

FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION

May 10, 2006

8:00 PM

CALL TO ORDER

Council President Fratinardo called the meeting to order.

SUNSHINE STATEMENT

The Township Clerk read the Opening Statement: Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on March 26, 2006; given to the Register News for information; posted on the municipal bulletin board.

ROLL CALL

Present: Frank Baldorossi, Bruce Garganio, Elizabeth Ryan, Jerry Sandusky, John Fratinardo

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

PUBLIC COMMENT

Jeff Lorenzo, 35 Riverbank Drive, lives along the river and expressed concern over the erosion behind his home caused by damage to the trees during the tornado of September 2003. He feels the erosion is getting worse and would like something to be done. Council President Fratinardo stated that Dan Guzzi, Township Engineer, has informed Council of the erosion and will be reporting back to Council on what can be done. Council Member Garganio stated that the area behind Mr. Lorenzo's house is a priority but the township is also looking into ways that the problem can be prevented up and down the riverbank. Mayor Muchowski stated that Mr. Guzzi reported to the governing body that it is not in eminent danger of collapsing. That is why the township is taking the opportunity to review different options in which it can be addressed without infringing on the integrity of the entire bank.

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.

TRANSIT VILLAGE PRESENTATION: TOWNSHIP PLANNER

Michael Sullivan, Planner with Clarke, Caton, Hintz, introduced himself and Jeff Vaughn also with Clarke, Caton, Hintz. They attended the meeting in order to give an overview of Transit Oriented Development and what opportunities may be available to Florence Township.

With the opening of NJ Transit's River Line and the two (2) stations in Florence Township, Roebling Station and Florence Station, the opportunity presents itself to do some exciting planning with State support. Transit Oriented Development involves creating higher, denser development with mixed uses (residential and commercial) around the stations, within close walking distance. This can occur through redevelopment in an existing area or could be new development on a greenfield or brownfield. Transit Oriented Development is encouraged because NJ Transit and NJ DOT want to increase ridership. The benefits that have been identified include having an alternative to driving a car, linking train trips to bus trips and vice

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versa, environmental and economical. They have found that development near a train station drives up land values.

Mr. Sullivan reviewed some of the barriers such as the municipality's Master Plan. The municipality does not want to change or in some cases the Transit station has been placed in such a way where this type of development would not be permitted. There are more complex regulations to deal with; NJ Transit wants to be involved in the municipality's decision making. The cost could be more expensive for development if the station has generated higher land values.

Mr. Sullivan stated that NJ Transit has identified those uses that they feel are supportive of transit, which are various forms of residential development: variety of retail shops and services, personal services, daycare, schools, offices, hotels and light industrial. Essentially mixing a spectrum of uses together so they feed off of each other with 24-hour activity around the stations.

Mr. Sullivan explained that there is a Transit Village Initiative, which is a multi-agency initiative headed by NJ Transit and DOT along with other agencies. They have a series of criteria and if the municipality meets the criteria, they will formally designate the municipality as a Transit Village. Two local examples are Riverside and Collingswood. There are hosts of Transit Villages in the New York area. Mr. Sullivan stated that there are certain benefits that are gained by being designated a Transit Village, such as grants that are not available to other municipalities and assistance from some State Agencies.

Mr. Sullivan showed and reviewed some examples of work and conceptual plans that his firm has done around stations.

Mr. Sullivan stated that Florence Township does have the tools at their disposal to make something like this happen. The first step is to look at the Master Plan or Special Area Plan, which would be a Redevelopment Plan or a sub-element of the Master Plan. Next step would be to amend the Zoning Ordinance. Within the framework of the Master and Zoning Ordinance there would be interaction with NJ Transit, DOT and any other applicable agency.

Council President Fratinardo asked if there was any effect on COAH? Would there be any considerations given on unit generation? Mr. Sullivan stated that there is not.

Mr. Sullivan stated that there are criteria associated with becoming a Transit Village, but there is also subjectivity to it going through the application process.

Council Member Ryan asked if the Roebing Superfund site was usable for this purpose? Mr. Sullivan does not know to what level the EPA is cleaning the site, but if they were able to clean it up to residential standards in certain portions, it may be usable for a Transit Village. He stated the potential for the Roebing site to have an influence over the station and the station character is tremendous. Council Member Ryan asked if there was a square footage requirement to get the designation? Mr. Sullivan stated that it is subjective, but there has to be a commitment to higher density consistent to the density in the area.

