

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**March 11, 2009**

**8:00 PM**

### **CALL TO ORDER**

Council President Baldorossi called the meeting to order.

### **SUNSHINE STATEMENT**

The Opening Statement was read: Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 11, 2009; given to the Register News for information; posted on the municipal bulletin board.

### **ROLL CALL**

Present: Bruce Garganio, Dennis O'Hara, Sean Ryan, Jerry Sandusky, Frank Baldorossi

Also Present: Mayor William Berry; Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; Russell Trice, Township Water and Sewer Engineer; William John Kearns, Jr., Township Solicitor; Joy M. Weiler, Township Clerk

### **PUBLIC COMMENT**

Nothing at this time.

All residents having an opportunity to be heard, MOTION by Sandusky; seconded by Garganio to close the public portion of the meeting. All ayes - motion carried.

### **OFFICE OF EMERGENCY MANAGEMENT OVERVIEW: PHIL DRANGULA**

Phil Drangula stated that the township needs to adopt a Hazard Mitigation Plan or they will not be eligible for certain grant funds. He explained that hazard mitigation is the disruption of disaster cycle. The goal is to reduce future risk and loss.

Mr. Drangula stated that once the plan is adopted, the steps associated with the plan have to be implemented and the plan must be maintained, which are periodic updates.

Mr. Drangula explained that the County, at no cost to the township, prepared the plan that is before Council; it was paid for with County grant money.

Mr. Drangula reviewed the Hazard Mitigation Plan, which is a five (5)-step plan.

- Inventory trees - identify anything that is township owned and what the hazards are
- Establish an Ordinance to replace any sick or damaged trees and to establish a vegetation management plan on public and private property
- Map the hazard areas and establish the priority zones
- Mitigate hazards in order of priority through the public access areas
- Replace any trees that have been removed with a new species that will limit growth and root base

The Board of Public Utilities is in the process of approving their vegetation management plan, which requires a 10-year cut back away from power lines.

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Mr. Drangula realizes that there are questions and areas of concern such as: who owns the trees, who is going to own them and how they are going to be maintained or do they have the right to cut down or trim the trees; will the township be able to access private property to mitigate a hazard if they deem it necessary; who owns the sidewalks and who is going to make the repairs? The biggest question is where the funds are going to come from. PSE&G will handle their part of it. Mr. Drangula stated that there are grants that he is looking into.

Council Member Sandusky asked if Mr. Drangula would have the authority to have a tree removed or trimmed or would it go through the Shade Tree Commission? Mr. Drangula stated that he does not have a lot of knowledge on trees and would work with the Shade Tree Commission.

Council Member Ryan asked if the grant money would be approved and in place before work on sidewalks and trees is done? Mr. Drangula stated that the funds would be in place before work began.

Council Member Garganio asked where the funds were going to come from to evaluate all of the trees and sidewalks in the town? Mr. Drangula stated that work would be done with grant money.

At Mayor Berry's suggestion, Mr. Drangula will meet with the Shade Tree Commission to review the plan.

Solicitor Kearns stated that public education on the plan will have to be done. Mr. Drangula stated that he does plan on public education meetings. The last thing they want to do is level all of the trees; they want to mitigate the hazards and get rid of them before a severe storm.

Mr. Drangula explained that Council would formally adopt the plan stating that Florence Township wants to be a part of Burlington County's Hazard Mitigation Plan. Once the township is a part of the County's plan, they would be eligible for grants and funding for mitigation and expenses incurred due to a disaster.

Council Member Garganio asked who sets the plan? Mr. Drangula stated that can be done by the stakeholders. A separate committee can be set up with representatives from the different boards that have an interest. Council Member Garganio asked if there was any liability if they did not keep up with the plan? Solicitor Kearns stated that it is a goal; there is no liability if they are behind.

Council Member Ryan offered to be a stakeholder as a representative for Council, Planning Board and Environmental Commission.

Council Vice President O'Hara asked for a Master Plan once the hazard mitigation items were identified. Mr. Drangula will provide.

Mr. Drangula stated that last year Council passed a Resolution that the township would honor and work under the National Incident Management System; now Council must sit through a presentation regarding that. All of the township's responders: Public Works, Water & Sewer, Police, EMS and Fire, had to go through some sort of incident management training. Without the training the township would not have been eligible for certain grants. It is approximately a two hour course that Mr. Drangula would present to Council.

**ACTION**

**RESOLUTIONS**

**RESOLUTION NO. 2009-68**

**ADOPT A HAZARD MITIGATION PLAN**

It was on the MOTION of O'Hara, seconded by Garganio that Resolution 2009-68 be approved.

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**TOWNSHIP WATER AND SEWER ENGINEER**

**Shoppes at Mallard Creek: Bond Release Request**

Russell Trice, Township Water and Sewer Engineer, reviewed and recommends denying the request for Bond release due to outstanding punch list items. A Resolution will be prepared for next week's meeting denying the Bond release.

**Wastewater Management Plan**

Administrator Brook asked, since the Wastewater Management Plan will be amended to include one lot for Whitesell in Burlington Township and the back of NFI, if there were any other parts of the town the governing body wanted to consider expanding? It had appeared that the County may be doing Wastewater Management Plans for all of the municipalities but as of today he is 99% certain that each town will have to do it on their own. Florence has one of the most current Wastewater Management Plans in the area. Council Vice President O'Hara questioned the status of Potts Mill Road? Mr. Trice stated Potts Mill Road is already included.

Mr. Trice explained that the township's plan would not be amended; due to the new regulations the township would have to prepare and submit a new plan, the new service areas would be included in the new plan.

Council Member Garganio expressed concern that if they extend water and sewer into the AGR Zone without rezoning, it becomes 100x100 foot lots; it will no longer be one (1) house for three (3) acres. Mr. Guzzi stated that the AGR Zone would remain one for three acres or an applicant would have to appear before the Zoning Board for a density variance.

Administrator Brook explained that the back part of NFI's property is not in the Wastewater Management Plan. Mr. Trice stated that if the governing body wants to make changes, now is the time to do it.

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Administrator Brook explained that another option is to add only the areas they know are needed and if a developer comes in and needs to amend the plan, they can do it.

Mr. Trice spoke with the coordinator at DEP for Burlington County on the Wastewater Management Plans. He stated that the first step is that the County has to make a decision on whether they are doing the plans or not. Administrator Brook has spoken to the County and it appears that they will not be doing the plans. The coordinator at DEP will be meeting with the County tomorrow to discuss what the County is going to do and hopefully will have an answer. Mr. Trice stated that there are provisions if the County is doing the plans that Florence Township could submit their own plan to the County to expedite it through the process, which is similar to what the township would do if the County were not doing the plans.

Mr. Trice stated that DEP prepared a template to do the plans and provided to all of the counties. The templates are designed around the County doing the plans. He is not sure if DEP will revise the templates if every municipality has to do their own plan.

Administrator Brook explained that even if NFI and Whitesell were not in the picture, Florence Township would have to do a new Wastewater Management Plan because it appears that the County is not going to do it for any municipality. So while Florence Township is doing the plan, they would include NFI and Whitesell and have them pay their fair share. The only other policy question is whether the governing body wants to look at including other areas or leave it the way it is and if a developer comes in, it would be their responsibility to amend the plan. Mr. Guzzi stated that there are no plans pending before the Planning Board to consider adding to the Wastewater Management Plan.

Council Members are in agreement to proceed with the new Wastewater Management Plan and include Whitesell and NFI only.

### **Griffin Pipe Draft Permit**

Mr. Trice stated that he reviewed Griffin Pipe's Draft Permit for discharge. He has some questions for Griffin Pipe and will report back to Council. Council Vice President O'Hara asked, with the change in operation that is going to take place at Griffin Pipe, will this still come in to play? Mr. Trice stated that there are provisions for that written into the Draft Permit. He explained that Griffin Pipe included two (2) phases in the permit. Phase I is under the current circumstances when the plant is not operating. Griffin Pipe gave the township limitations for the discharge of some process water from the plant right now. Apparently, Griffin Pipe has a lot of process water stored in tanks on the site somewhere. They need to pump out the tanks and send it into the township's sewer system and treatment plant. The process water is concentrated with zinc so DEP is limiting how much they can pump out at anytime. Once the stored wastewater is gone, there should be no discharge unless the plant comes back on line, which would bring them to Phase II where there would be the permit limitations and requirements that have been agreed to.

Mr. Trice stated that there are a number of provision the township asked be included in the permit that he does not see included.

Council Vice President O'Hara asked if it was common to have heavy concentrations of zinc? Mr. Trice stated that in that process it is. He explained that one of the problems was for years Griffin Pipe was re-circulating cooling water and it became more and more contaminated with metals then

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once the process changed, they could no longer re-circulate the water, which caused the need to discharge to the township's system.

Council requested that Mr. Trice look into where Griffin Pipe is storing the process water and how much. Mr. Trice will report back.

Administrator Brook stated that if the State attempts to issue a permit that deviates from the Resolution, he would report back to the governing body and advise to void the Resolution. That is why the Resolution was done in such detail. The State and Griffin Pipe are aware of the Resolution. Griffin Pipe signed off on the Resolution before Council approved it.

**Wastewater Management Plan in AGR Zone**

Council Member Garganio stated that the AGR Zone is zoned one (1) house per three (3) acres. It is a conditional use of the AGR Zone to be R - residential. In the R Zone, without sewer, you can build on one (1) acre lots. He is confused as to how the township can hold 1 to 3 acres if all that needs to be done is to come to the town and say this is a conditional use of the AGR Zone. Council Member Garganio is concerned that there is vulnerability in that Ordinance. After further discussion, Solicitor Kearns, Mr. Guzzi and Assistant Administrator Sahol will look into and report back.

**TOWNSHIP ENGINEER**

**Fifth Avenue Project (Alternates) & 2009 Road Program**

Dan Guzzi, Township Engineer, stated that they need to discuss what will be included in the Road Program. They know they are going to include Fifth Avenue. There were previous conversations that on Fifth Avenue that Hornberger Avenue to Main Street would be bid as the base bid with Main Street to Riverside Avenue as the alternate. There is a \$150,000 DOT grant to apply to Fifth Avenue.

The second item is the sidewalks from Fourth Avenue along Hornberger Avenue to the Light Rail Station. There is a \$115,000 Safe Streets to Transit Grant for that project.

Discussion followed regarding what projects to include in the Road Program. Administrator Brook explained that 20% for engineering fees and 15% for potential bonding costs in the future has to be added to the total cost of the project. Council Member Garganio asked Administrator Brook when he foresees having a preliminary budget? Administrator Brook stated that a rough draft of the budget is ready but until he has the aid figures from the State it cannot be completed.

Administrator Brook expressed concern over the next two years and does not recommend doing every item. The biggest thing that could hurt the township is if the collection rate begins to drop.

Administrator Brook's recommendation is to do the following:

- Fifth Avenue: Hornberger Avenue to Main Street with Main Street to Riverside Avenue as an alternate
- Walnut Court
- Sidewalks on Hornberger Avenue from Fourth Avenue to the NJ Transit Light Rail Station
- Roebling Alley: Main Street to Riverside Avenue between Sixth and Seventh Avenues as an alternate

He would not do the other items at this time.

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Administrator Brook stated that he put cash in the budget to reseal Marter Park, which may get them through another few years.

Council Members are in agreement with Administrator Brook's recommendation. A Resolution will be prepared for next week's meeting.

**Shoppes at Mallard Creek: Bond Release Request**

Mr. Guzzi reviewed and does not recommend releasing the Bond until the pad site is developed because there is still site work to be done. He does recommend reducing the Bond amount down to 30%. A Resolution will be prepared for next week's meeting.

**Eagle Construction: Current Estimate No. 7 – Community Center**

Mr. Guzzi reviewed and recommends payment of Current Estimate No. 7 for the Community Center. The project is winding down. A Resolution will be prepared for next week's meeting.

Administrator Brook would like to take the governing body through the Community Center sometime in April.

Council Vice President O'Hara explained that Whitesell donated the eagle statue that Gary Bykowski built that was on display at the NJ Transit Light Rail Station. He asked if it could be displayed at the Community Center? It is large and must be displayed indoors. Mr. Guzzi believes there is a concrete slab area where it could be displayed. Measurements will be taken.

Council Vice President O'Hara asked if any budget analysis has been done for the Community Center? Administrator Brook stated that he put money in the budget for utilities and staffing. Discussion followed regarding moving the Recreation Director to the Community Center and the permitted use of the hall. Council Member Sandusky suggested a Mayor's Ball when the Community Center opens to help generate revenue for the center. Council Member Garganio suggested only allowing banquets for township events. The projected opening is sometime of the summer. Will discuss use of the Community Center further at a future date.

**ASSISTANT MUNICIPAL ADMINISTRATOR**

**Project Porchlight**

Assistant Administrator Sahol provided a memo and brochure explaining the program. It does not cost the township anything; they just need the township's endorsement. Council Member Ryan requested that a memo be sent to the Environmental Commission to see if they would like to be involved. Assistant Administrator Sahol will send out immediately, as well as to the National Honor Society, Boy Scouts and Girl Scouts.

**PARKING: OVERFLOW PARKING FOR SECOND AND THIRD AVENUES AT TOWNSHIP PARKING LOTS**

Council Member Ryan reviewed the minutes and the audio from November 12, 2008 meeting where overflow parking was discussed. He wants to be sure there is a solidified direction as to what they are doing. There were a lot of productive ideas that were discussed. He feels Council needs to give Mr. Guzzi direction in regards to what they want to see. Council Member Ryan's understanding, according to the transcript, is that Mr. Guzzi was going to look at Buc's property and report back to the governing body with a plan for permanent overflow parking without eliminating development potential. Council Member Ryan wants to be sure that is what the rest of Council wants. Mr. Guzzi stated that the survey of the property was done in preparation of purchasing the property. He

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prepared a sketch for parking in a single drive utilizing the existing curb cut straight back. He needs to know if the parking will be permanent, temporary, stoned or paved. The remediation work has begun and should be complete within the next month or so. Mr. Guzzi will provide the prepared sketches for Council's packet. Council also requested that Mr. Guzzi prepare a parking plan if the Roebing Rescue Squad building were to be taken down. Council Member Garganio suggested that the vehicles that are not parked on the avenues be counted on a Saturday night to get an indication of how many overflow spots are needed. Council Member Ryan agrees but feels the count needs to be done over a period of time at different times of the week.

Different options for overflow parking were discussed such as expanding the parking at the Roebing Park, parking along the front of Buc's property, parking along the side of Buc's property and angle parking on Hornberger Avenue along Buc's property. They also discussed development for the properties adjacent to Buc's, which could include residential and commercial parking. After further discussion it was decided that Mr. Guzzi will provide plans showing various layouts for parking for Council to review. An approximate number of anticipated parking spaces will also be provided. Council is aware that providing overflow parking areas will still not give everyone in the Village of Roebing the ability to park in front of their house.

**LETTER FROM ECONOMIC DEVELOPMENT COMMITTEE**

Council Vice President O'Hara, who is the Council Representative on Economic Development Committee, reviewed the letter. He explained that members of the Economic Development Committee would like to take part in a "red carpet treatment" for potential commercial developers. Their thought is to walk developers through the process. Council Vice President O'Hara expressed concern that if too many people become involved, it may become cumbersome. He asked if Council would be willing to have one (1) member of Economic Development meet with Administrator Brook and the professionals when possible. Administrator Brook does not see a problem but noted that they cannot be a part of negotiations or Closed Session. Council Member Garganio suggested that they be allowed to become involved to help applicants through the process after the subcommittee of Council has meet with potential developers. Council Vice President O'Hara will report back to the Economic Development Committee that there has to be a timeframe when they would become involved but would be after Council's subcommittee meetings with potential developers.

Council Member Ryan suggested that the Economic Development Committee design a marketing brochure to advertise vacant properties in the township to send out to developers. Council Vice President O'Hara stated that a subcommittee has been formed to work on a brochure.

10:40 PM MOTION by O'Hara, seconded by Sandusky to adjourn to Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

10:40 PM Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC  
Township Clerk

/mab