

Florence Township Council Regular Session 7/12/23

Florence, New Jersey
July 12, 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, Kristan Marter, Paul Ostrander, Bruce Garganio

Also Present: Mayor Craig H. Wilkie; Thomas J. Hastie, Jr., Esq., Township Solicitor; Nancy L. Erlston, Acting Administrator/Township Clerk; Jenise Silinsky, Deputy Clerk; Ted Lovenduski, Administrative Assistant

Absent: None

BURLCO JIF OVERVIEW AND BENEFITS – PAUL FORLENZA

Steve Walsh with Barclay Insurance Agency and Risk Management Consultant for Florence Township and Paul Forlenza, the Administrator and Executive Director of the Burlington County Joint Insurance Fund spoke about Burlco JIF. The Burlington County JIF provides property and casualty insurance and Florence Township is one of the original members since 1990. Membership of the Burlington County JIF is a 3-year membership and the Township’s membership is renewing on January 1, 2024. They discussed some of the benefits and some of the changes of the Burlington County JIF.

Paul Forlenza explained that we are suffering from the worst insurance market that we have seen since the late 1980s and early 1990s. There have been double digit increases in the excess of the reinsurance market that have never been experienced before and they are impacting the bottom line. Burlco JIF is a victim of inflation like everyone else and the two main driving factors in a worker’s compensation claim include medical costs and wage replacement and they have seen a 20% increase in those lines in the last two years. They are also dealing with the fallout from COVID. New Jersey was one of a handful of states that made COVID compensable under its Worker’s Compensation Act. They saw \$25 Million of unanticipated costs from COVID. They also had a determination that came out of the pension board in 2021 which basically dictated that worker’s compensation claim petitions from employees that are getting to the point where they were eligible for accidental disability pension their claim position had to be settled prior to them being eligible for that pension and, as a result they now have to settle significant pension claims before that goes in and they identified more than \$10 Million in costs just in the three joint insurance funds that he works with as a result of this.

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He discussed the lines of coverage provided, rates and their limits as well as definitions of what is covered. 42% of their budget is reinsurance costs, so when those start going up significantly there is an increase within the budget. He spoke about weather events that cost millions upon billions of dollars in damage stating that in 2022 there were 18 separate billion-dollar weather events that occurred in the United States. That is a \$1 Billion weather event every 20 days. They created Cyber JIF to provide coverage and incentivize members of the Joint Insurance Funds to invest money in your cyber security profile, updating software, updating hardware, doing training and all of the things that are required to make sure you stay as cyber safe as you possibly can. The JIF has helped their members to provide defense in ways to reduce the plausibility of a cyber hit.

He explained the TULIP Program (Tenant User Liability Insurance Program), stating that if you have a resident that wants to use the community center, they complete the municipal facility use agreement and you ask for that certificate of insurance. Most homeowners don't have access to that type of coverage. They would get a website address and code number and they can go to the website, log in using a code number, fill out a brief questionnaire and secure a million dollars' worth of liability coverage naming the town as an additional insured. It is a great program that is exclusive to their program. They also have certificate of insurance guidelines where they provide recommendations in regards to certain types of activities that you undertake on a regular basis. They will provide you with guidance on the type of coverage you should have, the length of coverage you should have and the likes. Also, regarding model indemnification language, they want to make sure that if you engage in a contractual relationship with a vendor that the proper language is in there so it protects you from a claim.

Mr. Forlenza explained some of the more traditional programs that are associated with the Joint Insurance Fund. In regards to Risk Management, the JIF provides all of the newer trainings to your managing supervisors, command staff and elected officials on an annual basis to give you an opportunity to not only see what is going on with the JIFs and municipalities in general but also gives you an opportunity to garner dollars off of your assessment for the next year. From the more traditional safety training aspect, as a member of the Burlco JIF you are offered in-person training, virtual in-person training as well as streaming videos and you have access to all of that. They issue hundreds of bulletins on an annual basis as well as provide onsite visits to work with your people to make sure that they know what their greatest vulnerabilities are so they can be addressed. All of these factors put together a culture of safety and it does pay off.

