00 p.m. at the Court Facility located in Robbinsville. Mr. Witt, Council President, presided over the meeting.

**ROLL CALL**

The call of the roll showed the following to be present: Council President Witt, Council Vice President Calcagno and Council Members, Ciaccio, Schuberth and McGowan. Also present were: Assistant CFO Halasz, Director of Public Works Colarocco, Public Works Foreman Gravatt, Communication and Public Information Officer Nalbone, Recreation Director Barker, Police Chief Nitti, Traffic Officer Haugh, Attorney Roselli and Municipal Clerk Seigfried. Mayor Fried arrived at 7:27 p.m.

**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 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:**

Regular Meeting – June 23, 2016

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

**ROLL CALL:**

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the minutes were declared approved.

**REPORTS OF COUNCIL MEMBERS**

Mr. Calcagno said the Senior Advisory Committee met and there is a Senior Picnic scheduled for September 12<sup>th</sup>, which is also the date of the rescheduled opening of outdoor equipment.

Mr. Calcagno said he would like an update about the municipal building.

Ms. McGowan said there was a meeting of the Economic Development Advisory Committee and that the Taste of Robbinsville will be held on Thursday, September 15<sup>th</sup> at Foxmoor. She said all food establishments within Robbinsville will be invited to have a table with samples. She said about 50 people are expected and the attendees will make donations to the Robbinsville Food Pantry. Mr. Barker said he will send out the time of the event to Council.

Ms. McGowan said Sadie Cakes is closing and moving to Delaware on Sunday.

Ms. McGowan said the Annual Business Awards will take place on Thursday November 3<sup>rd</sup> at the Robbinsville High School. She said they received lots of votes for businesses and they usually end up with 125 attendees.

Ms. McGowan said Sustainable Jersey now ceases to exist because of the overwhelming amount of work on the employees. Ms. McGowan said our participation is going away, but a lot of things we learned will still happen, and schools will still be involved. She said the committee itself needs to disband because of the rigorous requirements. Mr. Witt said the Township was still pursuing the projects, but it was a very large burden.

Ms. Ciaccio said she had no reports.

Mr. Schubert said the Planning Board hasn't met. He said the One Project Hunger Drive is this Saturday at the Robbinsville High School and their goal is 75,000 meals for needy families. He said the first session is 9:00 a.m. to 12:30 p.m. and they always give out free T-shirts.

Mr. Witt said the Robbinsville Little League has representation in the 2016 Softball World Series. He said they are representing the Eastern region in Portland, Oregon.

Mr. Witt said the Robbinsville PBA golf outing will be on September 9<sup>th</sup> and if anyone needs more information to contact him or Tom Septak, through Ms. Seigfried.

Mr. Witt said the Memorial for Steve Mayer will be on September 10<sup>th</sup> at the Robbinsville High School at 11:00 a.m.

Mr. Witt said August 2<sup>nd</sup> is National Night Out at the police station.

Mr. Barker said camps are overwhelming this summer with more children than last year. He said the Farmer's Market is on Tuesdays from 3:00 to 7:00 p.m. He said there will be a Food Truck Rally for September 10<sup>th</sup> and the fall newsletter is coming out. He said there are concerts on Tuesday in the park and every 2<sup>nd</sup> Friday is Teen Night at Sharon School. He said the summer camp counselors have really developed over the last couple of years.

Mr. Witt said the options of recreation over several years have expanded. Mr. Barker said Mr. Nalbene, Public Works, Police, and Fire do a fantastic job helping with the events.

REPORT OF NOTE SALE

Ms. Halasz reported on the Note Sale as follows:

PRINCIPAL AMOUNT:	\$18,466,831.00
INTEREST RATE:	2%
MATURITY DATE:	July 27, 2017
PRICE OBTAINED:	\$18,704,685.00
NET INTEREST RATE:	0.708%
NAME OF PURCHASER:	Jefferies, LLC

The referenced notes were sold at public sale pursuant to authority granted in the ordinances set forth from 2008 until 2016.

Mr. Witt said the interest rates are low, which is a testament to the fiscal responsibility of Robbinsville and he gave kudos to Administration for that.

#### REPORTS OF BUSINESS ADMINISTRATOR/MAYOR

Mr. Colarocco gave an update on the Municipal Building. He said the deficiencies that were identified by the architect are being addressed and are 80 to 90 percent complete.

Mr. Calcagno said it really concerns him and there should be money held for a guarantee.

Mr. Roselli said there will be a performance and maintenance bond. He said we need to be careful what we say, because we are in a potential litigation matter.

Ms. McGowan asked if the contractor is liable for extra costs we are expending because of this issue.

Mr. Roselli said there would be no additional costs to us and some of the costs were being born by the architect.

Mr. Colarocco said the HVAC was turned on last week and it is well lit inside. He said he was amazed at the amount of light from the sky tubes. He said this is very effective and was a fantastic idea. Mr. Calcagno said he was happy with that.

Mr. Witt said the speed limit on Gordon Road was reduced to 25 mph from Route 130 to Sharon Road. He said he had some discussions with the Mayor and Officer Haugh, and he thinks we need to keep it at 25 mph from Route 130 to 1400 feet of Bresnahan Road, then raise it to 35 mph until it's built out.

Ms. McGowan said she agreed, and she explained why.

Ms. Ciaccio said we're not used to it because we've lived here a long time.

Mr. Calcagno said Gordon Road has always been considered a minor/major collector road and it was never an interior development road where you see 25 mph. He said there's an evolution here.

Further discussion occurred.

Ms. Ciaccio asked Officer Haugh if tractor trailers were allowed on Gordon Road. Officer Haugh said they were allowed on the road.

Mr. Witt asked what the next steps were to change the speed limits. Officer Haugh said he would do some crash and traffic studies. Ms. Seigfried said the ordinance would take about two months to be effective. Mr. Witt said this may go on the next agenda.

Mr. Schuberth asked for the cost of signage. Mr. Colarocco said they were about \$100 each.

#### PUBLIC PARTICIPATION

Ms. Rebecca Dutton, 38 Oak Street, spoke about problems with the Mobile Home Park. She said the rent control ordinance is not being obeyed. She handed out the 2015 and 2016 Notice to Quit. She said the 2016 Notice doesn't include any of the calculations such as water and sewer fees, and rent. She said there was no way to know how much was rent. She said the ordinance requires that sewer and water be backed out and there is an overcharge.

Mr. Roselli said Ms. Dutton was correct; the 2% increase should have been on the base rent and not on water and sewer. He said he has talked to Lakeshore about it and told them it was done wrong. He said they are supposed to get back to Mr. Roselli on Tuesday. He said we also brought up the conditions of some of the pad sites and the problem of having a property manager on site. He said they are looking to hire someone. He said it all happened today.

Mayor Fried arrived at 7:27 p.m.

Ms. Luz Evans, 409 Walnut Street, said she gave a letter to Construction Official Fort regarding a tree on the property next to her that needs dangerous branches to be cut down. She said the owner owns the tree, but the owner is saying the tenants are responsible for the tree. She said she needs help to get tree cut.

Mr. Roselli said he would include that in his conversations with the mobile home park. Mr. Witt asked Ms. Seigfried to relay the information to Ms. Tozzi and Mr. Fort.

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

There being five (5) ayes and no nays, the public participation portion of the meeting was declared closed.

#### ORDINANCES – PUBLIC HEARING

##### Ordinance 2016-22

This being the time and place for a public hearing on “AN ORDINANCE AMENDING CHAPTER 237 OF THE CODE OF THE TOWNSHIP OF ROBBINSVILLE, COUNTY OF MERCER, STATE OF NEW JERSEY, ENTITLED “TOWING,” SPECIFICALLY SECTION 237-12, ENTITLED “OFFICIAL TOW LIST” Mr. Witt opened the meeting for comments from the public.

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the motion carried.

It was moved by Ms. Ciaccio and seconded by Mr. Schuberth to adopt the Ordinance.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the ordinance was declared adopted.

Ordinance 2016-23

This being the time and place for a public hearing on “AN ORDINANCE OF THE TOWNSHIP OF ROBBINSVILLE, COUNTY OF MERCER, STATE OF NEW JERSEY, AMENDING CHAPTER 187 OF THE CODE OF THE TOWNSHIP OF ROBBINSVILLE ENTITLED “PROPERTY MAINTENANCE”, Mr. Witt opened the meeting for comments from the public.

Ms. Rebecca Dutton, 38 Oak Street, said there is a six foot hole on the far end of Oak Street, which is dangerous, especially in the winter. Mr. Roselli said he will add that to his list.

There being no one further wishing to speak, it was moved by Ms. Ciaccio and seconded by Mr. Schuberth to close the public hearing.

Ms. McGowan said she notices people put their brush in the street three weeks before the collection date. She asked if this was part of the ordinance. Mr. Roselli said that was a different issue. Mr. Colarocco said he will knock on the door and explain the ordinance to the homeowners. He said contractors are not aware of the schedule.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the motion carried.

It was moved by Mr. Calcagno and seconded by Ms. Ciaccio to adopt the Ordinance.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the ordinance was declared adopted.

Ordinance 2016-24

This being the time and place for a public hearing on “AN ORDINANCE OF THE TOWNSHIP OF ROBBINSVILLE AUTHORIZING CONVEYANCE OF REAL PROPERTY IN LIEU OF CONDEMNATION AND ACCEPTING DEED OF DEDICATION AND ACCEPTING

TEMPORARY CONSTRUCTION EASEMENT FROM KIRIKIAN INDUSTRIES,” Mr. Witt opened the meeting for comments from the public.

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the motion carried.

It was moved by Ms. Ciaccio and seconded by Mr. Schuberth to adopt the Ordinance.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the ordinance was declared adopted.

