Florence Township Council Regular Session 08/04/21

Florence, New Jersey
August 4, 2021

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 welcome to attend in person or to attend virtually 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: This meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice was published in the Burlington County Times on January 10, 2021; placed on the Township website, and given to the Trenton Times for information.

ROLL CALL OF MEMBERS

Upon roll call the following were found to be present:

Present: Frank Baldorossi, Paul Ostrander, Jerry Sandusky, David Woolston, Bruce Garganio

Also Present: Mayor Craig H. Wilkie; Stephen Fazekas, Township Administrator; Kelly Grant, Township Solicitor; Nancy L. Erlston, Township Clerk

Absent: None

APPROVAL OF MINUTES

None at this time.

FINANCIAL CORRESPONDENCE

None at this time.

Motion of Ostrander, seconded by Sandusky to approve the **Treasurer's Bill List**.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
- NOES: None
- ABSENT: None

Unanimous vote – Motion carried

REGULAR CORRESPONDENCE

None at this time

APPLICATIONS

None at this time.

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PUBLIC COMMENTS

Bill Lee, 551 Shaver Drive asked for an update on the recent flooding in his area. Township Engineer Wilkinson responded that a survey crew had been out last week, completed a topo mapping plan of the Sixth Street basin and put together a remediation plan. The plan is currently being reviewed and it will be presented to Council in a week or so. He stated that he is reaching out to Conrail to get permission to act immediately. The plan is to get quotes and hopefully begin the improvements to this basin before the end of August. Mr. Lee asked if the Legacy at Meadowcroft basin was tied in to the Sixth Street Basin. Engineer Wilkinson answered that the basins are not tied together hydraulically by pipe but they do have overland flows just by natural topography. Technically everything connects in line so when there is a storm greater than a 100 year event flows will go overland cross Olive Street down through the backyards and eventually get into the Sixth Street basin. This is one of the issues that came about in the 500 year storm that we just had where 7" of rain fall can not be handled in these individual basins. Mr. Lee asked about the forms for filing a claim. Administrator Fazekas told Mr. Lee that we would get the forms to him tomorrow.

Nancy Kranger, 622 Pine Street said that she wanted to make sure that Pine Street would be included because there was no mention of Pine Street. Engineer Wilkinson explained what happened during the recent 500 year storm and what their plan was to change the flow of the stormwater to be directed to Shaver Drive and away from people's yards. Ms. Kranger said she understood there would be low interest loans but asked if there was any other kind of aid for building sump pumps. Administrator Fazekas answered that everything that was received from the residents has been submitted to the County OEM and will forwarded up to the State. If any other funding is available the residents will be notified by the township.

Ibrahim Kranger, 622 Pine Street, stated that he didn't think he should have to get a loan to repair the damage as this was the township's fault.

Kristan Marter, 220 East Front St. asked if anyone from Florence Township had contacted Burlington Township about the landslide and erosion of the retaining wall at the warehouse being constructed next to our Water and Sewer Plant? She is concerned that the water from this could undermine River Road. Administrator Fazekas indicated that Burlington Township is aware. Ms. Marter asked if the crossover Fifth Street at Winter Street will be paved to connect the two sides of Winter Street. Mayor Wilkie answered that it would be connected.

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

PUBLIC HEARING
REVIEW OF MUNICIPAL STATE ASSESSMENT RPORT FOR PLAN ENDORSEMENT

Public Notice was published in the Burlington County Times on July 25, 2021, transmitted to the Trenton Times on July 21, 2021 and posted on the municipal website and bulletin board.

Mark Remsa, consultant for Florence Township, said a little over two years ago Burlington County and the 12 municipalities that make up the River Route petitioned the State Planning Commission for Plan Endorsement of the regional plan and the local plans that the communities have. Tonight, we will be talking about the Self-Assessment Report. The Report talks about what was done in the past based on the plan that was prepared many years ago, reassessing current issues, addresses those issues and approve the assessment report that was prepared by Burlington County so that we can complete one of the steps in the plan endorsement process.