Steve Walsh explained that Florence Township has a very active safety committee, that meets six times a year. They identify potential areas that need to be addressed for the community and help bring back claims and it is very successful.

Paul Forlenza went on to explain transitional duties, which is an opportunity to bring an employee who has been injured back to work in a transitional aspect until they are eligible for full capability of their responsibilities. He explained that the Burlco JIF had used only 66% of available transitional duty days last year accumulating over \$140,000 in savings. They have a specialized defense panel and all the defense panel numbers do is defend public entities since we don't have real estate attorneys or divorce attorneys on our panel. He also explained about how they take advantage of Title 59 immunities, which is a statute in New Jersey, to extricate members out of difficulty.

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Mr. Forlenza explained that they have a wellness program and there have been national studies over the past 50 years that indicate that the underlying health of an employee has a direct impact on the overall cost of a worker's compensation claim. The healthier the employee the less likely they are to get injured and when they do they recover much more quickly. As a result, about 10 years ago they engaged in a very aggressive wellness program, they hired a wellness coordinator and are working on implementing local wellness initiatives. The goal is to drive down the costs of a worker's compensation claims. He explained the statistics for the last three years and the total costs of worker's compensation claims for employees who have underlying conditions versus those employees who are healthy. The costs of a worker's compensation claim for an employee who has underlying conditions is twice that of an employee with no underlying conditions and, on average, an injured employee with underlying conditions is out almost twice as long than an employee with no underlying conditions.

He spoke about EJIF, Environmental Risk Management Joint Insurance Fund, and how it was created in response to the environmental and current liability marketplace. You cannot buy this type of coverage. The Joint Insurance Funds got together twenty plus years ago and made the special purposes JIF to insure peril associated with risk. They have a 1-800 number that you can call if you were to have a vehicle flip over on Route 130 overnight for instance, that will dispatch an engineer out and take over the scene and deal with DEP, EPA, County Health Department, etc. It is a great program that is available to you as a result of your membership in the Burlco JIF.

The JIF has a new auto repair shop program which is a brand-new program to help control the costs associated with those types of situations where, as soon as you have a vehicle where the airbag goes off and you have an employee who is injured that was involved in an automobile accident and the vehicle can be repaired, they make sure it gets repaired properly an up to the manufacturer's specifications.

All of these programs help to create a strong bottom line. They have been around since 1991 and currently they have an excess of \$5.7 Million in surplus. They have cash on hand exceeding \$14.2 Million and they have been able to return almost \$13 Million to our members since 1995. He also mentioned that Florence Township is doing really well, personnel is doing a great job, the Township has always embraced the JIF programs and he hopes to continue.

Council President Garganio asked about EJIF and how it covers accidents and things that happen on-site, and with the PFOAS in the water we are being told that the lead tails have to be replaced throughout the state and is there any type of insurances or any coverage for that type of a loss? Paul said there is not necessarily coverage for it but there are Risk Management programs there to help. One of the things that they are working on now is how to address the PFOAS, because everyone has them and they are not going anywhere. The EJIF is trying to determine the best approach.

Council thanked Steve Walsh and Paul Forlenza for coming out.

APPROVAL OF MINUTES

- Regular Session of June 14, 2023
- Regular Session of June 21, 2023
- Closed Session of June 14, 2023
- Closed Session of July 5, 2023

Motion of Ostrander, seconded by Haas to approve the minutes as submitted.

Upon roll call, Council voted as follows:

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

FINANCIAL CORRESPONDENCE

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

- Township Clerk’s Monthly Report for June 2023
- Court Administrator’s Monthly Report for June 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

REGULAR CORRSPONDENCE

- Police Chief’s Monthly Report for May 2023
- Memo from Chief Boldizar regarding Upcoming Police Events

Motion of Ostrander, seconded by Baldorossi to receive and file the correspondence. Voice vote – All ayes.

APPLICATIONS

None at this time.

PUBLIC COMMENT

Council President Garganio opened the meeting to the public at this time.

Michael Muchowski, 1337 Maple Avenue, asked what the renewal date is for the JIF, stating that if they are going to reevaluate the numbers and are asking for renewal but the rate is unknown it is unusual that they are asking for authorization without having the rate. He mentioned that it may be worth tabling that resolution until we have the rate.

Bryan Hewitt, 1080 Grove Street, asked if there is a digital version of the presentation available or is it accessible on the website. Council President Garganio stated that it is not on the website now but it can be arranged.

Seeing no one else wishing to be heard, it was a Motion of Ostrander, seconded by Haas to close the public comment portion. Voice vote – All ayes.

RESOLUTIONS

RESOLUTION NO. 2023-151
Authorizing Renewal of Membership in the BURLCO Joint Insurance Fund

RESOLUTION NO. 2023-152
Renew ABC License, The Parker House Bar

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**RESOLUTION NO. 2023-153
Renew ABC License, Fine Food and Spirits Inc.**

**RESOLUTION NO. 2023-154
Award Contract for Sewer & Water Rate Fee Study to Holman Frenia Allison**

Council Representative Marter asked if Council is tabling Resolution No. 2023-151. Motion of Haas, seconded by Marter to Table Resolution No. 2023-151 to be discussed at a later date once the rates are determined.

Upon roll call, Council voted as follows:

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

Motion of Baldorossi, seconded by Marter to approve Resolution Nos. 2023-152 through 2023-154.

Upon roll call, Council voted as follows:

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

ORDINANCES

- A. Amend Chapter 36, Section 4 Alcoholic Beverages, Hours of Sale
(Introduction and 1st Reading) (2nd Reading, Public Hearing & Adoption 8/2/23)

Motion of Haas, seconded by Marter to approve to Amend Chapter 36, Section 4, Alcoholic Beverages, Hours of Sale.

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 thanked the Police Department for issuing tickets at the boat ramp because there were a number of out of state vehicles and they were all given citations for being parked there.

She also stated that there are still issues at the curve at D.C. Fabricators. She was told that there was a truck heading out of Florence that decided to pass by the tot lot. There are some broken lines in the roadway along there in the middle of the road as well as the shoulder line. She noticed on the police report that the officer does have some information in the report with regards to that curve so they have been trying to keep an eye on it but she feels it is still a big issue.

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Council Representative Marter stated that someone contacted her about the holes in the concrete slabs on the boat launch, they had gotten their foot caught in a hole and twisted their ankle. She went down at low tide and she said she could see where the concrete is starting to break up. She asked to have someone take a look at that to prevent future injuries.

In the beginning of the year Council Representative Marter had mentioned that she had been passed on Front Street by the church because there is a passing zone there and she said Fuzzy had contacted the county and the county engineers were working on it. That was quite a few months ago so she wanted a follow up to see if from Front Street all the way to Route 130 we can make that a no passing zone. She stated that it does not make sense to her that it is a passing zone when the speed limit is only 30 mph.

REPORTS: ADMINISTRATION

Mayor

Mayor Wilkie mentioned that the Patriotic Celebration had taken place and it was a beautiful day. There had been an article in the newspaper talking about the Fourth of July and the cost of fireworks in the area and Florence Township was not included in that list. He asked Marty how much we pay and he said \$7,500 which is much lower than any other on that list. They are doing a great job and he appreciates everything everyone does to make that happen.

Mayor Wilkie stated that the Department of Community Affairs does a report on the taxes that is available on the website and it normally gets populated around March each and we have been including it in the tax bill that goes out in August.

Mayor Wilkie stated that there was a meeting on June 26th with Congressman Kim on warehouse and truck traffic, where the Mayor from Allentown, the Administrator from Hightstown and Westampton's Mayor and Administrator were in attendance. The Congressman is committed to continuing a dialogue and, obviously he is limited because it is not a federal issue, but hopefully funding opportunities can be identified.

Council Representative Marter mentioned getting a stop sign at the bottom of the ramp at the turnpike exit to try and slow that traffic down to cut down on accidents there with the trucks. She said she is trying to get some help from the higher ups to see if we can get something done through the state. The New Jersey Turnpike is an entity within themselves but she is going to try and see if she can get us a source of some sort.

Senator Singleton is going to be in town Friday, July 14th, he is hosting the Senator lunch program at Riverfront from 11am-12pm and then he is meeting with officials at the Amboy Avenue parking lot for a picture with the check for the grant for that area.

The next Council meeting is Wednesday, August 2, 2023. National Night Out is planned for August 1st.

Mayor Wilkie recognized the passing of a few long-time community members. Jim Sanders, a fourth-grade teacher at Duffy School, John Dulo who was the former Fire Department Chief and also served on the Fire Commission for many years and Ralph Foulks, the oldest member of the fire company and probably the oldest member of the American Legion at 98 years old and a World War II Veteran who had just recently moved from the Duffy School apartments to the Masonic Home.

Council Representative Marter mentioned the Police Department Youth Academy that is taking place on the week of July 17th and the graduation will be on Friday the 21st.

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Division of W&S Utilities

A. Lead Tail Replacement

Water and Sewer Director Dave Lebak discussed the lead tail replacements. He stated that State Legislature posted regulations on water utilities to identify all water service lines in the communities in the public water system. Those efforts have been underway for about a year and a half. Each year we are required to submit an annual report or a water service line inventory indicating where lead service lines are and also indicating where the unknown lines are. Unfortunately for us a lot of the lines we suspect, are galvanized with a small piece of lead tail which is usually just a connector from the galvanized to the main. The reason they do that is the galvanized is a rigid pipe, the main is a rigid pipe and if you put them together you have more breaks without that little piece of flexibility in the middle. To determine if the line is galvanized, you have to excavate. The plan of approach is to use the sewer vactor truck to begin excavating typically between the curb and sidewalk where the curb stop shut off valve is located or the rear of the property near the alley. It is a little less invasive to be able to excavate down to see what the materials are and then ultimately develop a list of ones that we have and replace them. They have been chipping away this year at doing some replacements in order of prioritization, they are looking at the leaking lines and those types of things that are more of a priority. And then also where they are doing road program work where roads are going to be dug up. It's better to get in there first and do those before the road gets paved. They are trying to stay in communication with the residents if they have concerns and questions about their lines they go out and visit. They are also in communication with the construction department, if they are out at home, they let them know what they are seeing and if there is copper or galvanized lines they are keeping their records updated.

Council Representative Marter asked if there is anything a homeowner can do on their own from the inside of their home? Dave explained that some homeowners call the water and sewer plant to tell us if it is copper or galvanized but other homeowners don't know or they are not sure. Someone who has plumbing experience can help us with that. Otherwise, they can open up their homes and let us into the basement so that we can get a look. If we can see it in the basement, it doesn't mean it is all the way to the main, it may only be to the curb. Ultimately, excavation at the curb is necessary in most cases. The legislature states that even though galvanized is not lead, they basically classified it as lead to get the galvanized out of the ground.

Council President Garganio asked for a quick estimate of how many lines are thought to be galvanized? Mr. Lebak stated that last year the Water & Sewer staff went out and studied the lines looking for the ones that had been replaced and there are about 300 on that list. It went from over 1,800 to right around 1,600 but again, most of those are unknown.

Council Representative Marter asked if we can assume anyone who has had new work done has been replaced? Mr. Lebak stated that so many lines were done from the curb to the house and they didn't want to go out to dig the street up so they always have to be aware of that. That is considered to be a partial and a partial replacement still has to be completed. Council President Garganio asked if that is something where we can shoot a camera up or is there equipment that would be able to just go look so you don't have to dig the street up? Mr. Lebak stated that the new truck that Mayor and Council supported them on this year is built for hydro excavating so you can suck a whole street down at the curb stop without disturbing too much and get down there pretty quickly to see what it is and that is the best method right now. When they find it, they replace it immediately. They have done between a dozen and two dozen services this spring which have been leaks and lines that fall into our upcoming road program.

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Council Representative Marter asked when they find a lead tail and it's attached to a galvanized pipe, are they replacing the pipe or are they just doing the lead tail and the homeowner is responsible for the pipe from the home? Mr. Lebak explained that they run the poly line from the main, depending on the situation, we are going from the main to the meter unless it is a situation where the homeowner just wants to replace their line or there are cases where someone may be flipping a property so they are looking at it on a case by case and trying to make sure they remain consistent.

Council President Garganio asked about funding for that project and if you are replacing the whole thing is that only on us or is that falling on the resident. Mr. Lebak answered that currently it falls on us. Because we are doing it in-house through our staff you are not seeing huge numbers on these replacements as opposed to contracting that out. They do have materials in stock that they have prepared for over the past year or so. Brass is about nine months out so they started ordering some of those materials over a year ago and they are trickling in. Council President Garganio asked if there is future funding, does it ever fall on the resident and are they chargeable to the resident? Mr. Lebak stated that under the regulations, we are not bound to pay for the whole thing, we can actually assess a property owner based on regulations. We have been doing it as we can but if a resident just wants their line changed and we are not ready to do that, they can change it we are not going to stop them. But we can't drop what we are currently doing under the program and do theirs just because they want to do it. There will be times when that sort of thing comes up but we are just trying to stay afloat since we are early into the process.

Council Representative Marter asked if having this new vehicle that allows hydro excavation available allows us to be able to do it ourselves? Mr. Lebak stated that it helps them to categorize the lines and at times they use that for the excavation as well depending on what kind of utilities and other options are in the way which allows us to keep it in house. It is a significant savings to keep it in house when you are only paying for materials.

Council President Garganio asked how many total water lines we have? He also stated that there is a possibility that a third of them would be replaced for free but if you just have a bad water line are we are not going to do that one, so 60% of the town is not going to get it? Mr. Lebak stated there are about 4,500 lines and we have to determine if it is galvanized first. Council President Garganio is just wondering if it is a fairness issue if one-third of the community gets their water lines replaced for free and the other 2/3 of the community is paying 100%, he is questioning the fairness of it. Mr. Lebak stated that it definitely raises those questions and he is in agreement. Council President Garganio thinks we should have a conversation about that type of an expenditure moving forward as a fairness issue.

Mr. Lebak explained that aside from the inventory report that has to be submitted each year, they have to submit a financial report to the NJDEP to outline how many lines we have changed in the last year, how many we are looking to change this year and then there is also an overall replacement plan. They were all due July 10th and then coming up is our notice to customers, anyone that has a galvanized line or an unknown line has to receive a letter about the concerns of lead in their service. So those letters will have to go out.

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Council President Garganio asked what is coming in when we are testing some of these properties at the faucet? Mr. Lebak explained that there has never been a lead hit in the 24 years he has been here. In 2018, the water was the most corrosive it has ever been and all of the lead came in low. It is not based on data; it is just based on getting rid of all of the galvanized lines. They do voluntary sampling at resident's requests and they have done some and they have never gotten a hit. There is no flexibility on the letter they send out to residents, it is required by the State. Mayor Wilkie asked Mr. Lebak to include language with the water and sewer bills explaining that the lead letter that went out is a standard letter from the State of New Jersey making them aware that the water is tested and that it is safe. We have to do what the NJDEP requires but we also need to communicate with the residents. Mr. Lebak stated that we test for lead every three years and the reason for that is because our values have been so low. If the values were to exceed the threshold, then we would go into accelerated testing which means instead of 30 samples every three years you might do 60 samples every quarter.

Those letters for the lead service lines have to go out August 10th. Council Representative Marter asked that we make sure that there is something included in the Press Release to alert residents that it is coming.

B. PFOAS Update

Mr. Lebak explained that they have made good progress with some design work on the treatment plan. They continue to receive good results on the drinking water and on the wells. They have also considered other means and methods to be able to treat wells in the event that one of them goes higher than expected, and, fortunately there are opportunities out there for the system for an individual well into something they are considering. Unfortunately, if you put a system at an individual well and you take that well down to zero, the NJDEP doesn't call that compliance. The only way to comply is by building a treatment plant.

