

Florence Township Council Executive Session 1/10/24

Florence, New Jersey
January 10, 2024

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 Baldorossi at 7:00 p.m. Council President Baldorossi 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 7, 2024; published in the Burlington County Times on January 7, 2024, placed on the Township website and given to the Trenton Times for information on January 7, 2024.

ROLL CALL OF MEMBERS

Upon roll call the following were found to be present:

Present: John Fratinardo, Nicholas Haas, Talaya Loftin, Frank Baldorossi

Also Present: Mayor Kristan I. Marter; Thomas A. Sahol, Township Administrator; Robert Wright, Esq., Township Solicitor; Nancy L. Erlston, Township Clerk; Jenise Silinsky, Deputy Township Clerk

Absent: None

FIFTEEN (15) MINUTES OF PUBLIC COMMENT

Council President Baldorossi opened the meeting to the public at this time. Seeing no one wishing to be heard, a Motion was made by Haas, seconded by Fratinardo to close the public comment portion. Voice Vote – All Ayes.

BUSINESS

A. Temporary Police Building and Recreation Center

Administrator Sahol explained that the Township has been looking at rehabilitating the former Public Works facility and eventually doing the same for the former emergency squad building to facilitate a temporary move to that building by the Police Department in anticipation of reconstruction of the Police Department wing of the municipal building. This is a much needed expansion to accommodate the size of the force and some of the operations that they have as well as some of the AOC requirements for the cells. He asked that the Governing Body make a decision whether or not to reconvene in a possible subcommittee to review and make sure that they are all comfortable with the direction that the town is going in putting a certain amount of dollars into a building. The Governing Body is mostly made up of new members who may not be familiar with this project and he is unsure that we want to go into this too quickly without reviewing it and making sure that there is an understanding of exactly what all avenues may be. He suggested a subcommittee of the Governing Body to meet with the Command Staff of the Police Department and possibly some of the other departments and decide what their special needs might be if we are going to be making any changes or any moves in the town. It should be looked at globally instead of just isolating it to the Police Department alone. He wanted to bring this up before moving forward with any real commitments, especially on such a large expensive undertaking. He spoke to the Police Department and they have an interest in meeting with the subcommittee to describe some of their

Florence Township Council Executive Session 1/10/24

views on what the current process that might be followed is, if that is the route you wanted to take versus maybe some of the options they thought that the town might want to consider.

Council Representative Loftin and Council Representative Haas agreed to be a part of the subcommittee. Council Representative Haas asked about the number of renovations that need to be made in the Police Department and if it may trigger the code for this building to be done as well. Administrator Sahol explained that he requested that information of the architect and he had not received verification that it would require the retrofit. It is definitely something that, at that committee level we really need to sit down and discuss with the architect. With the subcommittee we can look at the feasibility of all of the options which is of the utmost importance at this time.

B. Website

Mayor Marter explained that she compiled a list of issues with the website two years ago and would like to revisit some of those issues. She sat down with Administrator Sahol to try and figure out the best way to either enhance the current website or take a look at how it can be revamped. As it is now it is very difficult to find anything and you can't search for things. The goal is to try and make it more consistent and far more user friendly so the residents have the opportunity to look things up and get their answers. She asked Council for input.

Council Representative Loftin stated that the website is cumbersome to use, it is outdated and there are other programs that are available and she would like to see see what our options are to make it current and more user friendly.

C. Listening Sessions – Mayor

Mayor Marter spoke about holding listening sessions as opposed to just Council meetings so that residents have the opportunity to not just meet with Council but to have a meeting that includes the Police Department, Administration, Public Works etc., so that residents can actually talk directly to the people involved. It also gives us the opportunity to be quiet and listen to what the community has to say. She would like to try and do these once a quarter and she was looking at the end of February or the beginning of March for a date during the week in the evening. She was hoping to use the Community Center, invite as many people as they wanted and to sit down and talk with the community and have them explain their issues and what they are seeing. She asked Council for thoughts on the idea.

Administrator Sahol asked for clarification of whether or not she is thinking of having a quorum of the Governing Body present or just a small meeting (less than a quorum)? Mayor Marter asked Solicitor Wright if we have to worry about a quorum if it is a public forum or can everyone attend? Solicitor Wright recommended that if there were to be more than a quorum of the membership there it would be in the best interest to provide adequate 48-hour notice and Sunshine the meeting just in case any business ends up being discussed.

D. Cannabis

Mayor Marter explained that a lot of townships have now gone ahead and opted in for allowing Cannabis into their townships and their revenue stream. She spoke to a number of people at the League of Municipalities including the Administrator of Cape May who had only had their dispensary open for a month and she was blown away by the amount of money that had already come into their township. This had been in September, not even during their peak season. She stated that she believes that every time Cannabis changes hands there is a max of 2% that goes to the township.

Florence Township Council Executive Session 1/10/24

Mayor Marter also explained that there are six different types of licenses: cultivator, manufacturer, wholesaler, distributor, retailer and delivery service, and there is also testing laboratory. In order for us to be able to increase revenues we either have to add businesses or increase taxes. If we can find a way to be able to add additional revenues into the town that are not going to impact the residents and increase truck traffic she believes it is something we should look at. She stated that she would also love to see them be hydroponic because then we can also help to cover some of the loss for the water service that we are losing with ReadyPac. Before going down that road and getting ordinances together and adding this to our township, she asked Council if this is something that they would want to move forward with and if there are any of the six licenses we would want to eliminate if we do so.

Council Representative Loftin asked if there should also be a subcommittee or if it is just a matter of amending the ordinance from a “no” to a “yes?” Solicitor Wright explained that there would have to be several ordinances passed, one being a zoning ordinance where the committee, with the assistance of the planner and himself, would make changes to the zoning ordinance to determine what zones in the community you would allow the business(es) to be placed. They would have to include setbacks, distances from churches, schools, daycares and those types of sensitive areas/businesses. And that would be done differently for each different class depending on what the class does, you would have different zoning for a retail establishment than you would for a growing facility. In addition, you would have to pass ordinances to establish what the amount of the tax or the local fee would be. You would then also have to put in place processes for reflection of that fee for applications. There is a process involved and it has been done in many communities so you are not reinventing the wheel here. Administrator Sahol stated that he has experience with some of the license classes and the ordinance will allow you set a maximum of licenses and the type(s) that you are comfortable with allowing.

Council Representative Loftin asked if we could also require a MOU so that they would have to participate in some type of give back or charity that would benefit the town? Solicitor Wright explained that we can't do that. There is an act that allows all of these classes of cannabis businesses in the state to specifically set forth what a township or municipality can or can not do. It is a highly regulated industry so most of the controls are at the state level. There are some aspects that can be controlled at the municipal level and if we are going down this road, the first part of it would be to utilize the planner for the township to develop the zoning regulation which would include the setbacks and what zone is appropriate and all of those types of things. You can also control some of the aesthetics of the facility as well. Most of the police control and the amount of fees that we collect at the local level are controlled by the state. It is just a matter of whether we opt in or opt out and what the range is, which he also believes is up to 2%. Administrator Sahol stated that some of the lower classes are actually down to 1% so it depends on the type of use. He stated that he would verify all of the information for Council.

Mayor Marter explained that the Economic Development Committee did an end of the year report of all of the different commercial locations. Council Representative Loftin asked if we could use that report to make a “green area” to show where we would be good with it or not? Administrator Sahol agreed that would be a great tool for the planner to use when reviewing this.

At this stage, Solicitor Wright suggested Council give direction to the Administrator as to what research to bring back regarding options, if he should spend time on all six classes or if Council is against one or more and to provide that guidance. Council Representative Fratinardo stated that maybe we should focus on all of them to know what is there, what we can do and what is feasible.

Florence Township Council Executive Session 1/10/24

Council President Baldorossi explained that in 2020 when Council was asked to vote on this, they didn't have the rules from the Governor yet. They didn't even know what they were voting on at that time and it was never revisited and now we can contact other towns and get a better direction. They hadn't even developed all of these licenses at that time and it is our time to take a look at it and see what it can bring from a revenue standpoint and providing services to the people that may need the resource.

E. Truck Traffic

Council Representative Fratinardo voiced his concerns regarding the trucks on Delaware Avenue turning left onto Railroad Avenue stating that sometimes they override the railroad tracks and, if traffic is heavy we can have a situation where a train comes while the truck is there. He provided Council with a copy of the tax map outlining and explaining his idea of constructing a new crossing between Delaware Avenue and Cedar Lane at Parkside Avenue where the Mario & Franks restaurant is located, and going through the property at Cream O Land to get those trucks off of Delaware. He explained that at one time in the past there was a cut through that went to Station Road that was taken away. He also stated that a large enough stacking lane heading northbound could take a lot of the traffic off of the roundabout.

Administrator Sahol explained that this was once looked at as an overpass that brought you to the far side of town on Railroad Avenue and had two merging lanes that would come down off of an elevated platform. The reason that it was across an elevated platform was because NJ Transit basically said they will never install another at grade crossing for safety concerns. He stated that if the likelihood of getting a grade crossing installed is that small, once you leave the highway right of way you are going into the municipal right of way for a short distance past Wallace Avenue and onto private property which is probably encumbered pretty badly with wetlands because that area floods substantially all the way out to Station Road sometimes. And you would have to compel the State of New Jersey to pay for it but he doesn't know how it works when they have already agreed to putting a great deal of money into the intersection of Delaware Avenue working with Burlington County.

Council Representative Fratinardo explained that if you look at the plan they have right now, they are talking about traffic only going straight at Delaware Avenue, which means all of the traffic from Delaware would be going up to that circle and all of the traffic from 295 to the circle would be going to that circle. The traffic that would be normally making the lefthand turn on Route 130 would now be restricted to go straight under that plan and would have to come up to that circle. You are creating a bottleneck right there that is going to be just as bad as 130 itself. It is going to be a failed circle before it is even constructed. We were told that the circle was going to be done in five years, six years ago. There is nothing done yet except that the County is supporting the project so he thinks we need to look at things that we can do right now. He has seen trucks turn left from the right lane on Florence-Columbus Road and, if they are doing that, he asked if that could be something that we approve? He also brought up the stacking lanes stating that they are too short and people drive right over them and thinks the county should make them longer.

Council Representative Haas stated that he is not a civil engineer, but the road is not wide enough to stack that far back on Florence-Columbus Road. Administrator Sahol stated that the double left is an interesting question that we should ask of NJDOT. He offered to write to the State and ask if they can apply their turning templates to see if it can handle the double left and let the traffic engineers decide if that is appropriate. They saw it fit to do it outbound, maybe they will do the same inbound.

Florence Township Council Executive Session 1/10/24

Council Representative Fratinardo stated that one of the things that holds up some of the traffic there is that people stop to make a right turn. If we could either get a turning lane or have another lane by the jughandle by the cemetery going in the opposite direction so it would just be northbound traffic, it could alleviate some of that traffic. Administrator Sahol explained that when the Turnpike created that because of the new interchange, they actually took the narrowest right of way possible so that means they would have to do an additional taking on that private property in order to accommodate that. He stated that he will write that letter on Council's behalf and Council agreed.

Council Representative Fratinardo asked about the speed limit on Old York Road between Florence-Columbus Road north to the border of the township. He thinks the 45 mph speed zone needs to be lowered to 35 mph explaining that cars travel at excessive speeds over the Turnpike extension and, when trying to turn out of the Greenbriar Development, the cars are right on top of you by the time you make the turn. Council President Baldorossi recommended extending that speed limit change to include Old York Road in both directions. Administrator Sahol agreed to send a request to the County Engineer's office to ask to reduce the speed limit on all of Old York Road.

ACTION

- A. Night at the Races, Off-Site 50/50, On-Site 50/50 and On-Site Merchandise Raffle on March 22, 2024 at Francis W. Robbins Post 194, 601 Broad Street, Florence, NJ from 5:00 p.m. to 12:00 midnight for the Florence Township Civic Association to benefit Francis W. Robbins American Legion Post 194.

It was a Motion of Haas, seconded by Fratinardo to approve and file the application.

Upon roll call, Council voted as follows:

- YEAS: Fratinardo, Haas, Loftin, Baldorossi
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

B. FINANCIAL CORRESPONDENCE

1. Treasurer's Bill List

It was a Motion of Loftin, seconded by Fratinardo to approve the Treasurer's Bill List.

Upon roll call, Council voted as follows:

- YEAS: Fratinardo, Haas, Loftin, Baldorossi
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

PUBLIC COMMENTS

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

Bryan Hewitt, 1080 Grove Street, asked, with the revenue that we would collect from any type of Cannabis stores that would come in, are there any rules about what the Township has to do with that revenue or would we be allowed to have a say in what it could be dedicated toward? He stated that he has seen the general pushback from most residents who believe that marijuana is going to affect the community in a very negative way so if those people have some level of comfort knowing that if it is being provided legally and we are actually giving that money to the community and it is going into programs and we are doing good with it versus just allowing it to happen where there are no actual

Florence Township Council Executive Session 1/10/24

benefits. Solicitor Wright explained that he is not sure at this time but that he can advise Council at a later date if there are any restrictions or dedications of the funds that are collected.

Mr. Hewitt also asked if there is a way that specific concerns that are addressed at Council meetings can be tracked? He said that it seems as though previous issues come up repeatedly and asked if there is a way to have a page dedicated on the website where these issues are listed along with the resolution and/or follow up and maybe then it becomes a searchable database on the website or future website.