Mr. Remsa explained that plan endorsement using smart growth planning principles was developed about 30 years ago in New Jersey and in 2001 the current state plan was developed. To do that municipalities had to prove that they were engaged in smart growth planning principles. Plan Endorsement improves the implementation agendas. The implementation agenda lists the items that have to be done by the municipalities proving that they were following the Smart Growth Planning principles, for example updating the Master Plan, addressing affordable housing obligation, etc. By implementing their agendas, the municipalities improved their communities over time. The State is supposed to provide benefits to the recipients of plan endorsement, for example coordinated planning assistance.

Mr. Remsa said that in 1998 this corridor plan was developed by the county with the 12 municipalities. Back then plan endorsement was granted and it was valid for 10 years and there was an extension for 10 years. Since 1998 many of the state planning rules have changed and require different things that municipalities are required to do for a new plan endorsement. The municipalities included in the Route 130 corridor are all between Route 130 and the Delaware River. They run from Florence Township down to Cinnaminson and Palmyra. This was one of the earliest areas of the county to be settled and to have major economic development growth especially during the 19th and early 20th Century. The Camden & Amboy Railroad ran through the area. There were steamships moving up and down the Delaware moving goods. In Florence the industry was iron based with the R.D. Wood Foundry and the Roebling Steel Mill employing thousand of people. After World War II these municipalities experienced very early suburban growth. During the 1980's those heavy industries started to decline. New highways like Route 295 drove the retail away from Route 130 so this area of the county was experiencing some difficulty. In 1995 Burlington County decided to put together a revitalization plan which culminated in 1998. This plan endorsement happened in 1999.

Mr. Remsa said the Self Assessment Report is a large document prepared by the county. It contains a number of elements. One is an inventory of key characteristics that looks at opportunities and challenges, demographic and economic trends etc.

Mr. Remsa gave highlights of the things Florence had accomplished, included but not limited to, reexamining the Master Plan, implementing the Affordable Housing Plans, preserving open space and redevelopment of dilapidated properties. Burlington County and the 12 municipalities have done so much ongoing planning work so the county is going to request a waiver from redoing the visioning. The vision is already there and the county and municipalities are more interested in implementing the plan then going back to a former step in the process. One of the questions on the report has to do with recent and upcoming development activities. Many years ago, Florence Township looked at the Master Plan and rezoning and the result of that effort is new industrial development and there are plans for affordable housing developments to fulfill the affordable housing requirements.

Mr. Remsa stated that there is a new requirement in the rules about sustainability. This mean that you meet the needs of today without compromising the ability of future generations to meet their future needs. A good example of that is preserving farmland and keeping development in areas where it is appropriate. Florence Township is a Sustainable NJ community.

Mr. Remsa said we have to stay consistent with the State Plan. You have to look at revitalization, conserve natural resources, adequate public facilities and infrastructure and adequate housing. Florence is on target with this. Mr. Remsa explained that the areas is made up of Centers (concentration of housing and jobs) and nodes (concentration of developments). He also spoke about the State Planning Areas. Mr. Remsa referenced a slide that showed all the Nodes in the corridor and showed 3 nodes that are in Florence Township.

Mr. Remsa said that you have to look at your policy and policy objectives. The report indicates that the initial plan for the River Route was addressed, not just Florence but all 12 municipalities have been addressing those 19 State Plan objectives. The County has reviewed this and Florence has achieved what the original implementation agenda was supposed to do.

Mr. Remsa spoke about areas of State Agency assistance, one of which is the Route 130 area around Exit 6A. This area is impacted not just by industrial development but also the linking of I95 with the PA Turnpike on the Pennsylvania side. This has resulted in an increase in traffic heading eastward trying to make connections with I295 and exiting the turnpike at 6A onto route 130 and going to Florence-Columbus Road. A lot of interstate travel mixing with local travel has had a negative impact in that area. About a year ago a concept development plan was done by NJDOT to improve that intersection. Burlington County also has to work with the Delaware Valley Regional Planning Commission (DVRPC) to identify projects that should be funded for improvements. The county and township are also working for a solution for those people walking along the railroad to get to their jobs. Burlington County has concluded that the Self-Assessment report satisfies the state requirements looking back to 1999 and the planned vision and goals remain valid. The 12 municipalities continue to work with the county to implement the plan.

This Self-Assessment Report is just the beginning of the Plan Assessment. All the municipalities have to conclude the Self-Assessment report. The report gets sent to the state. The state issues its consistency review, the county prepares an action plan, the state prepares a draft implementation agenda that goes to the State Planning Commission who hopefully endorses it. Mr. Remsa stated that noise, traffic, continued preservation, redevelopment and revitalization are the main items in Florence Township's Self-Assessment report.

Mr. Remsa said that this concluded his presentation and asked for questions.

Mayor Wilkie said that he wanted the public to know that there were a few typos on the report that have been updated by the county. On page 51 Weiss property was shown as having 40 apartments actually it was actually 240. Also Forge Mill was shown as having 75 units, when it is actually 80 and Jet.com was listed as being vacant but Ready Pac is in there now. On page 71 the comment about Kampack was deleted since they are no longer a part of the Roebling Steel project and on page 84 they had Cedar Land instead of Cedar Lane.

Council President Garganio opened the hearing to public comment.

Kristan Marter, 220 East Front Street stated that Kampack was also mentioned on page 136 of the document. That may need to be removed. Ms. Marter said on the 2nd page, Item No. 6 references protecting and preserving the Agricultural area. She said that one of the farms in this area has already been sold and asked if the new owners could change the zoning? Mr. Remsa answered that only the township can change the zoning on a property. Ms. Marter said on the section of the document titled "What matters most for your town?" Item no.3 refers to traffic issues cause by industrial/commercial growth in neighboring towns. Ms. Marter thinks we need to add warehouses in Florence Township as well. They have a negative impact on traffic in our town.

Ms. Marter questions the issue of environmental justice. The report states that we do not have any area in the township. Ms. Marter said that there is an overburdened, low-income minority area in our town. All of downtown is overburdened and the two new warehouses have had a negative impact on the quality of life. She said the document states that the township has been burdened by air pollution from landfills, truck traffic increases and congestion. The document also says the township has been burdened by noise pollution from the New Jersey Turnpike access road. She said the noise pollution from the warehouses and the truck traffic going past the homes should be added.

Ms. Marter shared a map that showed the redevelopment areas in Florence Township. It shows that in Florence the redevelopment isn't just along Rt. 130, it is throughout the town. Ms. Marter said that she had recently sent a letter to Joe Brickley at Burlington County to put in a circle so that Front and Delaware could be restricted to 4 tons not 8 tons.

Michelle Rosenblum, 19 Buttonwood Drive, asked why Mansfield Township and Bordentown are not included in the 130 corridor. There have been massive commercial developments in both these municipalities that has had direct impact on our town and the municipalities south of us. She stated that there is a huge increase in the amount of development in these two towns.

Mr. Remsa answered that this was a very good point. After the original plan was done in 1998, there was a follow up plan that Burlington County did that included Mansfield and north in a different study. Efforts have been underway to bring Bordentown and Mansfield into this planning effort, however, the purpose of this public hearing tonight only addresses this specific plan endorsement. Its not that we want to exclude but most of the effort that has already been underway will help to get these 12 communities into plan endorsement which is really the objective of this hearing. There is a Northern Burlington County Circulation and Transportation Plan that Mansfield and Florence were both involved in. That is at the County Planning Board level right now and we are hopeful that that plan gets adopted. Once that is adopted it allows for an expansion of the potential solutions for traffic in the area. There are a number of other plans that are underway, it's not that Mansfield and other towns have been ignored, they haven't. Its just that they are not part of this plan endorsement which is unique and separate. The goal tonight is to get this streamlined so that we can get this off of our checklist. The county is looking at the other towns, it's just not part of this plan endorsement.

Ms. Rosenblum stated that she had reviewed the Northern Burlington plan and the focus for that was primarily Rt. 206 and didn't include Rt.130. This plan doesn't look at the full impact that affects us and we may not get the relief we need because this is being done in a disjointed and bisected manner.

