

Florence, New Jersey
January 18, 2006

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 President Fratinardo at 8:00 PM. President Fratinardo led the Salute to the Flag.

The following statement was read: "Notice of this meeting has been given in accordance with the Open Public Meetings Act. Notice was published in the Burlington County Times on January 8, 2006; given to the Register News for information. Notice was posted on the Municipal Bulletin Board."

Upon roll call the following were found to be present:

John Fratinardo, President
Frank Baldorossi
Bruce Garganio
Elizabeth Ryan
Jerry Sandusky

Also present:

Mayor Michael Muchowski; Richard Brook, Township Administrator; Dante Guzzi, Township Engineer; William John Kearns, Jr., Township Solicitor; Joy M. Weiler, Township Clerk

MINUTES

Sandusky made a MOTION; seconded by Garganio to approve the following minutes. Roll call vote – all ayes. Motion carried.

Closed Session	December 7, 2005 and December 14, 2005
Regular Session	December 7, 2005
Executive Session	December 14, 2005
Reorganization	January 4, 2006

FINANCIAL CORRESPONDENCE

It was on the MOTION of Ryan; seconded by Garganio to receive and file the Township Clerk's report and Court Administrator's report for December 2005. Roll call vote – all ayes. Motion carried.

Ryan made a MOTION; seconded by Garganio to approve the Treasurer's Bill List. Roll call vote – all ayes. Motion carried.

REGULAR CORRESPONDENCE

Nothing at this time.

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APPLICATIONS

- A. OFF PREMISE RAFFLE: Florence Township High School Band Boosters Assoc., March 12, 2006, 2:00PM – 6:00PM, Florence Township Middle School

It was on the MOTION of Sandusky, seconded by Baldorossi to approve the above application.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo
NOES: None
ABSENT: None

Motion carries.

PUBLIC COMMENTS

Joan Young, 1014 W. Front Street, stated that her alley is in very bad condition and asked that something be done about it. She also stated that many residents on her street are parking behind the houses because there is no place to park. Council President Fratinardo explained that the alleys are currently being evaluated and a program is beginning where the alleys will be repaired. Dan Guzzi, Township Engineer, will see where Ms. Young's alley is on the priority list and report back.

Ms. Young received notice regarding an application from Griffin Pipe for a water holding tank. Mayor Muchowski explained that the application is before the Planning Board. Ms. Young can make her comments before Council but the Planning Board would be better able to answer her questions. He stated that a hearing was held at the Planning Board meeting last Monday night and the applicant will be back before the Board next month. Ms. Young stated that her notice read that the meeting was going to be held on Monday, January 17th but Monday was the 16th so she came last night, which was Tuesday the 17th. Administrator Brook will check the notice to see if there was an error. He also asked Ms. Young if he could have her phone number so the Planning Board Clerk could contact her, advise her of the date of the February meeting and arrange a time for her to review the plans.

Mayor Muchowski reviewed Griffin Pipe's plans that are before the Planning Board. He explained that DEP is requiring Griffin Pipe to store storm water on site. The applicant is looking to erect a 500,000 square foot temporary tank on the slab. The water is used in the making of the pipe. Griffin Pipe has an application before DEP to allow for discharge off of the site into the Delaware River. In the short term they are utilizing several portable tanks plus 20,000 gallon temporary holding trucks.

Ms. Young expressed concerns regarding pollution and mosquitoes with this holding tank behind her property. Mayor Muchowski stated that the same concerns were raised at the Planning Board meeting. The Board is asking the applicant to address those concerns and

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show what they will do to avoid problems such as stagnate water, odors and mosquitoes. Those questions will be answered at the next meeting.

Mayor Muchowski also advised Ms. Young that if the application is approved, buffering will be required. Since it is a temporary structure, it has been suggested that Griffin Pipe put the money that would go into buffering around the structure and use it on their frontage.

Mayor Muchowski assured Ms. Young that the alley behind her house will be looked at.

All residents having an opportunity to be heard, MOTION by Garganio; seconded by Sandusky to close the public portion of the meeting. All ayes - motion carried.