Council President Garganio asked if we are below the standard in New Jersey at this point? Mr. Lebak said that the EPA had recommended 70 parts per trillion initially and New Jersey enacted 14 parts per trillion on their own. There are several states that are 70 parts, some in the 100s and some that don't have a limit set yet. Council Representative Marter mentioned that it is considerably lower than what the EPA has alluded to and the last number she saw was 7 parts per million which is half of the NJ standard. Mr. Lebak stated that 1 part per trillion is 1 drop in 10 miles of railroad tankers and science has gotten us down pretty low.

Council Representative Haas asked how far the engineer is on the design of the system. Mr. Lebak stated that they have an overall layout and design, they have looked at different pieces of equipment, running and activating any carbon systems and looked at how it can be situated on the property. The HVAC, structural, electrical and the architectural layout and process have been done. Mayor Wilkie explained that we will be developing an RFP and solicit proposals for a design that will address an individual well in order to buy us some time and then move forward when it comes to the larger process. They have communicated with the NJDEP and they are supportive so that will give us time and, financially it is much cheaper. It is not the main goal, but it will address the issue at the one well where there is a problem and that will give you time in order to look at the funding. Mr. Lebak stated that we are looking at a year for design and permitting and two years for construction. Council President Garganio asked if what we are building is for the federal standard, not for the State. Mr. Lebak stated that we are not necessarily building around any specific standard, we are trying to get our level to zero. They went out and visited other installations and one has been online for 18 months and is still at zero with no signs of disruption.

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Council President Garganio asked why the NJDEP has to sign off on anything that we do if we are below the state standard at this point? Mr. Lebak explained that because we were high before, they can require us to build a treatment plant even though we are already below our standard.

Council President Garganio asked about the plant that is being designed and voiced his concern that we are jamming a lot into a tight corner with the recreation fields and putting in a pretty large and pretty high structure at 41 feet. He asked if that was something that we could do in the park behind the Public Works building and pipe to it and then have the ability to expand? His fear is jamming everything in there and then in five or ten years if there is something else that needs to be done, we start running out of space. He asked if it would be worthwhile to move it. Mr. Lebak explained that this will take up a significant amount of room but with the amount of treatment that is going in there right now they don't currently see other needs coming but there is also still some room on the other side. But if they do then his suggestion is to do additional expenses to move further out. To move that out behind Public Works you would have to re-pipe all the wells that come to that one. You could try to fix something up out there but it is going to be more expensive to do so.

Council President Garganio asked if there is an at home filtration system that would take the PFOAS out of the water? Mr. Lebak stated that there is a link where you can look those filters up and most of them won't guarantee they can get down to the levels you want to get to. The other problem is that when we put the filters in we are going to rarely have tests for bleed through on the filters. They are built with redundant systems so you have first stage and second stage, you can test the first but if you start to get some breakthrough you know you are still capturing the second one. For a homeowner, if they put a system on their tap, are they going to spend the money to test on a regular basis to see if that filter is performing right? That is the piece that is difficult for a homeowner, you can put it on however you don't know when that filter is spent. It is hundreds of dollars per test on a monthly basis.

Council Representative Haas asked about the letter going out to the homeowners on public water, what about the homeowners that are on well? Mr. Lebak stated that we are not responsible to send that letter to residents with well water.

UNFINISHED BUSINESS

A. Architect – Update for Bids-Temporary Police Building and Recreation Center

Ted Lovenduski explained that the bid opening was held for the temporary police building and recreation center which will be all one project. We got a favorable bid at about \$700,000 under the architects estimate for \$1,997,000 for both buildings from J.H. Williams Enterprises. It went better than expected and it was nice to get a number to come in like that. There were 4 different companies and the bids ranged from just under \$2 Million to just under \$3 Million. This is on top of the \$500,000 we received from Senator Singleton. Mayor Wilkie explained that Council is going to have to make a decision to put this toward additional work that isn't getting done or to lower the actual cost of the bonds. The contract will be awarded at the beginning of August sometime once the architect has had time to review them.