Council Member Garganio stated that the township owns the Roebing site property and asked if the township set the zoning, is there an advantage to being a Transit Village? Mr. Sullivan feels

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the advantage is funding and the assistance the township would receive from State agencies. He also explained that NJ Transit has a distinct interest in the development around the stations.

Administrator Brook asked Mr. Sullivan if he has seen it involving revitalization of existing housing? Mr. Sullivan stated that in most of what he's worked, it has been redevelopment of parking sites and industrial sites.

Mayor Muchowski feels the area of interest would be from the Buc's property on Hornberger Avenue to Keating's property, cross over Hornberger Avenue into the entranceway of the Roebing site around the parking lot and train station. He discussed preserving an 8 – 10 acre parcel in and around the station area, which may be able to help offset COAH obligation. The township is not specifically looking for residential onsite but is concerned about any development that is done and the COAH obligation that it is going to generate. Any negotiation with a developer has to address that issue. One of the concerns of the township is could the town make a commercial space of uses in and around the station that can also handle the low to moderate housing obligations and bridge the two together? He is not sure how to get that to work. Mr. Sullivan worked on a redevelopment project in Bayonne where there are mixed-use buildings, four story mid-rise buildings with some non-residential on the first floor and they were required to meet their obligation onsite; so they put in flats and townhouses.

Mayor and Council thanked Mr. Sullivan and Mr. Vaughn for their presentation.

TOWNSHIP WATER AND SEWER ENGINEER

Update: Hydrogeological Report

Russell Trice, Township Water and Sewer Engineer, expects the report by the end of the week.

Update: Well No. 6

Mr. Trice stated that he is waiting for DEP's permit. He received comments from DEP on the permit application and has addressed those comments. As soon as he knows DEP is satisfied, the plans will be revised one final time and advertised.

Update: Wastewater Management Plan

Mr. Trice stated that the changes DEP requested should be finished and submitted back to DEP by the end of the month.

Update: Well No. 5 Redevelopment

The work is underway. The well pump is being replaced which will take three to five weeks. Scheduled completion date is June 26, 2006.

DEVELOPER AGREEMENTS

Administrator Brook reported that the Water and Sewer Service Agreements have been forwarded to the three developers (Atlantic Companies, Hovnanian and Craft Stewart). The developers sent back their comments, which were minor. All developers are in agreement to move forward. Copies were provided to the governing body for general information. The formal agreements will be on next week's Agenda for approval.

ABC LICENSE RENEWALS

Joy Weiler, Township Clerk, asked if there were any questions on the ABC license renewals? The police report was included in the packet. The same conditions as last year will apply for

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Illusions and the Foundry Street Bar licenses. Council questioned the conditions on Bridges at Roebling Station's license? Clerk Weiler explained that the current owner of the license has always verbally agreed to the conditions. The license is in the midst of being transferred and the new owner has also verbally agreed to the same conditions. She stated that the conditions were never placed on the license and asked if the governing body would like the conditions placed on the license when the transfer is done? Council would like the conditions placed on the license when the transfer is complete. Clerk Weiler asked if Council would like the conditions placed on the current owner's license when it is renewed? Solicitor Kearns suggested placing the conditions on the license now when it is renewed. Council in agreement.

TOWNSHIP ENGINEER

Update on High School

Dan Guzzi, Township Engineer, stated that construction is moving along nicely. Most of the work is on the interior now. They are approximately four or five weeks behind the original schedule. Construction should be complete the first week of August. At this time, school should open as scheduled in September.

35 Riverbank Drive – Erosion

At Council's request, Mr. Guzzi, surveyed the area for the erosion, access and to identify any encroachments. The major access point to the area would be through the township property adjacent to 33 Riverbank Drive. The resident of 33 Riverbank Drive has: several sheds completely on the township's property, most of a green house, a stonewall, extensive fencing, patio, trellis and a flagpole. Most of the township property has been incorporated into his yard area; therefore, access is somewhat restricted at this point. Also, it appears that some vegetation has been cut down to create a view to the river. These encroachments will have to be dealt with before any work can begin on the riverbank in that area. Photographs were provided for Council to review. Mr. Guzzi pointed out where the erosion begins.

Mayor Muchowski expressed concern regarding removal of these items without creating a disturbance that could cause a bigger problem than is already there. Mr. Guzzi is also concerned. Once the items are removed, the area will have to be re-stabilized immediately. Mayor Muchowski does not feel the tax payers should have to pay for the work to have items removed from township property that were put there by a resident.

Mr. Guzzi believes that the original damage behind 35 Riverbank Drive was a result of the tornado and is compounded by the fence along the bank and the apparent cutting of vegetation.