Mr. Remsa said that with regards to transportation and circulation there is that unique plan, the Northern Burlington County Plan, that does address those communities. That is something that is in the works. Its not really disjointed, but a decision had to be made to move forward with this plan endorsement.

Kristan Marter, 220 East Front Street, said that Bordentown Township is currently being sued by a developer who wants them to extend sewer and water into Mansfield Township for 3 warehouses and affordable housing. Bordentown is fighting this but if they lose, the proposed development will increase the traffic flow through Florence or out Old York Road. Plus, there is the proposed Jones farm project, the Vanco property on Florence-Columbus Road and a possible warehouse behind the Liberty 2 Diner. The properties, if developed will greatly increase traffic on Rt. 130 and Florence Columbus Road.

Council President Garganio stated that at this time we were holding a public hearing on the Self-Assessment Report for the Plan Endorsement. Comments regarding other issues should be held until later in the meeting.

Talaya Loftin, 1005 West Fourth Street, stated that she agrees with Ms. Marter regarding the downtown area. She doesn't understand how the township doesn't see the negative impact of the warehouses on downtown. She questioned the ability of the storm sewers to contain stormwater runoff. There is increase air pollution from the sewer plant, asphalt and the warehouses. She can't understand that the township doesn't see the negative impacts on this area.

Mayor Wilkie stated that Griffin Pipe shut down in 2008 or 2009. He did not live near there. But he has heard stories from people who did live there of the dust that came from those facilities that would be on people's clothes and cars. The soils on the Griffin property on both sides of West Front Street were very contaminated. The township didn't rezone the property but around 2008 (before Mayor Wilkie was mayor), the area was designated as an area in need of redevelopment. This allowed the township to work with a redeveloper that cleans up brownfields. In addition to having the hazardous conditions ameliorated, the township was able to take ownership of several areas in the community that were owned by Griffin Pipe. These properties include the R.D Wood ballfield, the Woodlawn recreation fields and the area behind the Oak Mill development. Griffin Pipe historically allowed the township to use these properties but they were owned by Griffin and in turn their successor. Those properties could have been used for development also. A lot of time and effort went into lessening the impact of this development. The developer even added additional parking areas adjacent to the Woodlawn area homes.

Mayor Wilkie said that he understands that people don't like warehouse but in under 10 years we were able to have a registered DEP brownfields site and cleaned it up and capped it. They will be paying taxes in addition to a PILOT and hopefully people from Florence Township will be working there. From an environmental perspective, this was a problem. We could have done nothing but the property would have had to continue to deteriorate for years to come.

Council President Garganio asked if anyone else had a comment about the assessment report, hearing none motion was made by Ostrander, seconded by Sandusky to close the public hearing. Voice vote – All ayes.

Council President Garganio asked for a motion to approve the Municipal State Assessment Report. Motion of Ostrander, seconded by Sandusky.

Upon roll call, Council voted as follows:

- YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
- NOES: None
- ABSENT: None

Unanimous vote – Motion carried

Mr. Remsa thanked everyone for their input and stated that he would modify the questionnaire to include the environmental justice comments.

RESOLUTIONS

RESOLUTION NO. 2021-158
Renew ABC License Dr. Lou's Place

RESOLUTION NO. 2021-159
Renew ABC License Fine Food & Spirits, Inc.

RESOLUTION NO. 2021-160
Refund RV Lot Permit Fee

RESOLUTION NO. 2021-161
ABC Person to Person Transfer, Brian W. Hofmeister, Assignee for the Benefit of Creditors of Riverrock Bar & Grille, LLC to the Parker House Bar, LLC

RESOLUTION NO. 2021-162
Making an Emergency Appropriation to Complete Ongoing Road Project – Potts Mill Road

RESOLUTION NO. 2021-163
Extension of Time for Payment of Tax Bills

RESOLUTION NO. 2021-164
Award Contract Potts Mill Road Phase III to Earle Asphalt

RESOLUTION NO. 2021-165
Award Potts Mill Road Boardwalks & Erosion Repair to Capela Construction

RESOLUTION NO, 2021-166
Authorize Refund of Tax Overpayments

RESOLUTION NO. 2021-167
Amend Resolution 2021-68 Special Projects Contract

Motion of Sandusky, seconded by Ostrander to approve Resolution Nos. 2021-158 through 2021-167.

Upon roll call, Council voted as follows:
YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
NOES: None
ABSENT: Unanimous vote – Motion carried

ORDINANCES

ORDINANCE NO. 2021-16
Prohibiting Operation of Any Class of Cannabis Business in Florence Township
(2nd Reading, Public Hearing & Adopt)

Council President Garganio opened the public hearing and asked for comments. Hearing none motion was made by Ostrander, seconded by Woolston to close the public hearing. Voice vote – All ayes.

Motion of Ostrander, seconded by Woolston to adopt Ordinance No. 2021-16.

Upon roll call, Council voted as follows:
YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
NOES: None
ABSENT: None Unanimous vote – Motion carried

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ORDINANCE NO. 2021-17
Amending Chapter 116 "Property Maintenance" to Require Inspection Prior to a Change in Occupancy
(2nd Reading, Public Hearing & Adopt)

Council President Garganio opened the public hearing and asked for comments. Hearing none motion was made by Ostrander, seconded by Woolston to close the public hearing. Voice vote – All ayes.

Motion of Ostrander, seconded by Woolston to adopt Ordinance No. 2021-17.

Upon roll call, Council voted as follows:
YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
NOES: None
ABSENT: None Unanimous vote – Motion carried

ORDINANCE NO. 2021-18
Supplemental Appropriation for Improvements to Potts Mill Road
(Introduction & 1st Reading) (2nd Reading, Public Hearing & Adopt9/1/21)

Motion of Sandusky, seconded by Baldorossi to approve.

Administrator Fazekas stated that this was for the improvements to Potts Mill Road. The supplemental appropriation is required due to the increase in materials cost that the country is experiencing as a result of shortages caused by the pandemic.

Upon roll call, Council voted as follows:
YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
NOES: None
ABSENT: None Unanimous vote – Motion carried

ORDINANCE NO. 2021-19
Erosion Control Riverbank Drive/Pine Grove Lane Area
(Introduction & 1st Reading) (2nd Reading, Public Hearing & Adopt9/1/21)

Motion of Woolston, seconded by Baldorossi to approve.

Administrator Fazekas stated that there has been significant erosion near the emergency access road. This needs to be stabilized.

Upon roll call, Council voted as follows:
YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
NOES: None
ABSENT: None Unanimous vote – Motion carried

ORDINANCE NO. 2021-20
Amending and Supplementing Chapter 56 "Brush, Grass and Weeds" to Prohibit Bamboo and Invasive Species of Vegetation
(Introduction & 1st Reading) (2nd Reading, Public Hearing & Adopt9/1/21)

Motion of Ostrander, seconded by Sandusky to approve.

Administrator Fazekas said that we have been approached by residents where bamboo on a neighboring property is encroaching into their yard. The ordinance includes all invasive species.

Upon roll call, Council voted as follows:
YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
NOES: None
ABSENT: None Unanimous vote – Motion carried

ORDINANCE NO. 2021-21
Establishing Chapter 115 Entitled "Self-Contained Portable Toilets"
(Introduction & 1st Reading) (2nd Reading, Public Hearing & Adopt9/1/21)

Motion of Baldorossi, seconded by Sandusky to approve.

Administrator Fazekas explained that residents had expressed concern over homeowners having portable toilets in their yards for an extended amount of time. This ordinance allows for extended use at public places, limited use at residential properties, and the provision to request a waiver.

Upon roll call, Council voted as follows:
YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Garganio
NOES: None
ABSENT: None Unanimous vote – Motion carried

REPORTS OF COMMITEES, BOARDS AND OFFICERS
None at this time.

REPORTS: ADMINISTRATION
Mayor
Mayor Wilkie stated that National Night Out (NNO) was a huge success. After the NNO events were completed a large group of people stayed to watch Curtis Thompson compete in the javelin competition at the Tokyo Olympics. Florence Township is very proud of Curtis and will be honoring him on his next visit home in September.