Council Representative Marter asked for an estimate on time for this build out. Mr. Lovenduski stated that there is no timeline just yet. Now that the bids have been received, an estimated schedule may be in the bid packet but they were just opened and not read thoroughly enough at this time. He is estimating having the Precon meeting around the middle of August and all of the information as far as the schedule should be available at that time.

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B. Follow up – Bike Path Lighting between Cedar Lane and Bustleton Road

Mr. Lovenduski reported that he had spoken to Public Service about what can be done with the lights on the bike path and they are the property of PSE&G and we are not allowed to touch them. Even turning them on or off is not permissible.

Council Representative Haas has a lighting consultant that works on that type of light he would just like to confirm the model number, stating that they can put a dimmer on those lights. Mr. Lovenduski stated that there is no model number on those lights. Mayor Wilkie explained that we pay PSE&G monthly for those lights and we still have to pay even if we ask them to turn them off. Council President Garganio asked to get a meeting with the political consultant at PSE&G. His feeling is that if there is a way to dim the light and they won't give us the model number then that is just bad business. If they are not willing to give us the number then we should bring this person in and if there is a problem at that level then we should go higher.

NEW BUSINESS

None at this time.

BOARD OF HEALTH

None at this time.

MISCELLANEOUS

None at this time.

PUBLIC COMMENTS

Council President Garganio opened the meeting to the public.

Melissa Bond, 14 Amboy Avenue, asked about work being done in the alley of Railroad and Amboy Avenues and whether or not it was a temporary fix? Mr. Lovenduski explained that it was a homeowner's pipe that ruptured and the area was coned off and Water and Sewer went out and identified that it was the resident's sewer pipe that had cracked so the homeowner took care of it.

Michael Muchowski, 1337 Maple Avenue, stated that under Resolution 2023-154 a contract is being awarded for the water and sewer rate fee study and the debate has been off and on for years that we have had homeowners who are responsible from the house to the main. He understands the exposure and the health hazards and approach to it but Council President Garganio hit the nail on the head, it has been the debate we have all swallowed for years. Tall Timber for instance, we ran those water lines through and we had the debate of how to do it and we ended up doing an assessment. He sold a house in Trenton and his understanding is that Trenton has been doing something with their lead lines for years and they have some sort of program in place. He is not sure if it was income based or how they did that. Obviously since we are doing a rate study, Director Lebak should be able to put together a cost estimate of what that line replacement is. We might as well incorporate that into our study because it gets back to that basis of if we are going to do for one are we going to do for all, what is the cost, etc. You have homeowners that paid \$6,000-\$12,000 and for years we unfortunately said this is how our rate structure is, how we kept our rates stable, what we have done, shifting of responsibility as they would call it. If we can incorporate that as a little part of the study then we can determine what our in-house cost is and maybe we develop a cost sharing program or a reimbursement program so if residents need to utilize the program it may be something that can be done over time similar to an assessment. If you are doing the study, you should have pretty solid costs of what manhours and material costs are and we may be able to help those

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residents that have health concerns and the overall rate base as well. And, as Dave Lebak alluded to regarding the certified testing, if you sell a house in New Jersey that has a private well there has to be a test, he does not believe it includes the PFOAS but it will at some point. But even with the parameters they have now that test is \$1,000. If you are doing the study and incorporating it, maybe it reopens that debate of is it the homeowner's responsibility or is it time to evaluate that in an overall sense of fairness?

Council President Garganio agreed.

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

ENTER INTO CLOSED SESSION

Resolution 2023-149 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:

Personnel

It was a Motion of Haas, seconded by Ostrander to adjourn to Closed Session at 8:29 p.m. where no action will be taken. Voice vote – All ayes.

ADJOURNMENT

Council returned to the Regular meeting at 9:03 p.m. on a Motion by Ostrander, seconded by Haas. Voice Vote – All ayes. No action was taken. Motion of Baldorossi seconded by Marter to adjourn. Voice vote – All ayes. Meeting adjourned at 9:03 p.m.

Respectfully submitted,

Nancy L. Erlston, RMC
Township Clerk
/js