

Florence, New Jersey
December 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.

Present: Frank Baldorossi, Paul Ostrander, Jerry Sandusky, David Woolston,
Ted Lovenduski

Also present: Mayor Craig Wilkie; Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Administrator; Anthony T. Drollas, Jr., Esq., Township Solicitor; Joy M. Weiler, Township Clerk

MINUTES

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

- Township Council Regular Session – November 12, 2014
- Township Council Executive Session – November 12, 2014
- Township Council Regular Session – December 3, 2014
- Township Council CDBG Minutes – December 3, 2014

FINANCIAL CORRESPONDENCE

It was on the MOTION of Sandusky, seconded by Ostrander, to receive and file the Court Administrator and Township Clerk's Reports for November and the Tax Collector's Tax and Water & Sewer Reports for October and November. Roll call vote – all ayes. Motion carried.

It was on the MOTION of Ostrander; seconded by Woolston 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. Unanimous approval.

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REGULAR CORRESPONDENCE:

None at this time.

APPLICATIONS:

- A. Night at the Races, Civic Association to benefit Relay for Life
January 31, 2015, Fireman's Hall, 6:00pm – 12:00am
- B. On Premise 50/50, Civic Association to benefit Relay for Life
January 31, 2015, Fireman's Hall, 6:00pm – 12:00am
- C. On Premise Merchandise Raffle, Civic Association to benefit Relay for Life
January 31, 2015, Fireman's Hall, 6:00pm – 12:00am

It was the MOTION of Sandusky; seconded by Baldorossi to approve applications A through C.
Roll call vote: All ayes. Unanimous approval.

PUBLIC COMMENTS

Seeing no one wishing to be heard, it was the MOTION of Woolston, seconded by Ostrander to close the public comment. Roll call vote - ayes. Unanimous approval.

RESOLUTIONS

RESOLUTION NO. 2014-244
Authorize Refund
Use of FAAD Building Fee
Due to the Event Cancelled

RESOLUTION NO. 2014-245
Approve Request for the Reduction of Bond
for Tilton Lane, LLC
9 Railroad Avenue, Columbus, NJ, 08022
McHugh Court
Bond No. 910314 – Site Work

RESOLUTION NO. 2014-246
Approve Request to Reduce Maintenance Bond
Harkins Lane Plaza, LLC
Bond #08-01 Letter of Credit

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RESOLUTION NO. 2014-247
Approve Alcoholic Beverage Control License
Person to Person Transfer
Plenary Retail Consumption License
From Calle Mar' Gina V. L.L.C. to
Glory Days Ventures Limited Liability Company
License No. 0315-33-009-005

RESOLUTION NO. 2014-248
Approve Contract for
The Old York Road Shared Use Path – Phase II
to Richard T. Barrett Paving Company, Inc.
400 Prospect Street, Trenton, NJ 08618

RESOLUTION NO. 2014-249
Resolution Canceling Tax Overpayments Less Than \$10.00

RESOLUTION NO. 2014-250
Authorizing Refunds of Certain Tax Overpayments

RESOLUTION NO. 2014-251
Transferring Certain 2014 Budget Appropriations

RESOLUTION NO. 2014-252
Authorize Credit Card Service Provider
for Municipal Transactions

RESOLUTION NO. 2014-253
Refund of Permit Fee as per Construction Code Official

RESOLUTION NO. 2014-254
Opposition to Proposed Hazardous Waste Treatment
Facility in Keystone Industrial Port Complex in Falls Township
Bucks County, Pennsylvania

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It was the MOTION of Ostrander, seconded by Woolston to approve Resolution Nos. 2014-244 through 2014-254.

On the Question:

Member Sandusky asked Administrator Brook to explain Resolution 2014-254.

Administrator Brook said there is a proposal in Falls Township, Pennsylvania for the installation of a liquid hazardous waste treatment facility that would treat chemical and pharmaceutical waste on the site. The Pennsylvania Department of Environmental Protection is currently having a siting review to determine if the property is adequately situated to accept this type of facility. Florence Township received word that there was going to be public hearing on December 10. It was on very short notice and it did not come from the state. There were others in attendance who also received notice last minute. Administrator Brook attended the meeting to hear from the PADEP and representatives from Elcon. The concerns for the township are the emissions and what will be disposed of in the Delaware River. Florence has public potable drinking wells. All of the municipalities that are down river should be concerned. The property is even closer to Bordentown Township and Bordentown City. The meeting was very crowded with people expressing concerns over what was being proposed.

He found it disappointing that the PADEP opened for an hour to provide information to the public. When they did so, it was presented on a screen that most of those in attendance could not see. After the hour presentation attendees asked if anything was going to be distributed in writing? The PADEP directed everyone to the website. The PADEP was asked if people would have an opportunity to ask questions. There were numerous questions asked for about 30 minutes. There were some questions that were not adequately answered. There was no information provided about the emissions. There were legitimate concerns raised that were not addressed.

After a half hour the PADEP essentially ended the meeting and said that anyone from the public at this point could put their comments on the record and the PADEP would thank them. There was about 45 minutes of comments. That was the scope of the meeting for the siting of a chemical hazardous waste facility in Pennsylvania that is not far from people who live in New Jersey and in Pennsylvania. He found the meeting to be extremely inadequate and unfair and unreasonable.

The deadline for submitting comments is December 26. The resolution that was prepared for tonight indicates that Florence Township is asking the PADEP to extend the time period for submitting comments. It would allow Florence Township and other municipalities to have an opportunity to gain information on what exactly is being proposed. One of the representatives from the PADEP said this was a very preliminary decision and there is more time to get information. He feels the PADEP should want the public to have as much information as possible to make an informed decision. How else can questions be asked on the record or quality comments be made? He felt the majority of the people at the meeting were unable to do that.

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This resolution essentially asks the PADEP to provide more time for public comment. It clearly mentions that there was inadequate and insufficient information provided concerning air emissions, discharges into the Delaware River and other items that would be important concerning the quality of life for people who live in New Jersey and Pennsylvania. It also indicates that Florence Township is opposed to the proposal primarily because there was not an opportunity to gather information to make an informed decision. There was one public meeting held with 30 minutes provided for public comment; and that was for people in New Jersey and Pennsylvania. It was appalling.

At this point it is wise that the Mayor and Council are adopting this resolution. It can be forwarded to other mayors and elected officials up and down the Delaware River seeking their support to gain as much information as possible to determine if this is something that will have a long term negative impact on not only the current residents but also their children and grandchildren. There are only a certain number of public wells and they are not that far from the Delaware River. The aquifer is also close. If there was to be contamination it couldn't be fixed after the fact. The review the PADEP is conducting is inadequate. There has not been enough time for members of the public to gather information.

The PADEP said if anyone wanted to review the documents, they could go to the Harrisburg office and review them. Administrator Brook said he would not mind making the trip but thinks copies of the documents should be available. It could be done through OPRA, but it takes time to do that. If people were only informed about the meeting a couple days in advance, there is not much time to gather information to make an informed decision by December 26, with the holidays, on what is being proposed.

All the township is seeking is to know exactly what is going on at the site to make a determination on whether the residents of Florence Township and their children are going to be impacted by a hazardous waste treatment facility. That is a fair and reasonable way to proceed. That is what this resolution seeks to accomplish. Hopefully, the township will be working with other local officials and citizens in both New Jersey and Pennsylvania.

Council Member Sandusky said the Mayor and Council appreciated Administrator Brook attending the meeting on behalf of Florence Township. He thanked Administrator Brook for the overview of the resolution and the meeting.

Administrator Brook said he is sharing all of the information with the Environmental Commission so they can also be involved. He found it disappointing that Falls Township was represented by their Environmental Commission and they took the position that they will see what information comes out before they make a decision. It was mentioned at the meeting that the PADEP has been communicating with Falls Township.

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Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski
NOES: None
ABSENT: None Motion carried. Unanimous approval.

It was the **MOTION** of Baldorossi, seconded by Sandusky *to authorize the Township Solicitor to file litigation and take all the steps necessary to acquire property located at 2002 Route 130 North pursuant to the township's powers of Eminent Domain.*

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski
NOES: None
ABSENT: None Motion carried. Unanimous approval.

ORDINANCES

ORDINANCE NO. 2014-24

**ORDINANCE OF THE TOWNSHIP OF FLORENCE ADOPTING A
REDEVELOPMENT PLAN FOR PARCELS WITHIN THE ROUTE 130
REDEVELOPMENT AREA
(2nd Reading) (Public Hearing & Adoption)**

Administrator Brook explained it is a property located off Cedar Lane across from the former Superfresh warehouse. It is about 50 acres of land. The township has been working with a company called Liberty Property Trust. They are an extremely large, reputable and ethical company that builds throughout the state of New Jersey and in other states. They are known for the development of sites, the landscaping of sites and working cooperatively with a municipality when they develop a site. That is very important. This property has been zoned General Manufacturing for a long time. In 1985 the property was approved for 14 warehouse and office lots that could be anywhere from 40,000 sq. ft. to 70,000 sq. ft.

Liberty Property Trust has a proposal that would be in two or three phases. Phase I would be a building that is approximately 432,000 sq. ft. Phase II is a 201,600 sq. ft. addition to the first building. On Cedar Lane there would either be additional parking for cars or for trailers, depending on the nature of the use. Or it could potentially be another small building that would be about 136,000 sq. ft. Phase I and II together it is a total of 633,600 sq. ft. If the small building was built it would bring the total sq. ft. to about 769,000 for the entire site. Liberty went to great pains to work with the township on the redevelopment plan. An example is back in 1985 the development approval for the site indicated there would be no sidewalks on Cedar Lane or Firehouse Lane. Liberty offered sidewalks.

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The GM zoning would allow a developer to just come in and build. Making the property a Redevelopment Zone provides the township the opportunity to negotiate with a developer to make this the best site possible for the community and anyone living in that area. Off Firehouse Lane, the current code requires a 50 foot buffer. Liberty agreed to maintain a 100 foot buffer. That is just from the street off the site. Once on the site, there is a basin and other buffering so there is a buffer of 200 foot before there is a building. It was designed that way intentionally. The old plan showed three entrances off Cedar Lane. The current plan shows two entrances. Also as part of the Redevelopment Plan, Liberty agreed to prohibit any trucks from going down Firehouse Lane. All truck traffic will be restricted to Cedar Lane and most of the trucks will use the street that is already there, Independence Road, next to Cream O' Land.

The old plan, excluding Cream O' Land, would have been thirteen building lots with the potential for 910,000 sq. ft. This Redevelopment Plan takes into account landscaping, buffering and traffic circulation. Even though a Redevelopment Plan is being approved, Liberty will still need to appear before the Planning Board and address all the site plan requirements that are standard in the state of New Jersey and Florence Township. There will be a sound study and a traffic study and all stormwater requirements will need to be met. The company's website demonstrates their commitment to landscaping; the president of the company is a landscape architect. They take a great deal of pride in how they maintain their properties; they are very similar to Whitesell.

This evening Council is entertaining the second reading of the ordinance that would adopt the Redevelopment Plan for the site. This Redevelopment Plan did go before the Planning Board and the board recommended approval and found it consistent with the township's Master Plan.

Council President Lovenduski opened the meeting to the public regarding Ordinance No. 2014-24. Seeing no one wishing to be heard, it was the MOTION of Ostrander, seconded by Sandusky to close the public hearing.

It was the MOTION of Ostrander, seconded by Sandusky to adopt Ordinance No. 2014-24.

Upon roll call Council voted as follows:

AYES: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None

Motion carried. Unanimous approval.

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REPORTS

Committees, Boards and Officers

Council President Lovenduski said he wanted to mention the property on Route 130 mentioned earlier was the Nirdip Motel.

Administration

Mayor

Mayor Wilkie thanked Council for taking action with the property. It continues the progress of redeveloping certain sections of the community and makes it more viable for the community to grow.

The **Township Calendars** are scheduled to be distributed next week. It pays tribute to the Main Street Community Center. It also highlights different parts of the history of the community. He thanked Assistant Administrator Sahol, Liz Valente, Barbara Myers and other members of the Fire Department who helped with the calendar. The calendar was no cost to the residents. There were a number of ads that helped pay for the calendar. The Boy Scouts would be distributing the calendars to residents.

There will be no meeting until the **Reorganization on January 7**. There are a couple openings on different boards. On the Recreation Committee, member James Earle moved out of the community. The Mayor would like Scott Thompson, Curtis Thompson's father, to take his place. On the Environmental Commission, Richard Lotter is ill and he hoped someone would reach out to him and see how he is. There is also an opening from the resignation of Bill Bott. Mayor Wilkie would like Joseph Csik to move from Alternate #1 to fill the spot. Thomas Stanuikynas will move from Alternate #2 to Alternate #1. The Alternate #2 position will be open for now. The first, second and third wards are up for renewal. All of the current ward commissioners are willing to continue to serve.

Mayor Wilkie said he would be reviewing the attendance and participation of board and committee members. He also does not think there would be any changes to the professionals unless someone had concerns they would like to discuss with him.

Mayor Wilkie said the township will be putting a strategy together and consulting the Township Solicitor regarding any action that needs to be taken before the December 26 deadline for comments regarding the hazardous waste facility.

He wished everyone *Happy Holidays and a Healthy New Year*.

Administrator

Administrator Brook said Assistant Administrator Sahol sent an e-mail regarding the **website** for the **Police Department** created by Captain Brian Boldizar. He wanted to commend him for his effort. He did a phenomenal job. Sometimes websites are difficult to navigate and review. Captain Boldizar took it and ran with it. The site is easy to use, very clear and well written. He should be commended and he did a great job.

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Assistant Municipal Administrator

Assistant Administrator Sahol wished everyone Happy Holidays.

Division of Law

Solicitor Drollas wish everyone Happy Holidays.

Public Comments: Open to the Public

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

Don Kamienski, 10 McCay Drive, said several weeks ago he read in the newspaper that Florence Township had a service for seniors. A member of the Police Department would come and inspect a residence for security issues. Mr. Kamienski signed up and a few weeks later Officer Brian Panero came to his residence and pointed out security problems/issues to fix. He didn't know if many seniors knew about the service but he thinks it is a good thing the police are doing. He hopes seniors take advantage of the service. He wanted to thank the township and the Police Department for the service. He would like to see it advertised more.

William Bott, 64 Riverbank Drive, asked if the NJDEP was contacted by the township regarding the hazardous waste facility? Administrator Brook said the issue came up very recently. It was surprising that the application has been pending in Harrisburg for several months. There is still a long period to go before it would get approval to operate. The township will be reaching out to the New Jersey Governor's Office and the NJDEP. The goal is to make sure the citizens on both sides of the river are protected. This is a major siting for a facility and it deserves to be vetted and the public has a right to all of the information that is available.

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.

8:29 PM MOTION by Ostrander; seconded by Sandusky to adjourn. Roll call vote – all ayes. Motion carried.

ADJOURNMENT: 8:29 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC
Township Clerk

/aek