On Saturday there will be an Eagle Scout Court of Honor at 2:00 p.m. at the Methodist Church.

Mayor Wilkie stated that recently the township met with the county engineer regarding the issues of speed and truck traffic. The resolution to decertify Delaware Avenue and Front Street was shared with the county engineer. A meeting will be set up with the county, Florence Township, Burlington Township and Burlington City to address traffic issues. Burlington Township and City want Burlington Columbus Road to be weight restricted also. We are going to try to tie these issues together and approach the NJDOT. There will be another meeting set up to discuss the bypass.

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Mayor Wilkie thanked Council for approving the extension deadline for the 3rd Quarter taxes. The local taxes get struck by the County Tax Board. The County Tax Board has to wait for the State of New Jersey to approve their budget. There were some comments that Florence was late again on the tax bills, but it doesn't have anything to do with the township tax office. We have to wait for the other public entities to send the information to us. And it isn't just us, it is every town in Burlington County.

Mayor Wilkie said he wanted to follow up on one of the questions raised about utilities on Griffin Pipe. When IPT East was built the 12" main was extended and looped and that should have created an increase in pressure to the resident in that area.

Administrator

Administrator Fazekas stated that there was a Covid vaccine clinic. 67 people were vaccinated, with 38 being between the age of 12 and 18. He thanked the school district, OEM and Burlington County Health Department for making that happen. This was the 2nd vaccine clinic that we had in Florence. Council President Garganio thanked Administrator Fazekas for helping to coordinate the vaccine clinics.

Engineering

Township Engineer Ted Wilkinson gave an update on the Pott Mill Road Improvements.

UNFINISHED BUSINESS

Councilman Sandusky asked if there was any update on the pedestrian crossing signal at Delaware Avenue and Hornberger Avenue. Administrator Fazekas said he would contact the county for an update.

NEW BUSINESS

Council President Garganio said there were appointments to be made to the Housing Authority for 5 year terms expiring July 31, 2026. Mayor Wilkie stated that he is reappointing Eduardo Jimenez and Council is reappointing Mary Ann Napolitan.

Motion of Ostrander, seconded by Sandusky approve the appointments.

Upon roll call, Council voted as follows:

YEAS:	Baldorossi, Ostrander, Sandusky, Woolston, Garganio	
NOES:	None	
ABSENT:	None	Unanimous vote – Motion carried

BOARD OF HEALTH

None at this time.

MISCELLANEOUS

None at this time.

PUBLIC COMMENTS

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

Melanie Mieczkowski, 1000 West Fourth Street asked if you already had bamboo on your property would the new ordinance require you to remove it. Solicitor Grant stated that you can have bamboo in your yard but you can't let it travel into your neighbor's yard.

Talaya Loftin, 1005 West Fourth Street, thanked Council for making the updates to the park. She asked if bleachers could be put on the basketball court next to Woodlawn. Mayor Wilkie stated that bleachers would be moved to that basketball court.

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Kristan Marter, 220 East Front Street, wanted a clarification about the zoning for the Griffin Pipe, part of the project behind the Woodlawn homes is zoned as RA and part is SM so the zoning must have been changed. Mayor Wilkie explained that the zone isn't changed when you approve an area in need of redevelopment. The redevelopment plan allows you to supersede the zoning. The area that is zoned residential around the RD Wood field is contaminated and housing would have been prohibited. Ms. Marter asked for a clarification of what types of uses could be put in that area. Mayor Wilkie answered that the permitted uses for the area are listed in the redevelopment plan.

Hearing no one else wishing to comment, motion was made by Ostrander, seconded by Sandusky to close the public comment. Voice vote – all ayes.

ADJOURNMENT

There being no further business, Motion was made by Ostrander, seconded by Sandusky to adjourn. Voice vote – all ayes. Meeting adjourned at 8:33 p.m.

Respectfully submitted,

Nancy L. Erlston, RMC
Township Clerk