

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**February 9, 2011**

**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 2 and 16, 2011; given to the Register News for information; posted on the municipal bulletin board.

### **ROLL CALL**

Present: Sean Ryan (8:07PM), Frank Baldorossi, David Woolston, Dennis O'Hara

Also Present: Mayor William Berry; Richard A. Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; Joy M. Weiler, Township Clerk

### **PUBLIC COMMENT**

Don Kamienski, 10 McCay Drive, asked if he could have the opportunity to speak during the discussion of the Boat Dock further down on the Agenda? Council President O'Hara stated that Mr. Kamienski could offer comments during that discussion.

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

NOTE: 8:07 Council Member Ryan present.

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

#### **Clyde Lattimer – New Belt Filter Press: Current Estimate No. 6 (Final)**

Russell Trice, Township Water and Sewer Engineer, reviewed and recommended payment of Current Estimate No. 6, which is the final payment. All of the work has been completed, all punch list items are finished and the press has been in operation for sometime and has been working well. A Resolution will be prepared for next week's meeting.

### **TOWNSHIP ENGINEER**

#### **The Estates at Oak Mill: Performance Bond Reduction Request**

Dan Guzzi, Township Engineer, noted that the Performance Bonds for this project were posted as four (4) separate bonds. He reviewed and recommended a reduction of each of the four bonds for Phase I. The reductions are for work that has been completed. Administrator Brook would like to speak with Solicitor Kearns regarding the way these bond reductions are being done. Normally developers post bonds for the entire section. He stated that the township is well within the allotted time limit and asked that this be HELD, so he has a chance to speak to Solicitor Kearns. He explained that once the township is off the performance bonds they go to a maintenance bond, which does not afford as much protection for the development. Administrator Brook will speak with Solicitor Kearns and report back. The request for reduction of bonds for Phase II & Phase III will be denied.

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### Ready Pac: Release Maintenance Letter of Credit (HELD from 1/19/11)

Mr. Guzzi reviewed and recommended release of the Letter of Credit for the beautification project in the front of the property. A Resolution will be prepared for next week's meeting.

### Haines Center – 270 Daniels Way: Release Maintenance Cash Bond (Held from 1/19/11)

Mr. Guzzi reviewed and recommended release of the cash bond. He explained that the bond was for the concrete property corner markers that were not set, the concrete is now set. A Resolution will be prepared for next week's meeting.

### NJDOT Pedestrian Grant: Sidewalks and Ramps

Mr. Guzzi advised that the township received a grant in the amount of \$150,000. He explained that this grant is specifically for pedestrian ways: sidewalks and sidewalk ramps geared towards helping to move people from Roebling and Florence to the schools. The grant location runs from Chestnut Street past the Riverfront School up to Kinsman and includes sections of Hornberger Avenue up to Roebling School. It basically fills in gaps of sidewalk and replaces sidewalk in poor condition to provide safe routes to the schools for the children. Assistant Administrator Sahol explained that Mr. Guzzi needed to move forward with finalizing the design, specifications and preparation in going out to bid, which would be done by Resolution next week, if Council would like to move forward. Administrator Brook reiterated that Mr. Guzzi would stay within the \$150,000 grant allotment. He explained that soft costs, which are primarily engineering costs, cannot be included in the grant amount; he will meet with the Township Auditor to go through a funding strategy for those costs. Construction would begin the end of June, after school lets out. Council Members are in agreement to move forward. A Resolution will be prepared for next week's meeting.

### 2011 Road Program: Projects

Mr. Guzzi received a letter from PSE&G asking if Florence Township will be reconstructing any roads and if they are, the township must provide a list so they can do any gas work they have to do. He asked if Council is considering a road program this year? Administrator Brook stated that Council has the bonding and debt capacity to do roads but the problem is the climate that we are in and financing it because debt service still has to be paid even though it is outside the tax cap levy. The township could spend as much as it wanted but he believes this year and next year are very fragile years, even more so than last year. In his opinion, he would not do any roads this year unless there was no other choice. Council Members are in agreement not to do a road program this year.

Council President O'Hara asked if the township has the ability to repair the potholes? Administrator Brook stated that the Public Works Department has begun repairing the potholes.

### TAX SALE: 622 WALLACE AVENUE

Administrator Brook explained that this is an extremely narrow piece of property that has fallen into disrepair and has become a pit and poses a danger to the public and children. The owner has passed away and the township has not been able to locate the owner's children, so the municipality worked with a contractor and had the property cleared out. Once the work was complete, because there are outstanding liens on the property, Council authorized the township to begin foreclosure proceedings, which take a very long time. He explained that the process began over a year ago and they are at the point where Solicitor Kearns is ready to file. It should take 45 – 90 days to receive a ruling that the municipality owns the property; once that occurs, the goal would be to put the property up for auction or talk to the adjacent property owners to either split or sell to one of them to recover all

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municipal costs. The main thing is that the property is safe and the township does not have to worry about anyone getting hurt and also recovering all township costs. Since the property is so narrow and is not buildable, it would be best if one or both of the adjacent property owners were able to purchase to expand their properties. Administrator Brook will check with Solicitor Kearns to make sure that is a viable option.

**ASSISTANT MUNICIPAL ADMINISTRATOR**  
**Recreation Program Use of Facilities**

Assistant Administrator Sahol stated that David Dennison, Recreation Director, was present at the meeting to address the memo he prepared that was provided to the governing body. Assistant Administrator Sahol explained that there have been many denials from the school given to the township for their facility use requests.

Mr. Dennison stated that since the new high school has been built, every time he puts in a facility use request for the high school gym it has been denied. His last request came back with a hand written note in red from the board secretary denying the request and he does not believe the request was presented to the Board of Education. The note on the request stated that high school facilities are not available for recreation sport programs, no signature. Mr. Dennison emailed the school asking for a copy of the Board of Education minutes where use of the high school facilities was discussed and the answer that Mr. Dennison received was that the decision was not by Board of Education vote, it was by consensus that they were not going to make the high school available for recreation. The email states that this decision was made several years ago. Mayor Berry stated that he was the Board President when the high school was under construction and the facility uses were under the direction of the Board President and Facilities Committee and he has a different recollection of what occurred then others; he does not believe it is being communicated accurately to the township. His recollection of not allowing use of the high school facilities for recreation was for the first year only. He is quite sure that, before construction, when plans for the new high school were presented to the community, they were presented as a place for the community to use. He remembers a majority of the dialogue that took place and the new high school and property was supposed to be made available to the entire community. He knows that there are new school board members since he served and there may be differences of opinion; it was not the intention of the School Board at that time to deny use of the facilities; the intention was for the school to be open to the community. For various reasons it was decided that they would not open up to basketball for the first year only. As Chairman of the Facilities Committee, one of the last School Board meetings Mayor Berry attended, he announced that the facilities were now going to be opened to the community. He is not aware of what has occurred differently since then. Council President O'Hara stated that he spoke with Emma Cartier, School Board President, last evening and it was her understanding that when the school was being built it was decided that the new high school gym and the auxiliary gym would not be used for recreation; it is her understanding that is how it passed. Ms. Cartier stated that there are concerns that there are no roll down gates to keep children from wandering through the school. Council President O'Hara suggested that the Recreation Committee be made aware of those concerns; he also suggested temporary barriers. He does not believe the new members of the School Board are aware of the facility requests because he does not believe these applications have been discussed with the full board.

Council Member Ryan wondered, since the school was being presented as a place for the community to use, if that is part of any written record. He believes there is a flaw in the process if the applications are not getting to the School Board.

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Council Member Woolston stated that the school is there because of the community taxpayers. All of the budgets are facing bad times. The School Board cut back all of their recreation programs except high school, which has pushed the other children into the township's recreation programs, leaving our programs in need of space but the school is closing the doors to us. He stated that the township has welcomed the school to use the township's batting cages and fields. He does not feel it is right to deny the township use of the facilities. Mayor Berry noted that before the new high school was built, the high school had no facilities of their own except for a football field and used the township fields for the other athletic programs.

Mr. Dennison stated that the school's business administrator advised him, verbally, not to send any more requests for the high school facilities.

Council Member Woolston stated that he asked, at a meeting with the school's business administrator and two (2) members of the School Board, why recreation cannot use the high school gyms and the business administrator stated that they have never received a formal request to use the gyms. At the meeting Mr. Dennison stated that was untrue. Mr. Woolston did not want an altercation and let it go. The business administrator is now saying that discussion did not take place.

Council President O'Hara stated his hope that this coming Saturday's meeting will be a way of airing out the differences and having a record of what takes place between the town and the School Board.

Mr. Dennison stated that recreation field hockey has permission to use the field behind the middle school on weeknights and one weekend a month during the season. He stated that Recreation was denied a Monday and a Friday use on two occasions, Labor Day and Columbus Day holidays. When Mr. Dennison questioned the business administrator as to why those dates were denied, the business administrator replied that there are no custodians there on those dates and they do not want anyone on the fields when there is no one there. Mr. Dennison stated that it is an open field and there is no need to have a custodian there to assist them in anyway. He has spoken to School Board Members and they had no knowledge of this denial.

Council Member Ryan stated that if Saturday's meeting is unproductive and the applications are not getting to the School Board Members, then a municipal representative should attend a School Board meeting and ask these questions and specifically why applications are not reaching the School Board Members for consideration.

Council President O'Hara believed that this Saturday's meeting will open the lines of communication and there will be a full understanding of what is going to take place. He verified that Mr. Dennison, Assistant Administrator Sahol, Council Member Woolston, Mayor Berry and Council Member Baldorossi will attend the meeting this Saturday.

Council President O'Hara thanked Mr. Dennison for attending the meeting tonight and for all he does for the Recreation Programs.

Administrator Brook discussed how the municipally has supported the school with field use for years and has even had the Public Works Department come in to help the schools. Mr. Dennison noted that before the high school had their own fields, high school sports had first priority for use of the fields over recreation.

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### Recreation Tennis Program

Assistant Administrator Sahol stated that Mr. Dennison provided a memo, which will be discussed at budget time, but wants to make sure that it was mentioned that there is a desire from some residents to start a tennis program in the community. The township received a grant to redo the tennis courts. The hope is to start the program and use the high school courts until the township's courts are ready. The coach for the recreation program would be the high school tennis coach. They are looking to start the program this spring; the township's tennis courts would not be used until next spring. Assistant Administrator Sahol explained that the lights on the court will be upgraded to much more cost efficient lighting. The cost for the program is approximately \$300. Council Members are in support of the program.

### Projects: 2010/2011 Burlington County Park Development Program

Assistant Administrator Sahol stated that this is the grant the township received at the end of last year in the amount of \$250,000. The projects are: Wilkie Park Tennis Court Rehabilitation; Nyikita Park Rehabilitation; Water Works Park path extension to Veterans Park; buffer planning project at Nyikita and along the turnpike at Veterans Park, parking lot extension at Clark Carey Park for the vehicle/boat trailer parking. Assistant Administrator Sahol met with Mr. Guzzi and Administrator Brook to go over design and bid specifications. He stated that they will not go over the \$250,000 grant amount and noted that there will be soft costs (engineering costs). A Resolution will be prepared for next week's meeting.

### Recreation Grant: Boat Dock

Assistant Administrator Sahol stated that he understood that Burlington County will be releasing another grant similar to the one the township received last year. The grant is in the amount of \$250,000 and is for the improvement of existing recreation or park type settings. Knowing the condition and the cost to replace the floating boat dock, he believes this is a good opportunity to replace the dock all at once opposed to a couple of sections a year, as they had originally planned. He stated that the grant would be awarded in June. Assistant Administrator Sahol noted that the township's grant application will score high because the park is located on a designated heritage trail; this park has already received funding from the county which shows that the county sees it as a high score. It is a regional destination because it does not preclude anybody from anywhere in the area to be able to use it. It is Green Acres and is one of the few riverfront access points that is still public along the river. Council Member Ryan noted that Assistant Administrator Sahol has an excellent track record when it comes to receiving grants and is to be commended. He would like to explore this opportunity. He asked that the dock be inspected through the season to insure that the dock is in operable and safe condition.

Don Kamienski, 10 McCay Drive, asked what will occur if the township does not receive the grant? Council Member Ryan stated that they would go back to the original plan of replacing sections at a time. Mr. Kamienski asked what the chances are of the application being approved? Council President O'Hara cannot give an answer to that but believed it is worth applying; it will not cost the township anything to apply. Assistant Administrator Sahol knows Mr. Kamienski's interest in the boat dock and will call him when the township is notified if they received a grant or not.

Assistant Administrator Sahol thanked the governing body for the congratulations offered him for success in obtaining grants but cannot take full credit. He stated that it is a team effort with Mr. Guzzi and his employees in obtaining grants; they work very well together.

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**Grants Reviewed**

Assistant Administrator Sahol reviewed the following grants that have been awarded or are pending:

\$250,000	2010/2011 Burlington County Parks Grant	Awarded
\$150,000	2011 NJDOT Pedestrian Improvement Grant	Awarded
\$203,000	2011 NJDOT Bikeway Grant (Phase II)	Awarded
\$70,000	2011 Burlington County CDBG	Award Pending
\$250,000	2011/2012 Burlington County Parks Grant	Application Pending
\$16,279.59	2010 DI/EEBG Energy Efficiency: Library	Awarded
\$49,594.65	2010 DI/EEBG Energy Efficiency: Municipal Bldg	Awarded
\$45,328.62	2011 DI/EEBG Energy Efficiency: Sewer Plant	Application Pending
\$50,000	2011 DI/EEBG Energy Efficiency: Public Works Facility	Application Pending

**Report on Municipal Buildings**

The Assistant Administrator prepared a report for review. This will be held until Council Member Sandusky is present.

**2012 Arbor Day Celebration**

Assistant Administrator Sahol was speaking with the NJ State Forester earlier today and he was encouraging him to write a letter saying that they want to host the 2012 Arbor Day Celebration for the State of NJ. He advised Assistant Administrator Sahol that with an Arbor Day designation as the host community, the township would be supplied with arborists and tree contractors to work on a project of the township's choice. He stated that there are a lot of tree removals, trimming work and other projects to be done. The township also has some great heritage areas where the trees need to be preserved, cleaned up and made safe. The work will be done at almost no cost to the township. The professionals will volunteer their services and the state will send dignitaries and the news media. Mayor Berry stated that this is an opportunity to get some tree work done and is in agreement to send letter.

**TOWNSHIP SOLICITOR: LEGISLATION – LANDLORDS/RENTAL UNITS**

This item will be held until next week's meeting when the Township Solicitor is present.

**DUFFY MANOR: REDEVELOPMENT RFP'S**

Administrator Brook provided a copy of the RFP's in Council's packet to move forward to have the area designated as an area in need of redevelopment. He has been advised that having that designation will help in the funding application. The scope of work was provided. After reviewing the costs, Administrator Brook suggested awarding the contract to the lowest proposal, Remington & Vernick, at next week's meeting. The costs will be covered by COAH funds. A Resolution will be prepared for next week's meeting.

**SECOND AVENUE PARKING ISSUE**

Council Vice President Baldorossi has received calls from residents on Second Avenue regarding the parking problems on their street. There is one household that has four (4) vehicles during the weekdays but on weekends they have overnight guests that park an additional two (2) cars. He stated that there are four (4) households with eighteen (18) vehicles between them. Council Vice President Baldorossi sought Council's permission to form a committee of five (5) or so residents from the

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street to sit down and try to formulate a plan to present to Council. This would be limited to the 100 block of Second Avenue. Council Members welcome Council Vice President Baldorossi's effort to try to resolve the problem. Council President O'Hara offered his assistance if needed.

**ACTION**

**APPOINTMENTS**

Mayor Berry presented the following appointments.

<b><u>Commission</u></b>	<b><u>Appointment</u></b>	<b><u>Term Ending</u></b>
Historic Preservation Commission, Alt. #1	Linda O'Hara	12/31/11
Historic Preservation Commission, Alt. #2	Barbara Opre	12/31/12
Citizens Adv. Committee on Landfill Matters	Eduardo Jimenez	12/31/12

It was on the MOTION of Ryan, seconded by Woolston to approve the above appointments.

Upon roll call Council voted as follows:

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

Unanimous approval.

**MISCELLANEOUS**

Council President O'Hara thanked Mr. Guzzi for his thorough report and work in resolving an issue a resident on Hamilton Avenue had.

**SET UP MEETING DATE WITH DEVELCOM**

The meeting set for March 2, 2011 at 7:00PM in Closed Session.

9:30PM MOTION by Woolston, seconded by Ryan to adjourn the meeting. Roll call vote – all ayes.

**ADJOURNMENT**

9:30PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC  
Township Clerk

/mab