

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**September 10, 2008**

**8:15PM**

### **CALL TO ORDER**

Council President Baldorossi called the meeting to order.

### **SUNSHINE STATEMENT**

The Opening Statement was read: 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; posted on the municipal bulletin board.

### **ROLL CALL**

Present: Bruce Garganio, Dennis O'Hara, Sean Ryan, Jerry Sandusky, Frank Baldorossi

Also Present: Mayor William Berry; Richard A. Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; Russell Trice, Township Water and Sewer Engineer; William John Kearns, Jr., Township Solicitor

### **PUBLIC COMMENT**

Don Kaminski, 10 McCay Drive, asked at a previous meeting if there would be benches in the new gazebo at the Clark T. Carey Memorial Park and was assured that there would be benches. He stated that he thinks the gazebo is finished but there are no benches. Assistant Administrator Sahol explained that the gazebo is not completely finished. The concrete for the benches was poured last week and is setting. The concrete will be prepared tomorrow so the bench legs can be installed. He hopes to have the benches installed within a week, as long as all goes well. There is a light to be installed and restoration around the gazebo also needs to be done.

Mr. Kaminski stated that when he spoke to the workers putting up the gazebo, they were not aware of the benches. Administrator Brook explained that a local contractor volunteered their time to put up the gazebo and were not aware of the benches. The Public Works Department will be installing the benches.

Council Member Sandusky stated that it is a very nice gazebo.

John D'Acquisto, 7 Yockus Lane, stated that he is glad to see that Lennar is addressing the drainage problem at Greenbriar Horizon development but they took the mailboxes out of the ground and the residents have not been receiving their mail for 2-3 days. The residents were not notified that the mailboxes would be taken out while work was performed. The mailman said if there is no mailbox, the mail would not be delivered. Dan Guzzi, Township Engineer, stated that the residents impacted by the work were notified by fliers dropped off at their homes. He explained that the mailboxes were taken out of the ground to install the pipes in the under drain. He acknowledges that it causes a slight inconvenience while the repairs are being made and will be sure to have the contractor get the mailboxes back up as soon as possible.

Fred Wainwright, 1091 Florence Columbus Road, stated that when Wawa widened the road they took a corner of his property on Cedar Lane and they assured him it would be replaced; it has not been replaced. Mr. Guzzi will contact the contractor and make sure it is on the punch list.

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Mr. Wainwright asked why there are mark outs along Cedar Lane from the school to the cemetery? Assistant Administrator Sahol explained that the mark outs are for No Parking signs that are going to be installed.

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

### **TOWNSHIP AUDITOR: REVIEW 2007 AUDIT**

John J. Maley, Township Auditor, reviewed the 2007 Audit. He discussed the following:

- Assets of General Funds
- Liabilities of General Funds
- Fund Balance
- Revenues for the year
- Expenditures for the year
- Surplus
- Added Assessments
- Trust Fund
- General Capital Debt
- Water & Sewer Fund Balance
- Water & Sewer Revenues and Expenditures

Mr. Maley discussed his findings and recommendations. Council is required to approve a Resolution to be filed with the DCA indicating that they are familiar with the findings and recommendations. A corrective action plan will need to be prepared for one item, which Council will adopt by Resolution and file with DCA. That one item was a miscalculation of a permit fee in the Construction Code Office resulting in an under payment to the municipality. As a result of that finding, additional fees were tested and found to be in agreement with the approved fee schedule. The cause of the miscalculation was the Construction Official entered erroneous information in the excel worksheet used to calculate permit fees. Mr. Maley's recommendation is that internal controls over Construction Department revenue should be improved. The Construction Official and Township Administrator are in agreement with the finding and will address the matter in a corrective action plan. As a result of the finding, the additional fee has since been collected. Mr. Maley stated that is the only finding he has and his firm does some rather significant testing. He stated that the governing body does not have anything to worry about; the office is run very well.

A Resolution will be prepared for next week's meeting for the Corrective Action Plan, accepting the Audit and sign the affidavit that the governing body is familiar with the findings.

The governing body thanked Mr. Maley.

### **TOWNSHIP WATER AND SEWER ENGINEER**

#### **Hill Creek Farms: Bond**

Russell Trice, Township Water and Sewer Engineer, reported that he sent them a punch list on August 14<sup>th</sup> and has not heard back from them for re-inspection. A Resolution will be prepared to deny the request for next week's meeting.

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**Haines Industrial Center, 1500 John Gault Way**

Mr. Trice reported that he sent the contractor a punch list and has not heard back from them for re-inspection.

**Well No. 6: Final Payment**

Mr. Trice reviewed and recommends the final payment to B&H Contracting. A Resolution will be prepared for next week's meeting.

