

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**January 15, 2014**

**8:00PM**

### **CALL TO ORDER & FLAG SALUTE**

Council President Lovenduski 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; posted on the municipal bulletin board; placed on the web-site on January 9, 2014; and advertised in the Burlington Co. Times on January 12, 2014.

### **ROLL CALL**

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

Also present: Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Administrator; Kelly Grant, Esq., Township Solicitor; James Biegen, Township Engineer; Russell Trice, Water & Sewer Engineer; Joy M. Weiler, Township Clerk

### **PUBLIC COMMENTS**

Council President Lovenduski opened the meeting to the public. No comments.

MOTION was made by Ostrander; seconded by Sandusky, to close the public comments. Roll call vote – all ayes.

### **BUSINESS**

#### **Township Water and Sewer Engineer**

##### **Cedar Lane Tank Bids**

Engineer Trice explained bids were received January 9, 2014 for the Cedar Lane water tank cleaning. Four were received; the low bid was reviewed and complies. Bids were taken in the fall but the lowest bid had to be thrown out because it was not complete. He said he recommends awarding to the lowest bidder at this point. Florence Township will save about \$130,000 from what was bid in the fall. The lowest bidder is a well-known painting contractor that has done work for the Township of Florence in the past.

Councilman Sandusky asked if there was a warranty on the project? Administrator Brook said there is a two year maintenance bond. He said if you look at the tank on Florence-Columbus Road and then look at the tank on Cedar Lane, it is apparent the tank on Cedar Lane is an older style tank. The older style tanks are extremely difficult to maintain because they grab condensation underneath. It needs to be done now to keep the tank in shape. The one on Florence-Columbus Road does not require the same level of maintenance; it is a better design.

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The contract will be approved at the Regular Session meeting immediately following this meeting tonight.

### **Township Engineer**

#### **Deny Request for Release – Harkins Plaza Maintenance Bond**

Administrator Brook explained that Engineer Dan Guzzi provided a letter recommending denying the release. Clerk Weiler said there is documentation supporting the denial and there is a resolution prepared for the Regular Session this evening.

Administrator Brook said the developer has the letter and has had it for a while. If they make the required repairs, they can again ask for the release. To protect the municipality's rights legally, the request must be denied formally. Harkins Lane has been in some turmoil because the property owner passed away. If it is not denied tonight, it would automatically be released.

#### **Approve Request of Release – 2126 Old York Road Maintenance Bond**

Administrator Brook explained that some of the older projects are still reviewed by the former Township Engineer because the cost to the applicant to have a new engineer review the project from the beginning would be huge.

Administrator Brook reviewed Engineer Guzzi's report and said it was recommended that the Maintenance Bond be released. This will be approved at the Regular Session this evening.

#### **Proposed Hornberger Avenue Improvements – Status Report**

Engineer Biegen provided hand-outs to Mayor and Council. The provided information involved the estimated costs and scheduling of the project.

Administrator Brook requested an overview for those members of the public that were not familiar with the project.

Mayor Wilkie said the Steel Mill has been owned by Florence Township since the late 90's. The EPA has control over the site until it is cleaned up. The town has spent the last 15 years working with various developers. Any prospective developer will need to work with the EPA regarding what would be required for the finished project. Another issue centers on what the township would like to see on the site. Access is also a big concern for the site. There is an old road that goes in through Mansfield that could be tied in and would not have as much impact on the community. There would have to be a bridge that would be quite expensive. Another option was changes to Hornberger Avenue. The final suggestion was to tie into Fairbrook Drive.

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The traffic study that was done showed that the best option was to improve Hornberger Avenue and Route 130. Council discussed the options previously and decided to make improvements to Hornberger Avenue. There are areas that will need to be widened. The engineer was told to provide a time line for the improvements, and that is what he was to present tonight.

Administrator Brook said the site has been vacant for about 40 years and there has been no tax revenue from it. Right now there is EPA remediation. Florence Township has been working with the EPA. There has been some progress such as the Roebling Museum and the slag area. One of the last pieces now is the development of the site. Without access the site is almost undevelopable. This accomplishes the goals of providing better access to the site and creating an opportunity for a streetscape at the entrance of the Village of Roebling. Developers need to be encouraged to come to the site.

Engineer Biegen said the first part of the project would be to get all the required permits and have everything in place; then construction could begin.

Administrator Brook said the DOT has been very cooperative and are supportive of the plan prepared by the engineer.

The project would be bid and the realignment would take about one year. There would be streetscape improvements and two lanes in each direction. There would also be a bike trail and landscaping. The cost for the project not including acquisition of parcels would be about \$4,550,000.00.

Engineer Biegen reviewed some maps that showed possible acquisitions. He also reviewed the FEMA Map showing the flood hazard area on Hornberger Avenue.

He said after reviewing all of the options, the best seems to be realigning Hornberger Avenue.

Administrator Brook explained that the some of the projects undertaken in the past have led to positive development, such as running water and sewer on Route 130. There was a second water tower installed. One tower was not enough for the entire community. All of these set the stage for the development that was to come years down the road. This is a similar concept. The Steel Plant has sat vacant for over forty years. The question is how to get access to the site. This is good not only for the development of the site, but also for the community.

A bond ordinance will need to be put in place. This is an Area in Need of Redevelopment. When a developer does develop it, the township may be able to recoup a portion of the funds being used. There are also State of NJ incentives that will help with the costs. This is the first step in the process and it needs to be done in a methodical way. The site needs to be made ready to make it attractive.

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Mayor Wilkie said the access is a key element. There will also be a draft RFP so a developer can work with the DOT for the end capping and whatever else needs to be done.

Administrator Brook said the property is ready for purchase. There are only a few finishing items that need to be addressed. Capping would be part of the developer's plan. The biggest impediment to developing the site is access.

Council was in agreement to move forward. All agreed it is a good plan. Council President Lovenduski said the Township will need to spend money to make money.

At this time the meeting was opened to the public for comments on the Hornberger Avenue Improvement Project.

Joseph Csik, 45 East Fifth Street, asked if there will be any people affected by the changes to the roadway? Mayor Wilkie explained that the area in question is from Route 130 to the Steel Mill site. There are two parking lots, an empty lot and two businesses. There are two homes that are in a flood zone. The owners hope for the township to purchase the properties from them. The township is looking into grant money for the purchase of the two homes. Mayor Wilkie explained that the plans are in a preliminary stage right now, and Mr. Csik's concerns are noted.

Administrator Brook said the discussion right now is a draft. Once there are guidelines and policies the engineer will return to present a more formal plan. It will be presented on screen so everyone will be aware of what will happen.

Bill Bott, 64 Riverbank Drive, asked about the improvements on Route 130 and how it relates to this project? Mayor Wilkie explained that both projects will be tied together. The engineer has been working with DOT to make sure the traffic numbers and flow are compatible.

### **Approve Release of Bond – Platinum Developers, The Manors – Phase II**

Engineer Guzzi's report recommended releasing the bond.

### **Assistant Municipal Administrator Cell Tower Land Lease Proposal**

Assistant Administrator Sahol said there was a packet of information provided to Mayor and Council. There is a cell tower developer that would like to place a monopole, free standing pole, on municipal property. The carrier is Verizon. They are interested in placing it at the Water and Sewer facility. There is space available. Director of Water and Sewer, David Lebak, was very comfortable with providing property for the tower. As a gesture of good will, the company is willing to let Florence Township place an antenna on the tower that would help for communication for Water and Sewer and Public Works.

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The space would need to be bid. Councilman Ostrander asked for specifics on the tower. Assistant Administrator said the tower is 120' feet in the air and it will be nowhere near any lines. It is going to be placed in an isolated area on the property.

All were in favor of bidding for the lease of space for a cell tower. A resolution will be prepared for a future meeting.

### **ABC License Transfer: Town Liquor**

Clerk Weiler said the application is in order and it is on the agenda for approval at the next meeting. The effective date is going to be February 3, 2014. The future owners, Jay & Pinali, LLC, were present at the meeting. They introduced themselves and were welcomed by Mayor and Council.

### **Discussion of Maintenance Bond Requirements – Municipal Land Use Law**

Administrator Brook explained there was a general discussion about Maintenance Bonds. A Performance Bond is required by the State of New Jersey for developers. It encompasses all of the improvements that are to be done. There are many obstacles facing commercial developers and one of them is a Maintenance Bond. The Performance Bond ensures everything was done correctly and as approved. For some smaller projects it is very burdensome to have to get a Maintenance Bond. Once a project is completed in the township the business owner is required to maintain the property. He feels the Maintenance Bond is not necessary. He spoke to the Township Engineers and both believe the Maintenance Bonds should be waived on non-residential sites. The bonds are held for two years and are a burden. They are for private property. The Performance Bonds are not released until all requirements are satisfied.

Engineer Biegen said in his experience it has been good practice to waive the Maintenance Bond for site work on a property. The work is inspected several different times before a Certificate of Occupancy is issued. The bond can be waived for all or can be decided on a case by case basis. Larger sites might require more bonding, or certain improvements, such as buffering, might require a Maintenance Bond.

Administrator Brook said it is going to be good for businesses and private developers. With the economic problems everyone is facing right now, it will give the township another competitive edge to help the community without compromising the safety and quality standards.

Council President Lovenduski believed it should be looked at on an individual basis. There are some developers that he thinks should be required to have a Maintenance Bond. All were in agreement to amend the ordinance to make requiring Maintenance Bonds a case by case situation.

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It was the MOTION of Sandusky; seconded by Baldorossi to work with the Township Professionals to amend the ordinance.

Upon roll call, Council voted as follows:

AYES: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None

A draft will be prepared in a few months for review.

Unanimous approval.

**Yacht Club Lease Renewal**

It was the MOTION of Sandusky; seconded by Woolston to renew the lease with the Yacht Club:

Upon roll call, Council voted as follows:

AYES: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None

Unanimous approval.

**PUBLIC COMMENT**

Mr. Bott inquired about the cell phone tower on Route 130 near the NFI site. Mayor Wilkie explained there have been issues with the carrier and it is something the township is working on. The tower will be removed.

Mr. Csik asked what was being done to the water tower? Engineer Trice explained it is going to be power washed and painted. It was inspected and it was determined it needed some maintenance. The bids were prepared by the Engineer. Administrator Brook said the tower needs to be maintained so it does not deteriorate. He explained the need for two working towers in the township, especially with all of the new construction happening that will bring more people to the town.

8:52 PM – A this time the meeting continued into the Florence Township Council Regular Session.

**REGULAR SESSION MEETING**

**MINUTES**

Sandusky made a MOTION; seconded by Ostrander to approve the following minutes. Roll call vote – all ayes. Motion carried.

- Township Council Closed Session – December 18, 2013

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**FINANCIAL CORRESPONDENCE**

It was on the MOTION of Sandusky; seconded by Ostrander, to receive and file the Chief of Police, Court Administrator, Township Clerk, Tax Collector and Water and Sewer Reports for December. Roll call vote – all ayes. Motion carried.

It was on the MOTION of Sandusky; seconded by Ostrander to approve the **Treasurer's Bill List**.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Motion carried. Unanimous approval.

**REGULAR CORRESPONDENCE**

None at this time.

**APPLICATIONS**

None at this time.

**PUBLIC COMMENTS**

Seeing no one wishing to be heard, it was the MOTION of Sandusky, seconded by Ostrander to close the public portion of the meeting. All ayes.

**RESOLUTIONS**

**RESOLUTION NO. 2014-38**

**Award of Professional Services Contract to  
J.H. Services, Inc.**

**RESOLUTION NO. 2014-39**

**Deny Request to Release Maintenance Bond  
Harkins Lane Plaza, LLC**

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**RESOLUTION NO. 2014-40**

**Approve Indemnification Agreement  
with Title Company  
for Marcella L. Duffy School Property**

**RESOLUTION NO. 2014-41**

**Approve Request to Release Maintenance Bond  
2126 Old York Road  
Block 168, Lot 15  
(Conditioned upon payment of any escrow funds due)**

**RESOLUTION NO. 2014-42**

**A Resolution Cancelling Taxes on a  
Property Owned by a Totally Disabled Veteran**

**RESOLUTION NO. 2014-43**

**A Resolution Cancelling Taxes on a  
Property Owned by a Totally Disabled Veteran**

**RESOLUTION NO. 2014-44**

**Approve Release of Performance Bond for  
Platinum Developers, LLC  
Manors at Crossroads, Phase II  
Performance Bond No. 1024184  
(Conditioned upon payment of any escrow funds due)**

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**RESOLUTION NO. 2014-45**

**Approve Alcoholic Beverage Control License  
Person to Person Transfer  
Plenary Retail Distribution License  
2117 Route 130 South, Florence, 08518  
From Hiral Kimi Inc.  
To Jay & Pinali LLC  
License No. 0315-44-010-004**

**RESOLUTION NO. 2014-46**

**Award Contract for Cedar Lane Water Tank Painting  
To Corrosion Control Corp., 177 US Route 130,  
Pedricktown, NJ 08067**

**RESOLUTION NO. 2014-47**

**Transferring Certain 2013 Budget Appropriations**

It was the MOTION of Ostrander, seconded by Woolston to approve Resolution No. 2014-38 through 2014-47.

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Motion carried. Unanimous approval.

**ORDINANCES**

None at this time.

**REPORTS**

**Committees, Boards and Officers**

**Mayor**

Mayor Wilkie said Township Code requires that the Recreation Coordinator be appointed annually. He recommended *Martin Eckert as Recreation Coordinator*.

It was the MOTION of Sandusky; seconded by Ostrander to appoint Martin Eckert as Recreation Coordinator.

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Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Motion carried. Unanimous approval.

**Administrator**

Administrator Brook said the Township CFO, Sandra Blacker, provided a memo in the last packet informing Mayor and Council that the Township sold Bond Anticipation Notes. The funds will be used for property on Hornberger Avenue. A formal report will be provided for Mayor and Council, he just wanted it noted for the record.

**Assistant Municipal Administrator**

Assistant Administrator Sahol said at the recent Recreation Committee meeting a question was raised by the Riverfront PTO requesting donations of free sports registrations for the upcoming Basket Bonanza. The Township will provide two certificates to be bid on.

It was the MOTION of Sandusky; seconded by Woolston to approve the certificates to be donated to the event.

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Motion carried. Unanimous approval.

**Division of Law:** Nothing at this time.

**Division of Engineering:**

Engineer Biegen stated that the bids have been advertised for the **Roads Project** and the **Community Development Block Grant**.

**Division of W & S Utilities:** Nothing at this time.

**Unfinished Business:** Nothing at this time.

**New Business:**

Mayor Wilkie said the **D.A.R.E. Graduation** for fifth grade at Riverfront School will be held January 22, 2014 at 6:00 pm. There were invitations provided in the packets.

**Board of Health:** Nothing at this time.

**Miscellaneous:** Nothing at this time.

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**Public Comments: Open to the Public**

Seeing no one wishing to be heard, it was the MOTION of Woolston, seconded by Sandusky to close the public comment. Roll call vote - all ayes.

**ADJOURNMENT**

8:57 PM: Meeting adjourned.

Respectfully submitted,

Joy M. Weiler, RMC/MMC  
Township Clerk  
/aek