

## **Florence Township Council Executive Session 10/11/23**

Florence, New Jersey  
October 11, 2023

The Florence Township Council held an executive session 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. followed by 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; Michael J. Muchowski, Township Administrator; Thomas J. Hastie, Jr., Esq., Township Solicitor; Nancy L. Erlston, Township Clerk; Jenise Silinsky, Deputy Clerk; Ted Lovenduski, Administrative Assistant

Absent: None

### **FIFTEEN (15) MINUTES OF PUBLIC COMMENT**

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

John Fratinardo, 4 Yockus Lane, commended the Police Department for their organization and control over a traffic accident on Route 130 the day before stating that they did a fantastic job.

Jim Fevola, 39 Ridgway Drive, followed up on the emails from the County and the Township regarding the truck traffic. He stated that he didn't get any response back and asked how the traffic on Old York Road is going to be approached and if there is going to be a meeting with the Township and the County to discuss or if there anything in the works and whether or not he can help push it along?

Mayor Wilkie explained that the traffic that we are dealing with there is coming from Burlington Township and Bordentown. He said he can not answer as to what is going to get done, he has been trying to arrange conversation with the County Engineer's office to try and deal with these things and he sent an email and is waiting to hear back.

Mr. Fevola stated that it was pointed out that it is the NJDOT's call to put any restrictions on these roads which he was surprised to hear because it is a County road. He was told that the Township and the County would need to work together to put a proposal together and go to NJDOT to get any sort of restrictions on the roads changed. This seems like it is something that we can talk about and he asked what he can do as a concerned citizen.

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Mayor Wilkie confirmed that the State has complete control. For over 30 years, Florence Township has been looking to get Delaware Avenue and Front Street weight restricted and it has always been that we need to come up with a bypass or a solution and there was no place in town for that to happen. The State controls the truck traffic and they have the final say and they will determine whether Delaware Avenue and Front Street or Old York Road will be able to be weight restricted. His best answer is to continue to be vigilant, continue to write, continue to call, continue to be involved and write your legislator

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

### **BUSINESS**

#### A. Playground Check Presentation from Girl Scouts

Girl Scout Troop #21513 presented Council with a check for \$20,000. The Troop explained that in September of 2021 they had a meeting with Mayor Wilkie where they proposed an idea of an inclusive playground for their bronze project. They decided on this particular project because they felt like it fit the community and would benefit everyone. They had to wait for parts to come in and get installed. They also did some hands-on things like installing a sign language board and hosted and attended a sign language seminar to learn and teach sign language. They made and decorated cement pavers to put under the signs and added marbles to it for sensory. Troop Leader Theresa Farmer stated that the girls fund raised for an entire year and came up short for what they wanted. They had the money to do the piece that is installed and thus completing what the qualifications are for Bronze, which is the highest level award that junior Girl Scouts can achieve. Ms. Farmer reached out to Deacon Ron and the American Legion to help fund what is to come. She thanked Deacon Ron and stated that they are all tremendously proud of the girls and the mark that they are leaving on our beautiful town.

Mayor Wilkie explained that this will be the first all-inclusive playground. Unfortunately, the first set of bids had to be rejected but we have all of the equipment sitting in Public Works to be installed. The safety surfaces have to be installed when the temperature is 50 degrees and rising and, unfortunately, in October we don't expect them to rise so the equipment will hopefully be in place in the springtime. Six bids were received and hopefully next Wednesday Council will be able to approve a contract.

#### B. Solar Landscape – Community Solar Program

Brad Higgenbottom with Solar Landscape came back with a presentation about the community solar project he spoke about at the last meeting. He explained again that community solar is where they put solar panels or arrays on large rooftops of warehouses where they are unseen, the electricity goes to the grid, they get credits from PSE&G and they give those credits to local households, particularly 51% of the credits are reserved for low to moderate income households. It is easy to sign up through their website and the NJDEP has a project finder where anyone can enter their zip code and all of the projects are listed with their percentages and what they are offering. They will do targeted mailings to make sure the residents of Florence Township can get first shot at the discounted rates. Currently Solar Landscape has projects in Mt. Laurel, South Plainfield, South Brunswick and Piscataway and they are able to target these mailings that they do at their own expense to low to moderate income residents and get them signed up. Mr. Higgenbottom said that he has personally been with the program for almost 2 years and he has saved over \$500.

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Solar Landscape has a very robust workforce development program. They recently received a grant from New Jersey for over \$500,000 and a grant from the federal government for over \$1 Million and that has been used to train people. They have trained over 1,500 people in various programs from 2-day workshops to 2-week workshops. They partner with low-income housing developments and nonprofits as well as low to moderate income. As far as timing is concerned, these projects are due November 15<sup>th</sup> and they are trying to get them lined up ahead of time. They like to get all of the permits and everything that they can ahead of time. Right now they have about 75 W2 employees on the roof at any one time. They do their own engineering and everything else pretty much in house except for some of the subscriber management.

Council President Garganio asked who does their apprenticeship program, is it an electrical apprenticeship program? Mr. Higgenbottom stated that they don't run the apprentice program but they do hire apprentices through the union programs.

Regarding their operations and maintenance, they fly drones over to make sure there are no dead solar panels and they pick up on any issue just based on temperature and they are fixed right away. When they have issues in areas that are not near their centers, they typically hire local contractors to do the emergency repairs. They also work with fire departments on safety training for roof top solar arrays.

Council President Garganio stated that we have a multitude of state certified low and moderate households because of our COAH programs, and we currently have 72 new affordable units being built in Roebing. These program would be a good fit and give the new tenants a break on their electric bills. Mr. Higginbottom stated that once the project is approved then they will reach out and set it up because we would want to sign them up first. Once you are signed up, you are first in line and once the project is live you are going to start receiving discounts.

Council President Garganio asked if we could feasibly keep every one of those credits in Florence Township and prioritize Florence with the remaining 49%. Mr. Higgenbottom stated that this will help at least 700 households and mentioned that there is no sign-up fee, no credit check and most people only leave the program because they move.

Council Representative Haas asked if it is easy for the new homeowner to pick up the new system. Mr. Higgenbottom explained that each subscriber is different, when someone leaves it just leaves a hole in the program and will probably take the next person in line. It is not something that you would hand off.

Council Representative Marter mentioned that if you have solar on your home you still get an electric bill if you don't produce enough solar between your net meter so you are still buying the balance from PSE&G. People that have solar have the ability to be able to also participate. Mr. Higgenbottom stated that this has been an ongoing controversy but PSE&G now recognizes and will accept it.

Council President Garganio asked if Council is comfortable with Mayor Wilkie signing the letter to move this forward. Council agreed. Mayor Wilkie thanked Mr. Higgenbottom and signed the letter.

### C. Fuel Station Update

Ted Lovenduski explained that the fuel station is moving along but running about 2 weeks behind schedule. They just started putting the rest of the underground piping in and they are going to start forming the concrete. Following that will be the asphalt which should be done by the end of the month and then it is just a matter of waiting for that tank to come in to do the connection. They are predicting that it should be up and running and pumping gas sometime in the middle of November.

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He also mentioned that the Road Program is moving along. They are having trouble trying to get the concrete contractor focused on finishing something, he keeps jumping around. Right now they are trying to get him focused on finishing East Fifth Street, there are a few driveway aprons left there. He is doing work on Bodine and Union Streets as well as Front Street. That work is probably 80% completed, he still has a little bit more to do but after that it will be electric and things like that for the signal crossarm. The parking lot at Wilkie Park should be painted by the end of the week this week or early next week and that parking lot should be opened back up. The concrete is done now it is just a matter of getting it striped and getting the concrete bollards in. They parked some equipment at the library in Roebing and he asked to notice all of the residents there that the parking lot could be closed. Mr. Lovenduski said that is waiting to hear when the contractor is going to be getting to the asphalt as the concrete has to be done first. He asked the residents to try and leave access open as long as possible because residents depend on that lot for parking.

D. Letter from Florence Township Housing Authority recommending re-appointment of Robert Dulo as Commissioner

Motion of Ostrander, seconded by Haas to approve the reappointment.

Upon roll call, Council voted as follows:

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

Mayor Wilkie explained that Bill Bott was holding the Governor’s appointment and, the way he understands it, the Department of Community Affairs makes the appointment on behalf of the Governor but they look for a name from town. There is a vacancy on that board and, if someone has an interest in that, you have 2 years to complete a course requirement.

E. Request to vacate alley between 28 and 32 Third Avenue, Roebing

Mayor Wilkie explained that Ted Lovenduski had done a survey and when the rowhomes were designed there were alleys which have been taken over by some of the homeowners over the years. There are 37 total alleys that are 4 feet wide and most have been taken over but 7 remain open. Mr. Lovenduski explained that this alley is still on our tax map so technically it is still the property of Florence Township and that is why he asked to vacate. This is the correct process to vacate a property. First is the ask then they have to do the engineering and get their deeds redone and all of those monies come from the homeowner. They have to pay for the engineer to do the survey and they would have to pay for someone to write the deed and the new lot plan. They are looking to install a driveway and they will most likely need a variance for the impervious coverage but he is unsure of the size of the driveway at this time.

Council Representative Marter asked about the tree there and Mr. Lovenduski said that the tree would have to come down. There is going to be a model tree ordinance presented next week in Council’s packets which they are required to do for new Stormwater Regulations. He spoke to both residents about the tree and they said they are willing to replant trees in lieu of that tree. They will remove it and give us monies to replace and plant two trees somewhere else. We have about 8-10 trees coming from the County next week. He is also looking into buying a few additional trees to get in before the end of November as well.

