

Florence Township Council Regular Session 10/2/24

Florence, New Jersey
October 2, 2024

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey. The meeting was called to order by Council President Baldorossi at 7:00 p.m.

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: Joseph Frappolli, John Fratinaro, Nicholas Haas, Talaya Loftin, Frank Baldorossi

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

Absent: None

APPROVAL OF MINUTES

- Regular Session of September 4, 2024
- Regular Session of September 11, 2024

Motion of Loftin, seconded by Fratinaro to approve the Minutes. Voice vote – All ayes.

FINANCIAL CORRESPONDENCE

Motion of Haas, seconded by Fratinaro to receive and file the following correspondence. Voice vote – All ayes.

- Tax Collector's Monthly Water and Sewer Report for August 2024

Motion of Haas, seconded by Frappolli to approve the **Treasurer's Bill List**.

Upon roll call, Council voted as follows:

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

REGULAR CORRESPONDENCE

None at this time.

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APPLICATIONS

- A. Off-Premise 50/50 for Florence Township Performing Arts Booster Club on March 9, 2025 at 2:00 p.m. at Florence Township Memorial H.S., 1050 Cedar Lane, Burlington, NJ.

Motion of Fratinardo, seconded by Frappolli to approve the application. Voice vote – All ayes.

PUBLIC COMMENTS

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

Julianna Babula, 139 2nd Avenue, stated that parking on Second Avenue has become a challenge due to some homes having more than two drivers with multiple vehicles, both personal and work vehicles, parked on the street. She, along with fellow residents, asked Council for advice and/or recommendations regarding the parking situation.

Stephanie Cammus, 2nd Avenue, asked if the Township parking lot could be expanded for additional parking.

Council discussed striping along with signage and/or permit parking and decided to first post signs alerting residents of the overflow parking lot on Hornberger Avenue and to send a letter to all of the residents on Second Avenue making them aware of the lot and asking them to be mindful of their neighbors and not to park multiple vehicles along the street. Administrator Sahol also stated that he will have the police department continue to police that area for any vehicles that are sitting too long.

Motion of Frappolli, seconded by Loftin to post signage and send letters to residents and landlords who have homes on Second Avenue. Voice vote – All ayes.

Jim Fevola, 39 Ridgway Drive, asked if there has been any discussions with the Turnpike Authority regarding a sound barrier between the Turnpike and the Greenbriar Horizon development. He stated that NFI did a noise study when they were looking to build warehouses on the Wainwright and Lounsbury properties and their sound engineer determined that the sound level at certain points, one which was right next to their development, was in excess of the state limit which means that the Turnpike Authority is in violation of State law.

Administrator Sahol explained that several years ago the Township issued a letter to the Turnpike Authority requesting consideration to the residents of Greenbriar and, at that time the Turnpike Authority's position was that the development knew full well what it was doing as it was being constructed because the Turnpike had been there since the 50s and that the in-place Turnpike did not have to provide the benefit of a soundwall. However, the Turnpike Authority's policy with how they look at their improvements has recently changed. He shared with the community manager that it was going to be a topic of discussion at the next meeting for Council and there was going to be a recommendation coming from his office to send a letter to the Turnpike. He asked Council to allow administration to pursue the request of the Turnpike Authority to reconsider the soundwall adjacent to Greenbriar and to also include Florence Meadows.

Mr. Fevola also mentioned that there had been a discussion at an earlier meeting regarding traffic on Old York Road and Florence-Columbus Road and that it was going to be discussed with the County and asked for any updates. Administrator Sahol explained that a request was made to Burlington County to consider a speed reduction from the Mansfield Township line just north of Greenbriar for the entire length of Old York Road through Burlington Township, line to line. Burlington County performed their speed study and he will follow up with them, stating that, at this point, if it had any legs he believes it would have

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already been brought to the town. It is based on weighted average and, if the weighted average is not exceeded by a certain percentage, then they cannot recommend a speed reduction.

The Administrator mentioned that he and Mayor Marter were at a County meeting regarding a different project and the County heard the Mayor's concerns and has considered pulling together the mayors of four different communities which all have Old York Road running through them to do a regional truck examination to see if there could be a delisting of some of our County roadways. Because it is a County road it is automatically, by virtue, a truck route and only the County, with the approval of the NJDOT, can remove those truck routes. He stated that the NJDOT puts a higher priority on interstate commerce than they do on our desires to see trucks removed from the local County roadways so it will be a heavy lift but we are willing to give it a shot.

Henry Gliottone, 33 Ridgway Drive, stated that he and his wife moved here about 12 years ago and it wasn't so bad then but now the noise has gotten so bad that they have to use a sound machine at night and sometimes the trucks vibrate his house. He thanked Council for working on this.

