

FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION

January 13, 2010

8:00 PM

CALL TO ORDER

Council President O'Hara 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 10, 2010; given to the Register News for information; posted on the municipal bulletin board.

ROLL CALL

Present: Frank Baldorossi, Sean Ryan, Jerry Sandusky, David Woolston, Dennis O'Hara

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; Joy M. Weiler, Township Clerk

PUBLIC COMMENT

Don Kamienski, 10 McCay Drive, stated that at the November meeting Administrator Brook advised him that the floating boat dock was beyond repair and he was looking into replacing it. He stated that manufacturers need time to build a floating dock and asked if a company to place the order with had been decided on? Administrator Brook stated that the township can get one more year out of the floating dock but the metal is clearly beginning to fade and get weak. They are looking to replace in 2011. Dan Guzzi, Township Engineer, will give a report on estimates at the February Worksession. Administrator Brook noted that repairs will be made on the dock for this year but will be replaced in 2011.

Council President O'Hara questioned if a new dock design would help alleviate the problem with the debris that collects at the present dock? Administrator Brook explained that if they change the design and location of the dock, they will have to go through the entire permitting procedure with the State of New Jersey, which is not easy. Mr. Guzzi explained that reorienting the ramp would include ripping the whole area out and rebuilding a portion of the bulkhead as well as the ramp and would be a significant cost. You cannot just redesign the dock, it would have to include the ramp.

Council President O'Hara asked the life expectancy of a new dock? Mr. Guzzi stated approximately 15 years.

Bob Adams, 3 Webber Court, stated that he is a member of the Board of Directors for the Legacy at Meadowcroft Homeowners Association. He stated that in the last week or so several trees have been planted on residents' lawns throughout the development. The residents were not notified of the plantings. He noted that many of the residents have had irrigation systems installed and there was no concern showed towards the irrigation systems. Mr. Adams asked if the township was responsible? Mr. Guzzi stated that it is not the township; it is the developer planting the trees. He explained that shade trees throughout the development were required on the approved plans. The residents should have been notified of the plantings. Mr. Guzzi will look into why the residents were not notified.

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Administrator Brook will notify the developer that they are planting trees on existing homeowners property without notice.

Council Member Sandusky asked if this was the proper time to be planting trees? Mr. Guzzi stated that it is not the best time but it is not necessarily a bad time.

Mr. Guzzi will inspect and verify that the trees are being planted in the proper places.

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.

KENT PIPES: SALT & LIGHT – COAH PROPERTIES

Kent Pipes, President of the Affordable Homes Group, one of which is Salt & Light, attended the meeting to discuss development to be done in Florence Township. He explained that Salt & Light began work on a property on Alden Avenue in Florence Township approximately six years. He thought the project would move quickly but it has turned out to be an arduous task with financing. They are going to the Board of the New Jersey Housing and Mortgage Finance Agency in February for a commitment of \$400,000; Burlington County will follow shortly after with another \$200,000. Construction should begin within six months. On the heels of that project, there are two (2) other projects coming up in Florence Township. Salt & Light subdivided a piece of property off of the rear of 300-320 Alden Avenue; they believed it was under utilized; property they felt could be put to better use. A single-family dwelling will be going on the site. It has been appraised at \$325,000; it will sell for approximately \$150,000 as a moderate-income unit. Salt & Light believes it will raise the property values in that neighborhood. Most people believe affordable housing will bring properties down. Mr. Pipes explained that they will sell the home at its appraised value; then at closing, the cost will be written down on the HUD1 settlement sheet so the mortgage amount due from the buyer will be \$150,000. It will not show on comparables as a reduced price sale, which will help boost property values and improve the neighborhood. He explained that this is a modular, where 90% of the work is done in a plant with minimal site disruption.

Mr. Pipes discussed 111 Norman Avenue, which received approvals last year as a four (4)-unit condo. Salt & Light is not looking to do condos but would be interested in doing apartments. Mr. Pipes spoke with Administrator Brook to see if the township would be interested in including as part of their affordable housing? Mr. Pipes had an architect draw up plans for that long vacant property. He feels it is a perfect site for affordable housing.