**TOWNSHIP ENGINEER**

**Current Estimate No. 1 (Final): 2007 CDBG**

Dan Guzzi, Township Engineer, reviewed and recommends payment of Current Estimate No. 1. All work has been completed. The whole amount is covered by the grant. A Resolution will be prepared for next week's meeting.

**Current Estimate No. 1: Community Center**

Mr. Guzzi reviewed and recommends payment of Current Estimate No. 1 for work done to date. A Resolution will be prepared for next week's meeting.

**Current Estimate No. 1: 2008 Road Program**

Mr. Guzzi reviewed and recommends payment of Current Estimate No. 1. A Resolution will be prepared for next week's meeting.

Council Member Ryan asked which road they would be working on next? Mr. Guzzi believes Norman Avenue is next. He will provide a schedule next week.

Assistant Administrator Sahol provided pictures and explained that there are tree root issues on Norman Avenue that are pushing the curbs in a few places. The curbs are to be replaced as part of the contract. If the curbs are replaced as is, it will cut directly into the root of the tree. With the exception of one (1) tree, the trees are all in good health. Assistant Administrator Sahol is proposing that the curbs be moved out 6-8 inches over a long stretch of roadway to preserve the trees and avoid the curb being rolled out again. He also explained that there is a sidewalk conflict that is outside of the work area. He suggested skirting the sidewalk around the tree to give it some breathing room. Assistant Administrator Sahol did speak with the homeowner who would prefer to keep the tree and does not mind if the sidewalk comes on to their property.

Council Member Garganio asked about the sidewalks that butt up to the curb; will they be replaced or just filled in? Assistant Administrator Sahol stated that the sidewalk marked with an X will be replaced. Mr. Guzzi explained that normally when curbing is replaced the immediate section of sidewalk behind is also replaced due to damage from removing the curb, so most is already in the contract.

Discussion followed regarding leaving more grass area after the slabs are taken out. Assistant Administrator Sahol will look into and would like to speak to the residents before doing that.

Council President Baldorossi feels that moving the curb line out may make it too tight for vehicles going in opposite directions to get by each other, especially when cars are parked on the side of the street. Mr. Guzzi stated that the alternative to moving the curb line out is removing the trees.

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Mr. Guzzi stated that that there will not be a huge increase in the cost. The work was going to be done but there will be an increase in cost because they will need more concrete.

Mr. Guzzi and Assistant Administrator Sahol reviewed the area where the curb line would be moved out. It is not the whole length of the street, just two (2) sections in the area of the trees. Presently there is a 26 foot cart way, after the curb line is moved out there will be a 25 foot cart way with on street parking. Mr. Guzzi explained that the contract calls to replace whatever is presently there; so the double yellow lines that are there now will be replaced. Council Vice President O'Hara suggested a caution sign. Assistant Administrator Sahol stated that the curb could be painted and a sign installed.

Assistant Administrator Sahol stated that one (1) tree will be removed, the stump grinded down as far as possible due to a water line and gas line and concreted over.

Council Member Ryan asked if the curb line is moved out, will the tree continue to grow and push the curb out again? Mr. Guzzi stated that is why the curb line needs to be moved out a full foot. The curbs could be pushed out again five years from now. Council Member Ryan asked if there were trees that are better accommodated for this type of small planting area? Assistant Administrator Sahol stated that there are but they would have to create a 6-foot by 6-foot box, which you will not get on this street due to right of way. The sidewalk would have to be shifted on to private property. Council Members are in agreement with Assistant Administrator Sahol's recommendation.

### **Haines Industrial Center, 1500 John Gault Way: Bond Reduction Request**

Mr. Guzzi reviewed the Bond Reduction Request. He issued a punch list that they will be working on over the next several weeks. Administrator Brook will check on the time frame for action.

### **HAPCO Petroleum, 2051 Route 130 @ Cedar Lane**

Mr. Guzzi reviewed the Bond Release Request. He issued a punch list that they need to complete. Council Member Ryan questioned the status of a drainage issue. Administrator Brook stated that it has been fixed. Administrator Brook recommends denying the request. A Resolution will be prepared for next week's meeting.

### **Cream-O-Land Site Improvements**

Mr. Guzzi received a request and issued a punch list of outstanding items. They would like to get a CO for the guard house but there are some significant site improvements that they have not addressed yet including a small storm water management basin that was supposed to be done with the last improvements. Cannot recommend a CO for the guardhouse until the work is complete.

### **Greenbriar: Update**

Mr. Guzzi stated that the basin work is done. The contractor is working on the drainage swales, putting under drains in. The contractor is pushing to wrap the job up.

