

Florence Township Council Regular Session 6/7/23

Florence, New Jersey
June 7, 2023

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey. Members of the public were invited to attend the meeting in person or electronically via Zoom.

The meeting was called to order by Council President Garganio at 7:00 p.m. Council President Garganio led the Salute to the Flag.

The Opening Statement was read by the Township Clerk: Notice was posted on the municipal bulletin board on January 8, 2023; published in the Burlington County Times on January 8, 2023, placed on the Township website and given to the Trenton Times for information on January 10, 2023.

ROLL CALL OF MEMBERS

Upon roll call the following were found to be present:

Present: Frank Baldorossi, Nicholas Haas, Kristin Marter, Paul Ostrander, Bruce Garganio

Also Present: Mayor Craig H. Wilkie (via Zoom); Thomas J. Hastie, Jr., Esq., Township Solicitor; Nancy L. Erlston, Acting Administrator/Township Clerk; Ted Lovenduski, Administrative Assistant; Steve Mathews, Court Clerk

Absent: None

APPROVAL OF MINUTES

- Closed Session of May 3, 2023
- Closed Session of May 10, 2023
- Executive Session of May 10, 2023

Motion of Ostrander, seconded by Haas to approve the minutes as submitted. Voice vote – All ayes.

FINANCIAL CORRESPONDENCE

Motion of Haas, seconded by Baldorossi to approve the following correspondence.

- Township Clerk's Monthly Report May 2023
- Treasurer's Bill List

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

Florence Township Council Regular Session 6/7/23

REGULAR CORRSPONDENCE

- A. Police Chief's Monthly Report – April 2023
- B. Letter from Cathy Hutchison dated May 20, 2023 regarding Block 70, Lots 2.01 and 3
- C. Letter requesting permission for a Community Yard Sale Event 07/01/23

Mayor Wilkie stated that, in regards to the letter from Cathy Hutchison, he believes it is in the best interest of the town to try and move forward with this. If Council is in agreement to try and work with Ms. Hutchison he can have the Solicitor look into what can be done and work with the Tax Assessor to make sure the lot that would be left would be advantageous for the town. Ms. Hutchison has been utilizing this land for the last 20+ years.

Council President Garganio asked if there are other lots to consider that we are not going to be using as we go through with any of this. Mayor Wilkie explained that this is the only lot that we actually acquired and the other land that we had picked up was in the right of way. This is just the cut off piece that Ms. Hutchison has.

Council Representative Marter asked if this will have any impact on the plan for the turnaround for the walkway. Mayor Wilkie explained that this land is on the other side where the railroad tracks were and the turnaround is more towards Fifth Street and does not come close to where the railroad tracks were.

Council President Garganio asked for clarification on the community yard sale event. Acting Administrator Erlston explained that this is a request to organize a community yard sale on the Nyikita field area. This will be a one-time event and will allow people to come and have yard sales at that location on that day. It is public property and we also have 2 free yard sale days, one in May and one in September each year and it is up to Council whether or not to allow this. Council agreed to allow the event stating this should be treated as a Use of Facilities request and Florence Township must be listed as an additional insured for the day and it should go through the standard process.

Motion of Ostrander, seconded by Marter to receive and file the correspondence.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

APPLICATIONS

None at this time.

PUBLIC COMMENT

Council President Garganio opened the meeting to the public at this time. Seeing no one wishing to be heard, it was a Motion of Ostrander, seconded by Marter to close the public comment portion. Voice vote – All ayes.

Florence Township Council Regular Session 6/7/23

RESOLUTIONS

RESOLUTION NO. 2023-111

ABC License Renewal – American Legion Post 194

RESOLUTION NO. 2023-112

ABC License Renewal – American Slovak Citizens Club

RESOLUTION NO. 2023-113

ABC License Renewal – Pipa Holdings LLC

RESOLUTION NO. 2023-114

ABC License Renewal – Jay & Pinali LLC Town Liquor

RESOLUTION NO. 2023-115

Refund Certain Tax Overpayment

RESOLUTION NO. 2023-116

ABC License Renewal – Glory Days Ventures LLC

RESOLUTION NO. 2023-117

ABC License Renewal – VRS Holdings LLC

RESOLUTION NO. 2023-118

**Approve Release of Performance Bond, Rt. 130 Associates, LLC
Block 159.02, Lots 6.01, 9 & 10**

RESOLUTION NO. 2023-119

Chapter 159, FY2023 Clean Communities Grant

RESOLUTION NO. 2023-120

Chapter 159, Stormwater Assistance Grant

RESOLUTION NO. 2023-121

**Authorizing Additional Lien Against Private Property (Block 50, Lot 7)
to Cover the Cost of Securing an Unsafe Structure**

RESOLUTION NO. 2023-122

**Authorizing a Right of Entry and Access Agreement By and Between the Township
of Florence and Project Freedom at Historic Roebling LP
to allow site work prior to transfer of property known as Block 121, Lot 4.02**

RESOLUTION NO. 2023-123

ABC License Renewal – Vahin Inc., dba Florence Wine & Liquor

RESOLUTION NO. 2023-124

ABC License Renewal – MAB Pad Center, t/a Liquor Barn

Florence Township Council Regular Session 6/7/23

Motion of Ostrander, seconded by Haas to approve Resolution Nos. 2023-111 through 2023-124.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

ORDINANCES

ORDINANCE NO. 2023-15

Authorizing a short-term Lease Agreement with PSEG to allow installation of a Mobile Substation on Township owned property 2063 Bustleton Road (Block 160.01, Lot 19) (Intro. & 1st Read) (2nd Read, Public Hearing & Adopt on June 21, 2023)

Motion of Ostrander, seconded by Haas to approve Ordinance No. 2023-15.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Haas, Marter, Ostrander, Garganio
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

REPORTS OF COMMITTEES, BOARDS AND OFFICERS

Council Representative Marter stated that at the Environmental Commission meeting they put together all of the proposed light ordinance which will be brought to Council. It was brought up at the meeting that when they do traffic studies before anything is built, there is always something in there that states that after the fact, if the traffic study is inaccurate something will be done. The County is supposed to go back in and review it. She has seen that in a lot of the presentations when they are proposing these things and the question was do those things happen and who is responsible for doing them and also what really happens if those numbers are significantly higher than what they say?

Council President Garganio stated that the County has the ability especially in the matter of the warehouses that have been done lately to go in and review the traffic studies and at some point he would think that if they are in violation of that it would be a violation of their site plan approvals. Solicitor Hastie added that would most likely have to return to the Planning Board to get an amended site plan to accurately reflect the traffic. They have tried with marginal success to get traffic management paid by developers which would give them leverage to negotiate because it has to be approved at the County Planning Board level because it is on a county road.

Council Representative Marter attended a webinar for grant programs available through Safe Streets and Roads. There is a lot of money out there for these types of projects. She doesn't know that it specifically fits for some of the things that we are trying to accomplish because it is really related to traffic, injury, death totals and things of that nature but she did have a conversation with Kevin Murphy of the Delaware Valley Regional Planning Commission and he did send some additional information that she would like to get in front of Township Planner Mark Remsa to see if there is anything that we can do. There are a lot of available grants out there and if we have a need there is no reason for us not to try and go after some of it.

Florence Township Council Regular Session 6/7/23

Council Representative Marter also asked about the air quality stating some people may not have air conditioning. She stated that we used to have a shelter at Fountain of Life if we needed to put something together quickly to have an emergency service and we don't have them anymore. She asked if we have anything else that is available to us if we need to be able to move people from their homes? Mayor Wilkie explained that the County OEM would handle that and if there was an emergency they would identify where that location would be.

Council Vice President Haas stated that he had a few residents from Columbus Road asking about sidewalks. He said there are a lot of children walking in the street there. He also stated that there is no public water in that area and he has had residents asking about fire hydrants. He asked Council for a follow up discussion so he can get back to the residents.

Mayor Wilkie explained that with the water we looked to try and loop into Burlington Township, but we could not get water quality due to the water flow. That study was done by Alaimo in 2013-2014. Even if we were to connect to Burlington Township from running the lines, we still couldn't guarantee we would have the volume and, if that water sits or it is a slow move, it will start to develop bacteria.

REPORTS: ADMINISTRATION

Mayor

Mayor Wilkie stated that the carnival returned last week, which is the first time since Covid. Other than about an hour and a half on Friday night with the threat of storms, there were four great days. Marty Eckert is putting a report together but from what he understands the attendance was great.

Mayor Wilkie said that the splash park was discussed for 3 weeks in a row in May so our park planner is coming in next Wednesday to talk about the splash park as well as where they currently are on the recreation park update on the Master Plan.

Resolution No. 2023-121 is regarding the property on Broad Street that had the basement collapse a little over a year ago, and cause a hazard. We had to step in to shore that walls because the property owner did not. It is secure and right now we are paying rent of about \$800 every six months. While that is not astronomical, at some point we are going to put more money into the property than we will ever be able to get back. He asked Council's permission to have the Solicitor meet with Construction to determine whether we should be moving forward towards removal of the problem and then put the lien against the property. This means we get rid of the building and secure the site. We did this on Hornberger Avenue next to the deli by the bridge. The Construction Code Official deemed it a hazard, we gave notice to the property owner and they didn't clean it up so we demolished the building and put a lien on the property. We didn't buy that property because we don't know what's underneath the concrete out there but we can do a similar type of thing if the Construction Code Official deems it appropriate and the attorney agrees. We will tear the building down, clean it up, make it safe and fence it off. Currently you are accumulating an obligation but at some point it is going to go upside down in the real estate market. This is something we should be thinking about to cut our losses.

Council Vice President Haas added that the SRO program in the schools is great. During the carnival a child had gotten lost for a short amount of time and he had no problem going up to an officer.

Florence Township Council Regular Session 6/7/23

Administrator

Acting Administrator Erlston stated that behind the scenes we are taking everyone's safety into consideration and Recreation was in touch with the OEM and it was decided that sporting events would be cancelled due to the air quality. Council President Garganio asked if we can do a type of outreach to our senior citizen community because, if they don't have air conditioning or they are not working some people may not have anyone to go to.

UNFINISHED BUSINESS

A. Lights at Ranier Park, Cedar Lane and Bustleton Road

Ted Lovenduski stated that, regarding the lights, they looked at a different type of light which will be less intrusive. Whether or not we remove the lights that are currently there or we put different lights in we have to buy the new lights. They will not take them back or trade them in so we are stuck with the purchase of the new lights and we would have to figure out if and where to reuse them. A down light would light a smaller area and direct light in a downward direction. As of now the trees are not quite tall enough to block the light so any light that was coming off of there would be visible from the residence. The cost would be between \$70,000-100,000 depending on the type of light. It is a totally different post and totally different head so the only thing we could use is the wire nothing else would be usable in that location. There are about 12 posts and there may be a use for them in our playground upgrades. Shielding did not accomplish what we wanted. A warmer light would be better because a cooler light will be bluer and bright whereas a warmer light will be easier on the eye.

Council President Garganio stated that since we will be allowing PSEG to use our property to put their temporary substation in is there any possibility to ask them to be a little more pliable in this situation? Mayor Wilkie explained that Mr. Lovenduski and Acting Administrator Erlston negotiated a \$28,000 contribution to use the property. Council Representative Marter asked if it was possible to switch out the bulbs that are near the house and leave the ones that are back in the field bright, if it is not intruding on anyone and it would cost less. Ted Lovenduski stated that would make sense if they could do that. Council Vice President Haas asked Ted to get the model number because he has some access to vendors that may be able to help out. Council President Garganio asked if we could go out and turn them on one day to see what they look like now with all of the trees that have grown up and see what the impact is. Mr. Lovenduski said we can take care of that.

NEW BUSINESS

A. Discussion on Rooftop Solar Generating Stations

Mr. Lovenduski explained that they are looking to put in a solar generating array on top of the warehouses at 1400 and 1401 West Front Street. They are also looking at 839 Railroad Avenue but. at this time, 839 Railroad still does not have a CO and it seems to be a little bit of a question to get to the that point so he was a little reluctant to agree to 839. But 1400 and 1401 are the perfect candidate for a solar generating station on the roof. This solar gets sold back to the grid and it can supply the low- and moderate-income residents of our neighborhood and get them a 21% discount on the electric portion of their PSEG bill, on distribution and supply charges.

Florence Township Council Regular Session 6/7/23

Haley Goodman of Dimension Renewable Energy, stated that it is indeed on all of the electricity costs, distribution and supply. They will still have the same utility provider and they will receive the same looking bill just with the discount. Council President Garganio asked about the process to get qualified to receive that discount. She stated that they have committed to reserving at least 51% of our project capacity for low to moderate income. The other 49% can be mass market, there are no qualifications. They want to get as many low to moderate income folks as they can. If it is over 51% that is great but they will be self-verifying fair low to moderate income so when they sign up, we will have an income table that shows how you verify or qualify as low to moderate income and they will self-attest to that. They don't have to give in any sort of wage or proof of income or anything of that nature.

Ms. Goodman explained that it was discussed in a meeting about making sure Florence residents get priority over anyone else. With the three projects all together, they can serve about 1300 residents. In the agreement they can have it written that Florence Township residents would have priority before going to anyone else. Dimension would love to work with the Township as much as possible to get the word out to the public and they are ready to heavily invest in marketing to make sure that Florence Township residents are the ones who are signing up and have all of the opportunity that they can before they go anywhere else to sign folks up.