Mayor Marter stated that this is something that can be taken into consideration. She stated that typically when something is brought up to Council, she or the Administrator would follow-up with the person asking the questions in order to give them the resolution. But that is not going out to the general public it is just going out to the person who asked the question. When they meet with the web designers they can figure out what the best way to get it on the website would be and to have it be searchable.

Administrator Sahol mentioned that when a resident request comes in or the Governing Body gives direction maybe there needs to be a track of the workflow and, unless it is brought back in a public forum, the public won't know the outcome and it never hits the minutes. The Governing Body may be made aware of it by memorandum but, it might be that, each time we discuss one of these things at a future meeting when it is resolved or when there is some status, then we make sure we mention it as an open item where it stands. This way once it is resolved, it is reflected in the minutes and it will be heard during the meeting so we are not doing a double duty and tracking a section on the website that is going to contain the open items and, at the same time the open items are going to be reported and eventually passed in the minutes. He is wondering if the minutes can reflect it as long as we can assure Council and the public that we are going to restate what the resolution was.

Mr. Hewitt mentioned that if there was something perhaps put into the minutes where there was time set aside specifically to update on any issues brought up at a previous meeting and how it was resolved then we wouldn't have to get into the website. It would be great to have a searchable database on the website but at least for right now we can be hard coding that information into the minutes so that when the website does get fixed, we will be able to reference back into that information.

Larry Maio, 2 Laurel Avenue, stated that he is very dismayed hearing that the township is pursuing a Cannabis path for revenue generation. He believes we are capitalizing on sin tax there and he doesn't believe that our township would benefit from pot sales just due to the nature of our environment. We are generally a very small community of homes, there is very little Route 130 space which will get smaller with all of the planned traffic changes and you are going to be bringing in a lot of people from other towns which will increase traffic. From a moral standpoint, he is totally against this. He has lived in the town for 34 years and it is a very nice town to live in and he would hate to see more bars and pot being thrown into this. He thinks that, as citizens in the town, they should have a say. He thinks that is still a dicey business when it comes to the Federal Government as a schedule 1 drug, which could lead to a lot of other issues. He wanted his thoughts on this on the record.

Mr. Maio also mentioned that he is hearing that there are issues with the website but he is only hearing generalities. He explained that website building is a continuous expensive venture. He stated that, in his experience, the township is better off finding a website that performs some of the functions needed that the current site is deficient in and finding out who made that site and going that route. If you don't go with specific needs to a website developer, you are just going to constantly be throwing money out the door. In his opinion, if there is a need, he recommends we write down exactly what needs to be done for the site and whether or not it is working for us.

Florence Township Council Executive Session 1/10/24

Mr. Maio stated that there are quite a few lights out at Wilkie Park and he has been reporting them when he sees them. He thinks that maybe something like this should be the responsibility of Public Works or the Police Department to check and contact PSE&G. Another problem is the lights at the Wawa turnoff on Route 130, the lights are out and it is very dark. When he reported those lights to PSE&G they stated that those lights were fixed but they are still out. He thinks that there is some other issue going on with those lights. He asked if there is anything that the Township can do about those lights at the Wawa intersection.

Mr. Maio then asked about the intersection of Hedding Road and Route 130 stating that it is a dangerous intersection and asked if there is anything that can be done about that. Council President Baldorossi and Mayor Marter both explained that it is in Mansfield Township so therefore it is the responsibility of Mansfield and the state because that is a state road.

Seeing no one else wishing to comment, Motion was made by Haas, seconded by Loftin to close the public comment portion. Voice Vote – All Ayes.

ENTER INTO CLOSED SESSION

Resolution No. 2024-42 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 Fratinardo, seconded by Loftin to adjourn to Closed Session at 8:04 p.m. where no action will be taken. Voice Vote – All Ayes.

Upon roll call, Council voted as follows:

- YEAS: Fratinardo, Haas, Loftin, Baldorossi
 - NOES: None
 - ABSENT: None
- Unanimous vote – Motion carried

ADJOURNMENT

Council returned to the Regular meeting at 8:23 p.m. on a Motion by Haas, seconded by Fratinardo. Voice Vote – All Ayes. No action was taken. Motion of Loftin seconded by Fratinardo to Adjourn. Voice Vote – All Ayes. Meeting adjourned at 8:23 p.m.

Respectfully submitted,

Nancy L. Erlston, RMC
Township Clerk
/js