Mr. Pipe explained that one of the problems with doing development as a non-profit is that they do not have a lot of cash. They operate by the seat of their pants most years and are fortunate to end the year in the black. They have been in business for 25 years as a non-profit.

Mr. Pipes stated that Administrator Brook advised him that it has been the township's policy not to release any of the housing trust funds until the house is completed and the CCO is issued. Due to the current credit market and the financial world being in such disarray, Mr. Pipes is asking that the township consider relaxing that policy and release the funds during the development process. Mr. Pipes wanted to meet Mayor and Council face to face, update the governing body on Salt & Light, and the projects in Roebling; establish any dialog if necessary.

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Administrator Brook verified that 111 Norman Avenue does have Zoning Board approval for affordable housing. He explained for the public that all affordable housing means, which at times has a bad connotation, means housing for individuals that meet certain income levels. When you look at those income levels and live in the State of New Jersey, a lot of good working people fit into the income level. Affordable housing is designed to help people. Administrator Brook noted that Mr. Pipes has done tremendous work in the township so far and when he asked about a bridge loan and tying it into the mortgage, Administrator Brook spoke with Mary Beth Lonergan, the COAH Planner, and discussed it at length and he believes the township should take it under consideration. The market is just brutal and companies with proven track records are being held to the fire with respect to credit. Mr. Pipes is in the same position. Administrator Brook believes there is a way to build it in through the Trust Fund to give the township enough protection.

Mr. Pipes expressed his concern over the years of all the waste in the construction process. Three (3) years ago Salt & Light built its first green home. He has since received his certification from the National Association of Home Builders as a certified green building specialist. Everything Salt & Light builds now is green. The home being built on Alden Avenue will be green technology with metal roofing, stained concrete floors with radiant heat, super efficient walls, fresh air intake/exhaust to keep the home ventilated, water saving technology and everything they do will be highly insulated with the best technology. It will be a state of the art facility that the township will be proud of having.

Council President O'Hara asked about the change of elevation from the rendering? Mr. Pipes explained that it will not be a full porch and there will be no garage. It will be a standard 2-story colonial type home. It will be built in four (4) sections in the factory and delivered; the next day the siding and the roof will be installed; within 60 days someone will be living there. There will be a driveway for off street parking. Council Member Ryan asked the number of occupants? Mr. Pipes stated that a three (3) bedroom home normally sells to a family of four (4) or five (5). It will be a moderate-income home, which for a family of four (4) or five (5) is an income between \$50,000 to \$60,000. The buyer has to qualify for a mortgage.

Administrator Brook noted that the properties that Salt & Light manages are very well maintained.

Administrator Brook explained that the next step would be a letter and Resolution from the township showing municipal support to go with Salt & Light's funding application. The Resolution will be prepared for next week's meeting.

Mayor and Council thanked Mr. Pipes.

BOAT RAMP FEES: MR. GOULET

Bruce Goulet, owner of 2025 Cedar Lane Ext., stated that owns homes in Florence Township and in Pennsylvania; he spends time living in each home. He has a Pennsylvania Driver's License and because he does not have a New Jersey Driver's License he would be charged the out of state fee of \$500 for a boat ramp permit. He believes he should be charged the Florence Township resident fee of \$25 since he pays property taxes in Florence Township. In response to questions from Solicitor Kearns, Mr. Goulet stated that he resides in both houses, votes in Pennsylvania and uses his Pennsylvania return address for income tax purposes. Administrator Brook stated that this is the first time this situation has come up. Council President O'Hara advised Mr. Goulet that his request will be taken into consideration.

**CHIEF OF POLICE: PARISH OF STS. FRANCIS & CLARE – HOLY ASSUMPTION
WORSHIP SITE PARKING REQUEST**

Chief of Police, Stephen Fazekas, met on site with Council President O'Hara and Administrator Brook regarding on street parking now that the parking lot being installed. Chief Fazekas's recommendation to Council is, once the parking lot is complete, to make Hornberger Avenue "no parking" from the new fence adjacent to the property next door to Parrish Lane as well as Emerick Avenue on the side of the grass area. He also recommends "no parking" on Emerick Avenue from Station Road to Bennett Street. Council President O'Hara stated that the no parking regulations will not take effect until the new parking lot is completed. Signs will be installed in the parking lot that parking is for church activities only. The Ordinance will not be presented to Council until the parking lot is completed. Council Members are in agreement with Chief Fazekas's recommendations.

INTERSTATE 295 PROJECT

Chief Fazekas stated that there is a meeting with DOT on Monday regarding the Interstate 295 project. They are slated to begin work the end of February on the shoulders and some drainage work with an anticipated date of June 19th, which will be the crossover. The plan is to take all of the traffic going northbound, just north of the Willingboro exit, cut it across to the southbound lane where there will be two (2) lanes of travel each way with a barrier in between. Three weeks at a time they will be shutting down ramps. Chief Fazekas is concerned that when the Route 130 ramp in Bordentown is shut down, it will send all the traffic to Florence-Columbus Road. He has expressed his concerns at previous meetings but has not received answers to his satisfaction. He requested an Emergency Management meeting with DOT officials and Police Chiefs in the area. DOT informed him this past Monday that they will be lengthening the left turn lane on Route 130 southbound at Florence-Columbus Road to help alleviate traffic backups on Route 130. Chief Fazekas recommended having a police officer at the intersection directing traffic and controlling the traffic light with the box. DOT is willing to pay for that but not on an overtime basis. Chief Fazekas stated that he does not have enough police officers to post at the intersection without it being on an overtime basis. He would like all of his concerns answered before June 19th.

Chief Fazekas stated that American Asphalt on River Road has been awarded the contract. His recommendation is for the trucks leaving American Asphalt to go to Dultys Lane to Route 130 to Florence-Columbus Road.

Council President O'Hara asked if the left turn lane on Florence-Columbus Road at Route 130 would be extended? Chief Fazekas stated that it will not. He stated that there was discussion of changing the timing of the traffic light but if they change the timing of that light they have to change the timing of the lights all the way down Route 130.

TOWNSHIP WATER AND SEWER ENGINEER

Sewer Plant Belt Filter: TWA Permit

Russell Trice, Township Water and Sewer Engineer, explained that in order to install the new belt filter press, they have to apply to the NJDEP for a Treatment Works Approval. It is a standard application when doing a sewer improvement. A Resolution needs to be approved by Council authorizing the Mayor to sign the NJDEP TWA permit application. Mr. Trice stated that plans and specifications are basically complete. The Resolution has been prepared for approval later in the meeting.

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Council Member Ryan asked if the funds for the TWA Permit were available in the budget? Administrator Brook stated that the funds are available and covered under the Bond Ordinance or the Water & Sewer budget.

Mr. Trice stated that he was speaking to the NJDEP regarding another project and they said in passing that they are getting ready to finalize Florence Township's Water Allocation Permit that was submitted in May 2008.

TOWNSHIP ENGINEER

Greenbriar: Section I Performance Bond – Lennar

Dan Guzzi, Township Engineer, stated that he met with the developer and work on the punch list has been hampered by the weather. Mr. Guzzi will report back on their progress in February.

Fountain of Life Gymnasium: Performance Letter of Credit

Mr. Guzzi stated that there are two (2) minor items to be completed. Council can either hold or act on next week to deny. Administrator Brook explained that under state law the township has 90 days to take formal action from the date the request is physically received. He will check the time frame and if the township is within the 90 days, Council can wait until the first meeting in February; if not, a Resolution will be prepared next week to deny.

2010 Road Program: Broad Street

Mr. Guzzi stated that plans and bid specifications are being finalized for the Broad Street reconstruction project. Core samples were taken. The good news is there is a good deal of pavement on approximately half of the road, so they will not have to do a full depth. They will be able to do a little more than originally thought. The plan was to do Broad Street from the railroad tracks to Front Street with alternates so there is flexibility in awarding the contract. He asked that Council start thinking about alternates. Mr. Guzzi is looking to go out to bid the end of February or early March to take advantage of the market. A list of roads for Council to consider will be provided next week.

ASSISTANT MUNICIPAL ADMINISTRATOR

Recreation Policy

Assistant Administrator Sahol stated that the Recreation Committee discussed the Recreation Policy and agreed to adopt and send back to Council for consent. Minutes from the Recreation Committee Meeting were provided for Council to review.

Council President O'Hara asked Assistant Administrator Sahol if he was comfortable with the concerns that were raised regarding use of equipment and who uses it? Assistant Administrator Sahol feels that the policy is workable with regard to the way the leagues are entrusted with those properties.

Assistant Administrator Sahol stated that a subcommittee of the Recreation Committee was formed to develop a policy packet that the Recreation Committee will live by. It will include all of what the leagues deal with on a day-to-day basis as well as what David Dennison, Recreation Director, deals with on a day to day basis.

Assistant Administrator Sahol explained that there will be certain requirements for out of town leagues.

A Resolution will be prepared finalizing the Recreation Policy for next week's meeting.

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Model Stormwater Update Requirements

Assistant Administrator Sahol explained that there are two (2) Ordinances that need to be adopted to amend the Stormwater Management Plan to stay in compliance with NJDEP requirements. NJDEP audited the township in December and the township did very well. The only thing the audit showed is that the township is obligated this year, as is every municipality in New Jersey, to adopt these two (2) new Ordinances. One Ordinance requires dumpsters and refuse containers to be covered to limit pollution; the other deals with private storm drain inlet retrofitting to smaller openings. There is no latitude in adopting these Ordinances. The Ordinances will be prepared for next week's meeting.

Green Communities Challenge Grant

Assistant Administrator Sahol stated that the township received a \$3,000 Green Communities Challenge Grant from the State of New Jersey. He will be working on RFP's. Council Member Ryan commended Assistant Administrator Sahol on his hard work.

Background Check Grant

Assistant Administrator Sahol stated that David Dennison, Recreation Director, contacted the Megan Kanka Foundation a couple of years ago regarding grant money but at the time were only allowed to use their money for start up of background checks. Mr. Dennison does such a tremendous job with the Background Check Program that he was contacted about a year ago and asked to speak at a league conference regarding how to run a background check program. A few weeks ago Maureen Kanka contacted Assistant Administrator Sahol and stated that she has kept Florence Township in mind hoping that the Federal Government would allow her to release funds in a different way. She stated that they will now allow her to release funds to existing programs that are running the background check program right and making a positive impact. The Megan Kanka Foundation will underwrite the majority of the 2010 background checks. Council Members are in agreement that a letter be given to Mr. Dennison commending him for the fine job he has done.

Public Works Department: Snow Removal

Council President O'Hara commented on how well the Public Works Department did plowing and cleaning up after the snowstorm. Mayor Berry echoed Council President O'Hara's comments that the Public Works Department did an outstanding job.

REDEVELOPMENT STUDY

Administrator Brook explained that Redevelopment Plans give municipalities the opportunity to take downtrodden properties. The township has an opportunity with Griffin Pipe's property. Griffin Pipe is down to 15 – 18 employees. Administrator Brook believes somewhere down the line that property will become viable again. It is an ideal site to look into designating as an area in need of redevelopment, which would give the township the ability to discuss possible tax incentives and rezoning. Redeveloping the site would make the developer eligible for grants. Burlington County has agreed to do the initial redevelopment study for the municipality at no cost. Administrator Brook cannot accept the County's offer unless Mayor and Council are in agreement to ask them to do that. He believes Griffin Pipe would be happy, whether they are going to redevelop or sell, to have the property deemed an area in need of redevelopment. He stated that it gives the township the ability to accelerate potential of the site in the future. The governing body controls the zoning and development on the property.

Council President O'Hara believes it is a good idea. His only concern is if they can require buffering behind the office and parking lot to help protect the residents. Administrator Brook explained that, as a Council when they designate an area in need of redevelopment, under the statutes you have

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more authority to create standards than under the current codes; all of the approvals emanate from Council.