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

RESOLUTIONS

RESOLUTION NO. 2024-183

Providing for the Insertion of a Special Item of Revenue in the Budget, Chapter 159 National Opioid Settlements, Allergan Settlement Fund

RESOLUTION NO. 2024-184

Providing for the Insertion of a Special Item of Revenue in the Budget, Chapter 159 National Opioid Settlements, CVS Settlement Fund

RESOLUTION NO. 2024-185

Authorize Refund of Tax Sale Certificate

RESOLUTION NO. 2024-186

Approve Payment No. 7 for Waterworks Playground & Wilkie Park Improvements

RESOLUTION NO. 2024-187

Award Contract for FY2024 NJDOT Trust Fund for Resurfacing of Broad Street

RESOLUTION NO. 2024-188

Providing for the Insertion of a Special Item of Revenue in the Budget, Chapter 159 National Opioid Settlements, McKinsey Subdivisions Settlement Fund

RESOLUTION NO. 2024-189

Authorize Liens on Certain Properties for Failing to Address Property Maintenance

RESOLUTION NO. 2024-190

Approving the Corrective Action Plan for the Audit Report Year 2023

RESOLUTION NO. 2024-191

Authorize Refund of Tax Overpayments

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**RESOLUTION NO. 2024-192
Authorizing Execution of an Administrative Consent Order with NJDEP**

Motion of Frappolli, seconded by Fratinardo to approve Resolution Nos. 2024-183 through 2024-192.

Upon roll call, Council voted as follows:

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

ORDINANCES

**ORDINANCE NO. 2024-13
Repealing and Replacing Chapter 130 of the Township Code Entitled
“Towing and Storage of Motor Vehicles”
(2nd Reading, Public Hearing & Adoption)**

Motion of Haas, seconded by Fratinardo to open the Public Hearing for Ordinance No. 2024-13.

Gabriella Risoldi, 1435 Woodlane Road, spoke in opposition of the ordinance and listed her concerns. She stated that there are contradictory statements in the ordinance with regard to the length of time of a criminal conviction. In regards to the insurance requirements, as of July 2024 they have changed and the minimum amount of liability coverage for a commercial motor vehicle is no longer \$1 Million and has increased to \$1.5 Million. She also pointed out that in the ordinance’s abandoned vehicle paragraph it states that Florence Township will provide owner information within seven days of being towed and the State statute referenced in the ordinance states three business days. The current proposed ordinance does not have any equipment requirements that the applicants have to meet which can raise some concerns, not only because Florence Township is a high traffic area but also because with the newer warehouses that are in operation if there was to be a major heavy duty accident you cannot be sure that the vendors that respond would be equipped to handle the accident. It states in the ordinance that all accident scenes must be cleaned up appropriately, however there are no guidelines as to what each vendor should be equipped with. Finally, there is nothing listed in the proposed ordinance for electric vehicles and proper procedures to follow when they are involved in an accident. Per the federally recognized organization, Energy Security Agency, they are required to contact them when they tow an electric or hybrid vehicle and perform an inspection of the vehicle which tells them how far to store the vehicle from other things in the yard in the event the vehicle catches fire. The standard to store this type of vehicle after an accident, water incident or fire incident is typically 50 feet away from any other vehicle or structures. She asked that Council reconsider the adoption of this ordinance until the necessary changes are made and thanked them for their time.

Administrator Sahol recommended that Council pass the ordinance and amend it to any inconsistencies at a later meeting. Solicitor Wright further explained that if the Township adopted the ordinance now there would not be an issue because it would still be bound by the higher power. He agreed to work with the Administrator and the Chief to review the contradictions that Ms. Risoldi highlighted and come back to Council with any further amendments to the ordinance.

John Wagner, All About Towing, stated that traffic and accidents are getting crazier and he believes there should be a separate list for heavy duty and light duty because things are going to get worse. He stated that the ordinance hasn’t been updated for several years and he is asking for it to come into compliance with what the state has in place.

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Steve Kowalczyk, Low Rate Towing, stated that he fits the five mile radius cited in the ordinance but it would be easier if the ordinance was by response time and not distance. In his opinion, not every tow truck is being dispatched from the yard, so the 5 mile radius doesn't even come into play. Solicitor Wright explained that there are two things in the ordinance as proposed, one being that in order to be eligible to apply it needs to be within 5 miles driving distance of a certain point. The other is that as a condition of approval, the tow truck company needs to respond within 15 minutes. Both of those are addressed separately. He explained that using time as an eligibility criteria is not workable because times will differ getting from point A to point B at different hours of the day. But to have it as a condition of continued eligibility holds the company to comply in responding properly and that is why the 15 minutes is included.

Mr. Kowalczyk also stated that Risoldi's is not within that five mile driving distance and, if they were on the list, he could work hand-in-hand with them if a "heavy" was needed because he does not have a heavy but could accept the call and work with them. He explained that he is for the ordinance but feels as though these things need to be further considered.

Motion of Fratinaro, seconded by Haas to close the Public Hearing.

Motion of Loftin, seconded by Haas to approve Ordinance No. 2024-13 with an amendment to be introduced after consideration in November and the second reading in December, as advertised.

Upon roll call, Council voted as follows:

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

ORDINANCE NO. 2024-14

**Amending Ordinance 2014-10 and Chapter 60 of the Township Code Entitled "Cannabis"
(2nd Reading, Public Hearing & Adoption)**

Motion of Fratinaro, seconded by Haas to open the Public Hearing for Ordinance No. 2024-14. Seeing no one wishing to be heard, Motion of Haas, seconded by Loftin to close the Public Hearing.

Motion of Fratinaro, seconded by Loftin to approve Ordinance No. 2024-14.

Upon roll call, Council voted as follows:

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

ORDINANCE NO. 2024-15

**Amending Bond Ordinance 2019-17 to Increase Section 20 Authorization
(2nd Reading, Public Hearing & Adoption)**

Motion of Loftin, seconded by Haas to open the Public Hearing for Ordinance No. 2024-15. Seeing no one wishing to be heard, Motion of Haas, seconded by Loftin to close the Public Hearing.

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Motion of Fratinardo, seconded by Loftin to approve Ordinance No. 2024-15.

Upon roll call, Council voted as follows:

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

ORDINANCE NO. 2024-16 Amending Chapter 2 of the Municipal Code Entitled “Fees” (2nd Reading, Public Hearing & Adoption)

Motion of Frappolli, seconded by Loftin to open the Public Hearing for Ordinance No. 2024-16. Seeing no one wishing to be heard, Motion of Fratinardo, seconded by Haas to close the Public Hearing.

Motion of Frappolli, seconded by Fratinardo to approve Ordinance No. 2024-16.

Upon roll call, Council voted as follows:

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

REPORTS OF COMMITTEES, BOARDS AND OFFICERS

None at this time.

REPORTS: ADMINISTRATION

Mayor

Mayor Marter explained that she and the administrator met with the County and got a commitment that they are going to work with Burlington Township on a no turn ordinance to get the trucks to turn towards Dulty’s Lane. They also discussed the bypass which is in the works.

The Mayor mentioned that she put together and signed, along with the Chief, a letter and a flyer “Slow Down in our Town” and is going to take them to the warehouses. She said the police department is doing a lot more patrolling for unmarked cars and pulling vehicles over for speeding and also slowing down the trucks. She also mentioned that the Fall Fest is coming up on October 12th.

Administrator

Administrator Sahol explained that Burlington County sends the Farmland Preservation Acquisition List each year asking for consent or recommendations of any properties we would like to add to the list. If the Township is aware of any farmers that might be interested in potential preservation the County will send a letter to these targeted farms asking if they have an interest in becoming a preserved farm and will make a monetary offer to basically buy the rights to development and put a potential deed restriction stating that they cannot do anything on their property other than farming. He made a recommendation of the two properties that used to be referred to as the sod farm on either side of Bustleton Road. Council Representative Haas asked to include the property on Burlington-Columbus Road across from Fountain of Life Center Church and the administrator agreed to include that.

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UNFINISHED BUSINESS

Council Representative Frappolli stated that the Library Association formulated a list of people for recognition to be placed in the lobby of the library. Administrator Sahol agreed to meet with Rita Carnival to work out the details on that project.

NEW BUSINESS

Council Representative Haas stated that several residents of Kinsman Road and Grove Street reached out to him regarding speeding and overall safety at the intersection and asked Administrator Sahol to look into what can be done there. Administrator Sahol stated that he will speak with the Chief to see if there can be some traffic and speed counts that they can share with the Township Engineer's traffic division to see if they can come up with any recommendations with regards to a stop/yield or roadway improvements that might help, whether it is a raised crosswalk, speed tables or even an island in the middle that channels traffic similar to what was done on Wilbur Henry and Cedar Lane.

Council Representative Frappolli stated that just recently the Burlington County Library cut services from 5 day pickup and delivery of books down to 3 days without any explanation and asked Mayor and Council to put something together to request that they restore our full service back to 5 days. It has created some problems in the function of services. Administrator Sahol stated that Council can write a letter to the Library Board and copy the County Commissioners asking them to restore our services.

Council Representative Frappolli also asked about the upkeep of the library and how we can better maintain that building and Administrator Sahol agreed to have that taken care of.

BOARD OF HEALTH

None at this time.

MISCELLANEOUS

None at this time.

PUBLIC COMMENTS

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

ADJOURNMENT

Motion of Frappolli seconded by Haas to adjourn. Voice vote – All ayes. Meeting adjourned at 8:44 p.m.

Respectfully submitted,

Nancy L. Erlston, RMC
Township Clerk
/js