

TOWNSHIP OF ROBBINSVILLE COUNCIL
Regular Meeting
December 1, 2016
7:36 p.m.

CALL TO ORDER

The regular meeting of the Township Council of the Township of Robbinsville was called to order on December 1, 2016 at 7:36 p.m. at the Senior Center 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: Chief Financial Officer Bauer, Administrator Tozzi, Communication and Public Information Officer Nalbone, Recreation Director Barker, Director of Community Development McGough, Associate Attorney Renaud 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 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 – October 13, 2016

Ms. Ciaccio offered a motion to approve the above meeting minutes. 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 minutes were declared approved.

Regular Meeting – October 27, 2016

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

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Schubert
NAYS: None
ABSTAIN: Witt

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

Executive Session – November 10, 2016

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

ROLL CALL:

AYES: Calcagno, Ciaccio, Schubert, Witt
NAYS: None
ABSTAIN: McGowan

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

REPORTS OF COUNCIL MEMBERS

Mr. Calcagno had no reports.

Ms. Ciaccio said the Christmas Tree and Menorah lighting is this Tuesday at the Senior Center. She said it's sponsored by RMAPSA. She said the lighting starts at 6:30 p.m., and there will be free hot chocolate and snacks. She said there will be holiday portraits taken with donations going to Meals on Meals.

Ms. Ciaccio said there will be a Holiday Lights Family Hayride on Thursday, December 8th at the Windsor Farm from 6:30 p.m. to 8:30 p.m.

Ms. Ciaccio said the bonfire will be held on New Year's Eve from 8:30 p.m. to 9:30 p.m. on Meadowbrook Road between Tantum and Blakely Parks.

Ms. McGowan said there is also a Tree Lighting at Foxmoor which she believes is going to be held this Saturday.

Ms. McGowan said the Economic Development Committee is meeting next week. She said she attended the National Foundation for Women Legislators' Conference in Orlando last week. She said it's a phenomenal opportunity with interesting speakers and breakout sessions. She said they get together and find ideas from other towns. She said she has a lot of information on things that may affect our town and she explained further.

Mr. Schubert congratulated the Robbinsville Recreation Department and the students at the High School who arranged the Black Friday Fun Run. He said they raised over \$10,000.00 for the New Jersey Special Olympics.

Mr. Schubert spoke about the New Jersey Leadership Program. He explained it's an organization that's focused on engaging students of South Asian descent and getting them involved in the U.S. political system. He said they put on a wonderful leadership conference each summer and he

explained further. He said he will be putting out information to the Robbinsville community to see if they can nominate some students.

Mr. Schuberth said his wife runs a non-profit organization called Ability Tree that helps special needs kids. He said there will be a Christmas party this Saturday at the Senior Center from 11 a.m. to 2 p.m. and everyone is welcome to attend.

Mr. Witt said last Sunday was the Holiday Bazaar hosted by the Robbinsville Education Foundation, and it was a huge success.

TOWN CENTER SOUTH PRESENTATION

Sharbell Presentation

Mr. Frank Petrino, Eckert Seamans, representing Sharbell, said that Sharbell is currently developing several parcels in Town Center South, one of which is a daycare facility. He said they are hoping to get approval to build a second building on that same tax lot which will be a Starbucks Coffee Shop. He said Sharbell is also the contract purchaser of Washington Village which will be 64 one- and two-bedroom market rate non-age restricted rental units. He said it will consist of 2 four-story buildings with 32 units in the buildings. He gave some background information and qualifications of some of the Sharbell employees.

Mr. Mark Cannuli, Sharbell Development, gave a history of the construction by Sharbell in Robbinsville. He introduced the employees and consultants of Sharbell and gave a brief overview of their experience, including: Dynamic Engineering, Feinberg and Associates, CBRE Hotels, Day Pitney, Gary Garrido, Executive Director of Grounds for Sculpture, and Pierson Commercial Real Estate.

Mr. Tom Troy, Sharbell Development, showed a PowerPoint presentation. He explained the location for the redevelopment, including what is currently built in Town Center. He explained their vision includes a hotel and parking structure at the central and primary location of the project. He said all of the buildings would have parking underneath them. He said they are proposing 100 townhome lofts and 120 flats. He said the area in the rear of the site is reserved for the YMCA. He said they are proposing a single common detention basin, not unlike the larger lake in TC1, which would include a public promenade and some type of gazebo structure which would interconnect into walking paths and pedestrian movements. He said they are considering some secondary amenities such as a dog or kiddie park. He said they would include 60 age restricted affordable housing units. He showed how the project will interconnect with Route 33. He said they are trying to anticipate potential issues that may arise with building on Route 33 and solving them in a timely manner. He said the roadway connections they are proposing are very similar to what exists in Town Center North.

Mr. Troy said they are proposing townhome units and similar type buildings that were built in Town Center. He explained the plan in detail further. He said the plan calls for an extension of Commerce Street, a water feature, roads leading out to Route 130, multi-family buildings, townhome buildings, 5,000-6,000 square feet of retail space, and developing some of the adjacent land not owned by the Township.

Mr. Hanrahan, CBRE Hotels, spoke about the potential hotel and its feasibility. He spoke about the various upscale hotel brands they interviewed as candidates for a hotel in Town Center South,

including Hyatt Place, Even Hotel, Cambria Hotels and Suites, Loft Hotels, and Fairfield Inn and Suites. He said after analyzing the different brands, their recommendation to Sharbell was a 105-room upscale select service hotel with a limited amount of meeting space and natural brand specific support components such as a business center, a fitness center, indoor pool, and an adequate parking variable. He went over the detail of the three-year supply-and-demand analysis that was run.

Mr. Jim Zullo, Timothy Haas Associates, explained the parking strategies for the project.

Mr. Troy spoke about financials and funding opportunities, including not owning the YMCA, homeowner's association contributions, pricing of units and \$83 to \$84 million in residential ratables. He explained further and discussed the phasing of the projected and infrastructure.

The meeting recessed at 8:37 p.m.

The meeting reconvened at 8:45 p.m.

Capodagli Presentation

Mr. Tom Halm, Hill Wallack, representing Capodagli Property Company, gave an introduction to their project.

Mr. Ankit Duggal, Capodagli Property Company, showed a video and PowerPoint presentation. He spoke about the Capodagli Company and gave a brief history of the company. He spoke about the other projects they have in New Jersey.

Mr. Brian Pfistner spoke about the brand relationships they have. He spoke about Greystar, the largest property management company in the world. He said the reason they decided to partner with Greystar was because of their customer satisfaction and community involvement. He said they have partnered with Uber and they will create exclusive Uber pickup and drop off locations at their properties. He said Fitness on Demand will offer a variety of classes to tenants. He explained Luxer One is a kiosk which will accept tenant's packages. He spoke about the Meridia Camera App for security and how it will work. He said all properties are accessible with key fobs. He showed different properties in different locations that they have developed and explained them in detail.

Mr. Sean McGowan, Esq., VP of Development for Capodagli Properties, discussed the Kushner property, saying it was about 45 acres. He spoke about five privately owned properties that they can potentially acquire, and he said he has letters of intent from those property owners to bring development on Route 33. He said they are proposing to make it into a very vibrant and lively square and he explained further.

Mr. Yogesh Mistry, Mistry Design, spoke about the project being pedestrian friendly, having large dedicated green space, and having enough parking. He explained Meridia Town Square, the promenade, retail and residential components and senior housing.

The Capodagli team spoke about other aspects of their proposal, including a social gathering place, restaurants, a hotel with a rooftop lounge and banquet/conference center, a town lawn, social areas, outdoor dining, a gourmet grocer, a jitney/Uber stops, a clock tower, and recreation.

They spoke about the potential YMCA and the Meridia Black Card to make retail spaces successful.

Mr. John Rea, McDonough and Rea Associates, spoke about parking and traffic impacts from the property. He said their goal is to have the post-development traffic impact better than the pre-development. He spoke about a road out to Route 130.

Mr. George Capodagli thanked Council for having them.

The meeting recessed at 9:31 p.m.

The meeting reconvened at 9:36 p.m.

Mr. Witt thanked the presenters.

REPORTS OF BUSINESS ADMINISTRATOR/MAYOR

Report of Note Sale

Ms. Bauer reported on the Note Sale as follows:

PRINCIPAL AMOUNT:	\$7,790,000.00
INTEREST RATE:	2.00%
MATURITY DATE:	May 17, 2016
PRICE OBTAINED:	\$7,837,441.10
NET INTEREST RATE:	0.782%
NAME OF PURCHASER:	TD Securities

The referenced notes were sold at public sale pursuant to authority granted in the ordinances 2016-32 and 2016-33.

Proclamation for Communities of Light Day

Mr. Witt said Womanspace is once again doing their Communities of Light Day to raise awareness of domestic violence and sexual assault and the services available to help victims in Mercer County. He reported that Chief Nitti will read this proclamation Monday night at the Police Station and luminaries will light the pathway to the police station as a symbol of hope for women and children impacted by domestic violence and sexual assault in our community. He said the intent of the event is that families who struggle with violence in their homes will see that their community stands with them and learn that help is available.

PUBLIC PARTICIPATION

Mr. Witt explained the public participation will not be a Q & A for the presentations that were just heard.

There being no one 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 Ms. Ciaccio.

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

ORDINANCES – INTRODUCTION

There were no ordinances for introduction.

ORDINANCES – PUBLIC HEARING

Ordinance 2016-37

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, AUTHORIZING ACQUISITION OF REAL PROPERTY COMMONLY KNOWN AND DESIGNATED AS A PORTION OF BLOCK 28, LOTS 7, 8, 11-14, 16, 51 AND 53, A/K/A MIRY RUN GOLF COURSE, ROBBINSVILLE TOWNSHIP, NEW JERSEY,” Mr. Witt opened the meeting for comments from the public.

There being none, it was moved by Ms. Ciaccio and seconded by Mr. Schuberth 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. Calcagno 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 2016-280 Authorizing Memorandum of Understanding with Mercer County OEM

for a Shelter Trailer with Cots and Blankets

Resolution 2016-281 Authorizing State Contract Purchase of Dodge Durango for Engineering Office

Resolution 2016-282 Abolishing Green Team Advisory Committee

Resolution 2016-283 Release Performance Guarantees – WVC-1, LLC

Resolution 2016-284 Professional Services Agreement – Special Attorney, Jerry Dasti

Resolution 2016-285 Amend Professional Services Agreement – Mason/Griffin

Resolution 2016-286 State Contract Purchase – Police Radio System Equipment, Motorola Solutions

Resolution 2016-287 State Contract Purchase – Police Radio System Equipment, Wireless Communications

Resolution 2016-288 Shared Services Agreement – Public Works Supervisory Services, Allentown Borough

Resolution 2016-289 Refund of Tax Overpayments
Resolution 2016-290 Repayment of Mortgage – 24 Chatham Court

Ms. McGowan offered the above items and moved their 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 resolutions were declared adopted.

PAYMENT OF BILLS:

Current	5-01, 6-01	\$ 6,813,234.70
Sewer	5-07, 6-07	18,797.49
Sewer Capital	C-08	0.00
Capital	C-04	14,315,383.20
Grant	G-02	32,547.23
Plan Review	6-20	7,304.90
Inspections	6-21	12,179.65
Performance	6-22	0.00
Maintenance	6-23	0.00
Other Trust	T-12	1,464,532.80
Revolving Loan	T-14	0.00
Animal Control	T-15	1,076.50
Payroll	T-16	0.00
Recreation Trust	T-18	<u>10,195.48</u>
Total all funds		\$ 22,675,251.95

Mr. Schuberth offered a motion that all bills found in order and correct be approved for payment as amended. 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 bills were declared approved.

DISCUSSION ITEMS

Windsor School

This discussion was postponed until the next Council meeting.

Adopt a Road Program

Ms. McGowan said a neighbor of hers takes walks along Tindall Road and picks up trash. She said he would like to get a group of volunteers together, but they were advised that it would a liability to the Town. She said the way to get around that would be to participate in an Adopt a Road Program. She asked Council if they thought it was good idea.

Mr. McGough said the DOT does that.

Mr. Witt said he believes it's a good concept.

Ms. Tozzi advised there may be additional liabilities, and the JIF may require additional insurance coverage. She said she is looking into and can provide different resolutions from other towns. She said some roads aren't ours and there is also a prisoner program.

Mr. Schuberth asked if these were Township roads and if so, why weren't they falling in the purview of the Township Public Works Department?

Ms. Tozzi said Public Works does handle the roads, and she believes it's more the shoulders of the roads and woods. She cautioned on the liability end of it.

SECOND PUBLIC PARTICIPATION SESSION

Ms. Noushin Kanani, 806 Cypress Street, asked what the next step of the Redevelopment process was. Mr. Witt said a candidate will be designated and he explained the process further.

Mr. McGough said there would be another Planning Board hearing. He said the next chance to ask questions would be at the Planning Board.

Ms. Kanani asked about the Windsor School and if it was done. Mr. Witt said he doesn't believe it's done.

Mr. Mark Santarian, 106B Sharon Road asked about the process for Miry Run.

Ms. Seigfried explained that the ordinance that was on tonight's agenda states the intent of the Township to acquire the property. She explained the process of the ordinance becoming effective. She said assuming the ordinance becomes effective, he would negotiate with Attorney Jerry Dasti to come to an agreement on the price. She said if they cannot agree, the Township has the right to go after condemnation of the property. She explained that once a price was settled on, an ordinance would have to be done to put the funding in place. She said then, assuming everything goes smoothly, they would schedule a closing date.

Mr. Witt explained this commences the process to start the negotiation for the acquisition.

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 Ms. McGowan.

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 Affordable Housing Litigation.
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. Schubert offered a motion to adopt the above resolution and recess the meeting. The motion was seconded by Mr. Calcagno.

ROLL CALL:

Calcagno, Ciaccio, McGowan, Schubert, Witt
NAYS: None

AYES:

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

The meeting was recessed at 9:50 p.m.

The meeting reconvened at 10:31 p.m.

RESOLUTION

Resolution 2016-91 Authorizing Settlement Agreement for Affordable Housing Litigation

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

ROLL CALL:

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

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:32 p.m.

Ron Witt, Council President

Michele Seigfried, Municipal Clerk