

Florence, New Jersey
October 6, 2004

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 Township Clerk read the following 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 and 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:

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

PROCLAMATION: SAMUEL V. FILIPPINE

Mayor Muchowski, along with Edward Kensler, Fire Chief, presented Samuel V. Filippine with a Proclamation in honor of over 50 years of service and dedication to the community as a volunteer fireman. Mr. Filippine has also volunteered as an emergency squad member and for the youth recreation leagues, the Township's July Celebration and the Township's Water and Sewer Assessment.

Chief Kensler expressed his appreciation to Mr. Filippine for his years of devotion and dedication to the community.

Mr. Filippine thanked the Township, his wife for allowing him the opportunity to volunteer and his fellow volunteers.

8:12 PM: Recess

8:15 PM: Meeting resumed.

MINUTES

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

Closed Session	September 1, 2004
Executive Session	August 11, 2004

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FINANCIAL CORRESPONDENCE

It was on the MOTION of Garganio; seconded by Sandusky to receive and file the Township Clerk's report and Police report for September. Roll call vote – all ayes. Motion carried.

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

REGULAR CORRESPONDENCE

None at this time.

APPLICATIONS

- A. Bingo: Florence Township's Elementary PTA, 10/22/04, 6:00 PM – 9:00 PM
- B. Raffle: Florence Township's Elementary PTA, 10/22/04, 6:00 PM – 9:00 PM

It was on the MOTION of Sandusky, seconded by Garganio to approve the above applications.

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.

PUBLIC COMMENTS

Terri Cranmer, Route 130, asked Administrator Brook about the status of the 208 Plan. Administrator Brook stated that he would find out and advise Ms. Cranmer.

David Remboske, 16 Tall Timber Lane, asked if the WAWA on Route 130 and Cedar Lane own the property behind them and if they are proposing to put in a truck stop? Mayor Muchowski stated that the group that developed the property owns it, and there is discussion regarding WAWA buying the property to expand the parking area to allow for the safer parking of over sized vehicles. He explained that the governing body does not want a truck stop and any approvals would be for short-term parking. Safeguards will be put in place during the approval process to prevent a truck stop. He stated that WAWA's application would be heard before the Planning Board, and the residents in that area would have the opportunity to attend the meetings and voice their concerns.

Mayor Muchowski discussed the dangerous situation at WAWA now with the truck parking and explained that safeguards need to be put in place.

Mr. Remboske expressed his concerns about the area becoming a truck stop. Mayor Muchowski explained that applicants must notify all property owners within 200' of their property, and assured the Tall Pine development residents that if they are out of the 200' they will also be notified if an application is submitted.

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Gary Myerovich, 35 Tall Timber Lane, also expressed concern over the area becoming a truck stop and the noise from the trucks.

Mr. Remboske continued to voice his concern about the noise, truck traffic and the possibility of a truck stop at WAWA.

Council Member Ryan explained that there is no application at this time. When an application is submitted to the Planning Board, the residents of Tall Pines will be notified for them to attend the meeting and voice their concerns.

Art Steffen, 32 Tall Timber Lane, questioned property on Cedar Lane that appears to be used as a racetrack and asked if it was a business? Council President Fratinardo stated that the property owner has informed the Township that he is only using the property for personal use. Council Member Garganio stated that the State did inspect the property and gave the property owner a remediation plan. That is as far as it has gone. Without proof that he is running a business there is limited enforcement.

Bart Shrader, 46 Tall Timber Lane, discussed ATV's riding on the school's property behind his house. He stated that it goes on six hours a day. Mayor Muchowski advised Mr. Shrader to call the police department the next time. Council Member Garganio asked that a letter be sent to the Board of Education advising them that complaints have been received that ATV riders are using the property. Administrator Brook will notify the school. He explained that the police cannot go onto private property without the proper notice posted. If the school posts no trespassing signs, they can authorize the police to go onto the property and issue tickets. Administrator Brook will contact the school.

Ms. Cranmer asked about the access to the gas station on Route 130 being lengthened. Mayor Muchowski stated that it is in progress.

Paul Fletcher, 11 Evergreen Lane, thanked the township for the very detailed report, which was given to the residents, on bringing in water and sewer, which allowed them to make an educated decision.

Mr. Remboske asked how much it would cost the school to run water and sewer lines if the residents do not tie in? Council President Fratinardo explained that originally the school was going to put in a forced line that would not have been able to be tied into. Council felt that it was a good opportunity for the community to tie into and approached the school about putting in a gravity line. The two different lines cannot be compared when it comes to cost.

Mayor Muchowski explained that the estimated cost for the school to run the line on their own line is approximately \$485,000. That is the amount the school would pay and that is the amount the homeowners would save if they hooked in with the school. The homeowners would be assessed to tie into the line. Mayor Muchowski explained the assessment process, which is based on an increase in value not on the actual cost.

Mr. Myerovich does not feel it is necessary at this time to bring in water and sewer but feels that the school should install a line that the development could hook into in the future. Council President Fratinardo explained that the Township cannot force the School Board to install a

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gravity line. There is a large difference in cost between a gravity line and a forced line and it would significantly impact the proposal that was approved by the residents. Mr. Myerovich discussed future growth and believes it would be irresponsible for the school to run a line that could not be tapped into.