Assistant Administrator Sahol stated that he will work with Solicitor Kearns and Tom Layou, Construction Code Official, to start the legal process. He will also work with Mr. Guzzi to monitor the removal of the items and bringing the area back up to the state it should be so there are no future problems. Solicitor Kearns stated that the removal will have to be done in accordance with a plan that is approved by the township.

Mayor Muchowski asked how to approach the situation so the taxpayers are not paying the bill for the removal of items that should not have been put there in the first place? Solicitor Kearns stated that if the resident and the township cannot come to an agreement, the township would have to file a claim against the resident.

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Council President Fratinardo asked what could be done to stabilize the area? Mr. Guzzi stated that the first step is to clear the area out for access. He explained that the condition is not eminent. If Council would like to move forward, Mr. Guzzi would begin the permit process. Plantings can be done in the meantime without permits to firm up the bank but anything more permanent would require permits.

Mr. Guzzi reported that there is a washout that has recently formed on Riverview Drive, not the same spot that was repaired several years ago. He believes it was caused by residents cutting down vegetation to create a view. Council Member Baldorossi asked if residents were dumping leaves and grass in that area? Mr. Guzzi believes that is what caused the problem several years ago on Riverview Drive but does not believe that is the case this time.

Mr. Guzzi would like to begin by having the encroachments removed and plant some vegetation to stabilize the area without doing a massive project. Any long-term improvements will require permits from NJ DEP and the Army Corp of Engineers.

Mr. Guzzi explained that smaller shrubs and plantings are better than planting trees on the riverbank. Council Member Garganio suggested plantings along 100' of the riverbank each year before problems present themselves.

A letter will be sent to the resident advising of the encroachments and to schedule a meeting with the township as soon as possible.

NJ DOT Application

Mr. Guzzi stated that funding is available for bikeways, pedestrian ways and roads. The bikeway application last year was for a bikeway path along Old York Road (from Brookside Estates to Marter Park) and the pedestrian way application was for sidewalk on Cedar Lane (from Route 130 to the new high school), both of which were denied. Mr. Guzzi provided a list of roads that are outstanding from previous road programs for the governing body to review last week.

After a brief discussion the following will be included in the grant applications:

Bikeway Grant – Path from Brookside Estates to Old York Road

Safe Streets to School Grant – Sidewalk on Cedar Lane from Route 130 to the new high school and some missing sections of sidewalk on secondary roads that lead to the middle school (Mr. Guzzi will work with Assistant Administrator Sahol on a list).

Road Program – Mr. Guzzi will prioritize the list of roads by condition and the governing body will make a decision next week.

Mr. Guzzi stated that the applications are due the end of June and will begin on the Bikeway Path and Safe Streets to School applications.

Speed Limit on Cedar Lane

Administrator Brook provided a copy of a letter addressed to the County requesting a reduction in the speed limit on Cedar Lane. Council Member Garganio would like to add to the letter a request to restrict truck traffic on Cedar Lane. With the current road improvements truck traffic is encouraged on that road. Council in agreement.

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Mr. Guzzi stated that the County approved the 35 MPH when children are present flashing speed limit signs. Since the speed limit can only be lowed by 15 MPH in a school zone, Mr. Guzzi suggested requesting a reduction from 50 MPH to 40 MPH, which would give the ability to reduce the speed in the school zone to 25 MPH when children are present. He believes that is more appropriate than 35 MPH. Mr. Guzzi explained that since the flashing lights are being purchased by the school, the school will have control over the lights and can be activated manually.

Assistant Administrator Sahol stated that he spoke with the Chief of police who explained to him that “when children are present” covers the intake and discharge time of students.

After further discussion, the following changes will be made to the letter to the County:

- 1) Restrict Cedar Lane as a truck route
- 2) Check on the hours of the flashing lights, if it only covers intake and discharge of students, push the issue of reducing the speed limit to 35 MPH on a permanent basis
- 3) Indicate that the hours of intake and discharge are inadequate

Public Works Building: Current Estimate No. 20

Mr. Guzzi stated that a majority of their request for payment has been denied. There are still problems with the overhead doors. The manufacturer is sending a technician to inspect the doors this week. Mr. Guzzi stated the only amount the contractor is entitled to is \$3,200. Since the problem with the doors has been dragging on for two (2) years, Mayor Muchowski would like to hold the entire payment. Mr. Guzzi will advise the contractor that the payment is being held. At Solicitor Kearns suggestion, a Resolution will be prepared to approve and a MOTION to HOLD will be made at next week’s meeting.

