

FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION

September 14, 2011

8:00PM

CALL TO ORDER & FLAG SALUTE

Council Vice President Baldorossi called the meeting to order and led the Salute to the Flag.

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 2, 2011 and January 16, 2011; given to the Register News for information; posted on the municipal bulletin board.

ROLL CALL

Present: Frank Baldorossi, Sean Ryan, Jerry Sandusky, David Woolston, Dennis O'Hara (8:15PM)

Also Present: Mayor William Berry; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; William J. Kearns, Jr., Township Solicitor; Joy M. Weiler, Township Clerk

PUBLIC COMMENT

John Gonzales, 238 Fifth Avenue, discussed the trailers and/or recreational vehicles that are parked in the lot on South Street. Some of the trailers/recreational vehicles are abandoned with weeds growing over them and out of them. There is also dumping that takes place in that lot. He has a trailer parked there and keeps the area he is parked in clean. He would like the area cleaned up. Council Vice President Baldorossi stated that this issue is on this evening's Agenda to be discussed. There were pictures for the Council Members to look at. Council Member Sandusky stated that since the township is allowing residents to park their recreational vehicles on township property, the residents utilizing the parking lot should take care of the upkeep; he does not believe it should be a burden to the township. Mr. Gonzales stated that some of the vehicles are in such bad condition they should not be parked there.

Council Vice President Baldorossi announced that they would move ahead to Item D (Abandoned Vehicles) on the Agenda and continue with Public Comment following Item D.

ABANDONED VEHICLES

Assistant Administrator Sahol stated that he and Council Vice President Baldorossi went over the above concerns and reviewed the ordinance that can address some of these issues such as the vehicle being registered but inoperable. The boat owners would have to prove that their boat is seaworthy and that they use it during the season. Recreational vehicle owners should be able to demonstrate whether or not they have used their vehicle overnight at a trailer park by producing a receipt. These are some of the requirements that are being considered to include in the ordinance. Assistant Administrator Sahol would also like to require recreational vehicle owners to register with the township to be able to park on that lot; that is where the proof that the vehicles are operable and utilized would be provided. A permit renewal would be required so proof would be provided every year. Assistant Administrator Sahol explained that the township has to have proof positive; the township cannot assume that the vehicle has not moved.

Jerry Cohen, 7 Barbee Court, asked what the township can do if they have proof positive that the vehicle has not moved? Assistant Administrator Sahol stated that it would be treated as an abandoned vehicle and towed away.

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Assistant Administrator Sahol stated that requiring recreational vehicle owners to register for a yearly permit to park in the municipal lot and requiring proof that the vehicle is operable and utilized will weed out the problem vehicles. He also believes that the lot should be used for Florence Township residents only.

Assistant Administrator noted that the Public Works Department is still dealing with storm damage but once that is complete, they will begin treating and getting rid of the poison in the lot so the police can get in there and get tag numbers to look up the vehicle owners.

Administrator Brook stated that this is a solvable problem. The key is to create a very strict ordinance. The second step is to have every vehicle removed for two to three weeks so the lot can be cleaned, all the weeds are killed and removed, fresh stone is put down and signs are installed. Then the ordinance would be enforced and vehicle owners will have to get a permit from the township every year to park in that lot. In response to where the vehicles will park while the lot is being cleaned and rehabilitated, Administrator Brook stated that the vehicle owner will have to deal with that issue because the lot can never get under control until every vehicle is removed and a new ordinance is in place and enforceable.

Council Members are in favor to move forward with amending the ordinance.

PUBLIC COMMENT

Nothing at this time.

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

COAH PRESENTATION: KENT R. PIPES, SALT & LIGHT AND RHONDA B. COE

Kent Pipes, Salt & Light, thanked Mayor and Council for giving him the opportunity to speak with them and stated that Salt & Light is in the business of producing quality, affordable housing. He was pleased to report that they are finally underway with construction of their project at 340 Alden Avenue. The final three (3) panels of the roof went on yesterday and the building will be enclosed and fully weather tight by the end of October. He welcomed the governing body to come see the project.

Mr. Pipes stated that when they started the project five or six years ago it was taking a long time to get the financing together and the township contributed some of their housing trust fund, which Mr. Pipes very much appreciated. He hopes for a net zero energy building and he is pushing to have the building win the Governor's Award next year at the Governor's Conference, which will give Florence Township some recognition. This building will have aspects that are far superior than other buildings being built in New Jersey as affordable housing.

Mr. Pipes explained that this turned to a discussion of the needs of Florence Township and if there was anything Salt & Light could do to help the township to meet their obligations or desires to do affordable housing? It came up that Florence Township has an unmet need of 30 units that need to be acquired, renovated and managed as rental housing. Mr. Pipes introduced Rhonda Coe, a housing consultant that Salt & Light has worked with, to discuss this area of the township's housing needs. He believed there is an opportunity to go through the community and find homes that are for sale that need to be updated to current energy standards, upgrade these homes and provide long-term management so the homes do not deteriorate. Mr. Pipes believes that Salt & Light has established a

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responsible track record managing the properties that they own. He would like to discuss a way he thinks will work to implement an ongoing acquisition and rehabilitation project.

Ms. Coe stated that approximately three (3) months ago they met with Administrator Brook and presented seven (7) properties for sale in the community. They looked at the properties inside and did an assessment of what it might cost to renovate. Those properties are no longer on the market. Ms. Coe looked at some properties that are currently available and prepared a report on the prices and estimates on renovating the properties as well as what some of the soft costs may be. This will give the governing body an idea of how much it may cost to rehabilitate eight (8) properties. She reiterated that this is just an estimate. Once they are given the approval to move forward, they will firm up the numbers. She stated that some of the properties they visited need minimal work, such as some properties in Florence Tollgate that only need cosmetic work, but there were other properties that required extensive work. Ms. Coe asked if the township would prefer that they look at properties that need minimal work or extensive work? She noted that they are estimating the total project cost to be upwards of a million dollars. They would be looking for township funds as well as construction financing and financing through the State of New Jersey.

Mary Beth Lonergan, COAH Planner, asked how much money they would be looking for from the township for each unit? Mr. Pipes stated that they are looking for every dollar they can get. He explained that the state and federal resources have been cut back significantly and every agency wants to be the last to commit funds and wants to know where each dollar came from and why there is a need for more. Mr. Pipes estimates needing \$35,000 from the township for each unit and then \$35,000 to \$50,000 from the County, and \$20,000 - \$40,000 from the State.

In response to Council President O'Hara, Mr. Pipes stated that Salt & Light owns approximately 80 houses in four different counties in New Jersey, with a majority of the houses in Burlington County. They own a number of units in Florence and are building some units in Roebing. Salt & Light has a 25 year track record with a 25 person staff of maintenance, office and social workers. Adding five to ten houses may mean adding another person to the staff but adding houses also means adding cash flow. The staff regularly attends training programs to keep up on their skill level. Council President O'Hara asked how often a staff member visits a facility? Mr. Pipes stated that for transitional and supportive housing a staff member visits two to three times a week. There are strict laws regarding rental units and what a landlord can and cannot do, the landlord must give notice. A landlord cannot use their key and enter the unit at will. Salt & Light will abide by the law for rentals and make the appropriate appointments to check the rental units. Council President O'Hara explained that he asked because absentee landlords have become a problem in the community. He is in favor of anything that can be done to revitalize some of the homes in the community and provide a nice clean residence to a family in need but who can also pay the rent. Mayor Berry is also in favor of taking advantage of the opportunity.

Administrator Brook spoke highly of Mr. Pipes, Salt & Light and Ms. Coe. He noted that the township has to comply with its Affordable Housing Plan and stated that affordable housing is a positive for society. He sees this opportunity as a positive to rehabilitate some housing units in the community. He stated that it is a very good use of the COAH funds and expressed concern that if the township does not use the funds, the state may take the funds. He is asking Council to allow him to work with Mr. Pipes to craft a plan and report back. Administrator Brook is confident that the township will not end up with an absentee landlord when dealing with Mr. Pipes.

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Council Member Ryan asked if it is true what he has heard that the State of New Jersey if looking to secure the funds from the municipalities that the municipalities have collected in trust over the years? Solicitor Kearns stated that the State only comes in and takes the funds if the municipalities are not using them. Ms. Lonergan agrees and stated that Florence Township is ahead of the curve and has not only committed their funds by resolution but has also been expending their funds.

Ms. Lonergan highly recommends Mr. Pipes, Ms. Coe and Salt & Light and feels this is a win, win situation.

Council Member Ryan noted for the public that the township funds are not taxpayer dollars; the funds come from the COAH Trust Fund.

Ms. Lonergan noted that Florence Township has done a good job in serving a number of needs in the community and looks at this proposal as the last main push in the township's affordable housing plan. She believes \$35,000 per unit is a good price for the township.

Mr. Pipes stated that Florence Township needs 30 units and he is not asking for a commitment of all 30 units to them. He asked to do five to eight units to establish a track record; then if Florence Township is comfortable, they can develop a long-term plan for all 30 units. Mr. Pipes noted that they will hire local contractors whenever possible.

Council Member Ryan expressed concern regarding the uncertainty of COAH at the state level. Ms. Lonergan believes that every community will still have an affordable housing obligation.

Council President O'Hara asked if the state can take the funds if the funds are committed but not actually spent? Ms. Lonergan suggested the township approve a Resolution committing every dollar to a specific developer with a timeframe. Council Member Ryan asked why the township is looking to utilize the COAH funds as quickly as possible? Ms. Lonergan explained that there are a few reasons. The first is that the time is right that the township has a good, known, experienced nonprofit provider and there is a need in the township's certified plan to produce family rental houses; she believes that the township should commit, through municipal resolution, all of its trust fund money, she also believes that they will not get a better price then right now.

Council Member Ryan asked if these would be units that have children? Ms. Lonergan stated that these units are family units that already exist in the community.

In response to Council Member Ryan, Mr. Pipes stated that there are state statutes prohibiting Salt & Light from acquiring properties and having a tax exempt status. Solicitor Kearns explained that the units cannot be tax exempt but because there are restrictions on the property, the value may be impacted which may impact how much taxes are collected on the units. Council Member Ryan expressed concern that school age children create a \$13,000 - \$14,000 per pupil per year obligation to educate, yet the township would be impacting the value of what the municipality collects across the board. He believes the township should do their due diligence and look into the financial impact. Ms. Lonergan believes that the township has done their due diligence by adopting this plan. She believes that starting out with five to eight units will take approximately six months to get started and at that time it should be clearer what the governor is doing as far as COAH is concerned. Administrator Brook believes there would be more of a negative impact to the municipality if they were to do nothing; he has seen that with other municipalities that did nothing and fought COAH.

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Administrator Brook explained that Florence Township does not have to spend the funds in the COAH Trust Fund immediately; COAH is looking for municipalities to continue to move forward to comply with the plan. He also explained that not every unit is going to have three to four children; the units have to be marketed in a particular way.

Council Member Ryan stated that Florence Township is one of 80 municipalities that are in compliance and moving forward and asked what the concern is? Ms. Lonergan explained that it does not stop once a municipality receives certification; the municipality has to continually report to the State of New Jersey on what they are doing to meet their COAH obligation. This is approximately a quarter of Florence Township's plan that they would be moving ahead on. Council Member Ryan does not believe that Florence Township would have any problem showing that they have been in compliance. Ms. Lonergan noted that Florence Township still has to act, they cannot just say that they are going to have a Market to Affordable Program and not do anything with it; the township has to implement it. The township has not implemented any part of this part of the plan.

Council President O'Hara would like to see the township move forward with five to six units to show that Florence Township is moving forward in an area that they have been lacking. Administrator Brook stated that they will be reporting back again with a more definite proposal including financing. Council Members were in agreement to move forward with five to six units.

Mr. Pipes thanked the governing body.

TOWNSHIP ENGINEER

Hapco Petroleum: Release Letter of Credit

Dan Guzzi, Township Engineer, reviewed and recommended releasing the Letter of Credit. A Resolution will be prepared for next week's meeting.

Haines Industrial Center (700 Richards Run): Release Maintenance Bond

Mr. Guzzi reviewed and recommended release of the Maintenance Bond. A Resolution will be prepared for next week's meeting.

Roma Bank: Release Maintenance Bond/Letter of Credit

Mr. Guzzi reviewed and recommended releasing the Letter of Credit. A Resolution will be prepared for next week's meeting.

Wawa, Route 130 North: Release Maintenance Bond

Mr. Guzzi reviewed and recommended release of the Maintenance Bond. A Resolution will be prepared for next week's meeting.

2011 Park Improvement Project: Current Estimate No. 1

Mr. Guzzi reviewed and recommended payment of Current Estimate No.1. Council President O'Hara asked if the fence at Nyikita Field was part of this current estimate? Assistant Administrator Sahol stated that the fence at Nyikita Field is outside of the contract. A Resolution will be prepared for next week's meeting.

Bikeway Grant

Mr. Guzzi explained that this is the DOT Grant that was left open. Council Member Ryan previously requested that Mr. Guzzi look into the Florence Columbus Road area as a possible application for a

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continuation of the bike path (from Old York Road to Route 130). The cost estimate for Florence Columbus Road came in at \$187,000; the cost estimate for Cedar Lane came in at \$205,000. Mr. Guzzi recommended doing one but not both; either one is a continuation of the bikeway system, which makes it a strong application. Assistant Administrator Sahol believes that an application for Florence Columbus Road will score well and gets the township in immediate touch with the community. Mayor Berry expressed concern that the high school students walk on Cedar Lane from the school to the Wawa. Council President O'Hara asked if the developer of the solar farm would be making a contribution to the sidewalk fund per the Ordinance? Mr. Guzzi stated that applicant did agree to make a contribution in lieu of installing sidewalk. Council President O'Hara would like to apply for Florence Columbus Road and look into using the sidewalk fund for Cedar Lane. Council Members were in favor to move forward with the application for Florence Columbus Road. A Resolution has been prepared for later during the meeting.

2010 Road Program: Current Estimate No. 4 (Final) and Change Order No. 2

Engineer Guzzi reviewed and recommended Change Order No. 2 and payment of Current Estimate No. 4 (Final). A Resolution will be prepared for next week's meeting.

Greenbriar Horizon

Administrator Brook reported that representatives from town met with Lennar and Lennar has taken a very firm decision concerning Mr. Guzzi's report on Sections 3 & 5; they do not believe that they have to comply with them. There will be discussion regarding potential litigation, pulling the bond and notifying Greenbriar Horizon's Association of what the township is doing. As of right now, Lennar has no intention of addressing the items in Sections 3 & 5. Council Member Ryan asked for the report in writing. Administrator Brook will supply in writing. It was noted that Mr. Cohen of 7 Barbee Court, Greenbriar, was present for the discussion.

Shaver Drive

Engineer Guzzi, along with Assistant Administrator Sahol, met with several residents after they attended and voiced their concerns at last week's Council Meeting regarding the flooding after the significant rain events. Mr. Guzzi stated that the basin is in need of attention; there is four to six inches of accumulated silt, leaves and debris on the bottom that need to be scraped out and cleaned. Although there was not a lot of standing water in the basin when they were there, the basin was very soggy. He stated that the elevation of the emergency overflow has sunk over the years, which was causing some of the water to overflow onto Wilbur Henry Drive and beyond. The township has to do some work on the basin to get it to work properly.

Mr. Guzzi stated that the basin discharges to the municipal storm sewer; it weaves its way through town. He knows that there is a bottleneck in that system, which there is record of, and suggested replacing that section of pipe during the next road program to eliminate the bottlenecking.

Assistant Administrator Sahol stated that there are other basins that are similar to this. The basins are so overgrown he suggested opening the basins up so they get the sun and air and can be easily maintained. He may approach the residents that are effected, explain the situation and gage their interest in seeing these basins cleaned up so the basins can be used properly.

Parish Lane

Council Vice President Baldorossi asked Mr. Guzzi if the curb on Parish Lane was repaired? Mr. Guzzi stated that it was repaired.

ASSISTANT MUNICIPAL ADMINISTRATOR

Tenth Avenue Parking Ordinance

Assistant Administrator Sahol provided a copy of the Chief of Police's report outlining the issues on Tenth Avenue. The road is not wide enough to support on street parking with two (2) vehicles moving. An Ordinance will be prepared for next week's meeting and signs will be installed.

Auctions: On-Line and Bike

Assistant Administrator Sahol stated that bike auctions are not done on-line in order to give the children a chance to bid on them on a date to be determined. The other items will be auctioned on-line. A list was provided.

Council Member Ryan asked if after the children are given an opportunity to bid if the left over inventory of bikes could be added to the on-line site? Assistant Administrator Sahol explained that they could be listed as scrape on-line because that is what they turn out to be. The bikes are not in good condition.

A Resolution authorizing the two (2) auctions will be prepared for next week's meeting.

Recreation Appointment: Mayor's Appointment, 1 Year Term

Assistant Administrator Sahol explained that right now this is a FAAD appointment to Recreation but there is no longer a Community Alliance, so the Ordinance will be changed to a Mayor's Appointment.

Mayor Berry is presenting Jon Swanson to fill the unexpired term on the Recreation Committee, term expires 12/31/2011.

It was on the MOTION of Sandusky, seconded by Woolston to approve the Mayor's Appointment of **Jon Swanson** to the unexpired 1 year term on the **Recreation Committee**.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

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

NOES: None

ABSENT: None

Unanimous approval.

Landfill Expansion/PADEP Meeting

Assistant Administrator Sahol stated that he will be attending the meeting on behalf of the township.

ACTION

**RESOLUTION NO. 2011-176
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT
AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE BIKEWAY 2012 PROJECT**

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It was on the MOTION of Baldorossi, seconded by Ryan to approve Resolution No. 2011-176

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

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

NOES: None

ABSENT: None

Unanimous approval.

ROAD CLOSURE REQUEST

Joy Weiler, Township Clerk, received a request for a road closure for **St. Stephen's Church** from Broad Street to Spring Street on October 9, 2011 at 9:00AM. The church would like to have the emergency vehicles come and they will **bless the vehicles**. The Chief of Police recommended approval.

It was on the MOTION of Sandusky, seconded by Baldorossi to approve the above request.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

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

NOES: None

ABSENT: None

Unanimous approval.

MISCELLANEOUS

A Very Happy Birthday was wished to Assistant Administrator Sahol by all.

10:00PM MOTION by Ryan, seconded by Baldorossi to adjourn to Closed Session. Roll call vote – all ayes.

ADJOURNMENT

10:00PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC
Township Clerk

/mab