RESOLUTIONS

RESOLUTION NO. 2006-32

**EXTEND THE MAINTENANCE BOND FOR
BEAZER HOMES (WOODSEGE @MALLARD CREEK/TIDEWATER
FARMS), BLOCK 166, LOT 4.01) FOR ONE YEAR
BOND NO. 08663187**

RESOLUTION NO. 2006-33

**AUTHORIZE RELEASE OF CASH PERFORMANCE BOND FOR
CONTRACTING SYSTEMS, INC. II, 472 CALIFORNIA
ROAD, QUAKERTOWN, PA, 18951
(RITE AID)**

NOTE: Conditioned upon any and all escrow funds due being paid

RESOLUTION NO. 2006-34

**APPROVE PAYMENT OF CURRENT ESTIMATE NO. 2 TO
AMERICAN ASPHALT COMPANY, 116 MAIN STREET,
W. COLLINGSWOOD HEIGHTS, NJ 08059
FOR 2005 ROAD PROGRAM**

RESOLUTION NO. 2006-35

**AUTHORIZE THE DIRECTOR OF WATER AND
SEWER AND THE TOWNSHIP ASSISTANT ADMINISTRATOR
TO DEVELOP SPECIFICATIONS AND
OBTAIN BIDS FOR CHLORINE AND SEQUESTERING
AGENT FOR WATER AND SEWER DEPARTMENT**

RESOLUTION NO. 2006-36

AUTHORIZING REFUNDS OF CERTAIN OVERPAYMENTS

RESOLUTION NO. 2006-37

TRANSFERRING CERTAIN 2005 BUDGET APPROPRIATIONS

RESOLUTION NO. 2006-38

RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF FLORENCE AND THE NEW JERSEY STATE POLICE FOR THE PURPOSE OF OBTAINING VOLUNTEERS BACKGROUND CHECKS

RESOLUTION NO. 2006-39

**AUTHORIZE THE MAYOR TO SIGN THE NJDEP PERMITS
TWA AND BSDW
FOR CRAFT STEWART SUBDIVISION
ESTATES AT OAK MILLS**

Administrator Brook explained that Resolution No. 2006-39 deals with the Craft Stewart Water and Sewer applications that have to go to NJDEP for the development located off W. Sixth Street. There were some concerns regarding the approvals that were granted to Craft Stewart and Administrator Brook recommended previously that the governing body not take any action until those concerns were resolved. The concerns had to do with affordable housing contributions and the obligations that Craft Stewart was making and the township had agreed to concerning the COAH program for that particular development. Those issues have been resolved. Craft Stewart has advised the township that they will comply fully with the Resolution that was prepared by the Planning Board. Administrator Brook recommends that the governing body approve the Water and Sewer applications for DEP contingent upon Solicitor Kearns preparing a short developer's agreement that will be executed by both sides.

It was on the MOTION of Sandusky, seconded by Ryan that Resolutions 2006-32 through 2006-39 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Motion carries.

ORDINANCES

**ORDINANCE NO. 2005-31
(2nd Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
AMENDING THE FLORENCE TOWNSHIP CODE TO
REQUIRE THAT PROPERTIES BE MAINTAINED IN
ACCORDANCE WITH APPROVED SITE PLANS**

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2005-31 on second reading for adoption.

Public Comment

Council President Fratinaro opened the meeting to the public for comments at this time.

Nothing at this time.

It was on the MOTION of Sandusky, seconded by Ryan to close the public hearing.
All ayes – motion carried.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinaro

NOES: None

ABSENT: None

Unanimous approval.

ORDINANCE NO. 2006-01

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING THE
CODE OF THE TOWNSHIP OF FLORENCE TO ADD A NEW CHAPTER 71
ENTITLED “SEX OFFENDER-FREE ZONE”**

ORDINANCE NO. 2006-02

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN
BURLINGTON COUNTY, STATE OF NEW JERSEY AMENDING
SECTION 1.10 OF THE FLORENCE TOWNSHIP CODE
ESTABLISHING PENALTIES FOR VIOLATION OF ANY
PROVISION OF THE FLORENCE TOWNSHIP CODE OR ANY
ORDINANCE OF THE TOWNSHIP OF FLORENCE**

ORDINANCE NO. 2006-03

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
AMENDING CHAPTER 134 OF THE FLORENCE
TOWNSHIP CODE TO ESTABLISH A STOP
INTERSECTION AND NO PARKING ON PORTIONS
OF WALNUT COURT**

ORDINANCE NO. 2006-04

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN BURLINGTON
COUNTY, STATE OF NEW JERSEY AMENDING SECTION 130-13 B OF THE
FLORENCE TOWNSHIP CODE ESTABLISHING A SCHEDULE OF RATES
FOR TOWING SERVICES**

ORDINANCE NO. 2006-05

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE PROVIDING FOR
REGULATIONS INTENDED TO PROTECT THE STORMWATER SYSTEM,
PROTECT THE ENVIRONMENT AND TO CONTROL LITTER, YARD
WASTE, PET WASTE, ILLICIT CONNECTIONS TO THE STORMWATER
SYSTEM, CONTAINERIZED WASTE, WILD LIFE FEEDING AND OTHER
PRACTICES THAT IMPACT ON WATER QUALITY**

ORDINANCE NO. 2006-06

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
AMENDING THE FLORENCE TOWNSHIP CODE BY
ADDING CHAPTER 106 BACKGROUND CHECKS**

It was on the MOTION of Sandusky, seconded by Garganio to approve Ordinance No. 2006-01 through 2006-06 on first reading and set adoption for February 1, 2006.

