

Florence, New Jersey
August 13, 2008

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey.

The meeting was called to order by Council Vice President O'Hara at 9:40 PM. Vice President O'Hara led the Salute to the Flag.

The following statement was read by the Township Clerk: "Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 6, 2008; given to the Register News for information. Notice was posted on the Municipal Bulletin Board."

Upon roll call the following were found to be present:

Dennis O'Hara
Sean Ryan
Jerry Sandusky

Also present:

Mayor William Berry; Richard Brook, Township Administrator; Dante Guzzi, Township Engineer; William John Kearns, Jr., Township Solicitor; Joy M. Weiler, Township Clerk

MINUTES

Nothing at this time.

FINANCIAL CORRESPONDENCE

It was on the MOTION of Ryan; seconded by Sandusky to receive and file the Township Clerk's report for July. Roll call vote – all ayes. Motion carried.

Ryan made a MOTION; seconded by Sandusky to approve the Treasurer's Bill List. Roll call vote – all ayes. Motion carried.

REGULAR CORRESPONDENCE

Nothing at this time.

APPLICATIONS

A. Social Affair: Knights of Columbus, Holy Assumption Hall, October 11, 2008, 6:00 PM-11:30 PM

It was on the MOTION of Sandusky, seconded by Ryan to approve the above application.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Ryan, Sandusky
NOES: None
ABSTAIN: O'Hara
ABSENT: Garganio, Baldorossi

Motion carries.

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B. Set Free Yard Sale Day: September 20, 2008 with September 27, 2008 as rain date

It was on the MOTION of Sandusky, seconded by Ryan to approve the above application.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Ryan, Sandusky, O'Hara

NOES: None

ABSENT: Garganio, Baldorossi

Unanimous approval.

PUBLIC COMMENTS

None at this time.

All residents having an opportunity to be heard, MOTION by Sandusky; seconded by Ryan to close the public portion of the meeting. All ayes - motion carried.

RESOLUTIONS

RESOLUTION NO. 2008-159

**APPROVE REQUEST FOR RELEASE OF PERFORMANCE BOND FOR
NJ DISTRICT COUNCIL/ASSEMBLIES OF GOD
BLOCK 170, LOTS 10.03 and 10.04
CONDITIONED UPON POSTING A TWO YEAR MAINTENANCE BOND
NOTE: Also conditioned upon payment of any and all escrow funds due.**

RESOLUTION NO. 2008-160

**APPROVE REQUEST FOR RELEASE OF PERFORMANCE BONDS FOR
ROMA BANK, PHASE I
2150 ROUTE 130, FLORENCE, NJ, 08518
CONDITIONED UPON POSTING TWO YEAR MAINTENANCE BONDS
NOTE: Also conditioned upon payment of any and all escrow funds due.**

RESOLUTION NO. 2008-161

**THE TOWNSHIP OF FLORENCE SUPPORTS THE
OVER THE LIMIT UNDER ARREST 2008 STATEWIDE CRACKDOWN**

RESOLUTION NO. 2008-162

**CANCEL CERTAIN WATER AND SEWER UTILITY
CAPITAL APPROPRIATION BALANCES**

RESOLUTION NO. 2008-163

**AUTHORIZE THE FLORENCE TOWNSHIP SUPERINTENDENT OF PUBLIC WORKS
AND THE ASSISTANT MUNICIPAL ADMINISTRATOR TO PREPARE PLANS,
SPECIFICATIONS AND OBTAIN BIDS FOR A LEAF COLLECTION MOBILE UNIT**

NOTE: Resolution No. 2008-160 HELD until September 3, 2008.

It was on the MOTION of Sandusky, seconded by Ryan that Resolutions 2008-159, 2008-161 through 2008-163 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Ryan, Sandusky, O'Hara

NOES: None

ABSENT: Garganio, Baldorossi

Unanimous approval.

ORDINANCES

ORDINANCE NO. 2008-15

(1st Reading)

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING CHAPTER 91
(ZONING) OF THE CODE OF THE TOWNSHIP OF FLORENCE ESTABLISHING FEES
AND ESCROW DEPOSITS ON LAND USE APPLICATIONS**

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2008-15 on first reading and set adoption for September 3, 2008.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

YEAS: Ryan, Sandusky, O'Hara

NOES: None

ABSENT: Garganio, Baldorossi

Unanimous approval.

ORDINANCE NO. 2008-16

(1st Reading)

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN BURLINGTON COUNTY,
STATE OF NEW JERSEY AMENDING THE FLORENCE TOWNSHIP CODE AND
ESTABLISHING REGULATIONS FOR THE PLACEMENT OF PORTABLE HOME
STORAGE UNITS ON RESIDENTIAL PROPERTIES**

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It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2008-16 on first reading and set adoption for September 3, 2008.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

YEAS: Ryan, Sandusky, O'Hara

NOES: None

ABSENT: Garganio, Baldorossi

Unanimous approval.

**ORDINANCE NO. 2008-17
(1st Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING SECTION 140-43
AND 140-48 OF THE CODE OF THE TOWNSHIP OF FLORENCE ESTABLISHING
WATER AND SEWER RATES WITHIN THE TOWNSHIP OF FLORENCE**

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2008-17 on first reading and set adoption for September 17, 2008.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

YEAS: Ryan, Sandusky, O'Hara

NOES: None

ABSENT: Garganio, Baldorossi

Unanimous approval.

REPORTS

Committees, Boards and Officers

- Council Member Sandusky stated that **Griffin Pipe** had the length of their railroad spayed with weed killer but it looks really bad. Administrator Brook will contact Griffin Pipe.
- Council Vice President O'Hara reported that there were some absentees due to vacations at the last **Economic Development Committee** meeting, plus Mayor Berry was with the Chief of Police for National Night Out. A representative of Roma Bank that is willing to work with the Economic Development Committee to promote a local Chamber of Commerce attended the meeting.
- Council Member Ryan asked if there was anything with regard to the **GROWS Landfill** this evening? Administrator Brook stated that other than what Assistant Administrator Sahol sent around, not that he is aware of. Council Member Ryan read through the documentation and did some research on the low level radioactive compounds. He stated that when you look at the chemical breakdown of the Cesium 137, there is one thing that they left out; as that low level radioactive material breaks down it actually changes into other substances, which are also radioactive substances. If that material gets through the impenetrable barrier, it may not

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be the Cesium 137 that causes an issue if it gets into the potable water supply but as the other compounds degrade, these are the compounds that are dangerous to human beings. The technology is now available to identify these issues.

Council Member Ryan asked how Florence Township's neighboring communities feel about the situation at the GROWS facility? How do some of the communities that utilize surface water diversion within the region feel about the situation and the safeguard and concern for the residents? Additionally, his greatest concern is that in the entire State of Pennsylvania they could not find any approved facility to house these materials. They had a difficult time identifying a recipient of this material. That leads him to the question of what facilities within a 500-700 mile radius of Florence Township do exist that accepts level 1 and level 2 low-level radioactive materials? Is GROWS Landfill opening up the door to be a site that accommodates additional level 1 and level 2 materials? What kind of safeguards are going to be discussed in Pennsylvania to restrict to this one event?

Assistant Administrator Sahol did investigate the inorganic radiological breakdown of those two (2) compounds and spoke to David Allard, PA DEP, who stated that there currently is permission for the run off of this to enter surface drinking water in certain quantities that are so small. The river that passes through Limerick has seen that over the years by permission from the Nuclear Regulatory Agency and PA DEP. All they are doing, instead of putting it in that miniscule quantity year after year, is putting it in a single bag structure and putting it into a landfill.

Assistant Administrator Sahol stated that Waste Management has taken other materials in the past, he is not sure of the strengths but they are all within their permit, this is just one that is pushed a little beyond the normal. That is why the State of Pennsylvania and Nuclear Regulatory Agency had to deal with this issue.

Council Member Ryan asked how the Burlington County Freeholders feel about this situation? He asked if the State of New Jersey, Burlington County Freeholders and neighboring municipalities are able to weigh in on this particular issue? Assistant Administrator Sahol stated that jurisdictionally he does not know that they have a standing. He does not believe that GROWS Landfill was required to give notice; so it seems. Some of the municipalities were not aware until it was in the newspaper.

Council Vice President O'Hara asked Mayor Berry, since he is a member of the Solid Waste Advisory Committee, to bring this up at the next meeting. Mayor Berry stated that there were no meetings presently scheduled and offered to write a letter to Mary Pat Robbie, stating the township's concerns and supply the information the township has.

Council Vice President O'Hara does not understand, with the landmass of Pennsylvania, that they would choose an area that is heavily populated and in close proximity to the river to dispose of these chemicals. He wonders if the NJDEP would concur with the findings of PA DEP and Nuclear Regulatory Agency. It does have an impact on the State of New Jersey, Burlington County and the community of Florence Township. Administrator Brook will contact NJDEP to see if they have a position on the situation. He stated that when Florence Township took on the Tullytown Landfill, NJDEP was not an ally; no other municipality next to Florence Township was an ally.

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Council Member Ryan asked what happens in a state when there is no facility nearby to accommodate certain types of waste from a DEP standpoint and a responsibility standpoint?

Administrator Brook will contact PA DEP to find out if there are any other facilities that accept waste of that type within a 500-700 mile range; is this opening up the door that more waste of this type will be accepted at the GROWS facility? He will also contact NJDEP to see if they have any position on this. Administrator Brook warned not to be surprised if NJDEP does not have a position on it. Council may want to invite Waste Management or a representative of PA DEP to a meeting. He offered to contact other municipalities if Council wishes. He explained that when Florence Township sued in Pennsylvania, the other municipalities knew but did not want to participate.

Administrator Brook believes that the best thing is to research the township's potential options, what exactly is the truth compared to what is in the newspaper article. Waste Management stated that they met with the newspaper; the newspaper acknowledged it sensationalized. Administrator Brook does not know the truth.

Administrator Brook finds that NJ DEP and PA DEP do not really interact with each other.

After further discussion, Administrator Brook will invite a representative of Waste Management and PA DEP to meet with the governing body.

Mayor

- Nothing at this time.

Administrator

- Administrator Brook stated that **Griffin Pipe** has done a good job of improving the front of their property and they have discussed initiating a **Phase II beautification project**. Since they will be coming in to discuss their request for the township to accept their wastewater, it may be a good time to talk to them about continuing their beautification efforts.

Assistant Municipal Administrator

- Nothing at this time

Township Solicitor

- Nothing at this time.

Township Engineer

- Dan Guzzi, Township Engineer, stated that, weather permitting, **Pine Street** will be completed before school starts.

Council Member Ryan read over the report for the **Road Program**, and noted that it seems that it was a very productive meeting; it looked like everything is moving in a positive direction. Administrator Brook stated that it is. He explained that he along with Mr. Guzzi and Solicitor Kearns will be meeting with American Asphalt due to their concern with the cost of the asphalt. American Asphalt is asking if the township is willing to make an adjustment on the contract amount. Administrator Brook stated that usually a benchmark on pricing is built into the contract and if the price of asphalt goes up the contractor has to deal

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with it. He does not believe they have a strong legal position. Administrator Brook will report back following the meeting.

UNFINISHED BUSINESS

Council Vice President questioned the status of the **Community Center**. Administrator Brook stated that work is progressing well. It looks good inside and outside. Should be complete closer to the end of the year.

Council Member Ryan asked if any concerns have been raised regarding parking during construction? Administrator Brook stated that it has been going smoothly.

NEW BUSINESS

Nothing at this time.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Council Member Sandusky witnessed a truck drive over the whirly bird, down Railroad Avenue and back out to Route 130. He asked if that happens often? Administrator Brook believes the truck driver was just lost.

10:25 PM MOTION by Ryan; seconded by Sandusky to adjourn meeting. Roll call vote - all ayes.

ADJOURNMENT

10:25 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab