

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**August 11, 2004**

**8:05 PM**

### **CALL TO ORDER**

Council President Fratinardo called the meeting to order.

### **SUNSHINE STATEMENT**

The Township Clerk read the Opening Statement: 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 4, 2004; given to the Register News for information; posted on the municipal bulletin board.

### **ROLL CALL**

Present: Frank Baldorossi, Bruce Garganio, Elizabeth Ryan, Jerry Sandusky, John Fratinardo

Also Present: Mayor Michael Muchowski; Richard A. Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; Russell Trice, Township Water and Sewer Engineer; William John Kearns, Jr., Township Solicitor; Joy Weiler, Township Clerk

NOTE: Council President Fratinardo announced that the Township Auditor will be here this evening between 9:00 PM and 10:00 PM

### **PUBLIC COMMENT**

Louis Stelle, 213 Broad Street, applied for a handicapped parking space for in front of his house in February of 2003. Council President Fratinardo stated that Council has been trying to make a decision on handicapped parking spaces and explained that there have been so many requests that they are trying to work out a way to issue the spaces and still facilitate everyone. Mr. Stelle reviewed his need for a handicapped parking space.

Council Vice President Ryan noted that handicapped parking is on this evening's Agenda for discussion. She explained that it is a subject that Council has been struggling with due to residents that do not medically need a handicapped parking space but have been able to obtain a certification from a doctor stating that they do need a handicapped parking space.

Mr. Stelle reported that there are (2) two properties that are in disrepair, which are advertised for rent, that he believes are uninhabitable. Administrator Brook will have the exteriors inspected as soon as possible and letters will be sent to the owners asking permission to inspect the interiors.

Mr. Stelle asked when he would get an answer regarding his handicapped parking application? Council President Fratinardo stated that he does not have an answer for him right now; it will be discussed.

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

**TOWNSHIP WATER AND SEWER ENGINEER**

**US Homes Performance Bond Reduction – Greenbriar**

Russell Trice, Township Water and Sewer Engineer, reviewed and recommended the Performance Bond Reduction for US Homes pending the Township Engineer's report. (See below.)

**Well Report**

Mr. Trice stated that all (5) five wells were inspected and some items of concern were found. He reported that the inspector recommends redrilling Well No. 4. Mr. Trice and David Lebak, Water and Sewer Superintendent, do not agree and would like to do some additional investigation. Mr. Lebak is going to obtain quotes on televising the well; this will provide a better assessment of the well. Mr. Trice believes it may need to be redeveloped and explained the procedure.

Also noted by the inspector is that the pump is wearing in Well No. 5. Mr. Trice stated that work does not need to be done on it this year, but the township may want to include it in next year's budget.

Council Member Garganio asked Mr. Trice for a five-year maintenance plan that would show which wells would need work and the approximate cost.

**Well No. 6**

Mr. Trice reported that he is working with DEP on the Water Allocation Permit. He received a review letter from DEP this week and plans to submit a response by the end of the week.

Council Vice President Ryan questioned a memo from the State regarding long-term contaminants from Tulleytown Landfill. It advised that the Township should consider installing a sentinel well between the well field and the river to provide an early warning in the event of contaminated ground water. Mr. Trice believes it is a good idea. After a brief discussion, the governing body asked Mr. Trice to provide more information on installing a sentinel well.

**FIRE CODE ORDINANCE REVISIONS**

Assistant Administrator Sahol reviewed the memo from Kevin Mullen, Fire Marshall, regarding the audit performed by the State Division of Fire Safety that had shown some deficiencies in the local fire code. The memo also included recommendations from Mr. Mullen addressing the problems. There are also some fee adjustments and some reclassifications that should be made. Council Member Garganio asked if the Township's fire code could be more restrictive than the State's fire code? Solicitor Kearns explained that in some instances you can be more restrictive than the State, in other instances you cannot. The State Division of Fire Safety must approve the changes. Council in agreement to move ahead with the changes.

**TOWNSHIP ENGINEER**

**US Homes Bond Reduction – Greenbriar**

Dan Guzzi, Township Engineer, reviewed the Performance Bond Reduction for US Homes. After discussion of US Homes delaying construction of the clubhouse, Council decided not to release their Performance Bonds (includes Water and Sewer, see above) at this time. Will discuss further at a later date.

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Council President Fratinardo stated that he is a member of Greenbriar's association and would abstain from discussions of the clubhouse.

**Public Works Facility: Current Estimate No. 9 and Change Order No. 1**

Mr. Guzzi reviewed and recommended Current Estimate No. 9 and Change Order No. 1.

Administrator Brook stated that the project is going well and they may be able to begin phasing the department into the building within 30-60 days. A resolution will be approved at next week's meeting.

**Community Development Block Grant: Current Estimate No. 3 (Final) and Change Order No. 1**

Mr. Guzzi reviewed and recommended Current Estimate No. 3 (Final) and Change Order No. 1. A Resolution will be approved at next week's meeting.

**Civic Avenue: Repairs/Payment**

Mr. Guzzi stated that the repairs have been completed on Civic Avenue where the homeowner's contractor had done some damage. There was enough money in escrow to cover the repairs.

**2004 Transportation Trust Fund Project, Sidewalk Replacement: Current Estimate No. 2 and Change Order No. 1**

Mr. Guzzi reviewed and recommended Current Estimate No. 2 and Change Order No. 1. A Resolution will be approved at next week's meeting.

Assistant Administrator Sahol stated that DOT would like to have a ribbon cutting ceremony when the project is complete.

**Golden Gate Basin: Repairs**

Mr. Guzzi reported that the rehab and maintenance to the basin is complete and recommended payment to the contractor, Father Nature. Council Member Garganio asked if the payment would come out of their bond money? Mr. Guzzi stated that it would.

Mayor Muchowski and Mr. Guzzi discussed the different types of grasses that can be used in basins. When the Ordinance is rewritten to reflect the State Storm Water standards, the type of grass to use in basins can also be addressed.

**Maintenance Bond: Michael Sassman, Bl.178, Lot 1 Woodlawn Ave.**

Mr. Guzzi asked to hold his report until next week due to some outstanding issues he would like to get resolved.

**Hapco/Amoco**

Mr. Guzzi received a letter from Hapco's engineer, which updated him on their status. The letter stated that they submitted their information to DOT in June and they are still waiting for their DOT permit. Mayor Muchowski asked that it be included on next week's agenda.

Due to the traffic problem Hapco/Amoco is creating, discussion followed regarding what recourse the Township has to address the situation. Administrator Brook will speak with the Construction Code Official tomorrow.

**MAPLE AVENUE AND BENNETT STREET**

Maple and Bennett are included on a grant application that was recently submitted but without knowing if it has been approved. Discussion followed regarding having the intersection fixed now due to ponding. Council Members in agreement for Mr. Guzzi to obtain quotes for the project.

**TILTON LANE & ADJACENT ALLEY – ROEBLING BANK REQUEST TO VACATE**

David Lebak, Water and Sewer Director, discussed the impact on the utility lines. He reviewed where the water and sewer lines are located in the area. Administrator Brook stated that Roebing Bank has agreed that if the Township ever has to do maintenance work on the lines, they would pay for full restoration. The bank is giving the residents a 10' easement to access their driveways. Discussion of who is responsible for this easement was discussed. Council does not want to put undue burden on the residents. Council in agreement to vacate conditioned upon full restoration including the driveway/street.

**ECKERD PHARMACY – ALLEY VACATION REQUEST**

Mr. Trice stated that Eckerd has agreed to redesign the sewer. He reviewed who will be sharing that line. Council in agreement to vacate alley.

**AUDIT REPORT: JOHN J. MALEY**

The Township Auditor reviewed the 2003 Audit. He discussed the following:

- Assets of General Funds
- Liabilities of General Funds
- Fund Balance
- Revenues for the year
- Expenditures for the year
- Surplus
- Added Assessments
- Trust Fund
- General Capital Debt
- Water & Sewer Fund Balance
- Water & Sewer Revenues and Expenditures

Mr. Maley discussed his findings and recommendations. Council will need to approve a Resolution to be filed with the DCA indicating that they are familiar with the findings and recommendations. A corrective action plan will need to be prepared for these items, which Council will adopt by Resolution and file with DCA. He stated that the day-to-day operations of the Township work well.

**POTTS MILL ROAD – DRAINAGE**

Administrator Brook discussed the problems with the drainage ditch on Potts Mill Road. Mr. Guzzi will inspect and report his findings for September's Worksession.

**TRAFFIC/SPEED DEVICES**

Administrator Brook reviewed information regarding speed deterrents for the Mallard Creek development. Discussion followed regarding various options such as striping the roads or the devices that go in the middle of the road with a "Slow" sign. Mr. Guzzi stated that the devices that go in the middle of the road have to be associated with a crosswalk. Council Vice President

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Ryan stated that the residents want the devices that go in the middle of the road. Administrator Brook stated that five additional signs along the sides of the road will be installed in the development.

After further discussion it was decided that two of the middle of the road devices will be installed along with some striping. Administrator Brook will notify the neighborhood representative.

**RESOLUTIONS**

**RESOLUTION NO. 2004-170**

**AUTHORIZE THE MAYOR TO SIGN THE SUBGRANT  
AGREEMENT FOR THE 2004 MUNICIPAL  
ALLIANCE GRANT AWARD**

It was on the MOTION of Garganio, seconded by Sandusky that Resolution 2004-170 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

Unanimous approval.

**ASSISTANT ADMINISTRATOR**

**Front Street Businesses**

Assistant Administrator Sahol stated that he is waiting for one indemnification form from one Front Street business owner holding the Township harmless once the beautification project begins.

**Nykita Field Backstop**

Assistant Administrator Sahol reported that it will cost approximately \$25,000 to replace the backstop with a dome backstop. Discussion followed regarding the amount of use the field gets. Once the new high school is built, they will no longer use it. There may be interest from other leagues once the high school no longer uses the field. It was decided to repair the existing backstop and see how much activity the field has.

**Statewide Livable Communities Grant**

Assistant Administrator Sahol suggested replacing the wooden tot lot at Marter Park and a gazebo at the Roebling Park. The gazebo could be used for a concert series. He asked if the governing body had any suggestions. A priority will need to be set. Council Member Garganio feels the tot lot at Marter Park should be done first. Other suggestions included paths, a

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basketball court or restroom facilities in the Roebing Park. Mayor Muchowski suggested creating a picnic grove and parking area where the tennis courts are now at the Roebing Park. Assistant Administrator Sahol explained that the grant is for maintenance upgrade and development of a park. Mr. Guzzi stated that there is a grant available that could be used for utilities and roads.

Council Member Garganio suggested finishing the area behind Marter Park where it is wetlands. Mr. Guzzi does not believe that would fit in the grant criteria.

The governing body in agreement that the tot lot at Marter Park is the top priority.

Assistant Administrator Sahol will move forward with the application for the following items:

- Marter Park: Tot Lot (may relocate)  
Parking
- Roebing Park: Gazebo  
Picnic Area  
Parking on Riverside Avenue

The tennis courts in Roebing Park where the picnic grove would go can be demolished in house.

Council Member Garganio reviewed the 2004 Capital Improvement Projects list, which includes:

- Roebing Park: Asphalt Walking Paths  
Demolish Tennis Courts  
Reconstruct Basketball Court  
10 Parking Spots
- Marter Park: Stone Driveway to get across the wetlands  
Grade and Seed Back Fields  
Pave the Walking Paths  
Tot Lot  
Restrooms
- Water Works: Paved Walking Paths  
Storm Basin Replacement  
Basketball Court
- Nyikita Field: Backstop

Any duplicates from another grant application can be taken off.

Discussion followed regarding restroom facilities. At the present time facilities are rented for the various parks and fields; it may be cost effective to have permanent facilities constructed.

Council Vice President Ryan suggested calling the contact person on the various grants to make sure they are not diminishing the chances of receiving grant money by what the town is

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applying for. Council Member Garganio discussed roads in need of repairs. He will be taking a closer look at them to prioritize. He asked for any suggestions for discussion next month.

### **Domestic Preparedness Grant**

Assistant Administrator Sahol met with the Emergency Management Coordinator, Fire Chief, Police Chief and Emergency Squad representatives. They are interested in using the Domestic Preparedness Grant for a trailer that can be utilized by all departments, a Quantitative Fit Test Machine (assures a proper fit for respirators) and some additional hazardous material response kits. Council in agreement to proceed with grant.

### **Grantwriters**

Discussion followed regarding the Grantwriters. They have not provided any grant opportunities as promised. Council Member Garganio would like to pursue getting a refund from them.

### **Sidewalks (Hamilton Twp. Ordinance)**

Assistant Administrator Sahol discussed Hamilton Township's Ordinance regarding trees and sidewalks. In their Ordinance, unless the Township directly causes damage, they do nothing; it is the homeowner's responsibility.

Different cases throughout the Township were discussed. One option may be to move a sidewalk that has been lifted by a healthy tree.

Assistant Administrator Sahol suggested requiring 4' – 5' of grass area between the curb and sidewalk from now on. Mayor Muchowski stated that requirement was included in the last Planning Board approval.

Council in agreement to try a pilot program, at approximately 10 areas in the Township, of moving the sidewalk where healthy trees are lifting it.

### **Amboy Avenue Parking Regulations**

Council in agreement to proceed with an Ordinance regulating the parking on Amboy Avenue on trash collection days due to problem with the trash truck getting through.

### **Fireworks Report**

Assistant Administrator Sahol received a report from the fireworks company that put on the display for the Patriotic Celebration today. He will review and report to the governing body in writing.

### **ROEBLING CENTENNIAL COMMITTEE: BANNER REQUEST**

Administrator Brook reported that the Centennial Committee has requested permission to display two banners, one on Hornberger Avenue and one on Delaware Avenue. They would like the Township to install. He explained that he does not have anyone that could hang the banners and also explained that you need permission from PSE&G along with an insurance certificate. Assistant Administrator Sahol believes that if the banners go on a PSE&G pole they will hang them at no cost but they require a large insurance policy. The application will be submitted to PSE&G to have the banners hung and covered under the Township's insurance.

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Administrator Brook explained that the Township is receiving many requests from the Centennial Committee, but from many different directions. He feels that there needs to be control. Discussion of allowing them use of the Township's insurance policy took place. Limits need to be set. Council in agreement to ask for one contact person.

### **ROEBLING PLANT: FENCE PROPOSAL**

Administrator Brook stated that EPA is not willing to expend the funds for a decorative fence at \$179,000. They will pay up to \$100,000 and suggested a black chain link fence. The governing body suggested a decorative fence on Second Avenue and chain link on Hornberger Avenue. After discussion of future development, such as the museum and sculpture garden on Second Avenue, Council in agreement to have EPA proceed with the fence.

### **HANDICAPPED PARKING**

Mayor Muchowski reviewed the existing regulations. He has found a doctor to replace the doctor that resigned. He will review the handicapped parking space applications.

### **MOTORIZED SCOOTERS**

Administrator Brook stated that the Chief of Police is asking for a local ordinance to reinforce that motorized scooters are illegal. Since a State law already exists stating that they are illegal, Council in agreement not to pass a local Ordinance. Educational information will be sent out advising residents that motorized scooters are illegal and the police department will be enforcing the State Ordinance.

### **RECYCLING CENTER**

Administrator Brook asked if Council would like to approach the Recycle Center employees to see if they would like to work on Sunday or start at a later time on Saturday and work longer in the day? At the present time, the center opens at 8:00 AM on Saturday mornings and by looking at the logs, activity does not begin until after 9:00AM. Administrator Brook will ask the employees if they would be willing to work from 9:00 AM to 5:00 PM on Saturdays. The logs will be reviewed to see if the Recycle Center is utilized during the extra hours.

### **FIELD CUTTER (PW EQUIPMENT)**

Administrator Brook provided information and a quote of approximately \$40,000 on a field cutter. If purchased, it would be better to set it up through the budget rather than a Bond Ordinance. It would reduce the time to cut the fields by 50%. It could be driven or taken by trailer to Marter Field. Council would like for it to be transported between sites by trailer. Administrator Brook will look into funding. Council Member Garganio would like to train at least two employees on this piece of equipment.

### **NJ DOT PRELIMINARY DISCUSSION: TRAFFIC STUDY ROUTE 130 & HORNBERGER AVENUE**

Will be discussed at September's Worksession.

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**SET FREE YARD SALE DAY: SAT., SEPT. 18<sup>TH</sup> (W/SAT., SEPT. 25<sup>TH</sup> AS RAIN DATE)**  
Council in agreement with dates; will be formally approved at next week's meeting.

**NEW BUSINESS**

Mayor Muchowski stated that he was invited to a **Route 130 Press Conference** by the County but is unable to attend. Council President Fratinardo is also unable to attend. The County would like a press release from the Township. Administrator Brook will prepare a press release for Council to review.

Council Member Garganio discussed **machinery** that would be able to grind up the surface of the **alleys** and lay it out flat. He would like to test dig an alley next week. It may also work for the fields. He asked if Council would agree to use on McCoy field in Roebling? Council agreed.

Council Member Garganio stated that if McCoy field looks good after it's grinded, the school would buy the dirt to put on it and asked if township employees could spread it? Administrator Brook asked for a timeline. Council Member Garganio will speak with the school.

Administrator Brook discussed mark outs for utilities in the test alley. Assistant Administrator Sahol will coordinate.

**ACTION:**

**Applications**

**RENEW Transient Merchant License: Mr. Softee**

Clerk Weiler advised the Governing Body that Mr. Softee has not turned in all of the paperwork and approval would be conditioned on all paperwork being in order. Hours of operation will be noon to dusk.

It was on the MOTION of Ryan, seconded by Baldorossi to approve Mr. Softee's application conditioned on all paperwork being in order.

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

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

Unanimous approval.

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**ADJOURNMENT**

12:25 PM Motion made by Ryan; seconded by Garganio to adjourn to Closed Session. Roll call vote – all ayes.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab