

Florence Township Council Regular Session 2/9/22

Florence, New Jersey
February 9, 2022

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey. Members of the public were invited to attend the meeting electronically, in person attendance was not encouraged.

The meeting was called to order by Council President Garganio at 7:00 p.m. Council President Garganio led the Salute to the Flag.

The Opening Statement was read by the Township Clerk: Notice was posted on the municipal bulletin board on January 7, 2022; published in the Burlington County Times on January 19, 2022, placed on the Township website and given to the Trenton Times for information on January 19, 2022.

ROLL CALL OF MEMBERS

Upon roll call the following were found to be present:

Present: Frank Baldorossi, Nicholas Haas, Kristan Marter, Paul Ostrander, Bruce Garganio

Also Present: Mayor Craig H. Wilkie, Stephen Fazekas, Township Administrator; Robert N. Wright, Jr., Township Solicitor; Nancy L. Erlston, Township Clerk; Jenise Silinsky, Deputy Township Clerk

Absent: None

FIFTEEN (15) MINUTES OF PUBLIC COMMENT

Council President Garganio opened the meeting to the public at this time. Seeing no one wishing to be heard, a motion was made by Ostrander, seconded by Haas to close the public comment portion. Voice vote – all ayes.

NEW BUSINESS

A. Wilbur Henry Drive Project

Mayor Wilkie explained that this project is regarding the 400 block of Wilbur Henry Drive where sidewalks had not been included in the plan there. Most of that area does not have sidewalk and we want to include sidewalks. Also, at the intersection of Cedar Lane and Wilbur Henry the County has finally signed off on the design of rumble strips for traffic calming there. We had asked for a raised crosswalk and tried to do some other things like an island to try and restrict activity but the County would not allow that. The main part in doing Wilbur Henry was to address some of the issues that occur there like vehicles that do not stop at the stop sign at Cedar Lane.

Also, there are now two raised crosswalks in the proposal, one at Chestnut Street and one at Walnut Street. Those additional costs are the reason that this project had to come back before Council. Over \$300,000 of this is being offset by the Transportation Trust Fund Program. There will be sidewalks on both sides of Wilbur Henry Drive from Broad up to Pine Street, however on the 200 block there are two large trees that are both healthy and there are also utility poles that prevent a clear run for a sidewalk there. The recommendation is to not put sidewalk in this block but there will be sidewalk on the other side where there aren't these issues. There will be a solid run of sidewalk on both sides with the exception of that one block. Also, at Pine Street and Wilbur Henry Drive, the railroad tracks will be

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removed and there will also be some necessary improvements done which will be part of the contract that will redo the whole intersection.

Ninth Street is being paved through the Transportation Trust Fund with a crosswalk being planned on Spruce Street. The engineer observed a number of students coming up Spruce Street and making a right onto Wilbur Henry Drive and walking in the street. This will now give the children direct access to the school on the sidewalk.

Mayor Wilkie explained that after an internal meeting last week with the engineer they went out and looked at some of the roads. Main Street, on both sides from Second Avenue to Fifth Avenue, needs to be repaved. Originally, only the Hornberger Avenue side was being paved, but the other side is in bad shape. Mayor Wilkie asked the engineer to look at what kind of parking we could pick up if we remove the island between Fourth and Fifth Avenues on Main Street like we did on Main Street from Ninth Avenue down. We are getting an estimate to see how many parking spaces could fit between Fourth and Fifth Avenue. This is not an easy decision because it is part of the historic district and could change the historic character of the Village.

There is a savings on Winter Street because we only have to pave from Front Street to the alley between Second and Third Streets whereas in the discussions last time, we were going from Third Street over to Fifth Street. That was previously done by Public Service but there will still be a crosswalk going in at Fifth Street. Public Service had paved from the Legion on Broad Street to Spring Street so we just need to go from Spring down to Summer.

B. Mark Remsa, Mayor Wilkie

- History of Roebling Steel Plant Remediation/DVRPC Reuse Study of the Former Roebling Steel Plant

Mayor Wilkie shared that a link will be added to the Township website with the history of the Steel Plant from the EPA's perspective and what they have been doing there. The EPA has a review that gets completed every five years and this is the 4th five-year review. He explained that in the late 1980s the tax assessor had the property taken off of the tax books. With any property that is not being productive, when someone doesn't pay their taxes, Florence Township has to pay them. This had a value of over \$1 million and the town was paying the school, the fire district and the county taxes because it was part of our ratables. Over the years, the assessor kept reducing it so our uncollected tax levy number would go down.

Right around 1988-1989 this came off of the books. We still have a lien on the property which was released around 1998 by the federal government when members of the township as well as Mark Remsa went to Washington. The federal government needed to come off of the lien which gave Florence Township the ability to take control of the property and then we foreclosed on it. Right around that time Mr. Remsa, as the County Planner, advised us to designate the mill site as an area in need of redevelopment. Mr. Remsa did a redevelopment plan for the site around 1999 and Florence Township created the Florence Township Redevelopment Authority. A few years later the Township named the Governing Body the Redevelopment Authority and this has been the governing body's responsibility since approximately 2002.

In 2012, there had been a number of different developers discussed but one question has always been how to access the property. Colliers, which was Maser at the time, had done the study with three alternatives. One being Spring Factory Road, where the railroad bridge is on the Heritage Trail. You would have to build a bridge which would get you the most volume being able to get vehicles into the facility and then go up into the Kinkora area, but of course it was the most expensive. Another option was to create a four-

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point intersection at Fairbrook Drive and moving the Hornberger Avenue intersection back going past the Oros's homes on Route 130 but the volume there was not as great. The recommendation from the engineer was to expand Hornberger Avenue at Route 130 creating more lanes which is the most economical solution for getting traffic in and out of the facility. This has been our goal since 2012.

As the Redevelopment Authority for this site, and everything within the fenced in area being contaminated, it is Florence Township's responsibility to work with the EPA to get it cleaned up. A notice came out from the federal government stating that they are looking to fund three projects. What we have been discussing at the Planning Board since we did the re-examination report in 2018 is the zoning. One option is we continue to leave it as general manufacturing but it is very clear that is not what we want to do. At the Planning Board level, they have used the term "riverfront" and "marina" and that is what we are leaning towards, a recreational/commercial type usage. Mr. Remsa had worked on the redevelopment plan in 2000 which now needs to be updated to reflect that.

Mark Remsa explained that he lived this project through at least 3 mayors of Florence Township going back to the late 90s and recalls researching this property and finding out there was no owner back then. That created the problem with all of the tax liens. There was a company on paper but it didn't exist anymore. That is when the USEPA took over as a custodian of the property, which they are still, so they have say over what goes on at the property and how it gets cleaned up. But now the owner of the property is Florence Township and through a very creative technique, we condemned the property. He went to court in Mount Holly to argue to agree for the courts to allow Florence Township to condemn the property and take it over. That was one of the mechanisms we used when going to Washington, he remembers arguing with the USEPA's chief of counsel but, as the mayor said, eventually they came around and saw Florence's way. The New Jersey Economic Development Authority didn't give us a hard time at all in getting rid of their liens on the property. He stated that Mayor Wilkie provided an excellent overview of all of the integral steps that have led us up to where we are today.

Late last year, the Delaware Valley Regional Planning Commission solicited the municipalities in the region for projects because the DVRPC is looking to help municipalities do worthwhile projects with the funding that is available. So Florence Township submitted an excellent project idea to come up with a reuse study of the superfund site. Different pieces have been remediated and released but the center of the site is still in need of remediation and that holds the greatest potential for development.

Mr. Remsa explained that the DVRPC agreed in January that the board approved the work program and this reuse study is in there. When the new federal calendar starts in July, they will be coming to Florence Township to help do the reuse study on this property. This needs to inform the master plan and the redevelopment plan. The redevelopment plan is the local law that establishes what can go on this piece of property. These studies usually go through several steps, not only do they look at potential uses of the property, but they also have to evaluate what physically can go there. Like the mayor said, it is not being cleaned up to residential standards, it is being cleaned up to non-residential standards, so we are not going to be putting houses on there. The other options that make economic sense for this site include the idea of a marina and other kinds of commercial uses and restaurants and things like that should definitely be explored. Certainly, a recreational component makes a lot of sense. They will help us put this all together and we will end up with a study that we can use to amend the redevelopment plan and inform the master plan. He spoke to the DVRPC representative and she told him this was going to be a six-month undertaking and there should be results by the end of this year.

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Council Representative Marter asked if this information is to help develop the master plan or is it that the master plan is going to be utilized? She would like to figure out the timing of our master plan.

Mr. Remsa explained that master plans are informed by individual studies. A master plan can be completed but you can always have an amendment to the master plan. Master plans are not frozen in time so you produce a master plan and if a new study comes along and has some new ideas the township has the opportunity to amend that master plan. But the master plan does not tell what the study does, the study provides recommendations and that is when the master plan and the Planning Board look at the study and see if it makes sense to be included in a master plan.

Council Representative Marter asked about the zoning on the property and if it is not able to be changed until after the study is done? Are we looking at the end of the year to possibly be able to make the change to this zoning?

Mr. Remsa explained that since it is a redevelopment property, and under New Jersey law, redevelopment plans are defacto zoning and are special to problematic properties. Certainly, a superfund site is the ultimate in a redevelopment area. The idea is to have a redevelopment plan that is specific to this piece of property. The redevelopment plan is something akin to zoning regulations so, once the redevelopment plan is adopted by ordinance, and after the study, people could make a decision based off of it.

Mayor Wilkie added that the property is owned by Florence Township so no matter what it is zoned, nothing can be done on this property without Florence Township agreeing to develop it. By rezoning, we are trying to get the perception that we are looking for something different and if Council wanted to change the zone before this study is done it can be done.

Council Representative Marter stated that at the Environmental Commission meeting, she and the mayor spoke about how the EPA stated that they are willing to break off pieces and clean them up without doing the entire site so if we have a restaurant that wants to come in and take an acre or two and cap it and, especially with the Heritage Trail and the possibility of a ferry, that could connect us to Philadelphia and we could market the fact that we are the beginning of the Heritage Trail and Crystal Lake Park and could draw people to the town. It looks like we have to wait for the study to come through to tell us what they think it should be. Are they looking to determine what should be there or just what the land needs in order for us to do something?

Mr. Remsa explained that the study looks at things but it also has a public engagement component so they are going to ask the residents of Florence Township what they would like to see there. They take all of this information in and they look at things that are realistic, meaning physically able to go on the property but it also has to make economic sense. The result of the study is going to be a set of recommendations. That is where Council can make an informed decision of what makes sense. When properties get carved off, there is a tremendous amount of work that has to be done. For example, if you wanted to put a restaurant and a marina down at the point where they used to have the wharf and the docks where the barges used to come in, you are going to have to bring utilities to it. The closest sanitary sewer is quite a distance, so in order to bring utilities you would have to dig ditches and extend utilities. The EPA is going to want to know how all that is going to be engineered. It has to comply with their best practices and their controls because you are digging up a superfund site.

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With the superfund site here and with most of the remaining contamination being heavy metals, you will have to be able to prove that they are going to be able to clean up and cap that and maintain it. That is how the light rail station was done and the Roebling Museum, which was the old gate house and already had utilities because it was close to Second Avenue. It's not that simple just to start carving off properties. There is a lot of engineering that has to go into it and a lot of convincing the EPA that it is going to work.

Council Representative Haas asked Mr. Remsa if mixed use is considered residential. Mr. Remsa stated that, in general terms, it is. Mixed use is normally treated with residential uses. The property now is going to be cleaned up to non-residential standards which means that you will not have anyone living on the property and have greater degree of contact with the soil. But if you had a mixed use in there, there may be certain smaller areas that could be brought up to residential standards.

Each time we have dealt with a developer on this property, it has been a process to go through the EPA to figure out what really can go and can't go on that property. He stated that he does not want to absolutely rule out mixed use because it may make sense in certain areas. He recalls that there are certain areas that do not have the level of contamination like other parts of the property that have more of the heavy metals. It is possible that maybe mixed use could go below Second Avenue or somewhere where it is not so heavily contaminated, but in general it is very expensive to bring properties up to residential standards and that is usually the obstacle.

Council President Garganio asked why wait a year, why not start the process with the EPA to start trying to extend utilities into that area sooner? Mr. Remsa said that you wouldn't have to wait a year. The safest way to design an extension would be to design a road. Roads normally have utilities in them and it would be disturbed anyway so you would just extend it with water, sewer, gas, electric and fiber. There is nothing stopping you from doing that as the property owner, and it makes most sense to put the marina restaurant at the point where barges and boats used to tie up.

Mr. Remsa also mentioned that there is a challenge to extending the line in a northerly direction to the point. But if there are uses that you want to the east, you wouldn't want to dig the sewer and water line up twice to get it bigger. Do we put ball fields and recreational fields with some kind of restroom facilities or something else there? That is part of the design challenge but you can move on this now if you have a specific goal in mind which would make sense because it does take so long to get approvals.

Mayor Wilkie stated that whatever you dig out of that area needs to be put back in and kept capped. One of the three projects that is now funded is to go from where the park is in past the Stonehenge to the point area. They designed a road from Second Avenue to go down to connect to the pathway for security reasons. Right now, in order for emergency services to get down there they have to go down Ninth or Tenth Avenue. This is part of one of the three phases. We do not know when the project is going out to bid, or when it's getting done or any of those things, that is all being handled as part of the Superfund.

We have to figure out where the money is coming from during the budget process and talk to our engineer about the cost to run pipe and what to do so it gets in there before the property gets capped. Council President Garganio stated that he thinks that the main concern right now should be getting through to the EPA and getting the approvals there and do the initial leg work. When the whole thing is developed and there are people developed along the river way, then we charge their fair share of hooking up those lines. He thinks getting the EPA approval should be what we concentrate on so, at the time it is ready go, we can get the utilities there and do whatever the community wants to do.

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Council Representative Marter asked if moving the rope stretchers is part of these projects? Mayor Wilkie explained that, in December there was an announcement about three projects and, what was reflected to us was that the last project was dealing with the rope stretcher. That is to move the main structures into a new building perpendicular to the museum. Council Representative Marter also asked who owns the “isolated parcel.” Mayor Wilkie stated that it is in Mansfield Township. Mayor Wilkie asked if Mr. Remsa can research if the County ended up taking it over as the Heritage Trail and Mr. Remsa said he will look into it. He stated that it was part of the original overall property however he does not believe that Mansfield Township ever moved forward to take ownership of that property but it will be easy to find out who owns it.

Mr. Remsa stated that there are other environmental challenges on the property. At one of the meetings with DEP and EPA they were concerned about the bald eagle nesting in the area and so certain things have to be set back from the water’s edge. That is part of the tussle that we are going to have as we look to redevelop the waterfront.

Council Representative Baldorossi asked Mr. Remsa who is in charge of the dam in the sluice? Mr. Remsa said that, as far as he knows, the state is in charge of that but he will make a note and find out for sure.

Mayor Wilkie stated that in his first meeting with the EPA back in 2011 they said that the DEP has to restore it back to the way it was before Roebling got there. Recently at the Environmental Commission, Commissioner Mudge told him that he thinks the sluice predates Roebling and was actually put in by the Knickerbocker Ice Company. Council Representative Baldorossi stated that he thought it was put in by the steel mill.

Council President Garganio stated that he thought our engineer took a look at that last year. He would like to ask what his findings were and get that to Council.

ADDITIONAL BUSINESS

Administrator Fazekas explained that a resolution will be added to next week’s agenda regarding selling items we no longer have use for on GovDeals. A resolution of approval is needed and there are quite a few things that will end up being posted on GovDeals.

Council Representative Marter mentioned that there have been numerous tractor trailers making a left in the right lane at the Route 130 intersection at Rite Aid which could be a safety hazard for any cars making that left in the left turn lane. Administrator Fazekas said that he will notify the Chief of Police of this.

ACTION

None at this time.

PUBLIC COMMENTS

Council President Garganio opened the meeting up to the public at this time.

Bryan Hewitt, 1080 Grove Street, agreed with some of the talks about the Roebling Stonehenge area and he said that he thinks it makes the most sense. Not as part of the museum but as an extension down from the museum. It would be aesthetically a cool place to do things. He doesn’t see us getting the type of development down there that the community is going to want without starting somewhere. He thinks it is not the best way to get what the community is going to want there if we sit and wait for someone with deep pockets to come in to tell us what they want there.

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Motion of Ostrander, seconded by Marter to close the public comment portion. Voice Vote – All Ayes.

Motion of Marter, seconded by Baldorossi to go into Closed Session at 7:52 p.m. No action, other than adjournment, will be taken after the closed session. Voice Vote – All Ayes.

ADJOURNMENT

Motion of Marter, seconded by Baldorossi to adjourn. Voice vote – all ayes. Meeting adjourned at 8:24 p.m.

Respectfully submitted,

Nancy L. Erlston, RMC
Township Clerk
/js