

FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION

May 9, 2012

8:00PM

CALL TO ORDER & FLAG SALUTE

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

SUNSHINE STATEMENT

The Opening Statement was read by the Township Clerk: Notice was sent to the Register News for information on 1-5-12; posted on the municipal bulletin board on 1-5-12 & placed on the web-site; sent on 12-21-11 to the Burlington Co. Times for publication on 1-8-12, but due to the newspaper's error, the notice was not published until 1-11-12.

ROLL CALL

Present: Frank Baldorossi, Ted Lovenduski, Paul Ostrander, David Woolston, Jerry Sandusky

Also present: Mayor Craig H. Wilkie; Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Administrator; Anthony H. Ogozalek, Jr., Township Solicitor; Joy M. Weiler, Township Clerk; James E. Biegen, Township Engineer; Russell Trice, Township Water & Sewer Engineer

PUBLIC COMMENTS

Council President Sandusky opened the meeting to the public.

Jack Ulmer, 200 West Front Street, said he thought the Day of Prayer held last week was very nice.

A MOTION was made by Woolston, seconded by Ostrander to close the public comments. Roll call vote - all ayes. Motion carried.

BUSINESS

Dr. Lou's Place, LLC – ABC License, Review Incidents

Administrator Brook explained that over the last year this establishment has become the most frequented by the police. Chief Law Enforcement Officer Captain Alvin Scully prepared a report for Mayor and Council outlining the incidents. Administrator Brook said that the police go where the problems are. He said that is why Lou Pica, owner of the establishment, was asked to come to the meeting tonight to discuss the issue.

Administrator Brook said last year there were more than 20 incidents involving Dr. Lou's Place. He said most of them centered on noise issues, but others were more serious. One incident involved a patron entering a nearby home and using the bathroom. He was removed by police and was very intoxicated. The incidents are getting magnified and becoming greater. Administrator Brook said the recommendation would be to hire security personnel for the weekend nights.

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He said it is not uncommon for the Township to recommend security as a condition to renew the license. The security personnel would pay particular attention to those gathered outside. It is a residential neighborhood; quality of life is an issue. The situation would be revisited in six to eight months. At this time there is not a recommendation for cameras.

Administrator Brook said all of the liquor licenses are reviewed every year for renewal. He would hope that if Mr. Pica takes these actions, he would not be called back to Council to discuss his license and problems with his establishment.

Lou Pica, 130 Shive Place, Burlington, owner of Dr. Lou's Place located at 1501 Hornberger Avenue, said he was not aware of the incident described by the Administrator. He said he was aware of the noise complaints and people do play music in his establishment. He said there is a neighbor who made it clear to him that they do not want a bar at that location. He said he heard that the calls were coming from that individual but cannot confirm it because he was not told who made complaints against him.

Administrator Brook stated he does not believe the complaints are being generated by one person. He said the police are there on a regular basis due to noise complaints. He said people gathering around outside the bar made a large amount of noise. He said that as the owner of the establishment, Mr. Pica needs to stay on top of things and do a better job of keeping people in line. He said the police have to regularly patrol the area of the establishment because they want to stop an incident from getting out of control.

Mr. Pica said he is always cooperative with the police and welcomes their intervention. He said he has a good relationship with them. He said he also does have video surveillance on his property. He said this is the first time he has learned that noise was a problem at his establishment. He said he was never informed by anyone that the patrons outside the establishment were disturbing the neighborhood. He said he is security for the bar, so if indeed the people are congregating outside, he will explain the problem to them himself.

He said he calls the police for help when people who are "flagged" refuse to leave.

Council President Sandusky said there have been 22 total calls and he would like to see a reduction with Mr. Pica's help. He said this license had restrictions on it before Mr. Pica had it; there have always been problems with this location. He said summer is coming and people will have windows open. He asked if the patrons outside could be moved to the Hornberger Avenue side of the building where there is more traffic to muffle some of the sound. He said he would like Mr. Pica to tell Mayor and Council what steps he plans to take to improve the situation. He said security is an issue.

Mr. Pica said he would like a breakdown of the calls made to police and how many were from him personally.

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Captain Scully provided a breakdown of the calls. He said that for some of the calls the same person was removed from the establishment numerous times. He advised that if this person was a regular, he should not be allowed back. That would cut down on some of the problems. He said Mr. Pica needs to train his patrons to act acceptably in his bar. Captain Scully said that there needs to be an acceptable level of noise where the patrons can enjoy the music but the neighbors retain their quality of life. He said the police do not want to be there all the time. He said an officer told him that Mr. Pica thought the police presence was damaging his business. The same officer has commented that Mr. Pica has been more cooperative.

Mr. Pica said that there was an incident when an officer stood right outside the door of the establishment for an extended period of time and Mr. Pica said he had numerous inquiries from patrons about why the officer was standing there. He said the officer was there talking to someone, but he felt it did hurt his business.

He said he would not mind moving his “smoking” section to the front of the building, but claims some the people are bar patrons that won’t listen to him.

Council President Sandusky said he needs to make sure people listen to him. He stressed that the butt bucket needs to be moved to the front.

Mr. Pica said he does try to call when there are problems. He said he has a problem after he has someone removed and the person tries to return at a later date. He said sometimes he does relent because he loses more business because they take other patrons to other establishments. He said many of the problems are domestic in nature.

Mr. Pica said he is the primary security person; it is very costly to hire a person to provide security.

Mayor Wilkie said he is to call the police whenever there is a problem. The situation is currently unacceptable; there are too many incidents. He said the other licenses do not have the number of calls his bar has. He said it needs to be straightened out and there needs to be someone there on the weekend nights. He said the Florence Township Police will not be his security officers.

Mr. Pica said he does not think having a security person will work for patron control. He said the incidents would still happen if there was someone there. He thinks it would only help with the congregating and noise outside the bar.

Administrator Brook said the situation has the potential to be dangerous. He said the Township has dealt with this kind of situation in the past and it needs to be brought under control. He said he does not agree that Mr. Pica did not know there were issues. He said it is the responsibility of the bar owner to keep people in line and move them along if necessary.

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Council President Sandusky asked Captain Scully if Mr. Pica could be security on at night as Council has requested? Captain Scully said Mr. Pica needs to control his patrons and remove problems before things escalate. He also said the police will not come and escort the same people out of the bar time after time. He said Mr. Pica needs to be more in control of his establishment.

Council President Sandusky suggested that Mr. Pica and Captain Scully sit down and discuss the situation and what can be done to control the problem. He said when there are issues, Mr. Pica needs to call the police before it gets out of control.

Administrator Brook said the bar personnel need to be trained to see when a patron needs to be “flagged” and the employees need to know how to diffuse a situation before it escalates. He said if people are asked to leave and repeatedly return, the owner needs to be sure they are not let back in.

Councilman Baldorossi said if the smoking section was moved to the Hornberger Avenue side of the building, the issues would be cut in half. He said having people on the main road will buffer the sound.

Mr. Pica would like to put an awning on that side of the building. He was advised he would need to consult the Construction Code Official.

Administrator Brook said it all comes down to having control at the establishment. He said he would like to meet with Mr. Pica and the Captain to finalize a resolution to address the situation. All agreed to a meeting.

Water & Sewer Engineer

Estates at Crossroads: Request release of Water & Sewer Performance Bond #043337

Russell Trice, Water and Sewer Engineer, inspected the site and he does not recommend releasing the bond. He said the normal punch list items were fine, the problem is the way the lines were installed. He said the “as built” drawings submitted after completion showed that some lines are almost flat. There are others that are below the minimum slope required. He said it could mean that solids can settle in the lines and cause odor problems and cause clogging. It would be a continuing problem.

It was on the MOTION of Baldorossi, seconded by Woolston to prepare a Resolution denying the release of the bond. All ayes – motion carried.

Mayor Wilkie asked how the problem can be fixed.

Engineer Trice said there will be no easy fix. There are two lengths of lines between two manholes that are the worst. He said one is an end line so it can be raised easier than the others, but the other section is in the middle of a number of runs of manholes.

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To fix the problem there would need to be about 800 feet of new lines run and the road would need to be ripped up and repaved. He said the contractor would have to make a major financial contribution to the Township of Florence if they don't fix the problem.

Councilman Woolston questioned how the problem was not discovered during an earlier inspection.

Engineer Trice said the people out doing the inspections are not surveyors. He said they are not measuring when they inspect.

Councilman Woolston asked if the lines were TV'd. Engineer Trice said he believes the township did, but the contractor did not.

Councilman Woolston asked if in the future the lines could be checked during the building process?

Engineer Trice said that to this point the lines were the contractor's responsibility because they are under the performance bond. He asked the Director of Water & Sewer, David Lebak, to jet the line to see if there are any problems right now.

Township Engineer

Pulte Homes, Estates at Oak Mill: Review No Parking Regulations

Engineer Biegen said in order to determine what side of the streets will be no parking, he looked at factors including optimal parking and safety issues such as where the fire hydrants will be placed. He presented an exhibit showing in red where there will be no parking. He said the exhibit and a written description will be included with the Ordinance.

Mayor Wilkie said essentially this switches no parking to the side of the street with fire hydrants. Engineer Biegen confirmed.

Assistant Administrator Sahol said now that there is a description from the Township Engineer, the parking can be put in place by Ordinance.

Mayor Wilkie explained that the State of NJ allows for a contractor to put in a more narrow road, but there is only parking on one side. The developer can save money on materials and labor by doing a more narrow street.

Boat Dock, Marine Maintenance: Approve Estimate #1

Assistant Administrator Sahol said Engineer Dan Guzzi recommended approval. A Resolution approving Estimate No. 1 will be prepared for the next meeting.

2009 Bikeway: Approve Final Estimate #6

Assistant Administrator Sahol said Engineer Guzzi recommended the estimate be approved. A Resolution approving payment will be prepared for the next meeting.

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Assistant Administrator

Assistant Administrator Sahol explained that there will be a Resolution authorizing the Mayor to sign for the parcel of land the township is purchasing in the country area. He said settlement will be June 12th or 13th.

Township Administrator

ABC Licenses

Administrator Brook asked if there were any questions about the report presented to Mayor and Council about the ABC License renewals. He said he spoke to the Police Chief Law Enforcement Officer, Captain Scully, about a license holder and it is documented. The license holder has been extremely cooperative and he is providing additional training for his employees.

Clerk Weiler said most of the owners of ABC Licenses have filed their renewal applications and are ready for Council's review and consideration at the next meeting.

Second Avenue Parking

Administrator Brook said there has been permit parking on the 100 block of Second Avenue for a year and Council now needs to review the Ordinance. He said he did not receive many calls after the first few months. He said it is a good opportunity to open the discussion and perhaps ask the residents to attend and share their thoughts.

Mayor Wilkie said there have been complaints. He said that many times there is no parking available in the area except for the 100 block of Second Avenue.

Councilman Lovenduski said he has heard many complaints, but promised one resident she will have an opportunity to speak in favor of the permit parking. He suggested the residents be invited to attend a meeting.

Administrator Brook will hand deliver notices to the 100 blocks of Second and Third Avenue and invite residents to provide input at the June 13th meeting.

Rocco's – Release Performance Bond

Administrator Brook explained that he received a letter from Rocco's requesting a release of his performance bond. Engineer Guzzi said all but the replanting of five trees has been completed. He said he recommends releasing contingent upon the planting of the trees.

Mayor

Nothing at this time.

At this time Council President Sandusky opened the meeting to the public, again.

Joseph Csik, 108 Fifth Avenue, said Council should not be catering to the residents of Second Avenue. He said when they moved into their homes, they knew what the parking situation was there.

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Council President Sandusky said that as a courtesy, the parking was tried, and Mayor and Council are going to weigh the pros and cons after the year trial and decide if it will revert back to non-permit parking.

A Motion was made by Ostrander; seconded by Woolston to adjourn. Roll call vote- all ayes. Motion carried.

ADJOURNMENT

8:50 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC
Township Clerk

/aek