

Florence Township Council Executive Session 5/11/22

Florence, New Jersey
May 11, 2022

The Florence Township Council held an Executive Session 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 in person or electronically via Zoom.

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: 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: Frank Baldorossi

FIFTEEN (15) MINUTES OF PUBLIC COMMENT

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

Devonna Booker, 1021 West 4th Street, voiced her concerns about an issue she had with her water pipes and the Township ordinance which states that it is the homeowner's responsibility to maintain the water pipes from the house to the street/main. She stated that she had water running into her house for a week due to a leak in her pipes and she shared photos with Mayor and Council of the damage that was caused. She asked Council to either update the ordinance or let homeowners know that this is the law and that they can get insurance to cover this if it ever happens to them. She stated that had she known, she would have gotten them fixed or added it to her insurance policy. Ms. Booker also asked that the Township remove the pipes from her yard.

Council Representative Marter asked if a copy of the ordinance could be included in with the water and sewer invoice mailer to let residents know of their responsibilities and that insurance is available through their homeowner's policies? Council Representative Garganio stated that when we do our road programs, everyone is notified to take a look at their plumbing at that time.

Mayor Wilkie apologized and stated that it has been the law for over 40 years and the code has been on the website for 10-15+ years. Council Representative Garganio stated that it should not be a problem sending some type of communication to inform residents of the ordinance and that there are options available to them.

Don Kamienski, 10 McCay Drive, asked if there was an issue with the Township website stating that the last press release posted was dated April 22. Administrator Fazekas explained that the website had been

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down for a few hours but it is back up and running and the press release of April 22nd is indeed the last press release that was posted.

Seeing no one else wishing to be heard, a motion was made by Ostrander, seconded by Marter to close the public comment portion. Voice vote – all ayes.

BUSINESS

A. Bike Rodeo/Burlington County Partnership for Youth Success (BCPYS)

Police Chief Boldizar introduced First Assistant Prosecutor Philip Aronow from the Prosecutor's Office to talk about the Burlington County Partnership for Youth Success initiative and stated that he has been invited to the Bike Rodeo this year. The Assistant Prosecutor explained a little bit about the initiative which deals with at risk and disadvantaged youth. It is a young planning board targeting jurisdictions that had the highest incidents of violent crime for juveniles and has been in place since early 2012. It started with Burlington City, Willingboro and Pemberton Township and the goal was to try to find alternatives to incarceration.

First Assistant Prosecutor Aronow stated that the initiative has been so successful that they are seeing decreases across the board in violent crime amongst our juveniles. The goal is not that there is an issue that needs to be addressed, it is resources that are available and taking advantage of those resources and he would like to see Florence take advantage of what this group offers. There are a number of events that have been hosted as community outreach events. Burlington City has seemed to be a cornerstone for gentrification and for changes. An initiative that they have been doing is called "Play Streets Initiative" where they combined with a church or other faith-based institution and the cornerstone started with a playground in that proximity.

Play Streets also revitalized the Yorkshire section of Burlington City which suffered from vacant homes so they worked to gentrify the homes and repair them to have full residency. They then partnered with the police and the community and blocked the street off and the kids played in the street. In Burlington City they have gone from neighborhood to neighborhood to try and do this and to sustain it. Pemberton Township and Beverly are looking to do the same initiative. If you take an existing program, like the Bike Rodeo in Florence, and brand it by putting the "Play Streets" moniker on it, it is the simplest way to transition. His goal is to have Florence as one of the youth planning boards which will not take any more effort than what is already being done. He would love for the town to be able to share information from the other towns. They have speakers come in that bring resources that talk about different programs that they have and they partner with the Department of Human Services with the County. It is all very positive for the town.

Council President Garganio stated that anything that we can do to bring in those resources is a win for everyone. Administrator Fazekas stated that he fully supports this initiative and because we already do a lot of programs, it is just a matter of incorporating what we are doing and bringing in more resources.

B. Discussion – Land Clearing Ordinance

Township Solicitor Bob Wright updated Council stating that he reviewed the existing ordinances to see if there was anything already in place in the township that could be emphasized or heightened in order to address concerns with large-scale clearing of properties in anticipation of development prior to receiving all of the approvals. The Jones Farm in Mansfield was an example used in the past. He spoke with the Construction Official and the Township Administrator along with Planning Board Attorney David Frank on how to do this. There are some protections in place which he feels fit the issue we are looking to

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address. What he felt was not clear in the Land Use code was fitting that major development into the requirement for having site plan approval. Once site plan approval is required, then there are other protections in place that the developer would have to comply with including the County Soil Conservation District, the Environmental Impact Statements, preservation and natural resources. Those were specific sections that would be required for a developer to go in and get the approval of the Land Use Board prior to taking any action on the disturbance. He discussed with David Frank about putting clarification within the section of the code that requires applications for site plan approval, specifically stating that any application for a major development would require site plan approval. The intent of the ordinance is to avoid situations like the Jones Farm and to also send a message to the Land Use Board to take these considerations seriously. He feels it will be a very simple change to make to the ordinance.

Council Representative Marter asked if by adding this additional language it will prevent the land from being disturbed prior to having all of the approvals. That they cannot clear cut, excavate or remove anything before they have approvals.

The Township Solicitor stated that they would have to have the site plan approval and then there would be the conditions on the site plan prior to proceeding which would also include all of the permitting. There is standard practice of the developer asking permission to site plan approve to proceed at their own risk. Once they do so, there would be negotiations on conditions that emphasize what the intent of the Council is so that, if there is a situation where they begin site clearing or site preparation work prior to a final approval being done, that it is an exception and not an easy thing to be done. They would have to have a bond in place and they would proceed with the knowledge that if the conditions are not met they may be compelled to replace or undo any work that has been done.

Council Representative Marter questioned the “build at your own risk,” stating that it would be difficult to put back trees and other things once removed so why allow it? Council Representative Garganio asked who would approve it? Solicitor Wright stated that it would be the Planning Board professionals, depending on the issue.

Council Representative Garganio also asked is there a way for us to have that pushed back to Council? He thinks that would be easiest, to come back to Council and they then make a decision whether or not to move in that direction.

Council Representative Marter asked what the consequences would be, could they be fined for clearing before they are allowed? The Township Solicitor said that they would be moving forward at their own risk but that they could be. Administrator Fazekas stated that, if this is an ordinance and someone decides to do that, we would then cite them for an ordinance violation. They would have to come to Municipal Court the same as someone doing house work without permits and the judge would determine the fine.

Council agreed to proceed with this.

C. Mental Health Awareness Month – Stigma Free Resolution Request

Martin Eckert explained that there is a growing initiative to serve and support our community. With the Municipal Alliance having identified mental health and addictions as a continuously growing crisis, we want to make sure that our municipality is serving as a resource to the residents in the community and their families. A Municipal Alliance tab has been created on our new website that explains a bit about our alliance and also has hotlines, life lines, resources and phone numbers as well as links to the State and County. By pledging to be stigma free, it basically means that we are an extension of resources and support for people going through difficult circumstances and we give our residents a safe opportunity and

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a safe place for them to give support. May is Mental Health Awareness Month so it is the perfect time to become a stigma free community. Council agreed and Administrator Fazekas will have a resolution of support prepared for the next Council meeting.

D. Discussion – Shared Services Agreement with Florence Township Board of Education for Gasoline and Diesel Fuel

Administrator Fazekas explained that 2018 was the last time this Shared Services Agreement was signed. The school district calendar is different than our calendar and he just wanted to make Mayor and Council aware and, if they agree, we will continue with that practice until June of next year when we renegotiate. Council agreed.

E. Letter of Support for ABA Burlington Thorobreds

Mayor Wilkie put together a letter in support of the ABA Burlington Thorobreds basketball team. Rashauna Johnson introduced herself and thanked Mayor and Council for the letter of support. She stated that she is hoping this will encourage the kids from Florence to participate and invited Mayor and Council to a press conference on June 2nd where they can ask questions and meet some of the coaches and players as well as the President and Vice President of the ABA. Council Representative Marter stated that they can hold clinics in the township and they have a non-profit set up that can take those moneys that are collected and donate them back to programs here within the town. It's a very nice organization that we are lucky to be a part of.

Additional Business

Council Representative Marter asked for an update on the Weiss property. Administrator Fazekas stated that they had received verbal NJDOT approval but nothing in writing as of yet. The Weiss Corporation and the Deputy Attorney General assigned to this matter have not yet reached an agreement on the acquisition of the jughandle so it is delayed.

ACTION

None at this time.

PUBLIC COMMENTS

Council President Garganio opened the meeting up to the public at this time. Seeing no one wishing to comment, motion was made by Ostrander, seconded by Haas to close the public comment portion. Voice Vote – All Ayes.

ADJOURNMENT

Motion of Haas seconded by Marter to adjourn. Voice vote – all ayes. Meeting adjourned at 8:03 p.m.

Respectfully submitted,

Nancy L. Erlston, RMC
Township Clerk