Council President O'Hara asked, since there are still plants producing the product, is the product being shipped to the Florence plant for distribution? Administrator Brook stated that some is being shipped to the Florence plant. He explained that the parent company in Chicago is trying to shed Griffin Pipe. They are using Griffin Pipe as a staging area at this time; they have no specific plans for development. They have to deal with DEP and Administrator Brook does not know if they have any environmental issues on the riverside of the property. Administrator Brook stated that the township has a dormant property that is hurting.

Solicitor Kearns explained that the next step is for Council to adopt a Resolution designating the property and refer to the Planning Board for a study and report. The County would do the report, which the Planning Board would hold a Public Hearing on to determine whether it falls within the criteria for redevelopment; the Planning Board would report back to Council, who would adopt an Ordinance. Administrator Brook stated that the County will pay the fees.

Council Members are in agreement to have the County proceed with the Redevelopment Study for the Griffin Pipe property. A Resolution will be prepared for next week's meeting.

SUSTAINABLE ENERGY: POOLING

Administrator Brook stated that Florence Township agreed to enter into Sustainable Energy Meeting with approximately 106 - 111 other municipalities for the purpose of pooling for purchasing natural gas and electricity on the open market through a reverse auction, which is done on the computer similar to EBay. Administrator Brook provided a printout that gives an overview with charts and frequently asked questions. He explained that when an entity such as this is created, it has to be approved by the State of New Jersey. The auction for natural gas is scheduled for January 22nd; it is not anticipated to bring as much of a result as electricity. He explained that the goal is to create price stability first, followed by potential savings in the future. The township will be locked in for a 12 – 24 month period, which is decided on by the county representative depending on the cost. Administrator Brook is the representative for Burlington County. They will be going to auction for electricity in the spring.

ABC LICENSES

Joy Weiler, Township Clerk, provided a memo in Council's packet concerning a question that was raised regarding new management at one of the establishments. She did speak to the owner and new manager of the establishment.

The town has received the Special Rulings for two (2) consumption licenses that had been accepted by Resolution in June with their renewal applications and fees. The State of New Jersey noted on both of them that it has been several years now that they have been looking for Special Rulings. The township can place a condition on the renewal. If the applicant has a good reason why they need another Special Ruling in the future, the State may consider their requests again.

Council Member Sandusky asked if a condition could be placed on Fine Food and Spirits' license that the property be well maintained? Council President O'Hara agreed that this particular situation has been dragging on too long.

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Discussion followed regarding Sam Paglione's ABC pocket license, which is tied into the construction of the hotel. Administrator Brook explained that Thomas Layou, Construction Code Official, spoke with the contractor for the hotel and the problem has been the credit market. The developer is in the process of switching banks because of problems with their current bank. The license is to be sold to a restaurant that is tied into the hotel being constructed.

Council Member Sandusky believes that the owners of the ABC Pocket licenses in Florence Township should show good faith to the governing body that they are actively trying to sell their licenses.

Council President O'Hara questioned the status of the Patel property; has he paid his taxes? Administrator Brook stated that the owner has not paid in full. He has hired a contractor to demolish the building. Mr. Layou, the Code Official, has been speaking with the contractor and trying to help with PSE&G. As far as taxes, if they are not paid, it will go to tax sale this year.

Clerk Weiler explained that it is her understanding from speaking to Mr. Paglione that he applied and was granted a one year Special Ruling because he does have a buyer for the ABC license. Fine Food and Spirits received a two year Special Ruling because they applied for the two years.

ACTION

RESOLUTION NO. 2010-37

**AUTHORIZE THE MAYOR TO SIGN APPLICATIONS
FOR THE NJDEP PERMIT NJPDEP/TWA FOR FLORENCE TOWNSHIP
NEW BELT FILTER PRESS, SEWAGE TREATMENT PLANT
BLOCK 156.01; LOT 3, FLORENCE, NJ**

It was on the MOTION of Baldorossi, seconded by Ryan to approve Resolution No. 2010-37.

Upon roll call Council voted as follows:

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

Unanimous approval.

9:50PM MOTION by Ryan, seconded by Baldorossi to adjourn to Closed Session. Roll call vote - all ayes.

ADJOURNMENT

9:50PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC
Township Clerk
/mab