

Florence, New Jersey
September 17, 2014

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

The meeting was called to order by Council President Lovenduski at 8:00 PM. President Lovenduski led the Salute to the Flag.

The Opening Statement was read by the Township Clerk: Notice was sent to the Register News for information; posted on the municipal bulletin board; placed on the web-site on January 9, 2014; and advertised in the Burlington Co. Times on January 12, 2014.

Upon roll call the following were found to be present:

Frank Baldorossi
Paul Ostrander
Jerry Sandusky
David Woolston
Ted Lovenduski

Also present:

Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Municipal Administrator; Kelly Grant, Esq., Township Solicitor; Joy M. Weiler, Township Clerk (Mayor Craig Wilkie was unable to attend due to: Back to School Night)

MINUTES

Sandusky made a MOTION; seconded by Ostrander to approve the following minutes. Roll call vote – all ayes. Motion carried.

- Township Council Closed Sessions – September 3, 2014 & September 10, 2014

FINANCIAL CORRESPONDENCE

It was on the MOTION of Woolston, seconded by Ostrander, to receive and file the Court Administrator and Township Clerk's Report for August. Roll call vote – all ayes. Motion carried.

It was on the MOTION of Ostrander; seconded by Sandusky to approve the **Treasurer's Bill List**.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski
NOES: None
ABSENT: None

Motion carried. Unanimously approved.

Florence Township Council Regular Session 9/17/14

REGULAR CORRESPONDENCE

APPLICATIONS

PUBLIC COMMENTS

Holly Carley, 61 Norman Avenue, said she is concerned about the modifications of Hornberger Avenue. She thinks there will be an increase in pollution, traffic and noise. There are many problems on Hornberger Avenue that have not been addressed. There are problems with the crosswalks, there is speeding and she had concerns for the safety of the children in the area.

Council President Lovenduski said the idea behind the study is to try and improve the safety. There are limitations as to what can be accomplished with the road as it is right now. The study and the professionals are here to make the road safer for everyone and to improve the access. The road should be engineered in a way that will improve the safety, sightlines and the crosswalks and things like that. The engineers will definitely take all of that into consideration. That is part of the study that is just beginning now.

Administrator Brook said Hornberger Avenue from Second Avenue to Route 130 is in poor condition. The goal is two-fold. The first is to improve Hornberger Avenue out to Route 130. It could mean acquiring some property. There are two property owners that have expressed interest in selling. They are run down and they have approached the township about selling. The other aspect to this project has to do with the Roebing Steel Plant. The Mayor and Council and previous administrations have turned down some development proposals that were massive. They were approximately one to two million square feet in size. The Mayor and Council have looked at the site. The Roebing Museum is a buffer zone on Second Avenue and it was done on purpose. That area is deeded in perpetuity to make sure there will always be a buffer. Regarding the site itself, the township knows it needs to maintain a significant buffer off the water line and the uses cannot overwhelm the site, specifically truck type uses. Council has already discussed in general that concept plans have to take that into account. If you look at the site today, it is much improved from what it was ten years ago. Further down near Eighth and Ninth Avenues are 32 acres that will ultimately be used for passive recreation.

John Smith, 10 Boulevard, disagreed with the Administrator's assessment of that section of Hornberger. He believes the area from Delaware Avenue into the village is worse.

Mr. Smith asked for an explanation of the Payment in Lieu of Taxes (PILOT) Program. He wanted to know how the township handles the funds. He said to use Subaru as an example. Administrator Brook said the Subaru property was designated as an Area in Need of Redevelopment. There are several locations on Route 130 that are blighted. The township took the initiative to designate these as Areas in Need of Redevelopment in accordance with the State Statute. The township is trying to entice development and improve the corridor. Subaru came and constructed a massive building through NFI.

Florence Township Council Regular Session 9/17/14

The township negotiated and discussed creating an economic incentive for them. That entailed creating the Area in Need of Redevelopment to be able to craft the zoning to fit the type of building that was proposed. The process took three to four years. The other part is the financial incentive. He believes the incentives are necessary. Subaru asked what could be done? Negotiations were held and the payment was decided against the value of the building. The township was trying to create an incentive to build in Florence Township. Without these incentives, the buildings would not be going up. The payment was spread over the span of 20 years. That building attracted other developers to the township. The idea is to over time transform Route 130 into a better place for people who live in the community and also to encourage more jobs. It is jobs that are going to keep the town alive financially. That is what has helped keep the tax rate stable. That's where the money goes. It stabilizes the rate and improves services. It also helped start a road program again. It provides a lot of incentive for other companies who come here. A PILOT is a positive, if it is used appropriately. There are levels where you negotiate a PILOT. The township will refuse an unacceptable offer.

Mr. Smith wanted to know how the money is handled? Administrator Brook said the money is collected as revenue and goes into the General Fund.

Mr. Smith asked if any of it went to other entities? Administrator Brook said the town is not required to give any of the funds to the schools or fire district. The township is required to give five percent to the County. Florence Township has taken the position that if it were to work with the school district and the fire district, especially the fire district. If there is a fire or a problem, the fire district will be called. The township is working with the fire district and the school going forward. This was the first year that funds were received. The school district received \$15,000 this year for improved security from NFI.

Mr. Smith asked what funds were used for the paving project and if it was OSHA compliant? Assistant Administrator Sahol said State of NJ grant funds were used to finance the project and he will check with the engineer to confirm OSHA compliancy. Mr. Smith said there was a hydraulic fluid leak and the workers are not in the proper dress. Assistant Administrator said he will look into it.

It was the MOTION of Ostrander, seconded by Woolston to close the public portion. All ayes.

RESOLUTIONS

RESOLUTION NO. 2014-187

**Authorizing an Online Auction
With Govdeals
for Disposal of Municipal Property**

Florence Township Council Regular Session 9/17/14

RESOLUTION NO. 2014-188

Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the Safe Streets to Transit Grant

RESOLUTION NO. 2014-189

Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for a Bikeway Project

RESOLUTION NO. 2014-190

Authorize the Township Engineer to File Application for NJ DOT Municipal Aid Program

RESOLUTION NO. 2014-191

A Resolution Cancelling Taxes on a Property Owned by a Totally Disabled Veteran

RESOLUTION NO. 2014-192

A Resolution Cancelling Taxes on a Property Owned by a Totally Disabled Veteran

RESOLUTION NO. 2014-193

A Resolution Refunding Overpayments as Result of a Change in Assessment

RESOLUTION NO. 2014-194

A Resolution Refunding Overpayments as a Result of Line Item Being Deleted

Florence Township Council Regular Session 9/17/14

RESOLUTION NO. 2014-195

**A Resolution Refunding Over Payment as a
Result of a Change in Assessment**

RESOLUTION NO. 2014-196

**Authorize the Township Water & Sewer Engineer
to Prepare Plans, Specifications and Obtain Bids for the
Rehabilitation of the Sewer Department Digesters**

It was the MOTION of Ostrander, seconded by Sandusky to approve Resolution Nos. 2014-187 through 2014-196.

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Motion carried. Unanimously approved.

ORDINANCES

ORDINANCE NO. 2014-19

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY
KNOWN AS BLOCK 160.03, LOTS 5.09 AND 5.10 IN THE TOWNSHIP OF FLORENCE
FOR OPEN SPACE AND RECREATION PURPOSES
(2nd Reading) (Public Hearing and Adoption)**

Administrator Brook said this is property on Potts Mill Road, known as the Friday property. It is being purchased with Open Space Trust funds to preserve the property. There has been potential discussion about preserving the home possibly for scout use. But the main thing is to preserve the property for the public through the Open Space Trust Fund.

Council President Lovenduski opened the meeting to the public regarding Ordinance No. 2014-19. Seeing no one wishing to be heard, it was the MOTION of Sandusky, seconded by Ostrander to close the public hearing. Roll call vote – all ayes.

It was the MOTION of Sandusky, seconded by Baldorossi to adopt Ordinance No. 2014-19.

Upon roll call, Council voted as follows:

AYES: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Unanimous. Motion carried.

Florence Township Council Regular Session 9/17/14

ORDINANCE 2014-20

**AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN
VACANT PROPERTY OWNED BY THE TOWNSHIP OF FLORENCE
NOT NEEDED FOR PUBLIC USE
(2nd Reading) (Public Hearing & Adoption)**

Administrator Brook explained this is a very small piece of property off Wallace Avenue. It was abandoned. The lot can't be built on. It is difficult for the township to maintain. The neighbors have expressed a willingness to take it over. It will be back on the tax rolls and becomes a viable well-kept piece of property for the community.

Council President Lovenduski opened the meeting to the public regarding Ordinance No. 2014-20. Seeing no one wishing to be heard, it was the MOTION of Woolston, seconded by Sandusky to close the public hearing. Roll call vote – all ayes.

It was the MOTION of Baldorossi, seconded by Sandusky to adopt Ordinance No. 2014-20.

Upon roll call, Council voted as follows:

AYES: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Unanimous approval. Motion carried.

ORDINANCE NO. 2014-21

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
AMENDING CHAPTER 91 OF THE CODE OF FLORENCE TOWNSHIP,
PART 2, ARTICLE II, SECTION 91-3 TO INCLUDE A
DEFINITION FOR PUBLIC IMPROVEMENT AND
AMENDING ARTICLE XIII, SECTION 91-66 ENTITLED
“PERFORMANCE AND MAINTENANCE GUARANTEES;
SURVEYOR’S CERTIFICATION” TO MINIMIZE THE
REQUIREMENT FOR MAINTENANCE BONDS FOR CERTAIN
PUBLIC IMPROVEMENTS PROJECTS
(1st Reading) (Public Hearing & Adoption 10/1/14)**

It was the MOTION of Baldorossi, seconded by Ostrander to adopt Ordinance No. 2014-18.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Unanimous approval. Motion carried.

Florence Township Council Regular Session 9/17/14

Administrator Brook said under the law there are things called **performance bonds** and **maintenance bonds** that are generally required when developers come into a community. The question has been do you always need the maintenance bonds for small business owners, like Dr. Blum or Rocco's if they expand their business. Getting bonds is not as easy as it used to be. One option is to not necessarily require maintenance bonds. Performance bonds are required for the work and when it is completed it is returned. Usually there would then be a two year maintenance bond. Bonds are difficult for small business owners. Dr. Blum and Rocco's experienced this. There would only need to be performance bonds for things related to the public such as buffering and landscaping. It would be better for the small business owner. It was the MOTION of Woolston, seconded by Ostrander to approve Ordinance No. 2014-21.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Unanimous approval. Motion carried.

REPORTS

Committees, Boards and Officers

Administration

Mayor

Mayor Wilkie was not in attendance, so Council President Lovenduski listed upcoming events. He said **St. Stephen's Car Show** is this weekend. The **Florence Historical Society** will be holding its Open House at the same time. On September 27, 2014 there is an **Octoberfest** at the **Roebing Museum** from 1-4pm. There is a ten dollar entrance fee and live music.

Administrator

Administrator Brook said while reviewing the 2015 calendar it was noticed that on March 11, 2015 the Council meeting will not be held because of the Elected Officials Liability Seminar. It was agreed to cancel the meeting.

He said last year the Chief Financial Officer came to a meeting and discussed **procurement cards**. Council Vice President Ostrander had very informative comments at that time. The CFO looked into it and the State of NJ does encourage municipalities to give them a try. Florence is going to test them in the Police Department and then she will report whether it was efficient and cost effective. This is an item on the State's Best Practices Check list.

Assistant Municipal Administrator Nothing at this time.

Division of Law: Nothing at this time.

Division of Engineering: Nothing at this time.

Division of W & S Utilities: Nothing at this time.

Florence Township Council Regular Session 9/17/14

Unfinished Business:

Zoning Board: Unexpired Term, Alt. No. 2, expiring 12/31/14
(Council Appointment)

Council President Lovenduski requested it be held until the October 1, 2014 meeting. Council was in agreement.

New Business: Nothing at this time.

Board of Health: Nothing at this time.

Miscellaneous:

Council Member Sandusky said Mr. Smith mentioned that the township street cleaner has been cleaning up at the road program site. He said there should be a street cleaner provided by the contractor. Assistant Administrator Sahol said the contractor should be brooming the street with a power broom. He will look into it and speak to the township Engineer and the Public Works Department.

Council Member Woolston suggested the township bill the contractor for the use of our sweeper.

Public Comments: Open to the Public

Council President Lovenduski opened the meeting to the public at this time.

David Hamilton, 207 Boulevard, asked for an update about the trees on his street. He asked about the time line for replacement and the types of trees that were going to be planted.

Assistant Administrator Sahol said there is no update at this time. The infrastructure is still going in. Until it is at a point where the service walks are installed to go between the curb and sidewalk, there can't be any planting. The rest of it is just how much has to be marked out. It will then be determined what trees can go where and where the possibilities of planting are. He has been working with the arborist. The arborist has identified several species of trees. The availability has been established. The first dozen trees are in the township's name and have been tagged in the fields in Chesterfield. They are waiting to be dug as soon as it is determined it is time. At this point the project needs to get a little further along with the disturbing of the area. Then the contractor will get some concrete down and then the professionals will do the layout working with the residents on the plan. Literally it will be a marked up plan of what the potential planting areas are and the type of trees that will be planted. The goal is to provide everyone with the species of the tree and a color rendering of what the tree typically looks like with its growth patterns and habits.

Mr. Hamilton said there is a tree that is partially in the street. Assistant Administrator Sahol said he will have it taken care of tomorrow.

Florence Township Council Regular Session 9/17/14

Mr. Hamilton asked again about the timing of the plantings. Assistant Administrator Sahol said he does not have a timeline yet, but the planting process will not be invasive. Mr. Hamilton asked about caring for the trees. Assistant Administrator Sahol said on a regular schedule after installation, the township will water the trees until they are established and then they will be monitored in the spring. If residents would like to water them, it would be fine. In the spring the township will install gator bags on the trees. It is a slow drip process to keep the tree roots and base moist.

Mr. Hamilton inquired about a specific tree. Assistant Administrator Sahol said the tree will be removed by the contractor and he will be disposing of it. Mr. Hamilton asked about the cost of disposing of the trees. Assistant Administrator Sahol said there was not a line item in the specifications for the tree removal but the bid was a very good price. The township does not have the equipment to handle the material and does not sell material. Mr. Hamilton asked when the replacement would begin? Assistant Administrator Sahol said some time in the fall.

Bob Fitzpatrick, 204 Wilbur Henry Drive, said there was a meeting with Waste Management and they promised to get rid of the smell from the landfill. It was two weeks ago and there has been no change. There is still a garbage smell and a gas smell. He thinks the Tullytown landfill is out of control. He was pleased the township website had information but he would like to see the updated phone numbers posted. The objective is to provide clean air to the residents of the town. He said his research is extensive and communication with the different government branches is constant. He spoke to the NJDEP because he thought that would be the place to go. He spoke to a Mr. Giordano who told him it was out of his jurisdiction. He said calls to the PADEP got no response. He approached the New Jersey Department of Health and a gentleman came out and confirmed there was an odor. The landfill's permit to operate stipulates the landfill cannot interfere with the area around it. He was advised to call the PADEP. He eventually got into contact with the PADEP employee who was in charge of the landfill. He said he hadn't received a call in eight years and if there is a violation he would do something about it. There are also other state and county officials putting pressure on the landfill.

Seeing no one else wishing to be heard, it was the MOTION of Ostrander, seconded by Sandusky to close the public portion of the meeting. Roll call vote: all ayes.

8:52 PM MOTION by Ostrander; seconded by Sandusky to adjourn. Roll call vote – all ayes. Motion carried.

ADJOURNMENT: 8:52 PM: Meeting adjourned.

Respectfully submitted,

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