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Council President Garganio asked if we are better off opening all of those up so people have access around their properties. Mr. Lovenduski stated that is something Council would have to think about. 37 have already been closed. The recommendation by Council Representative Baldorossi is to approve this one and take them one at a time and leave the other 37 alone. After further discussion Council decided to take another look at this and make a decision at a later meeting.

### F. EPL/Employee Handbook

Administrator Muchowski explained that this is something that is done every few years to update the contract and make it current and keep us in compliance with what we need to do from an insurance standpoint.

### G. PFAS Update

Mayor Wilkie explained that Council was given two letters in their packets, one that the NJDEP approved and the other letter is what we plan to send out to our residents just prior to the NJDEP letter letting everyone know that the NJDEP letter is required and that our water is still below the requirement and is safe to drink. Administrator Muchowski explained that the water and sewer department put the letter together and there may be changes that need to be made or additional language that needs to be included. Council Representative Marter recommended including the standard numbers and that we are well below that standard and that it was only .001 over when they tested. She thinks that would help to show that we are not just at the standard we are well below and we shut down the well that was the problem. Council President Garganio mentioned that he thinks the letter should be signed by Council and the Mayor just so everyone knows we are all on the same page in dealing with this issue.

Administrator Muchowski explained that Dave Lebak got in touch with someone at the NJDEP regarding the letter and the water quality and such and they don't even fully understand the numbers that are involved. They gave a one-year deadline to be compliant which only means a fully functioning plant that is in place within one year. And even though we are below the standard, this is what is generating all of this additional cost because in their mindset the only mediation is the filtration system. They are stating that one remedy is that that plant is built and operational within a year, which is impossible.

Council President Garganio stated that when they do start doing them, getting the materials to build them is going to be next to impossible. Everyone is going to be installing this type of filtration now.

Administrator Muchowski also mentioned cost containment. Why not let us do this electronically versus independent mailing. We can't mail with a tax bill or a water and sewer bill it has to be strictly independent and it can not be included with any other correspondence. It's another \$25,000-30,000 a year in mailings. We are trying to mitigate some of these ongoing issues. The NJDEP letters have to go out by October 27<sup>th</sup> and our letter will be going out before then.

Council Representative Marter asked where we are with the rate study stating that there has been a lot going on and there hasn't been any kind of rate increase in over 13 years. Administrator Muchowski explained that we handed all of the information over to the accountant to finalize it and put it together and he has not yet gotten it back. He had asked for some additional information to get a total picture of everything.

Mayor Wilkie explained that the basic rate hasn't been increased but we have increased the excess at different times. It has been a few years since the last time we did it but we did raise the excess rate a few years ago. She stated that it is concern now that Ready Pac is gone and that they were a huge user.

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**ACTION**

- A. 2023-198, Updating Personnel Policies and Procedures for the Township of Florence
- B. 2023-200, Approving a Deed to Subdivide Township Owned Property Known as Block 121, Lot 4.02 for Affordable Housing Purposes

Motion of Ostrander, seconded by Haas to approve Resolution Nos. 2023-198 and 2023-200.

Council Representative Marter asked about Resolution No. 2023-200 and if it is just paperwork that needs to be completed in order for Project Freedom to move forward or is there more involved? Solicitor Hastie explained that we acquired the property behind the gas station and during the Project Freedom survey a portion of the vent stack and one of their light fixtures is actually on our property. Project Freedom’s tax credit investor does not want anything to do with gas stations. It is a five-foot stretch of land in total of 750 square feet that we are taking out of the parcel that we are going to transfer to Project Freedom. Then we will consolidate that with the gas station property.

Upon roll call, Council voted as follows:

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

**PUBLIC COMMENTS**

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

Tony Hagen, 204 Boulevard Street, asked how much capacity would be allotted for Township residents in the community solar project? Council President Garganio stated that what we are being told is that as long as people sign up it could be as much as 100% but 51% would be for low and moderate and 49% would be for the general public. Our goal would be to capture it all if we can. The first people notified would be locals and we would get them signed up first.

Seeing no one else wishing to comment, Motion was made by Ostrander, seconded by Marter to close the public comment portion. Voice vote – All ayes.

**ENTER INTO CLOSED SESSION**

Resolution 2023-199 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 – NFI
- Developer Negotiation – Weiss

It was a Motion of Haas, seconded by Marter to adjourn to Closed Session at 8:05 p.m. where no action will be taken. Voice vote – All ayes.

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**ADJOURNMENT**

Council returned to the Regular meeting at 8:25 p.m. on a Motion by Ostrander, seconded by Haas. Voice Vote – All ayes. No action was taken. Motion of Marter seconded by Haas to Adjourn. Voice vote – All ayes. Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Nancy L. Erlston, RMC  
Township Clerk  
/js