### **DISCUSSION: ENVIRONMENTAL COMMISSION/CITIZENS ADVISORY COMMITTEE ON LANDFILL MATTERS**

Council Member Ryan reported that the Environmental Commission met last week and discussed the activity that took place at the GROWS Landfill in Pennsylvania. Specifically, that there was a lot of misinformation that was circulated in the media. Council Member Ryan stated he would like to

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clear up one specific matter, and that is that there was no permit modification that took place in Pennsylvania that allowed GROWS Landfill to house the material that is now there. There were instructions as to how they were to package the material and transport it to the facility. Pierre LaCombe, who was once a member of the Environmental Commission and has expertise in the field, attended the meeting. Council Member Ryan stated that through discussions it came to light that two (2) sentinel wells were drilled in Florence and a study was performed. It is public information, which Mr. LaCombe requested to review. Once he reviews the information, he will report back at next month's Environmental Commission Meeting. If any additional information presents itself, the Environmental Commission will make its recommendation to Council.

Assistant Administrator Sahol discussed the possibility of combining the Environmental Commission and Citizens Advisory Committee on Landfill Matters, who share a lot of the same concerns. Solicitor Kearns stated that State Statute provides the number of members on the Environmental Commission. He believes they are at the maximum number of members. If the format set by State Statute is not followed for the Environmental Commission, they would not have the ability to apply for grants. Assistant Administrator Sahol spoke to some members of the Citizens Advisory Committee on Landfill Matters: one member is no longer interested, another member has never attended a meeting, another member is a joint member already, another member just wants to be sure that environmental concerns are pursued and another recent appointment is as active as he possibly can be. There are really only two (2) members of the Landfill Committee that are not cross members that still have interest. Administrator Brook stated that it is hard to justify having a separate Citizens Advisory Committee on Landfill Matters. Those duties are not even responsibilities; even the Environmental Commission is a recommending body without formal power. They have to report to the governing body. Any issues that arise under the landfill topic would be put under the Environmental Commission, where any member of the public can attend if they would like to have input.

Assistant Administrator Sahol will check on the number of members of on the Environmental Commission and report back.

Council Member Garganio asked that an evaluation of all the boards be done for the end of the year. There may be other small boards that would be served better combined with other boards. Assistant Administrator Sahol will report back. Council would like to have fewer boards with more activity.

Administrator Brook will be providing Mr. LaCombe with a copy of the Geological Study. He recommends, before the Environmental Commission comes back with written comments, that they meet with Russell Trice, Township Water and Sewer Engineer, David Lebak, Water and Sewer Superintendent and even Waste Management so they understand the complexities associated with Sentinel Wells, the testing of potable water supplies and not rely solely on one person. Mr. LaCombe does not have a good working knowledge on how the township operates the public potable water supply system. Administrator Brook cautioned before making any claims or allegations that the Environmental Commission hear all sides from the professionals and Waste Management and know the facts.

Mr. Trice reviewed how the study was performed. Waste Management's wells were also used in the study. Information was needed from their wells and draw downs to compare to Florence Township and how the township pulls its water out of the ground and the potential, if there ever would be any, going through the rock surfaces and the formations to impact the township's well system.

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**CODIFICATION: TOWING FEES**

Solicitor Kearns stated that Ordinance No. 2002-12 specifically deleted the winching fees and put the language in that there shall be no charge for winching. It can be changed. Administrator Brook will report back in October with a recommendation from the Chief of Police.

**ASSISTANT MUNICIPAL ADMINISTRATOR**

**Virtua Health, Inc. Transport Agreement (Expires 10/2008) & Fire Department Agreement**

Assistant Administrator Sahol stated that every year the township has to renew the Virtua Health Inc. Transport Agreement. This is the advance life support agreement for when the paramedic unit is on scene; they take care of billing and forward the township our portion. It is a standard agreement. There is one change to the language this year that states that the agreement can be terminated by either party with 90 days notice. This way the township can terminate the agreement when the township's contract with the Fire Department expires and they pick up their own billing. A Resolution will be prepared for next week's meeting.

**Main Street Parking**

In response to discussion at a previous meeting regarding the Community Center and the need for additional parking, Assistant Administrator Sahol provided a copy of plans the he along with Mr. Guzzi and the Chief of Police worked on several years ago. The plans are to create on street parking in the center of Main Street down by Nyikita Field. Faux islands would be striped to create 51 delineated parking spaces. Assistant Administrator Sahol presented this plan to the President of the Roebing Historical Society to review with the members this evening. Council Members like the plan.

Discussion followed regarding parking on Tenth Avenue. When vehicles are parked on both sides, it is tight for vehicles traveling on Tenth Avenue. Council Member Sandusky suggested that once the parking spaces are established on Main Street, to make the ball field side of Tenth Avenue no parking.

**Recycle Bank**

Assistant Administrator Sahol provided a memo and attachments to explain the program. He looked to determine over the next few years the debt of the program and whether it could be funded through the recycle grant. The recycling grants are on the increase due to tonnage as well as State allocations to the recycle fund. After speaking to the Program Administrator from the State, the payment to the township for 2007 that is paid in 2009 should increase by 50%. Assistant Administrator Sahol believes that the township's future recycle grant credits will be able to pay for the Recycle Bank program even with an expansion to the program if an additional route is added. The township will still participate in Burlington County's toter program. The County is paying for 50% of the toters.

Assistant Administrator Sahol feels that a \$7.20 investment per household for a resident to get potentially \$200 back in credit or savings is a great benefit. He stated that many municipalities throughout the County are signing up for the program.

Assistant Administrator Sahol explained that the County is so strongly committed to this that they are holding the bin order a few weeks in case Florence Township signs on the bins can be retrofitted. He explained that in other communities the weight is recorded by individual household; it has not

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been proven on OTC's mechanical equipment that is used in Florence Township. The lift arms that OTC operates will not be able to separate out the weight.

Assistant Administrator Sahol stated that as the County can accept the township's routes, the program could be phased in. There may be some routes in the township that they will not be able to put the toters in; the Village of Roebing would be very difficult.

The County would like to start with one (1) route and come back later to discuss taking on an additional route.

Assistant Administrator Sahol explained that the township would enter into a 5-year contract with Recycle Bank. The devise will be put on the unit, tracks it and entitles the resident to credit. The township gets the reporting ability. The cost is \$7,200 a year paid for out of the Recycle Grant.

A Resolution will be prepared for next week's meeting authorizing Florence Township to participate in the Recycle Bank program.

After further discussion, Assistant Administrator Sahol will write a letter for Mayor Berry to sign asking for two (2) routes.

### **Waste Management**

Assistant Administrator Sahol stated that there was a reference in the Burlington County Times to an expansion at the Waste Management Landfill. It is a permitted expansion that has been 10 years in the making. He has an aerial photograph to show the expansion.

### **COAH: MARY BETH LONERGAN**

Council Vice President O'Hara requested that the COAH discussion be held until another evening when there is more time. Ms. Lonergan stated that she would need 1-½ hours. Discussion will be held October 1, 2008 at 6:00PM.

### **PUBLIC INTOXICATION ORDINANCE**

Solicitor Kearns explained that there has been litigation in other municipalities over the Public Intoxication Ordinances so he reviewed Florence Township's Ordinance. The township's Ordinance states that you cannot bring into the park or consume alcohol in the park or be intoxicated. He is taking out the language or be intoxicated and rewrote to read "bring into, possess or consume alcoholic beverages at any time in any park or recreation area". Solicitor Kearns would like to review other language in the Ordinance at a later time, but recommended this amendment to be put through. Administrator Brook agrees with the language as Solicitor Kearns changed it.

### **RETIREMENT OF CROSSING GUARD**

Council President Baldorossi noted that Virginia Boyea is retiring after 24 years of service. He asked that Mayor and Council have a presentation for her. Administrator Brook stated that it will be planned for December.

### **SCHOOL SIGNS**

Administrator Brook provided pictures of the "Schools Open" signs that are posted in Mt. Holly that Council Member Sandusky mentioned at a previous meeting. Council Members like the layout and

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color of the signs; the verbiage could be changed to be friendlier. Mayor Berry suggested a poster type contest for the school kids to design the signs. Council Members agree that is a great idea.

**BRANDOW CHEVROLET PROPOSAL**

Administrator Brook asked if any member of Council would like to volunteer to meet with Jeff Lucas and Mayor Berry regarding the Brandow Chevrolet proposal. Mr. Lucas is asking questions, such as what the governing body would like to see on that site, Administrator Brook does not feel comfortable answering on the governing body's behalf. Council Member Garganio feels that Mr. Lucas should submit a proposal just like any other developer does. The zoning dictates what uses can be put on that site. Council Members agree.

**ACTION**

**APPLICATIONS**

A. Renew Transient Merchant License: Mr. Softee Ice Cream Truck

It was on the MOTION of Sandusky, seconded by O'Hara to approve the above application.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

10:15 PM MOTION by Garganio, seconded by Ryan to adjourn to Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

10:15 PM Meeting adjourned.

Respectfully submitted,

RICHARD A. BROOK  
Township Administrator/  
Deputy Township Clerk

/mab