Ms. Goodman stated that they rent rooftop space from building owners and then they put their fixed tilt panels up there and all of the energy will go directly onto the grid. Council President Garganio recalled the Dietz & Watson fire, stating that there was solar on the roof and they couldn't get up there and asked if this would be run through the fire department to make sure there were no issues and there would be proper shut offs and things of that nature and if there were to be an issue on the facility would our emergency personnel be able to handle that? Ms. Goodman stated that it will go through all of the necessary permitting processes that it needs to and safety checks and everything like that but that she can get Council more information. Ted Lovenduski stated that it will meet current building codes which were adjusted after the Dietz & Watson fire.

Ms. Goodman explained that they currently have 8 community solar projects on the last round of the program which started in 2021 and they worked with PSEG. Essentially an interconnection application is submitted to Public Service, they study it and then they give an estimate of what upgrades will be needed. Their projects are 1 to 5 megawatts which is much larger than residential systems so they would pay for the costs of system upgrades that are needed to interconnect to the grid. Council Representative Marter stated that the grid in that area is closed and this could give opportunity to residents who want solar on their homes because the grid will have to be upgraded which could open the grid and allow some of the people in the area to be able to put solar up where they previously could not.

Council Vice President Haas asked how fast they are looking to start the process. Ms. Goodman explained that they were awarded their last projects in 2021 and they are close to finishing them. It hasn't been a decades' long or years' long process but it can depend, the interconnection studies can take anywhere from 2-6 months. From there once we get our interconnection study we are ready to pay the expected costs of whatever the interconnection study comes back with. Council Vice President Haas asked how big the system would be on these buildings. Ms. Goodman stated that with the two buildings on Front Street, about 4 and 4+ megawatts.

Florence Township Council Regular Session 6/7/23

Council President Garganio asked what type of roof footage is needed. Ms. Goodman explained that the smallest they usually target is about 100,000 square feet. Council Representative Marter stated these are only taking up part of these two buildings, they still have a whole other part up there if they want to do their own solar. Ted Lovenduski stated that they are in the redevelopment plan so it supersedes the zoning and for the Railroad Avenue location, because it is not in an area of redevelopment, we would have to go to the Zoning Board.

Council President Garganio asked if this is something that could be done on top of the school buildings and that money could go back against their bills. Ms. Goodman stated that it would depend on what the buildings look like and if they are in that range. Council Representative Marter said that in those situations you can do a solar lease where they basically put it on the roof at no cost and then they pay a lower rate for the electricity.

Council President Garganio stated that he has he thinks it's a great idea and would like to see the contract and make sure that the Florence Township residents get the advantage of this. If there is a large group of our community that gets a 20% discount on their electricity bill for something that is not even on our property it is a homerun. Miss Goodman stated, in terms of the contract, they have support from about 15 other municipalities and have a resolution of support and she will include a time period that Council will agree upon and have that commitment in there. Dimension won't go and subscribe anyone else to our projects until that certain timeframe and we will work with the township to get the word out there.

At this point they are looking for a letter of support from Mayor and Council and then it will be included in their applications to the community solar program which is run by the Board of Public Utilities in New Jersey. They are expecting that program to open at the end of the summer. They do not have definitive dates but that is their understanding. They would be looking to pass this letter of support from Council before that. She would stay in contact with Council Representative Marter and Ted Lovenduski and keep them up to date on the progress of the program and when they will be applying. Ted asked her to send the resolution over to him.

Council President Garganio stated that they are going to give a letter of support, but when would the actual agreement be processed to include the timeframe? Miss Goodman said that it would just go into a letter of support that would be signed agreement and it would be included in there that "Dimension commits to ..." Council agreed.

BOARD OF HEALTH

None at this time.

MISCELLANEOUS

None at this time.

PUBLIC COMMENTS

Council President Garganio opened the meeting to the public. Seeing no one wishing to be heard, it was a motion of Ostrander, seconded by Marter to close the public comment portion of the meeting. Voice vote – All ayes.

Florence Township Council Regular Session 6/7/23

ENTER INTO CLOSED SESSION

Resolution 2023-110 Resolution Authorizing the Mayor, Township Council and Support Staff to meet on Closed Session and Authorizing the Exclusion of the Public from that Portion of the Meeting Dealing with Specific Issues Requiring Non-Public Discussions:

Litigation – PFOAs

It was a Motion of Marter, seconded by Ostrander to adjourn to Closed Session at 7:46 p.m. where no action will be taken. Voice vote – All ayes.

ADJOURNMENT

Council returned to the Regular meeting at 8:49 p.m. on a Motion by Ostrander, seconded by Marter. Voice Vote – All ayes. No action was taken. Motion of Haas seconded by Marter to adjourn. Voice vote – All ayes. Meeting adjourned at 8:49 p.m.

Respectfully submitted,

Nancy L. Erlston, RMC
Township Clerk
/js