Road Program: Current Estimate No. 5

Mr. Guzzi reviewed and recommended payment of Current Estimate No. 5. A Resolution will be prepared for next week’s Agenda.

Dresner Bond

Mr. Guzzi stated that a letter and punch list were sent to the contractor. He has not heard back from them. He explained that timing must be watched. Administrator Brook will check on the time limits and if it is getting close, a Resolution will be prepared to DENY request.

Alleys

Council Member Baldorossi stated that PSE&G informed him that they will be doing mark-outs in the alley of the 200 block of Sixth Avenue next Monday and asked Mr. Guzzi if work on the alley will be begin soon? Mr. Guzzi stated that work will take place over the next several weeks. The trash hauler has been notified.

Park Bids

Council Member Garganio asked when the bids for the parks would be going out? Mr. Guzzi has been waiting for the permits from Soil Erosion. He will go ahead and advertise this week prior to receiving the permits.

ASSISTANT ADMINISTRATOR

Snow Removal

Will be discussed at next month's Worksession.

Patriotic Celebration

Assistant Administrator Sahol stated that a timing company has been selected to do the timing for the 5k Walk. They will do everything such as: the numbers for the participants, tear off sheets & they will post the participants results on a website and advertise all of the days events. He will be looking for sponsors to help pay for the timing company and the shirts.

Assistant Administrator Sahol stated that there is still a need for a theme and a grand marshal, which the Mayor traditionally picks. The parade route will be Delaware Avenue (at Railroad Avenue) turn onto Broad Street pass the American Legion and break up at the Municipal Complex.

Mayor Muchowski would like the proceeds of the 5k Run/Walk/Jog to benefit a young boy in the community with cancer and the Florence Township High School Baseball Team, who are trying to raise money to go to Myrtle Beach.

Fire Relief Fund

Assistant Administrator Sahol reported that once Waste Management drops off their contribution to help the victims from the fire at Academy Woods, the township will have collected approximately \$8,000. The funds will start to be distributed the end of this week. There were 23 units with 39 residents affected. The amount of distribution is based on the number of residents.

Resident's Request to Vacate Easement: E. Sixth Street

Assistant Administrator Sahol received a request from a resident requesting an easement vacation. Upon inspection, Mr. Guzzi determined that it would cause adverse effects if it were vacated. The resident will be advised that their request is denied.

Livable Communities Grant

Assistant Administrator Sahol asked for approval to purchase under State Contract the play structure for the Marter Soccer Field under the Livable Communities Grant, which he applied for and received last year? Council in agreement. A Resolution will be prepared for next week's meeting.

Credit Cards

Mayor Muchowski suggested soliciting proposals from the different banks in the community for the best deal. Council Member Garganio suggested soliciting proposals from one of the big banks out of town. If an out of town bank were chosen, they would have to have a courier service.

ROEBLING FIREHOUSE – BUILDING IMPROVEMENTS

Mr. Guzzi reviewed the regulations regarding stages. To bring the stage up to code either a ramp or a lift will have to be installed to make it handicapped accessible and there will have to be fire suppression in the stage area. If any work is done to the stage, it will have to be brought up to code. Also, the catwalk over the stage will have to be addressed.

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Council Member Garganio suggested asking EPA if they would be willing to contribute towards the renovation of the firehouse.

Mr. Guzzi will do a code review of the project and report back to the governing body the first meeting in June.

SHOPS AT MALLARD CREEK – UTILITY EASEMENT

Administrator Brook explained that Shops at Mallard Creek have preliminary approval and there has been a change to the sewer easement that runs to the pumping station, which has to be relocated. It is not significant. It has been forwarded to the Water and Sewer Engineer for review who sent back confirmation that it complies with the plans that were approved by the Planning Board. The agreement to confirm the location of the easement has to be approved. Will be on next week's Agenda.

GRADING PLANS – SINGLE FAMILY DWELLINGS

Administrator Brook discussed amending the code so that anyone coming in to build a new home on a single lot would be required to submit a grading plan. It is not required at this time. Mr. Guzzi would approve the grading plan before a building permit is issued. He would also inspect before a CCO is issued. This would protect the neighboring properties. Council in agreement to move forward.

PORTABLE HOME STORAGE UNITS

Administrator Brook stated that the Chief of Police, Gordon Dawson, asked him to ask the governing body to consider regulating the placement of Portable Home Storage Units (PODS). He provided a Draft Ordinance, which spells out where PODS can be placed on a property. It would have to go in a driveway, pushed towards the rear of the driveway. If a resident does not have a driveway they would have to seek special approval from the Code Enforcement Officer. The permit would be good for 30 days but can be extended. Solicitor Kearns suggested placing a limit on the number of times the permit could be extended. Council in agreement to allow a 30-day time period with one 30-day extension in a 12-month period.

COAH REQUIREMENTS FOR GROWTH SHARE ORDINANCE

Administrator Brook stated that everything is in place to begin charging developers the \$13,000 growth share fee.

Administrator Brook discussed amending the code to require any developer that comes in to submit to the governing body a proposal on how they intend to meet their COAH obligation at the same time they submit their application to the Planning Board. It will become an item on the application checklist. The amendment to the code will be prepared.

CANTEEN TRUCK

Administrator Brook received a request from Bordentown City asking if the township would donate the canteen truck. They would like to rehab it to sell hotdogs and snacks during the summer months to help fund their recreation programs. It is in very poor condition and Bordentown City is aware of how much work it needs. The truck was going to be given to the fire company to be used for drills. Assistant Administrator Sahol contacted the Fire Chief, Edward Kensler, who stated that they were only going to use it for drills and it was fine if Council decided to give it to Bordentown City to help raise money for the kids. After further discussion, Council in agreement to donate to Bordentown City.

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NOTICE FROM THE LEAGUE OF MUNICIPALITIES: BILL 477

Council Member Ryan and Solicitor Kearns gave a review of the bill. Council Member Ryan does not recommend opposing by Resolution at this time.

PREFERRED

Council Member Garganio stated that there is a meeting with Preferred next week. Mayor Muchowski hopes to resolve by the end of the month.

SCHOOL BUDGET

Mayor Muchowski spoke with Dr. Talarico who identified several areas where he thought funds could be cut and still deliver a thorough and efficient education. These cuts total \$50,000 to \$60,000. Mayor Muchowski asked how much Council is looking to cut? Council President Fratinardo expressed his concerns after reviewing the budget, such as the increase in maintenance. Since the budget was defeated soundly, Council Member Sandusky would like suggestions from the School Board on cuts that could be made. Mayor Muchowski will set up a meeting with the subcommittee of Council, Dr. Talarico and a subcommittee of the School Board.

WATER AND SEWER RATES

Administrator Brook discussed the Water and Sewer rates and the need to adjust the rates. He feels it should be done in the next couple of months. He will provide a report to Mayor and Council for further discussion so a final decision can be made.

Administrator Brook discussed the Infrastructure Loan Program to complete Phase II of the Tall Pines Water and Sewer project. He believes that is the best way to fund the project.

PARK MAINTENANCE

A resident had given Council Member Ryan pictures of the Roebing Park and the Marter Field Park that shows a lot of the wood chips are missing & with metal parts sticking out and some disrepair, which poses a safety hazard. Administrator Brook will make sure the safety hazards are taken care of immediately. Assistant Administrator Sahol stated that the Marter Field Park play area will be demolished and replaced.

Council Member Garganio asked if rubber mulch would be used in the tot lot projects as they occur? Administrator Brook stated that Richard Pendel, Public Works Superintendent, is pricing out rubber to replace the mulch at one (1) or two (2) tot lots a year. Mayor Muchowski asked for pictures of Wilkie Park where the rubber was used without raking it.

TRUCKS – TURNPIKE BUSINESS CENTER

Council Member Garganio questioned the Cream-O-Land trucks parked on the dirt road behind the Turnpike Business Center. Administrator Brook stated that will be dealt with when they come in before the Planning Board. Mayor Muchowski suggested advising Cream-O-land that this will be discussed at the Planning Board meeting.

RESCUE SQUAD BILLING

Council Member Garganio questioned the status of billing for rescue squad services? Administrator Brook stated that the bids will be going out this month. There will be a provision in the bid specifications that any company that bids on it has to have a minimum number of years

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experience doing this kind of billing. There is a meeting set up with Administrator Brook, the Fire Chief and Solicitor Kearns to wrap up the Interlocal Services Agreement.

REASSESSMENT

Council Member Garganio asked if there was anything else to do for reassessment? Administrator Brook stated that the money is in the budget and will report back to the governing body with a recommendation.

PROPERTY ON POTTS MILL ROAD

Council President Fratinardo stated that there is a residential property on Potts Mill Road that is starting to look like a used car lot. Administrator Brook stated that the Code Enforcement Officer is aware and will be notifying the property owner.

10:00 PM MOTION by Sandusky, seconded by Garganio to adjourn to Closed Session. Roll call vote - all ayes.

ADJOURNMENT

10:00 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab