

Florence Township Council Regular Session 9/7/22

Florence, New Jersey
September 7, 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 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 Deputy 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 Wilkie; Stephen Fazekas, Township Administrator; Robert N. Wright, Jr., Township Solicitor; Nancy L. Erlston, Township Clerk (via Zoom); Jenise Silinsky, Deputy Township Clerk; Martin Eckert, Recreation Director

Absent: None

APPROVAL OF MINUTES

- Regular Session of August 10, 2022

Motion of Ostrander, seconded by Marter to approve the minutes as submitted. Voice vote – All ayes.

FINANCIAL CORRESPONDENCE

Motion of Haas, seconded by Marter to approve the following correspondence and the Treasurer's Bill List.

- Municipal Treasurer's Budget Reports and Cash Reports for July 2022
- Treasurer's Bill List for July 2022

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

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REGULAR CORRESPONDENCE

- A. Letter from David C. Mudge, Chairman, Florence Township Environmental Commission regarding an ordinance to reduce light emissions.
- B. Letter from Doug Seaman, Post 194 Sr. Vice Commander, requesting permission to close a portion of Broad Street and Sixth Street from 8:00 a.m. to 2:00 p.m. on Saturday October 22, 2022 for a car show.
- C. Letter from Chief of Police Brian Boldizar regarding Post 194 request to close streets for car show.

Mayor Wilkie stated that the Environmental Commission letter (A.) will be referred to the Township Planner to be discussed at the Planning Board and any concerns can be addressed.

Motion of Baldorossi, seconded by Ostrander to approve the correspondence.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

APPLICATIONS

- A. Social Affair Permit for American Legion Post 194, 6th and Broad Streets, 2nd Annual Corn Hole Tournament to benefit Florence Township Girls Softball, on September 24, 2022 from 12:00 p.m. to 10:00 p.m.

Motion of Haas, seconded by Marter to approve the application.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

PUBLIC COMMENTS

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

Arthur Steffen, 32 Tall Timber Lane, stated he has noticed that Hunt Circus Drive is a mess and, in his opinion, it should be Wawa’s responsibility to clean it up and not the Township’s. He also said at lunch and dinner time the trucks park on both sides of that road and you can barely get one car through which causes a hazard because you cannot see around the trucks. He has also witnessed young girls getting into the trucks and then they close the curtains.

Administrator Fazekas thanked Mr. Steffen for bringing those issues to the attention of Council. He has been working with Code Enforcement and a meeting is being coordinated with Wawa and the two owners of the adjacent lots. Our Public Works Department cleaned up along the curb line because trash was getting into the gutters from the rain. We are currently working on getting the issue resolved and also explained that the parking ordinance is on the agenda as a first reading this evening.

Mr. Steffen then asked Council when the rest of Tall Timber will get tied into the water and sewer. Administrator Fazekas stated that it is on the agenda and we are actively pursuing that now.

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Mr. Steffen also asked about getting some type of barrier or buffer between his home and the warehouses behind his home. He stated that the windows on the side of the QPSI building look directly into his windows. Administrator Fazekas stated that he will reach out to the owner to see about getting some type of buffer there.

Mr. Steffen also stated that the Tall Timber development only has one way in and out since the bridge was taken out and asked if that is a code violation. Mayor Wilkie explained that it is not in violation of any codes and many developments within the township only have one road leading in and out and that the residents in his development wanted the bridge to be removed because they didn't want anyone coming in from the development that is going on to that property.

Seeing no one else wishing to be heard, it was a motion of Ostrander, seconded by Haas to close the public comment portion of the meeting. Voice vote – All ayes.

RESOLUTIONS

RESOLUTION NO. 2022-172

Renew ABC License Fine Foods & Spirits, Inc.

RESOLUTION NO. 2022-173

Authorize Refund Rental Inspection Fee, 20 Sixth Avenue

RESOLUTION NO. 2022-174

Award Contract for Resurfacing of Ninth St., Installing Sidewalks/Flashing Beacon System on Cedar Lane to Earle Asphalt Co.

RESOLUTION NO. 2022-175

Re-Appoint Holman, Frenia, Allison P.C. as Chief Financial Officer

RESOLUTION NO. 2022-176

Award Contract 2022 Sidewalk Replacement to A. Takton Concrete Corp.

RESOLUTION NO. 2022-177

Cancel Payment Plans

RESOLUTION NO. 2022-178

Remove Properties from Tax Sale

RESOLUTION NO. 2022-179

Approve Contract for School Resource Officer at Life Center Academy

RESOLUTION NO. 2022-180

Canceling Taxes on Property Owned by a Totally Disabled Veteran

RESOLUTION NO. 2022-181

Partial Payment No. 1 for the 2022 Road Program to Earle Asphalt

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Administrator Fazekas explained that Resolution No. 2022-174 is the resurfacing of Ninth Street and the sidewalk path on Cedar Lane to Firehouse Lane as well as a pedestrian crossing there. The bid is being awarded to Earle Asphalt. Regarding Resolution No. 2022-176 and the sidewalk replacement in Birch Hollow, Greenbriar and Fillipponi Court, he explained that the initial bids came in too high. After restructuring the bid specifications, acceptable bids have been received and it is in need of Council’s approval. He also explained that we took the alternate bid for 100 linear feet in addition to the 900 linear feet to gain some flexibility to be able to add other sidewalks as we go, if needed.

Motion of Ostrander, seconded by Haas to approve Resolution Nos. 2022-172 through 2022-181.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

ORDINANCES

ORDINANCE NO. 2022-09
Amending the Ordinance Fixing the Compensation of Certain Officials
and Employees of the Township of Florence
(2nd Read, Public Hearing & Adopt)

Council President Garganio opened the meeting up to the public at this time. Seeing no one wishing to be heard, it was a Motion of Ostrander, seconded by Haas to close the public hearing portion.

Motion of Haas, seconded by Marter to approve Ordinance No. 2022-09.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

ORDINANCE NO. 2022-10
Amending and Supplementing Chapter 134, Article II of the Township Code
to Establish Certain Parking Restrictions
(Intro. & 1st Read) (2nd Read, Public Hearing and Adopt 9/21/22)

ORDINANCE NO. 2022-11
Amending and Supplementing Chapter 134, Article III of the Township Code
to Designate Crosswalks within Florence Township
(Intro & 1st Read) (2nd Read, Public Hearing and Adopt 9-21-22)

ORDINANCE NO. 2022-12
Amending Chapter 110 and Chapter 112 of the Township Code
to Prohibit the Consumption of Marijuana, Cannabis Items in Public Places
(Intro. & 1st Read) (2nd Read, Public Hearing and Adopt 9-21-22)

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**ORDINANCE NO. 2022-13
Amending and Supplementing Various Sections of Chapter 91, Land Development
in Accordance with the 2022 Master Plan
(Intro. & 1st Read) (2nd Read, Public Hearing and Adopt 10-5-22)**

Mayor Wilkie stated that Ordinance No. 2022-13 has to be referred to the Planning Board and will be up for adoption at the October 5, 2022 meeting.

Motion of Ostrander, seconded by Haas to approve Ordinance Nos. 2022-09 through 2022-13.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

REPORTS OF COMMITEES, BOARDS AND OFFICERS

Council Representative Haas stated that a letter to all of the business owners will be going out along with a questionnaire so that everyone will know what is going on with the businesses in the town. This information will be posted online in the next month or two.

Council Representative Marter mentioned that a few swings at Wilkie Park have been damaged and they are in need of repair. She also stated that there have been some complaints about out of state vehicles at the boat ramp without permits taking up spaces for the residents that do have permits. Administrator Fazekas stated that he will review the ordinance and bring it back to Council with a recommendation.

REPORTS: ADMINISTRATION

Mayor

Mayor Wilkie stated that there is a list of activities on social media and on the website and we are going to continue to try and get a list posted each month.

The mayor reported that the county engineer responded regarding Delaware Avenue and Front Street and they will be reducing the speed limit from Hornberger Avenue to the bend by 5 mph. Burlington County decreases the speed limit by 5 mph at a time so we will continue to try to get that even lower and will continue to monitor that as well. Administrator Fazekas has requested that they put in a speed bump on River Road which should also help slow the speed down.

Mayor Wilkie stated that the Florence-Columbus Road speed reduction is still outstanding and that the lighted crosswalk which was approved 2-3 years ago at Delaware and Hornberger Avenues is in and working in time for school.

In the township engineer's report it makes reference to the fishing pier on the Roebling Steel Site and, based on their study, the fishing pier cannot be part of the existing structure. Something will need to be put together so we can build something there. We are looking at \$300,000-400,000 to put one in and we were told it was easy to do but they said structurally they cannot soundly make a recommendation for a cantilever off of the one.

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Council Representative Marter asked about the crosswalks by the new Griffin property, she saw the walkway through the middle of Fifth Street and her impression was that it was going to go across the street and follow the new walkway they are building down to the river. But the walkway does not match up to the curbing in order for it to be able to go straight across. Mayor Wilkie explained that what is there right now is not permanent, and they will have to redo the curbing when they are done.

Council Representative Baldorossi mentioned that the deli on Hornberger Avenue just opened back up again and there is a need for a crosswalk from Amboy Avenue for residents to cross safely there.

Administrator

Administrator Fazekas stated that during the staff meeting there was a discussion regarding the recreational vehicle lots in town. Our ordinances do not provide for the number of recreation vehicles that people can store there. The Police Department, along with the Code Enforcement office has been very active in trying to get any vehicles that look abandoned, broken down or are not registered out of there. He recommended that the ordinance be amended to allow no more than three recreational vehicles per household be permitted in township lot. Council agreed.

Division of Water & Sewer

Council Representative Marter asked for some clarification regarding the letter that went out regarding the lead service line. Mayor Wilkie explained that the State passed a law a year ago that required notifications be sent out to residences that could possibly have lead service lines. This could be as simple as the connection, where there could be copper going into galvanized and that may have copper connection due to the age of most of the homes in the town. They had to give notice to the public that there could potentially be lead contamination even though testing for lead has been done continually and there has never been any traces of lead in the water. What was sent out to the public was what the State told us we had to put out, we had very little leeway to try and explain.

Administrator Fazekas stated that there is nothing saying that any of these houses have any lead issues at all. The State considers galvanized as lead and you are declared “undetermined” if there is any uncertainty at all. Any home that we are unsure of had to receive the letter but could be fine. We won’t know until we start digging. He was told by the Water & Sewer Director Dave Lebak, that each town has a lot of questions and one of the main questions is where the funding coming from. He spoke to Dave Lebak and was told to have residents call the Water & Sewer plant and they will answer any and all questions residents may have.

Administrator Fazekas explained that the DEP is requiring that the homes that are found undetermined or have lead service lines must have the lines replaced. Municipalities are required to replace 10% of the service lines per year over a 10 year period. Mayor Wilkie added that the state is telling us as a town to dig these yards up to see if you have any lead connection. Dave Lebak will be addressing Council in the upcoming weeks as more information is forthcoming.

UNFINISHED BUSINESS

A. Township Website

Administrator Fazekas stated that most of the issues with the website have been resolved but they are still working on a few things with Networks Plus and the provider.

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Council President Garganio asked if there is any way that a traffic camera can be installed to track all of the vehicles that are coming/going in and out of town the wrong way. Anything that comes in to Amazon and makes a right hand turn from town is basically violating the township ordinance. We would be able to track what vehicles are coming in through town with one camera on one pole and possibly have the same somewhere on River Road to see what is actually coming through and whose trucks they are. Administrator Fazekas stated that they will look into it.

Council Representative Marter asked if there is an easier way to get Central Dispatch instead of dialing one number, getting a recording and then having to write another number down that would then have to be dialed? Could there be an option to just press a button and the number is either dialed for you or you could be patched directly through to Central Dispatch? Administrator Fazekas agreed to look into it.

NEW BUSINESS

A. Discussion – RFP/RFQ Roebling Mill Site

Mayor Wilkie explained that Mark Remsa was in attendance for any questions regarding the RFP/RFQ. He stated that unless there is something specific that Council wants included, we will continue to move forward with the proposal as is. The RFP will be posted and Administrator Fazekas, along with the Township Solicitor and Mark Remsa will get a timeline together.

Mark Remsa said that a final copy will be drawn up within a week or two. He explained that this is a very complicated piece of property and in that RFP/RFQ there is an opportunity for a site visit because you definitely want prospective developers to visit the site. You also want to have a Q&A session and certainly want to arrange to have EPA representatives either available remotely or in person because there are going to be questions. The RFP/RFQ asks for a lot of detailed information and it will take a while to put together a concept plan, business plan and the traffic analysis and any other parts that they are asking for. To be fair to the developers, you want a thorough response so it is something that is probably going to be out there at least until the end of the year. The first quarter is when we do the heavy evaluation and hopefully get to a short list where you can do some interviews. It is a very thorough methodical process for something that is so important to the town. Everything will flow through the Administrator so there is one point of contact and we can control the information. The process should be, if one person asks a question, that question should be posted and the answers to that would then be available to everyone, giving a level playing field.

Mr. Remsa also mentioned that a good majority of the feedback received from the public was contractual related and that will get put into a developer's agreement. They were some very good and thoughtful comments.

BOARD OF HEALTH

None at this time.

MISCELLANEOUS

None at this time.

PUBLIC COMMENTS

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

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Bryan Hewitt, 1080 Grove Street, mentioned that, regarding the Roebling Steel site, the U.S. Division of Wildlife gives out about \$20 million per year. He does not know if the funds are available specifically for the fishing pier, but maybe in terms of a boat dock/ramp and those types of things. He doesn't know what types of fees are included but it may be something to look into.

Another idea Mr. Hewitt mentioned is that there was a public land trust that just bought up some property in Bordentown and there may be a position there as well in working with an organization like that. They will obviously not be involved in clean-up and won't have the experience to do so but they may be able to contribute to the clean-up costs.

Mr. Hewitt asked Council why developers should expend resources in the Roebling site and whether or not this a legitimate proposal? Council President Garganio explained that what is spelled out in the RFP is both what the community wants and what Council wants for that area. Other things that were considered in previous years didn't work out so this is an opportunity to give an asset to the community. He thinks everyone agrees in the direction that we are heading.

Council Representative Marter stated that the zoning has been changed to waterfront so a warehouse wouldn't fit into that zoning, that it is not an overlay zoning and is actually zoned waterfront.

Mr. Hewitt asked if there will be a liaison from the government physically working on this project? Council President Garganio stated that during the first phase of this project the liaison will be the Township Administrator. He will be the contact person because there will be a lot of questions with the EPA. There is nothing that we can do to this site without their approval and the EPA is responsible for the clean-up which may take some time to work through because they move very slowly.

Mr. Hewitt asked if the documents that occurred with the paper cutting project could be linked on the website so that possible developers have access to free information and therefore have some ideas on what the capping costs were and those types of things without waiting for the EPA to get back to them. The standards may have potentially changed but at least a new developer can look it over and have a baseline as to where to go with things.

Mr. Remsa explained that the last potential developer was the paper company and that they expedited their own private funds so a lot of that information is private and never flowed to the township so we would not be able to provide that. What the EPA does have available online is what different types of capping capabilities are (pavement, building and landscaping). There may be technologies of the types of soils and types of cover that you can do and that will be available through the EPA website. But nothing has changed in terms of capping it with a concrete slab. But they are allowing different types of methodologies for the soil. He recommends when we have the EPA as part of the Q&A section that they provide all of the data and direct them to certain sections of their rules and their website. He stated that there is a wealth of extensive information on the EPA's website on the Roebling site and we need to direct them to the information. There is a page in the appendix of the RFP where they can go and download all of that information.

Council Representative Marter asked if we know for certain from the EPA that we can put mixed-use on the site? Mr. Remsa said that is all within their rules and non-residential standards and capping is less expensive which is why you see more non-residential applications.

Solicitor Wright continued that we are not guaranteeing any of that. The burden of getting those approvals from the EPA is going to be on the developer. And any developer that succeeds in this is taking on the risk that the EPA may not allow mixed-use residential or may put other requirements on

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them to clean up the site. That is one of the reasons the township is not developing it itself, instead seeking developers to take on that risk. We are not guaranteeing one way or the other what the EPA is going to say.

Bryan Hewitt stated that a lot of open space is most ideal but we know every developer coming in is looking to develop and turn profit. Concrete capping is always going to be cheap and easy to clean or cap so anything in terms of information or anything that we can direct them to would be fantastic in his opinion. He asked if there is anything in those documents about hot spots in areas that can be developed and asked if that was included on the EPA's website as well?

Mr. Remsa explained that you would have to dig into the rods. For example, there was a copper foundry that was one of the hot spots and they actually had to tear the building down and dig into the soil. There are hot spots where oil lines corroded and leaked petroleum and, unfortunately a lot of the beautiful historic buildings had to come down in order to clean that oil up. You have to really dig rod by rod to figure out where those hot spots are. He has over 25 years of history of dealing with the property so he knows where some of those hot spots are but we would rather have a developer deal directly with the EPA on that.

Bryan Hewitt offered to provide drone aerials for the Township website to help draw developers in. Council President Garganio stated that they would be appreciated and they can be added to the documentation that goes out to prospective developers.

Mr. Hewitt had also mentioned that there are a lot of loose bricks on Main Street and asked Council if there is something that can be done there.

Seeing no one else wishing to be heard, it was a motion of Ostrander, seconded by Haas to close the public comment portion of the meeting. Voice vote – All ayes.

ADJOURNMENT

Motion of Marter seconded by Haas to adjourn. Voice vote – all ayes. Meeting adjourned at 8:11 p.m.

Respectfully submitted,

Jenise Silinsky
Deputy Township Clerk