Mayor Muchowski explained that the Township does not have the financial ability within the utility to put in the line without assessing the residents. The residents will not be forced to connect but they will be assessed due to the value increase of the property.

In response to questions regarding the existing wells, Dan Guzzi, Township Engineer, explained that the existing wells can be hooked up to public water and used as an irrigation well for a sprinkler system or outside water.

John Morgan, 28 Tall Timber Lane, questioned the properties that would not be able to connect. Mayor Muchowski explained that the properties that cannot connect would not be assessed.

Council Member Garganio explained that hooking in with the school's line would save the property owners approximately \$10,000 a lot.

Mr. Remboske stated that his is one of the properties that cannot tie in and asked how much it would cost to tie in the future. Mayor Muchowski could not give a definite answer and explained that it would be based on the assessment at the time the improvement is made. Mr. Remboske feels they should do the whole development at the same time. Mayor Muchowski stated that it would be an additional \$500,000 to \$700,000. He explained that the Township would have to take on the entire amount of debt.

Mr. Shrader of 46 Tall Timber Lane questioned the calculation of the assessment. He also discussed a drainage problem that he is currently having on this property.

Barbara Melnyk, 50 Tall Timber Lane, stated that she believed the assessment is a bargain.

Mr. Myerovich of 35 Tall Timber Lane thanked Administrator Brook, again; he stated that he wanted to be listed in favor of the project. He asked that it be placed in the record that they have changed their minds and are in favor of the project.

The Mayor stressed that the town is not forcing this on the residents; the town is trying to help; he explained the assessments and the process.

Mayor Muchowski also explained that if the residents do not want the project, it is fine.

William Bott, 64 Riverbank Drive, stated that he is a water and sewer payer. He stated that when the governing body was going to raise the rates, residents filled the Council Chambers in order to complain. He also noted that he believes going into debt just to go into debt is irresponsible.

Mr. Rembroski, 16 Tall Timber Lane, voiced his concern that people are going to be assessed at \$18,000 now and when and if his property can be hooked up, he will have to pay \$25,000.

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Council Member Garganio stated that the assessment will be based on the value of his home. The Mayor explained that even if all the residents are in agreement with the project, the Township has to obtain State permits and it will take time.

Pat Williams, 30 Tall Timber, owns the property that the easement for this project would go through. She feels that her property will lose value due to the easement. She would lose many trees in the wooded area. She discussed an undeveloped area to the east of 26 Tall Timber Lane; she asked that the Township look to put the easement there. Mr. Guzzi explained that the Township did look at that area but because it is wetlands the lines would have to be very deep.

Mr. Steffen feels the assessment is too high and will have a negative impact on him.

Debbie Ethington, 9 Tall Timber Lane, stated that septic systems have a certain lifespan and feels that now is the time to run water and sewer. She feels it would be short-sighted not to.

Stephanie Williams, 30 Tall Timber Lane, lives at the property that the easement would run through and discussed her land and how much she values it. She does not feel that the two properties where the easement would run should have to bear the burden for the neighborhood. She feels that her property would be losing value due to the easement, not gaining value from having water and sewer. She asked Council to explore other options. Mayor Muchowski fully understands how Ms. Williams feels. The Water and Sewer Engineer is out of town but he will have him look at other options.

Mayor Muchowski explained they are looking into the possibility of installing water and sewer due to requests from some of the residents, and now is the perfect time to cost effectively review the situation.

Mr. Steffen feels that the easement should go through the properties of the residents that want water and sewer. He does not want water and sewer. Mayor Muchowski explained some of the technicalities involved in choosing a site to run the lines.

Ms. Williams asked if the residents would have a chance to meet with the Water and Sewer Engineer before a decision is made? Administrator Brook stated that he will be at next week's meeting.

One resident asked when a decision would be made? Mayor Muchowski stated that a decision needs to be made in the next week or two. If they move forward, it can take 6 to 12 months for the permitting from the state.

Mr. Remboske stated that he is in favor of having water and sewer installed but understands how the residents of the two properties that the easement would run through feel. He asked if the landscaping would be restored after the lines are installed? Mayor Muchowski stated that it would be restored to a certain extent and explained the need for access to the lines. Also, tree roots could cause blockage or stoppages in the lines.

Discussion of the easement followed, which would be 20' wide, 10' on 28 Tall Timber Lane's property and 10' on 30 Tall Timber Lane's property.

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Kim Morgan, 28 Tall Timber Lane, stated that she will only have 2' left on one side of her house if the easement takes 10'. Council Member Garganio stated that an evaluation will be done for a different location for the lines.

Ms. Williams thanked the Governing Body for the information given to the residents and for listening to her concerns.

Administrator Brook explained the governing body was notified of the Morgan's and Ms. Williams concerns and the Water and Sewer Engineer was advised to look into other locations for the lines before he went out of town and asked to report back at next week's meeting.

David Tindall, 36 Tall Timber Lane, asked if they received the best price? Mayor Muchowski explained that the Township is bound by the State bidding law and stated that they will take the lowest responsible bidder.

Mr. Tindall asked if a mound system has to be installed if their septic system has to be replaced? Council Member Garganio stated that it has to be replaced by an approved system that meets code requirements.

Mr. Shrader stated that there is an underground ditch on his property and expressed concern regarding drainage when the lines are installed. He is already experiencing problems with water draining onto his property. Administrator Brook stated that the lines would be installed in the street.

Council Member Garganio explained that if he is getting run off from the school's property that will be corrected during the development phase of the school since the State regulates that all water on their property must not leave their property.

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

Mayor Muchowski and Council Member Garganio explained that no decision has been made this evening. They will wait until next Wednesday for the rest of the responses to the survey and make a decision the following Wednesday (October 20th). Council Member Garganio reminded the residents in attendance that if a resident does not respond to the survey it would be considered as "no".

Mr. Remboske asked if it would affect the outcome of the survey if the residents that cannot connect at this time do not respond to the survey? Mayor Muchowski stated that it would affect the results of the survey and explained that they want to include the whole community at a future date. Mayor Muchowski cannot give a definite date for future connections.

Mayor Muchowski stated that this will be an Agenda item next week. The Township Water and Sewer Engineer will be at next week's meeting.

RESOLUTIONS

RESOLUTION NO. 2004-189

AUTHORIZING THE PUBLIC SALE OF TOWNSHIP OWNED PROPERTY

(Motor Vehicles which came into possession of the Florence Township Police Department through abandonment or failure of the owners to claim)

RESOLUTION NO. 2004-190

AUTHORIZING REFUNDS OF CERTAIN TAX OVERPAYMENTS

RESOLUTION NO. 2004-191

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE TOWNSHIP OF FLORENCE, COUNTY OF BURLINGTON, PURSUANT TO N.J.S. 40A:4-87 CHAPTER 159, P.L. 1948

RESOLUTION NO. 2004-192

A RESOLUTION AUTHORIZING THE DESIGNATION OF ORGANIZATIONS TO PROVIDE RECREATIONAL OPPORTUNITIES IN THE TOWNSHIP OF FLORENCE

It was on the MOTION of Garganio, seconded by Sandusky that Resolutions 2004-189 through 2004-192 be approved.

On the Question

Council Member Ryan asked if the newly formed theater group could be included in the designation of recreation organizations? Mayor Muchowski has been in contact with them and discussed including them in the recreation program. He is waiting to hear back from them.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Unanimous approval.

ORDINANCES

**ORDINANCE NO. 2004-14
(1st Reading)**

AN ORDINANCE AMENDING AND SUPPLEMENTING A BOND ORDINANCE OF THE TOWNSHIP OF FLORENCE, FINALLY ADOPTED ON OCTOBER 1, 2003 ENTITLED "A BOND ORDINANCE OF THE TOWNSHIP OF FLORENCE, COUNTY OF BURLINGTON, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE EXISTING PUBLIC WORKS BUILDING; APPROPRIATING THE SUM OF \$600,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATIONS; AND MAKING CERTAIN DETERMINATIONS AND COVENANTS AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING"

**ORDINANCE 2004-15
(1st Reading)**

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING CHAPTER 134 OF THE FLORENCE TOWNSHIP CODE TO PROVIDE THAT THERE SHALL BE NO PARKING BETWEEN THE HOURS OF 7:00 A.M. AND 3:30 P.M. ON SCHOOL DAYS IN DESIGNATED LOADING ZONES ON PARISH LANE AND ON PINE STREET AT SPECIFIC SCHOOL LOCATIONS

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2004-14 and 2004-15 on first reading and set adoption for October 20, 2004.

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.

REPORTS

Committees, Boards and Officers

- Nothing at this time.

Mayor Muchowski

- Nothing at this time.

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Administrator

- Administrator Brook asked the governing body to clarify when they would like a response sent to the residents. They asked that it be hand delivered tomorrow.

Assistant Administrator

- Assistant Administrator Sahol reviewed the memo in the packet regarding the donation of lighting for the veteran's memorial. He explained that to install the lights some of the concrete would have to be broken, he does not have a price to restore it. Different options of installing the lights were discussed. Assistant Administrator Sahol will report back when he gets a price to restore the concrete.

Township Engineer

- Nothing at this time.

Township Solicitor

- Nothing at this time.

UNFINISHED BUSINESS

Mayor Muchowski stated that he is waiting for one more hold harmless agreement from the **Front Street businesses**. The gentleman stated that he would drop it off this evening but has not. Mayor Muchowski will make sure he receives it.

Mr. Guzzi reviewed and recommended a **Change Order** for the **new public works building**. A Resolution will be approved at next week's meeting.

NEW BUSINESS

Nothing at this time.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Nothing at this time.

10:30 PM MOTION by Ryan, seconded by Garganio to adjourn to Closed Session. Roll call vote - all ayes.

ADJOURNMENT

10:30 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab