

FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION

July 14, 2010

8:00PM

CALL TO ORDER & FLAG SALUTE

Council President O'Hara called the meeting to order and led the Salute to the Flag.

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

Richard Cheesman, 262 Fifth Avenue, stated that Fifth Avenue from Hornberger Avenue to South Street is deteriorating and asked if there were plans to repair it? Administrator Brook stated that it is not included in this year's road program. He will have Dan Guzzi, Township Engineer, prepare an estimate for Council to consider in a future road program. He noted that the only road included in this year's road program is Broad Street and that is because the township received a grant. Council President O'Hara explained that this has been a tough year with the budget and the only reason Broad Street is being done is because the township received a grant. Mr. Guzzi will do a cost estimate, a copy will be given to Mr. Cheesman. Council Member Ryan asked if there were any grant opportunities coming up to apply for Fifth Avenue? Mr. Guzzi stated that they will be discussing grants later in the meeting.

Mr. Cheesman noted that he attended a meeting last year regarding a crater in the road on Fifth Avenue at the corner of Hornberger Avenue; he thanked Assistant Administrator Sahol for having it patched.

Mr. Cheesman discussed the trailers parked on South Street. Several of the trailers have not been moved and there are grass and weeds growing through them. Assistant Administrator Sahol will speak with the Chief of Police tomorrow regarding that issue and report back to Council and Mr. Cheesman.

Mr. Cheesman stated that there are a lot of stray cats in the neighborhood. He noted that the Animal Control Officer has set traps but some people remove the bait from the traps. There are also residents that feed the stray cats. He asked if anything could be done? Assistant Administrator Sahol explained that he was made aware of this situation last week and is working with the Animal Control Officer, John Groze. Mr. Groze is making an effort to catch the cats but there are individuals that either open the cage after a cat is caught or take the food out. Assistant Administrator Sahol stated that it would help if there was a host yard to place the traps so other residents could not go into the

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yard and interfere with trapping the cats. Mr. Cheesman will work with Assistant Administrator Sahol on getting residents to place traps in their yards.

Mr. Cheesman stated that he believes that drug dealers are being tipped off as to when the police will be taking action on Fifth Avenue. Administrator Brook will speak with the Chief of Police and have a meeting set up with Mr. Cheesman.

Donna Cheesman, 262 Fifth Avenue, stated that she was told by an individual, that she believes is a drug dealer, that he was tipped off. Solicitor Kearns stated that this discussion is taking place on a recorded, public meeting and is really a matter of a police investigation; he recommended the less said here, the better. He suggested that this be discussed with the Chief of Police and not at a public meeting.

Deborah Riley, 223 Fifth Avenue, stated that she left a message for Mayor Berry but did not receive a call back from him. Mayor Berry stated that he asked Administrator Brook to call her back because he is the one that was handling the situation (Administrator Brook did speak with Ms. Riley at length). She believes that Mayor Berry should have called her to let her know that he asked Administrator Brook to address the matter.

Ms. Riley discussed the problem with parking on Fifth Avenue. She is disabled and sometimes has to park on South Street by Sixth Avenue and has a very difficult time walking to her house. She stated that there is no consideration given by the residents of Fifth Avenue to their neighbors on Fifth Avenue in regards to parking. Ms. Riley asked for a handicapped parking space in front of her house. Council President O'Hara explained that Council has heard these same complaints for many years from residents of the avenues in Roebing. Council President O'Hara thanked Ms. Riley for coming this evening and suggested that Council discuss handicapped parking at their next worksession. He explained that there are certain qualifications that a person has to meet in order to get a handicapped parking space.

John Gonzalez, 238 Fifth Avenue, discussed the boat and trailer parking on South Street. He stated that some of the trailers have been parked there so long they are growing weeds out of them; some of the trailers the sides are rotting. He believes, registered or not, the trailers in disrepair are abandoned vehicles. There are stray cats living in the trailers. He believes the lot is a good thing for the residents that use it and care for their vehicle and the area. Council Member Sandusky asked if the trailer owners that use the lot could be required to maintain the area where their trailer is parked? Solicitor Kearns will meet with Assistant Administrator Sahol and Chief Fazekas to discuss what can be done.

Mr. Gonzalez stated that there are two (2) trees in front of his house that the roots are lifting up the sidewalk, creating a safety hazard. Council Member Ryan asked if the sidewalk section could be lifted, the roots shaved and the sidewalk be put back in place? Assistant Administrator Sahol stated that it is done often and has been done often in house by the Public works Department. Assistant Administrator Sahol and Mayor Berry have looked at the trees on Fifth Avenue and will be addressing them.

Ms. Riley asked for an application for a handicapped parking space in front of her home. Joy Weiler, Township Clerk, offered to mail Ms. Riley a handicapped parking application.

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

TOWNSHIP WATER AND SEWER ENGINEER

Sewer Service: Potts Mill Road

Russell Trice, Township Water and Sewer Engineer, stated that this discussion will be held until the August Worksession, when the Water and Sewer Superintendent can also be present.

Current Estimate No. 1: New Belt Filter Press

Mr. Trice reviewed and recommended payment of Current Estimate No. 1. A Resolution will be prepared for payment.

TOWNSHIP ENGINEER

HAPCO Petroleum: Performance Bond Release Request

Dan Guzzi, Township Engineer, reviewed and recommended denying the bond release request due to outstanding punch list items. Council Member Ryan asked if the ponding on Cedar Lane was included on the punch list? Mr. Guzzi stated that is not a problem with the HAPCO improvements; it would be a problem with Cedar Lane. Mr. Guzzi will look at it.

Interlocal Agreement: Burlington County – Old York Road Bikepath

Mr. Guzzi explained that a good amount of the bikeway is in the Burlington County right of way. The County will be doing some of the striping for the township; therefore an Interlocal Agreement needs to be signed. Solicitor Kearns reviewed the agreement and stated that it is a standard agreement.

NJDOT Grants: Discussion

Mr. Guzzi reported that the funding cycle was reported in late June and the applications are due August 13, 2010. There is not a lot of time to consider which applications to apply for. There are several opportunities available.

1. Road Program
2. Bikeway Projects
3. Centers of Place
4. Safe Streets to Transit

Mr. Guzzi stated that a final decision needs to be made next week to allow time to prepare the grant applications.

Mr. Guzzi will do a cost estimate for Fifth Avenue but noted that it not a strong candidate because it is not a main road.

Mr. Guzzi noted that the following three (3) applications were submitted last year but not approved. The township can submit the same applications this year:

- Safe Streets to Transit Grant – sidewalk on Route 130 South from Cedar Lane to the Florence Train Station

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- Bikeway Projects – Phase II of the bikeway (from Marter Park to the high school)
- Centers of Place – Parking area behind the Broad Street stores

Mr. Guzzi noted that for the Road Program they applied for Broad Street, which they received. Council President O'Hara asked if there were any roads they put on hold that would qualify? Mr. Guzzi stated one half of Main Street (Main Street from Second Avenue to Eighth Avenue was done in one direction) and Main Street from Eighth Avenue to Tenth Avenue. Other roads that have been looked at but not done, which are not collector roads, are Baird Drive, Schisler Drive, W. Fourth Street, Knights Court and Kings Court. Council Member Baldorossi asked about Seventh and Hornberger Avenues where it ponds? Mr. Guzzi stated that was bid as an alternate this year but is not something that would receive grant money.

Council Member Ryan asked if the township received grant money for Fifth Avenue in the past? Mr. Guzzi explained that they received grant money for Fifth Avenue on the other side of Hornberger Avenue because it is considered a feeder road; it is not considered a feeder road on the 200 block of Fifth Avenue. Mr. Guzzi stated that DOT looks more favorably on awarding grant money for roads that impact more people and have a higher traffic volume.

Discussion followed regarding easements from Whitesell to be able to install sidewalks along the railroad tracks. Mr. Guzzi advised that grant money has to be used on municipal property; the township would have to take ownership of the easements. Mayor Berry has had preliminary conversations with Whitesell and they are willing to discuss further.

Mr. Guzzi stated that if they submit an application for the Road Program that includes a good stretch of a main street and a couple secondary streets; the secondary streets may be approved for grant money.

Council Members are in agreement to reapply, the same as last year, for the Centers of Place grant, Bikeway grant and Safe Streets to Transit grant. Mr. Guzzi will also look into applying for a walkway along the railroad tracks under the Safe Streets to Transit grant.

Assistant Administrator Sahol will meet with Mr. Guzzi and Rich Pendel, Superintendent of Public Works & Road Inspector, to review the roads and report back with a list of roads in order of importance. He asked if anyone has any areas they would like looked at to please let him know.

Mr. Guzzi will bring the cost estimates for the roads next week for review. The Resolutions can be done the first meeting in August.

270 Daniels Way: Maintenance Bond Release Request

Mr. Guzzi stated that there are outstanding issues related to replacing dead trees. Since it is not a good time to plant trees, Christmas Tree Shops has offered to post a cash guarantee to cover the cost of replacing the trees in the fall. This has been done in the past. If that is acceptable to Council, Mr. Guzzi recommended releasing the Maintenance Bond conditioned upon posting a cash guarantee for the trees. Council Members are in agreement to release the bond. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

Brinkerhoff Report and Invoice

Mr. Guzzi stated that this is a status report in regards to the former Buc's property on Hornberger Avenue. Brinkerhoff has installed a couple additional wells. There was a very slight exceedance on one of the petroleum levels that Brinkerhoff believes will be below the standard when they retest after 90 days; if that's the case, the township will receive a "no further action" letter, for the property. Mr. Guzzi stated that the petroleum level has been dissipating. Administrator Brook stated that there are still funds in the escrow account. Once the township receives a "no further action" letter, the remaining funds in the escrow account will be returned to Mr. Buc.

Current Estimate No. 6 (Final): 2009 Road Program

Mr. Guzzi reviewed and recommended payment of Current Estimate No. 6 (Final). All punch list items have been completed. A Resolution has been prepared for the Regular Session following this evening's Executive Session.

Drainage Basin: Mallard Creek Development

Administrator Brook explained that there was a low spot that was going to be dealt with during the term of the contract but the resident did not feel it needed to be addressed at the time so it was left as is. The resident recently contacted Mr. Guzzi's office and thinks the spot should now be raised. Administrator Brook stated that it is not easy now that the contractor is off site. Administrator Brook stated that it is not a major concern but Mr. Guzzi will monitor the situation and if the work has to be done they will arrange to have it fixed.

Mr. Guzzi explained that he advised the contractor, when he was still on site, that there was a low area that needed to be filled and brought up but the resident was adamant about not wanting that done; she felt the work was fine the way it was. Now the resident wants it addressed because water sits in the swale after it rains.

Sidewalk: Broad Street

Assistant Administrator Sahol reported that there is a section of sidewalk missing on Broad Street. The contractor paving Broad Street gave a cost of \$2,500 to replace the missing sidewalk. Council Members are in agreement to proceed.

ASSISTANT MUNICIPAL ADMINISTRATOR

IRS-VITA Program/Low Income Tax Preparation Assistance at Library

Assistant Administrator Sahol introduced Mike Sawka, 75 Riverbank Drive. He has been running the IRS-VITA (Volunteer Income Tax Assistance) Program for the past three (3) years at Rutgers - Camden School of Law. He will be participating again this year but would like to expand to Florence Township because after this year he will no longer be at the law school and would like to continue. It is a federal program that he would like to hold at the Florence Township Library, which has a conference room and their hours are convenient. After approved by the Library Board and IRS, the only thing he asks of the township is to be able to advertise for volunteers on Channel 19 and the township website; also to advertise the program once it begins. Council Members are in support of the program. Council President O'Hara suggested that it be advertised in the Economic Development Committee's newsletter.

Wood Chipper

Administrator Brook stated that the township has been without a wood chipper for approximately a year and a half. A Bond Ordinance was approved for it, but it was never purchased. Administrator Brook believes that, without the chipper, they are doing double the work if not more. Manpower is extremely difficult and is not going to get better with what has taken place with the tax cap levy at the State of NJ level. Rich Pendle, Public Works Superintendent, was present at the meeting to ask Council's consideration in purchasing a wood chipper. Administrator Brook noted that debt service is excluded from the tax cap. With respect to the wood chipper, if the department keeps going as they are going, the department will be overwhelmed. The department is already backed up. A wood chipper will cut down the number of man-hours tremendously. Administrator Brook noted that the township received \$11,000 from the insurance company. Mr. Pendle stated that the cost would be approximately \$40,000 to \$45,000. Safety of the chipper, which is a very important part of the chipper, was discussed. After further discussion, Council Members were in agreement to proceed with the purchase.

Recycling Center: Illegal Dumping, Costs & Hours of Operation

Assistant Administrator Sahol discussed the Recycling Center. He stated that an enormous amount of grass clippings are dropped at the Recycle Center that the Public Works Department has to move, separate, segregate out, re-containerize to take to the landfill, which is the same place it would go if the residents were to leave the bags curbside. Assistant Administrator Sahol noted that there is no recycling source for grass clippings; it is not a recyclable in Burlington County. He suggested that they exclude grass clippings from being dropped off at the recycling center; grass clippings take up an enormous amount of space and an enormous amount of time of the Public Works Department staff. Council President O'Hara asked if local lawn care services were utilizing the Recycle Center? Assistant Administrator Sahol stated that they are. Council President O'Hara asked what was the proper receptacle to put grass clippings in for curbside pickup? Assistant Administrator Sahol stated garbage bags or trashcans, preferably with a lid so the contents do not get saturated if it rains. The first step is precluding grass clippings from being brought to the Recycle Center.

Assistant Administrator Sahol discussed hard items such as concrete, asphalt, brick and block. At present the township takes it, even though it is not a typical recycling component, and it is taken to the landfill. In the past it was tipped but did not go against the township for taxes because they used it to create their roadbeds. They can no longer use the material for the roadbeds, so it has to go in the waste stream and the township has to pay the taxes on it. Assistant Administrator Sahol recommended that the township continue to accept hard material and send it to a recycling facility rather than to residents putting it in the trash, which would be a \$4 per ton savings. The material would have to be delivered to the recycling facility. Assistant Administrator Sahol explained that it is not just the monetary savings but that tonnage does not go against the township's 60% - 40% ratio (recycle materials versus solid waste) that has to be maintained and the township will fair better in the long run on the annual recycle tonnage grants. The township needs to raise the recycle number and keep the waste stream numbers down. He believes it is in the township's best interest to continue to accept hard material at the Recycle Center.

Council Member Woolston stated that he believed that allowing contractors to use the Recycle Center needed to cease; they are being paid to do a job and they are putting the burden of disposing of the material on the municipality and the taxpayers. Assistant Administrator Sahol stated that was another point he was going to discuss.

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Assistant Administrator Sahol explained that when contractors use the Recycle Center it is no longer a Recycle Depot it is a transfer station that would have to be registered and bound to specific regulations. He recommended that it remain a Recycle Depot for residential drop off and preclude commercial enterprise.

Discussion followed regarding materials that are dropped off that are a revenue such as white goods, metals and electronics. Assistant Administrator Sahol suggested that the township could pick those items up curbside. He does not want items that the township has to pay to have the Freon pumped out; residents can take to the landfill. He may come back to Council in the future regarding requiring residents to obtain a CFC permit to cover the expense if they do not want to take the item to the landfill.

Administrator Brook stated that the hours of operation are critical; an employee cannot be there every moment the center is open now. The Recycle Center has been abused and has turned into a mini-landfill. Council Member Ryan suggested a camera to catch the abusers.

Discussion followed regarding reducing the hours of operation to three (3) days a week. Mr. Pendle stated that he believed that the proposed schedule is sufficient for residents once contractors are eliminated from using the Recycle Depot. He noted that most municipalities have fewer hours. Mayor Berry suggested having the depot open three (3) consecutive days. Assistant Administrator Sahol will try having recycle containers for bottles/cans and paper/cardboard outside of the depot for drop off during the hours it is closed.

Council Member Sandusky suggested a log in for anyone using the Recycle Depot to trace what is being dropped off.

Council Members are in agreement to reduce the hours of operation; the new hours will be Thursday and Friday from 12:00PM – 6:00PM and Saturday from 9:00AM – 3:00PM. No contractors will be permitted to use the Recycle Depot. No grass clippings will be accepted. Concrete will be accepted. Changes will take effect early fall. Notice will be included in the tax bills, on the website and Channel 19.

Animal Control Building

Assistant Administrator Sahol stated that the animal control building is a large building that is under utilized. He believed it would serve a better purpose used by recreation. He stated that a small shed, with a vinyl floor and sidewalls, by the public works building under an existing light by a hose would be sufficient to contain the few animals that have to be housed over night. Council Members are in agreement to proceed.

PURCHASE NEW POLICE VEHICLE

Administrator Brook explained that there is an existing Ordinance for police vehicles. The reason they tend to purchase the Tahoe is because they can be purchased through Ordinance rather than put through the budget. Chief Fazekas' experience over the past several years with the Tahoe has been very good. The Tahoe would be purchased under State Contract from a dealership in Egg Harbor Township. It will replace a 2005 Crown Victoria. Chief Fazekas stated that the Police Department gets four to five years out of a vehicle, depending on how it is used. He explained the rotation of vehicles to try and keep the mileage down and to be sure that all of the vehicles are used. MOTION

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by Woolston, seconded by Baldorossi to proceed with purchase and add a Resolution to the Agenda. Roll call vote – all ayes. Motion carries.

10:15PM MOTION by Woolston, seconded by Baldorossi to adjourn the meeting. Roll call vote – all ayes.

ADJOURNMENT

10:15PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC
Township Clerk

/mab