On the Question

Council Member Ryan discussed Ordinance No. 2006-06, Background Checks. She verified that the provision for last minute coaches having a one (1) time, 45-day extension to get a background check completed was included. Assistant Administrator Sahol stated that it is included.

Assistant Administrator Sahol stated that he spoke with the school's business administrator and they have coaches that participate in activities that use the township facilities. Under this Ordinance, those coaches have to be checked every two years. The school does background checks but it runs with the employment of the individual, unless the individual is transferred from place to place or position. That is the policy of the school. After speaking with Council Member Garganio, Assistant Administrator Sahol

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included a section in the Ordinance that states “where an individual is an employee of a school district that provides for those checks, provided that they are consistent with what the township requires, the checks will run for the period that the school allows them to expire.” These checks are not as frequent as the township is calling for.

Mayor Muchowski asked if Florence Township sponsored a tournament with many out of town teams, would the out of town coaches have to have background checks? Assistant Administrator Sahol stated the out of town coaches do not have to have background checks. Other communities are responsible for their coaches.

Council Member Ryan asked Solicitor Kearns if it subjects the township to additional liability by having different standards for volunteer coaches and school coaches? Solicitor Kearns does not believe so. The Ordinance is stating that the school is another governmental entity that conducts a background check and that the township will accept their background check. If a schoolteacher were to volunteer to coach a recreation program, they would be subject to the township’s standards.

Council Member Ryan is not happy with the dual standards; she would like to see consistency to protect the children. Discussion followed regarding requiring school coaches that use township owned facilities to have a background check done every two years and who would pay for it.

After further discussion it was decided to approve the Ordinance with the inclusion of the following language at the end of the second to last sentence in 106-2: ,but in no case shall it be administered less then every two years. This gives the school two years to comply.

The township will discuss this issue with the school.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo
NOES: None
ABSENT: None
ABSTAIN: Ryan (Ordinance No. 2006-05 Only)

Unanimous approval.

REPORTS

Committees, Boards and Officers

- Nothing at this time.

Mayor Muchowski

- Mayor Muchowski reported that TelVue is meeting with the School Board on Tuesday, so the process is moving forward. Council Member Garganio believes, since the township has controlling interest in the television station, the township should also meet with TelVue. Council Member Ryan and Mayor Muchowski agree. At the December 14, 2005 meeting it was determined that the three township representatives from the township would be Mayor Muchowski, Council

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Member Garganio and an administrative staff representative. **Assistant Administrator Sahol will be the administrative staff representative.**

Administrator

- Nothing at this time.

Assistant Administrator

- Nothing at this time.

Township Solicitor

- Nothing at this time.

Township Engineer

- Dan Guzzi, Township Engineer, had requested a status report from the contractor of the Public Works Facility; no response to date. Due to outstanding punch list items and no response from the contractor, the bonding company will be put on notice.

Mayor Muchowski suggested that a meeting be set up with the contractor, Mayor Muchowski, Administrator Brook, Solicitor Kearns, Mr. Guzzi and Council Member Sandusky on February 1, 2006 at 6:30 PM. If the contractor cannot attend, the bond will be pulled.

UNFINISHED BUSINESS

Nothing at this time.

NEW BUSINESS

Council Member Ryan requested a report from David Lebak, Water and Sewer Superintendent, as to why the township does not have **fluoride** in the **water**. Administrator Brook will have Mr. Lebak prepare a report.

Council President Fratinardo discussed the memo from Joy Weiler, Township Clerk, regarding the need for additional **street names**. Council discussed various options such as former mayors, judges and farmland owners. Council will discuss further in February.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Mayor Muchowski discussed **Farmland Preservation**. He stated that some municipalities have implemented open space taxes and some have used other alternatives. Mayor Muchowski suggested creating a Farmland Preservation fund and a priority list of areas that Council would like to preserve. The County would also be involved in the discussion. Mayor Muchowski asked that Council think about it for discussion at a future meeting.

9:15 PM MOTION by Garganio, seconded by Sandusky to adjourn to Closed Session. Roll call vote - all ayes.

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ADJOURNMENT

9:15 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab