

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**November 12, 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: Mayor Craig H. Wilkie; Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Administrator; Kelly Grant, Esq., Township Solicitor; James Biegen, Township Engineer; Joy M. Weiler, Township Clerk

### **OATH OF OFFICE**

Mayor Wilkie called for Acting Police Chief John Bunce and **Sergeant Candidate Nicholas Czeipel**. Officer Czeipel's girlfriend, Nicole Eckley, held the Bible while the Oath of Office for Sergeant Czeipel was administered by Mayor Wilkie.

Acting Chief Bunce thanked Mayor and Council and Administrator Brook for moving forward with the promotion of Sergeant Czeipel. Sergeant Czeipel started with the Police Department in 2005. He is very proud of Sergeant Czeipel and has seen him grow to his position now. Acting Chief Bunce has full faith that he will conduct the position of Sergeant in an excellent manner. Sergeant Czeipel is very deserving and he can't think of a better person for the position. He congratulated Sergeant Czeipel and thanked everyone, including the officers, for coming out to support Sergeant Czeipel.

Sergeant Czeipel thanked Ms. Eckley for all of her support. He thanked his family for being there for him and supporting him for his entire career. He thanked his friends and fellow co-workers. He thanked the Acting Chief and the Captain and Sergeants for guiding him. He would not be the officer he is today if it wasn't for them.

Mayor Wilkie thanked Sergeant Czeipel and said the officer's job is not easy. Sergeant Czeipel was right when he mentioned the need of support from family. It could be near the end of a shift but if a call comes through, the day just got changed.

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He appreciated the commitment and dedication of the officers. They stick together, work together and have each other's backs. The department is a team. Mayor Wilkie stated that former Mayor Bill Berry told him when he took office "take care of my town." He had a special closeness for the Police Department. Mayor Wilkie said the officers put their lives on the line every day. He is grateful. He thanked the families that were in attendance for their patience and understanding. No one knows what will happen from day to day. He thanked everyone for attending.

At this point there was a brief recess.

### **PUBLIC COMMENTS**

Council President Lovenduski opened the meeting to the public.

Seeing no one wishing to be heard, it was the MOTION of Ostrander; seconded by Sandusky, to close the public comments. Roll call vote – all ayes.

### **BUSINESS**

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

##### **Sewer Service Amendment Request – Carty Property: Burlington-Bustleton Road**

Administrator Brook explained John Carty and Pastor David Boudwin were present this evening. Mr. Carty owns the property at the end of Cedar Lane. He presented a request to the township to consider amending the wastewater plan to potentially service that property and the Fountain of Life property. Mr. Carty provided an outline of the reasoning behind the request that was provided in the packets earlier. Mr. Carty does not expect an immediate answer but hoped for one some time in December. He is aware of challenges the town has faced over the years in considering extending sewer service to parts of the country area. When sewer service was extended to the high school the New Jersey Department of Environmental Protection did not allow the extension to go to the entire property. It was only to specific building locations on the property and it took several years. It was quite a challenge to deal with the NJDEP.

He noted there are reasons for Mr. Carty's request. He also pointed out that Pastor Boudwin and the Fountain of Life have a long standing and very positive relationship with the township. They are an asset to the township.

Mr. Carty thanked the Mayor and Council for letting him discuss the issue with them. He gave an overview of where his property and the Fountain of Life property are located.

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He said the request is a joint request for the Carty properties and the Burlington Assembly of God, commonly known as the Fountain of Life.

The wastewater could be run contiguously right through all the properties being proposed for connection. He recognizes the concern the township has expressed about opening sewer up to the agricultural area. He referred to a constraint map that was in the 2007 Master Plan update. The update indicated there were 369 developable acres in the township. They were shown in purple on the constraints map. If the request was granted there would be no developable acres in the area. The wetlands would block it going any further.

He said regarding the Carty properties, he would like to make it a win-win for the township and himself. The township has been very successful in enticing many good companies to come to Route 130. He would like to add to the attractiveness of the area so some of the corporate executives could relocate. He is not downplaying other areas of the township but some of the executives like very fancy special things. There are no plans now but he would like to offer it as a show piece to be a nice residential area similar to Sutton Heights. His hope is that the executives would see there are nice attractive houses nearby to their corporations. It couldn't be done without the sewer availability. Residences do have certain impacts such as children enrolling in the schools. His thought is to put the school kids in the nicest house they can be in, so if there are going to be expenditures for school children, there would be more tax revenue for the township.

Council Member Sandusky took exception to the idea Mr. Carty was indicating that these children were more important than the children on the other side of the highway. He found it to be offensive. He didn't understand why children were even part of the discussion regarding water and sewer lines.

Mr. Carty apologized and said he had no intention of offending anyone. His point was that he is very limited with what he could do with the property. It would be more attractive if there was sewer and water.

At this time David Boudwin and Daniel Clopine of Fountain of Life addressed the Mayor and Council. Pastor Boudwin said he understood this was a big subject and not just two property owners wanting water and sewer. He said there are four organizations on the property of 106 acres, the church, a school, a pre-school and the athletic facility.

There are about 1,200 people every Sunday for services. For Christmas and Easter the church puts on a large dramatic presentation that draw about 60,000 people combined. There are 35 full and part time employees on a daily basis at the church.

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The school is kindergarten through 12<sup>th</sup> grade with 264 students. Nineteen are from Florence and Roebling. The average cost per student is about \$17,000 so there is a savings to the township. There are 49 teachers and staff. There is also the pre-school with 59 children and ten teachers and staff. In the larger building there are basketball courts and indoor soccer. The voting location was moved into the new building this year. There are 418 people using the facility every day.

There are two wells that provide water to all the buildings. The regulations are becoming more stringent on well and septic for public facilities. The state tested and found some bacteria. He provided a list of the costs involved and the total was \$21,000 over the last three months. The strict levels the State of NJ has set are causing a hard situation for the organization. The October tests were normal, so the facility is able to use the well water again.

The sewer is a septic system. There is septic that is adequate for the buildings but it does get taxed during the Christmas and Easter productions. There are many people at one time. The facility is also a Burlington County Emergency Shelter. It is one of the few shelters in the State of NJ that provides medical and kennel services to evacuees. The shelter was activated twice, once during Hurricane Irene in 2011 and during Super Storm Sandy in 2012. During Super Storm Sandy at one point there were 255 people living at the shelter. That is an additional challenge without public water and sewer.

These things were part of the reason for his request. He is requesting, along with Mr. Carty, that the township investigate the possibility of bringing water and sewer to the properties discussed. They understand there is a large cost involved and they are willing to help with the cost. He knows it is a bigger problem for the township than just the cost. There is the Master Plan and the NJDEP. There is a lot of activity on the Fountain of Life property. When the building was constructed, a request was made to put working bathrooms on the soccer fields but it was not feasible without the water and sewer.

He said this was the plea and the situation for the facilities at Fountain of Life. The bacteria problem was a big issue and could be an issue again in the future that costs the organization much more money. He appreciated the consideration.

Mayor Wilkie said Pastor Boudwin alluded to water. With water, the issue comes down to money and the ability to get the water there. Water is permitted in the Master Plan throughout the community. There are probably certain things the state would be involved in. Knowing the debt structure of the Water & Sewer Department, there is no funding easily available. The debt drop is several years away. The main issue is financial. The goal has always been to provide water.

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The issue with sewer is that Florence drew a line in the sand in 1988 when they fought and won a battle with a company called AQN. They wanted to put in a massive development on the Burlington Township border. That is one of the reasons there is no sewer there. Even if the zoning requires three acres per house, if there was sewer, the zoning could be overturned by the courts.

Mayor Wilkie said he is not speaking for Council but there have been thoughts about seeing where there are areas that sewer and water should be extended. There is an area adjacent to Route 295 that calls for development that would require sewer. However, it would need to go through an area that does not have sewer. The question becomes what does that do to the community? The one message he has received is that the township does not want more houses. There are a number for sale and there are a lot of abandoned homes due to the economy.

He told Mr. Carty the township is not looking for residential development right now. In addition the property is not in the sewer service area and if the township did that it would be encouraging housing. The sewer capacity has been set up for commercial and industrial. There have been improvements on Route 130 and there is potential on Cedar Lane. In the long term the steel plant will be developed. Right now the sewer capacities are there for these projects. If the township amended the Master Plan and encouraged growth in an area that was not planned for growth the township would be short-sighting itself regarding the sewer plant. The township is trying to encourage commercial development, not taxing the schools. One of the things he has heard very clearly from people is that there are enough houses. The area needs jobs and places that provide employment. As far as needing populations to attract a larger grocery store, the proximity to the Delaware River and Tullytown negate that possibility.

Administrator Brook asked Pastor Boudwin if water was the more pressing issue? Pastor Boudwin confirmed that was the case.

Mayor Wilke said he understood the extension to the high school also restricted the size of the facility. The lines were a certain size so that expansion would not be possible. Administrator Brook said extending sewer is always more difficult in New Jersey through an agricultural location. It took years to get the state to agree to let it go to the high school property. Even there it was sent to only the building locations. It doesn't cover the whole property.

Pastor Boudwin said from what he is hearing there is a possibility for water but finances are the issue. Administrator Brook said there are two issues. One is the finances. The other is the adequate treatment of the water. The further it goes out in the system, the more the treatment begins to dissipate. It can be done. A cost analysis could be provided and the routes need to be decided.

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Pastor Boudwin said if those issues could be looked at, he would be willing to sit down and talk about some type of partnership. The drinking water is almost at critical for his property.

Mayor Wilkie said the Fountain of Life has been a great partner to the community over the many years it has been here. The township will do whatever it can within reason. This will be a budget discussion so it might take a little time.

### **Reduce the Water & Sewer Bond for NFI, Phase IIIA, Building C**

Administrator Brook said that Russell Trice, Water & Sewer Engineer, provided a letter dated November 3, 2014 recommending the bond be reduced. The reduction would be to the statutory minimum of thirty percent.

### **Release Water & Sewer Maintenance Bonds: Crossroads East**

Administrator Brook explained there are two primary bonds for Crossroads East. This bond is a secondary bond. This deals with the water and sewer mains in the street.

The site work bond is not ready to be released. The release was denied by Council shortly after the request was made. Special Engineer Dan Guzzi, who is familiar with that development, had recommended not releasing the bond.

There was a resident from the development in attendance. Administrator Brook and Engineer Guzzi met with the resident and her Homeowner's Association manager. At this point the township is continuing to work with the developer. There are some items that still need to be addressed and there are items that the Water & Sewer Director needs to look at regarding the private sewer laterals that enter the homes. This bond expires so it was held until the last moment. If it is denied, there needs to be specific proof that there is an issue with the water or sewer mains. There are no issues with the mains at this point.

The site bond is different. It is held as long as possible. When the release is denied, the bonding company is notified as well as the developer. This gives additional protection to the municipality and to the residents. It is possible the developer will not complete all the site work. If that is the case, they would be held to a standard for the spring. If by chance the developer gave no indication, they were going to do the work the township would put the bonding company that it would do the work and then go after the bond. The site work really should be done. Primarily it is landscaping.

### **Township Engineer**

#### **NFI Bond Release for Phase II and III Site Clearing**

The Township Engineer Biegen said the inspection was done.

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Phase II site clearing is complete. There were only a few items left for Phase III. He recommended the release of the bond and the posting of a Maintenance Guarantee.

### **Reduce the Bond for NFI, Building C**

The Township Engineer Biegen said Building C is part of Phase III. It is the building that was most recently completed and given a TCO. There is a bond in place. He recommended reducing it to thirty percent of the original bond. There will be a punchlist provided to NFI.

### **Approve CO #1 and Boulevard Street, Phase I Project**

Township Engineer Biegen said the paving company is requesting its first payment. He recommends payment with retaining ten percent. There are some punchlist items to be completed. Engineer Biegen will be meeting with the paver about Boulevard Street and the other projects to review punchlist items. The change order was to even out some of the contract quantities. It is a decrease.

### **Approve CO #3 and Payment # 2 for 2013/2014 Roads Project**

The Township Engineer Biegen said this change order evened out some of the items for an overall decrease. Along with that was a payment request. He recommended payment with ten percent retainage.

### **Assistant Township Administrator**

#### **Fifth Street Traffic Calming Measures**

Assistant Administrator Sahol said at the last meeting the issue of speeding was brought up. There is the perception that there are speed issues there. In the past the police department worked on a detail for a way to passive calm the motorists on the street. The last time there was a street striping detail it didn't work the way it should have. This time it is being done in coordination with the Police Department Traffic Safety Unit and the Township Engineer's Office. The recommendation is something that has been used elsewhere. The county uses it in locations where people don't even realize it. The stripes are wider in some spots, there are hash marks that make people think they are approaching a higher speed.

Mayor Wilkie said there was striping on his street before he was there. It was horrendous because the residents felt they were able to go faster. When Assistant Administrator Sahol proposed the idea, Mayor Wilkie was not sure he agreed with it but Assistant Administrator Sahol told him the lines were put down wrong near his house. He instructed Assistant Administrator Sahol to present the idea to Council.

Assistant Administrator Sahol said regarding Brookside Drive, that was the first time the township tried anything like that. There were many concerns with Brookside Drive. Residents wanted the road to be dead-ended and there were many concerns with speeding. One of the ideas at the time was to create a fog line. The contractor did a fog line at the curb rather than center lines and fog lines that would give the impression of a smaller road.

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Mayor Wilkie said the striping on Fifth Street would come from the circle at Oak Street down Fifth. The issue is the number of children crossing. There is one crossing guard on Fifth Street at Pine but kids are crossing at Cedar and other streets. This would create better marking for the crosswalks for that. Mayor Wilkie asked how far the lines would go down; Joe Csik, a resident who raised concerns, lives at Chestnut and Fifth. Mayor Wilkie inquired about other sections of the street.

Captain Brian Boldizar said the lines will give the motorist the perception that there isn't enough room. The spacing of the markings on the side of the road will actually make a motorist feel like they are going faster than they actually are because they get smaller. If nothing else, it hopefully makes a driver look at their speedometer and see their speed and hopefully slow down.

Mayor Wilkie asked if the residents of the street would have a perception that they can't park in front of their homes? Captain Boldizar said it will be a solid shoulder line that will give the distance of a parking space.

Mayor Wilkie asked about a rumble strip. Captain Boldizar said the rumble strips can be a noise annoyance for residents when cars go over them. He recommended trying the plan presented.

Council Member Sandusky asked if people travelling the road every day would become immune to the traffic calming striping? Captain Boldizar said motorists will still feel more confined as they ride down that road every day and that is the goal. Council Member Sandusky said the radar equipment is outdated and there was talk at one point about getting radar equipment with a camera that could record license plate numbers of speeding cars. Captain Boldizar said the department ran a traffic survey on Fifth Street two times using a radar that was mounted to a telephone pole. It did not record license plate information but it recorded speeds in both directions. It is a more accurate measure of the speeds on the street. Putting a patrol car on the street is not as accurate because people slow down when they see it. The mounted box can graph out the information it collected such as the best time for enforcement and how bad the speeding problem is. He said the average speed at the box was 29MPH.

Acting Chief Bunce said the radar units that collect license plate information are available but they cannot be used as enforcement tools because the officer must actually observe the violation.

Council Member Woolston inquired about four way stops. Assistant Administrator Sahol said the township would have to go through a request to the Department of Transportation. If it was approved, it would then have to go through engineering and there would need to be an ordinance created. The process would take a few months just to go through the DOT.

Captain Boldizar said a lot of the traffic engineering consultants are trying to get away from the four way stop because they are finding that they are not as effective as people think. The only one he would suggest would be Pine Street because there is a school crossing there and it is the middle of Fifth Street and it would require people to slow down and then go again.

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All were in agreement to do the striping and put the box there to study if the traffic calming measures are effective.

Administrator Brook referenced a letter received by Mayor and Council from Brenda Caruso, 402 West Fifth Street. The issue was parking. He presented photos that Ms. Caruso provided showing the intersection at West Fifth. The homes are attached. Ms. Caruso is on the right hand side with a neighbor on the left. Unfortunately, it is not the best of relationships. There is a small area in front of the houses with a little bit of curbing where the neighbor tends to park and when they do park there it is close to Ms. Caruso's driveway.

She would like to know if anything can be done? Administrator Brook asked Ms. Caruso if she had spoken to her neighbor about it and she has not. Administrator Brook said the two neighbors don't get along and it can't be worked out. Administrator Brook told Ms. Caruso he doesn't know what a solution would be other than potentially making it no parking. There are issues there with trailers for both neighbors, but the main issue is parking. He told her he would bring it back to Mayor and Council to discuss. In a small town it is not necessarily easy to park far away. The neighbor could pull closer to their own driveway, but doesn't. It is now at a point where the township either tells them to work the issue out or makes it no parking. It seems to be a frivolous matter to send the police out every time someone is parked too close to the driveway. That is an abuse of the police officers.

Council Member Baldorossi said the RV's should be put in the South Street parking lot so each neighbor would have an open driveway. Council Vice President Ostrander does not think Council should do anything. It would set a precedent. Mayor Wilkie agreed also.

Administrator Brook explained there were only a couple options and it was a difficult situation. Captain Boldizar suggested painting a section of the curb that the police would find reasonable to say if someone parked there; it would be impeding the ability of Ms. Caruso to safely get out of her driveway. Captain Boldizar said it would be a reference point. It would not be enforceable but it would give the neighbor a visual cue of the space.

All were in agreement to not do anything at this point; it is a neighbor dispute. They thanked the officers for their assistance.

### **Burlington County Community Development Block Grant**

Assistant Administrator Sahol had provided Mayor and Council with a memo that he hoped helped with information regarding eligible areas, prior projects and proposed projects. The township has been successful in the past using the funds all through the community focusing on areas where there were handicapped accessibility issues. There were projects for buildings to address handicapped accessibility. He believes that is the best route. He recommended this year doing work on Railroad Avenue. Parts of Amboy Avenue were done and Hamilton Avenue was done this year. This grant is for work to be completed next year. He would like to include Bodine Avenue and Fourth and Fifth Streets. The township won't be able to do all of the recommendations. He would like to consult with the engineer and figure out which are the most important.

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Mayor Wilkie said Railroad Avenue was included as a response to a resident's concerns.

Assistant Administrator Sahol said if all were in agreement, he would move ahead and advertise for a public hearing based on the recommendation. It would be during the December 3, 2014 meeting. Then he would file the application for the grant funds.

### **PUBLIC COMMENT**

Linda Capelli, 221 Leffler Circle, said she met with Administrator Brook and her community manager the prior week. She purchased her home four years ago and from the beginning there has been a problem with sewage backing up into her house. There was a leak and a hole had to be dug to fix the problem. There were problems with sealing the leak but eventually the hole was filled in but it damaged the sewer pipe. The sewage problem continued. She was in contact with the developer and they came out and did a repair but there was still a sewage smell in the drains. Last year she addressed the issue with Administrator Brook and he put her in contact with the Water & Sewer Engineer. They scoped the lines and gave her a DVD of all the twists and turns from her house to the main line.

The developer did have a plumber come and scope a line. The plumber told her the pitch from the house isn't right. It is flat. When the township engineer looked with the scope, he did say there were many ninety degree turns in the sewer line. The Homeowner's Association did a walk through and had a sketch of what was supposed to be installed. According to the sketch everything was supposed to be forty-five degree angles. They knew the bond would be coming up; the association asked if there were any other issues with other residents. There were other residents with similar complaints. Administrator Brook told her last week that the Water & Sewer Engineer would scope all the lines. She is concerned because once the bond is released it will be the homeowner's responsibility.

Administrator Brook said the bond is not for the laterals, it covers the mains. Director of Water & Sewer, David Lebak, will scope all the lines to the best of his ability. The information will be shared with the residents. The first thing the township needs to do is determine if there is a verifiable problem that is detected.

Administrator Brook said he keeps the Homeowner's Association informed about and bonds that could affect them. The township will never release a bond if there is an unresolved issue for homeowners. Mayor Wilkie suggested the affected residents get together and contact the developer.

Bill Bott, 64 Riverbank Drive, said he drives Fifth Street every day and before you get to the circle there are cars parked on both sides before the circle. After the circle there are cars on one side. He said it is possible to stay at 25 mph if you keep your foot off the gas and coast down the street.

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Joe Csik, 45 West Fifth Street, said he sees kids speeding down the street all the time. He wants a speed bump and thinks something needs to be done. He doesn't think the striping will help.

No other public comments.

MOTION of Ostrander, seconded by Sandusky to close the public comment. Roll call vote -all ayes.

**Adjournment**

At 9:13pm Mayor and Council adjourned the Executive Session and immediately continued with the Regular Session.

Respectfully submitted,

JOY M. WEILER, RMC/MMC  
Township Clerk