

TOWNSHIP OF ROBBINSVILLE COUNCIL
Regular Meeting
December 12, 2013

CALL TO ORDER

The regular meeting of the Township Council of the Township of Robbinsville was called to order on December 12, 2013 at 7:36 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 (via conference call) and Council Members Boyne, Ciaccio and McGowan. Also present were: Mayor Fried, Administrator Tozzi, Director of Public Works Colarocco, Chief Financial Officer Bauer, Deputy Fire Chief Schaffener, Engineer McGough, Public Information Officer Nalbone, Police Chief Masseroni, 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:

Regular Meeting – November 7, 2013

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

ROLL CALL:

AYES: Boyne, Calcagno, Ciaccio, McGowan, Witt

NAYS:None

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

Special Meeting – November 26, 2013

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

ROLL CALL:

AYES: Boyne, Calcagno, Ciaccio, Witt

ABSTAIN: McGowan

NAYS:None

There being four (4) ayes, one (1) abstention, and no nays, the minutes were declared approved.

REPORTS OF COUNCIL MEMBERS

Mr. Boyne thanked Mr. Barker for the tree lighting ceremony. He said that he did a great job.

Ms. McGowan said that the Economic Development Committee met last night. She said that some of them were at FunniBonz's grand opening on Saturday and from speaking to them, they have had a line out the door on a daily basis. She said this is a great advantage not only for the Township, but for the other businesses in that shopping center. She said they are going to make their business get together on a quarterly basis. She said that they looked at the Southside Redevelopment Plan and she explained further. She said that they are looking into some business awards to recognize small businesses and businesses that have recently renovated.

Ms. McGowan said that the Energy Committee is meeting next week.

Mr. Calcagno had nothing to report.

Ms. Ciaccio said that on Monday, the Town Center Subcommittee met. She said that they are seeing people interested in developing over there. She said that the ribbon cutting for Walgreens will be taking place soon. There was discussion among Council and Mr. McGough on the logo.

Ms. Ciaccio thanked Mr. McGough for helping to move things along.

Mr. Witt asked Mr. Barker what was going on in Recreation.

Mr. Barker said that movie night will take place the end of March or the beginning of April. He said that they are planning on having it at the Robbinsville Field House.

Mr. Witt said that the Recreation Committee is working in conjunction with the Economic Development Committee to put together an event, which would promote families in Robbinsville going on a scavenger hunt through Town Center and Foxmoor businesses. He said that they are hoping to have it sometime in May when it's warmer.

Ms. Ciaccio read a proclamation on behalf of the Mayor for Woman's Space Community of Light.

Ms. Ciaccio said that on Friday December 20th, they will be having a DWI checkpoint at Timothy's Garden Center. She said that Council is welcome to attend and she explained further.

Ms. Tozzi said the Municipal Alliance will be putting out their annual letter between Christmas and New Year.

REPORTS OF BUSINESS ADMINISTRATOR/MAYOR

Ms. Tozzi had nothing to report.

PUBLIC PARTICIPATION

Ms. Beatrice Sooch, 706 Millside Drive, said that she is the president of the Mercer Mobile Homeowners Association. She said they were put together long before the addition to the Senior Center was put on. She asked Mr. Calcagno if he remembered when they would meet in the old part of the Senior Center. She said that Dorothy Bliestien still lives in the park and was instrumental into getting the addition put on. She said it's very hard to get everyone to come to the meetings due to certain circumstances. She said when Sally was president, she changed the meetings to every other month. She said they have cancelled the next two meetings and it's very hard for them to schedule anything because the Senior Center is always booked. She said that she feels like they are being neglected and she explained her frustration further.

Mr. Witt asked who is responsible for scheduling the Senior Center.

Ms. Tozzi explained that no one is being pushed out and if there are any problems then they should come over and speak with her.

Mr. Witt asked that Ms. Sooch to coordinate with Mr. Barker or Ms. Tozzi.

Mr. Mike Moreken, 55 Sharon Road, Apt. E22, asked who the rescinding term limit ordinance will apply to.

Mr. Witt said that it would be for the advisory committees.

Mr. Moreken asked about agenda item "L" and the watering of the trees. Ms. McGowan explained that they had to put the hydrants there so the trees don't die. Mr. McGough explained that it's just a pipe with a spigot, not a fire hydrant, and he explained further. Mr. Moreken said that he was hoping that we would have put in more drought tolerant trees. Mr. Witt said that the trees are a good thing.

Mr. Moreken asked how many other towns around us have Cablevision. Mr. Roselli said that Hamilton does.

There being no one further from the public wishing to speak, Mr. Boyne 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

Ordinance 2013-28

Ms. Ciaccio offered a motion to introduce on first reading and have published according to law, “AN ORDINANCE RESCINDING SECTION 2-61 OF THE CODE OF THE TOWNSHIP OF ROBBINSVILLE, COUNTY OF MERCER, ENTITLED “TERM LIMITS.” The motion was seconded by Ms. McGowan. The public hearing will be held on December 26, 2013.

Mr. Calcagno explained that the way the ordinance is written now, there is an eight year limit in the appointment to Volunteer Boards, and we are starting to see people hit that limit now, and it’s starting to cause problems for people who have been on the boards for a long term who would like to still continue.

Mr. Boyne said that he likes the idea of having Council being able to override instead of eliminating the term limits entirely.

Ms. McGowan said that she feels the same way. She said her concern with eliminating it totally is that everyone stays on forever and that’s not always good, sometimes change is a good thing. But then there are certain situations where some boards are working so well together it’s a good thing.

Ms. Ciaccio said if we got rid of the term limits, it’s still up to Council and she explained further.

Mr. Witt said that he sees both sides and asked, “If the desire is to keep solid volunteers in place, which would be the best avenue to go?”

Mr. Roselli explained that his concern is not being viewed as arbitrary. He said that anytime Council is involved in whose term is extended and whose is not, it’s always going to be arbitrary, and he explained further. He said their ultimate authority is saying no to anything the Mayor puts out and the other flip side is the real concern about having enough volunteers to fill the boards.

Ms. McGowan said if you remove the term limits, then it becomes arbitrary to not reappoint and she explained further.

Mr. Roselli said that the statutory boards have term limits.

Mr. Witt said that whether you have term limits or not it would be up to the chair of the committee if you have a member that is under performing.

Ms. McGowan said that there are some people that are just not a good fit for a committee. She asked how do we not reappoint the member?

Mr. Roselli said that’s up to that particular body.

Ms. Ciaccio said that we used to go through each committee and go through whose term is up and who should get reappointed.

There was further discussion on the term limits among Council.

Mr. Boyne asked how it is set up in this ordinance.

Ms. Seigfried explained that this ordinance would be removing the eight-year term limit, but doesn't affect the appointments that are already there.

ROLL CALL:

AYES: Calcagno, Ciaccio, McGowan, Witt

NAYS: Boyne

The motion carried.

Ordinance 2013-29

Ms. Ciaccio offered a motion to introduce on first reading and have published according to law, "AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE TOWNSHIP OF ROBBINSVILLE, NEW JERSEY TO CSC TKR, LLC, d/b/a CABLEVISION OF HAMILTON." The motion was seconded by Ms. McGowan. The public hearing will be held on December 26, 2013.

Mr. Roselli explained that we were only one of two other municipalities in the State, that didn't have their franchise ordinance with their cable company. He said that there was a disagreement with the Mayor back then. He said that it used to be that you would have all of the cable companies competing and that isn't the case anymore. He explained the highlights and the provisions of the Agreement.

Ms. McGowan asked if their rates are likely to increase.

Mr. Roselli said that the rates are set by BPU.

ROLL CALL:

AYES: Boyne, Calcagno, Ciaccio, McGowan, Witt

NAYS: None

The motion carried.

CONSENT AGENDA

The following resolutions were approved as the consent agenda:

Resolution 2013-239 - Release of Plan Review Escrow

Resolution 2013-240 - Refund of Overpayment of Taxes

Resolution 2013-241- Supporting the Drive Sober or Get Pulled Over 2013 Year End Crackdown

Resolution 2013-242- Shared Services Agreement – Fire Official/Inspector for Allentown Borough

Resolution 2013-243 - Shared Services Agreement – East Windsor for Animal Control Services

Resolution 2013-244 - Shared Services Agreement – Crossing Guard for Robbinsville BOE

Resolution 2013- 246 - Accept Performance Guarantees – Sharbell, Gordon Simpson

Resolution 2013- 247 - Release Performance Guarantees – Project Liberty /McKesson

Resolution 2013-248 - Authorizing Tax Appeal Settlement – 4 Applegate, LLC

Resolution 2013-249 - Discharge of Mortgage

Resolution 2013-250 - Award of contract – Installation of Water Service and Hydrants at High

- School
- Resolution 2013-252 - Amendment to Shared Services Agreement – Extending Municipal Alliance Program from January 2, 2014 – June 30, 2014
- Resolution 2013-254 - Amending Personnel Policies - Public Works Temporary Light Duty
- Resolution 2013-255 - Chapter 159 – Drive Sober or Get Pulled Over Grant

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

ROLL CALL:

AYES: Boyne, Calcagno, Ciaccio, McGowan, Witt

NAYS: None

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

RESOLUTIONS

Resolution 2013-245 Change Order No. 1 Hutchinson Road Reconstruction

Ms. Seigfried explained that there was a small mathematical error.

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

ROLL CALL:

AYES: Boyne, Calcagno, Ciaccio, McGowan, Witt

NAYS: None

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

Resolution 2013-251 Award of Bid – Hankins Road

Mr. Witt asked, what was the extent of the paving? Mr. McGough explained that the project would start about three thousand feet back from Route 130.

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

ROLL CALL:

AYES: Boyne, Calcagno, Ciaccio, McGowan, Witt

NAYS: None

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

Resolution 2013-253 Extension of ABC License – EGS Liquors

Ms. Seigfried explained that ABC called her and wanted some corrections to the resolution. She explained the wording changes that they requested.

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

ROLL CALL:

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

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

Resolution 2013-256 Budget Transfers

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

ROLL CALL:

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

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

There was a discussion on the resolution for an award of contract for concrete. Mr. Roselli said that this is subject to Pay-to-Play. and he explained further. Ms. Seigfried explained the requirements for Pay-to-Play. She said that this contract would not be able to be approved tonight and would have to get pulled from the agenda.

PAYMENT OF BILLS:

Current	2-01, 3-01	\$ 521,536.50
Sewer	2-07, 3-07	7,594.55
Sewer Capital	C-08	0.00
Capital	C-04	121,346.47
Grant	G-02	276,997.93
Inspections	I-21	3,281.08
Plan Review	R-20	3,772.87
Performance	P-22	0.00
Maintenance	M-23	0.00
Other Trust	T-12	220,451.44
Revolving Loan	T-14	0.00
Animal Control	T-15	652.85
Payroll	T-16	6,000.00
Recreation Trust	T-18	<u>2,437.32</u>
Total all funds		\$1,164,071.01

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

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

DISCUSSION ITEMS

Mr. Witt said there was discussion about waving the sewer connections for a particular church. Council agreed that they are on board with that. Ms. Seigfried said that she would include this on the next agenda.

SECOND PUBLIC PARTICIPATION SESSION

There being no one 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. Boyne.

There being five (5) 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 8:34 p.m.

Ronald Witt, Council President

Michele Seigfried, Municipal Clerk