#### CONSENT AGENDA

The following resolutions were approved as the consent agenda:

Resolution 2016-191 Person-to-Person Transfer – Karalis to Centro Restaurant Group, LLC

Resolution 2016-194 Special Event Permit – Dunkin Donuts Grand Opening

Resolution 2016-197 Authorizing Purchase of Office Furniture for New Municipal Building Through State Contract

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the resolutions were declared adopted.

#### RESOLUTIONS

Resolution 2016-189 Certification of 2015 Annual Audit

Mayor Fried said this was another year of an error-free Audit. Mr. Witt gave kudos to everyone who makes this happen.

Mr. Schuberth offered the above resolution and moved its adoption. The motion was seconded by Mr. Calcagno.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the resolution was declared adopted.

Resolution 2016-190 Person-to-Person Transfer – Divots to Main St. Partners, LLC

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

ABSTAIN: Witt

There being four (4) ayes, no nays, and one (1) abstention, the resolution was declared adopted.

Resolution 2016-192 ABC License Renewal – King Interests

Ms. Seigfried explained that Amarone's was not able to be approved, but King received the special ruling they needed to be approved. She explained further.

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the resolution was declared adopted.

Resolution 2016-193 Shared Services Agreement with Board of Education for Nursing Services

Ms. Seigfried said they amended the resolution to add the account number and the not to exceed amount on the resolution. She explained the resolution.

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the resolution was declared adopted.

Resolution 2016-195 Authorizing Purchase of Police Mobile Radios Through State Contract

Mr. Calcagno asked for an overview of the new radios. Chief Nitti said the radios they have are starting to fail and maintenance and upkeep is costing money. He said they are switching to Motorola and the radios will be in all the patrol cars, in-house, and on the officers. He said this will increase communication. He said all the installation was included in the cost.

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt  
NAYS: None

There being five (5) ayes and no nays, the resolution was declared adopted.

Resolution 2016-196 Award of Bid – Janitorial Services

Ms. McGowan asked what we were doing to ensure that the cleaning company not hiring people who give false social security numbers and illegal working papers. Mr. Roselli said they do background checks, but undocumented individuals have rights. He said if we suspected anything wrong, we would have to contact the federal agencies. He said the contractor has to be bonded. Mr. Roselli and Mayor Fried explained further.

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt  
NAYS: None

There being five (5) ayes and no nays, the resolution was declared adopted.

PAYMENT OF BILLS:

Current	5-01, 6-01	\$1,326,166.27
Sewer	5-07, 6-07	198,851.73
Sewer Capital	C-08	2,167,500.00
Capital	C-04	12,657,331.48
Grant	G-02	48,288.28
Plan Review	6-20	21,350.65
Inspections	6-21	10,842.30
Performance	6-22	7,468.39
Maintenance	6-23	0.00
Other Trust	T-12	25,004.85
Revolving Loan	T-14	0.00
Animal Control	T-15	908.25
Payroll	T-16	0.00
Recreation Trust	T-18	<u>53,467.00</u>
Total all funds		\$16,517,179.20

Mr. Schuberth offered a motion that all bills found in order and correct be approved for payment as amended. The motion was seconded by Mr. Calcagno.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt  
NAYS: None

There being five (5) ayes and no nays, the bills were declared approved.

SECOND PUBLIC PARTICIPATION SESSION

Ms. Noushin Kanani, 806 Cypress Street, asked about the building the Township is going to buy from the school. Mr. Roselli said we are looking into it. Mayor Fried said we have to do some due diligence and understand the maintenance requirement. He explained further.

Ms. Kanani asked if there was a possibility we won't get it.

Mayor Fried said we'll probably buy the land, but we are not sure what we will do with the building.

Mr. Witt reiterated that it's due diligence.

Ms. Kanani asked about the Open Space Tax increase. Mayor Fried said it is going to go on the ballot. Mr. Calcagno asked about the wording of the question. Ms. Seigfried explained that the wording was in the resolution and the County Clerk has it.

Mr. Nalbhone said the poll showed 80% in favor of the increase.

Ms. McGowan said it will save money in the long run.

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

There being five (5) ayes and no nays, the public participation portion of the meeting was declared closed.

#### EXECUTIVE SESSION

Ms. Seigfried read the following resolution:

#### **RESOLUTION**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township of Robbinsville Council, County of Mercer, State of New Jersey, as follows:

1. The public shall be excluded from discussions of and action hereinafter specified as:
  - a. Potential Litigation – Mercer Mobile Home Park
2. It is anticipated at this time the above stated subject matter will be made public when it is determined that the need for confidentiality no longer exists.
3. This resolution shall take effect immediately.

Mr. Schuberth offered a motion to adopt the above resolution and recess the meeting. The motion was seconded by Ms. Ciaccio.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schuberth, Witt

NAYS: None

There being five (5) ayes and no nays, the resolution was declared adopted.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:50 p.m.

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Ron Witt, Council President

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Michele Seigfried, Municipal Clerk