

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**December 8, 2004**

**8:00 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

### **PUBLIC COMMENT**

John Rein, 400 Delaware Avenue, asked if he would be able to speak when the vacation of a portion of Bennett Street is discussed? Council President Fratinardo stated that he would allow him to speak and asked if anyone else in the public would like to speak on this topic, to wait until it is discussed.

Bill Bott, 64 Riverbank Drive, brought a sample of a rubber substance used in playgrounds for the governing body to consider using in the parks. Assistant Administrator Sahol stated that a similar product is being tested at the Wilkie Park playground.

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.

### **STREET VACATING: PORTION OF BENNETT STREET**

Assistant Administrator Sahol stated that the Township has received a couple of requests to vacate a portion of Bennett Street. He provided the governing body with a map highlighting the area. No one would be excluded from accessing the front of their properties or their driveways. After surveying the property owners, Assistant Administrator Sahol reported that six were interested, three were not.

Maps were provided to the public for review.

Kathleen Lengel, 379 Bennett Street, stated that she was not notified of this request and found out about it from her neighbors. Assistant Administrator Sahol explained that it would not effect Ms. Lengel's property. Ms. Lengel asked if they should have been notified, since they are so close? Administrator Brook explained the procedure that has been in place for years when a

**Florence Township Council Executive Session: 12/08/04**

request is received to vacate an area. He stated that it is not required by law to notify all residents within 200' as in the Land Use law.

George Lengel, 379 Bennett Street, stated that it looks like part of his property is included in the vacation. Council Member Garganio explained that it is not; the vacation would end at his property line.

Mr. Lengel expressed concern over having beams installed across the road to keep vehicles out. He discussed the dumping of grass clippings, branches and other trash in the right-of-way that takes place now; he is concerned that if the area is vacated, the dumping will move 25' closer to his property.

Mr. Rein stated that if the vacation took place, he would not be able to access the rear of his property. He also does not want to contribute to the cost of the vacation and stated that if he is forced to vacate because a majority of the people wanting to vacate, he wants the owners or requester to pay his share.

Rebecca Goff, 397 Station Road, is in favor of the vacation. She believes that the property owners have ample side yards to be able to access the rear of their property. She discussed the condition of the property now, which she feels is dangerous due to the trash, wildlife animals and lack of lighting; and stated that she maintains it. Ms. Goff noted that some residents use the area to store personal property.

Michelle Pattik, 410 Delaware Avenue, expressed her concerns regarding the dumping that takes place and the rodents. She stated that she reported the condition to the Township a 1 ½ years ago and nothing was done. She asked who would be forced to maintain the property and is worried that the dumping will move closer to her property. Ms. Pattik provided pictures of the area to Council, which she explained and discussed.

Administrator Brook will walk the property to check for rodents and take action if they are there.

Mr. Rein stated that he would not be able to subdivide his property if the street was vacated.

Mr. Lengel discussed the dumping that occurs. He has also reported it to the Township. He has seen wild animals but not rats.

Pete Pernice, 401 Station Road, stated that he would take on the expense for the vacation of property adjacent to his property, clean up and fence in the area adjacent to his property. He would also like to subdivide his property. He stated that he is trying to improve the property and make things better for the Township.

Robert Grundy, 390 Delaware Avenue, stated that if the street were vacated he would not have access to the rear of his property. He also discussed dumping that takes place in the right-of-way. Mr. Grundy stated that if the street is vacated he would like the chance to change his mind and take the property.

Ms. Pattik stated that this is a nice neighborhood. For the most part, the neighbors get along and their properties are maintained. But she would like the right-of-way cleaned up. She does not

**Florence Township Council Executive Session: 12/08/04**

want the right of way vacated but if it is vacated she would like the property at no expense to her family.

Ms. Lengel believes there will be problems with snow removal if the street is vacated.

After much more discussion regarding the vacation of the street and the dumping that occurs, it was on the **MOTION** of Garganio, seconded by Ryan to **DENY** the vacation request.

**On the Question**

Council Vice President Ryan noted that both sides have compelling argument. She feels there needs to be 100% consensus. That is why she is not approving vacation request. Also stated that dumping needs to be addressed.

Upon roll call Council voted as follows:

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

Unanimous approval.

**EAGLE SCOUT**

NOTE: Dan Sasse, 1318 Maple Avenue, is an Eagle Scout. He worked on the FAAD Building parking lot for his Eagle Badge. He attended the meeting this evening as part of the requirements for his badge.

**TOWNSHIP WATER AND SEWER ENGINEER**

**Water Allocation Permit**

Russell Trice, Township Water and Sewer Engineer, reported that DEP is working on permit. Hope to have sometime this month and come into place in January.

**Wastewater Management Plan**

Nothing new to report.

**Tall Pines: Water and Sewer**

Mr. Trice reported that design work has begun and property for the easement has been surveyed. Mayor Muchowski asked for report on fees/costs for the Township on the project.

**TOWNSHIP ENGINEER**

**Giancola: Release Performance Bond**

Dan Guzzi, Township Engineer, reviewed and recommended the Performance Bond release conditioned on the receipt of the required two year Maintenance Bond. All work has been satisfactorily completed. A Resolution will be approved at next week's meeting.

**Florence Township Council Executive Session: 12/08/04**

**Triad: Release of Performance Bond**

Mr. Guzzi explained that there are a couple of minor items that are outstanding. Mr. Trice reported that all of the items on the previous Water and Sewer punch list have been completed but there are some new items that have come up. He asked if the items should be added to the punchlist or handled under the Maintenance Bond? Will wait until next week to see if the issues are resolved by next week. Administrator Brook will contact the Homeowners Association.

**Roebing Bank: Release of Maintenance Bond**

Mr. Guzzi reviewed and recommends the release of the Maintenance Bond. A Resolution will be approved at next week's meeting.

**NWL Transformer: Not to Reduce Bond**

Mr. Guzzi explained and reviewed the bond reduction, and due to outstanding work to be completed, does not recommend that the bond be released or reduced. The bond reduction will be denied by Resolution at next week's meeting.

**Public Works Building: Current Estimate No. 13 and Change Order 3**

Mr. Guzzi reviewed and recommended Current Estimate No. 13 and Change Order No. 3. A Resolution will be approved at next week's meeting.

**Public Works Building: Current Estimate No. 12**

**RESOLUTION NO. 2004-220**

**APPROVE PAYMENT OF CURRENT ESTIMATE NO. 12 FOR  
RMS CONSTRUCTION COMPANY, 1985 DUTCH MILL ROAD,  
FRANKLINVILLE, NJ 08322  
NEW PUBLIC WORKS FACILITY**

It was on the MOTION of Garganio, seconded by Sandusky to approve Resolution 2004-220.

**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.

After touring the new Public Works Building, Mayor Muchowski commended Mr. Guzzi on the project.

**Florence Township Council Executive Session: 12/08/04**

**ASSISTANT ADMINISTRATOR**

**Parks: Council Member Garganio**

Council Member Garganio discussed projects needed in the parks throughout the Township. He provided a list highlighting the items for which the town will be making grant applications.

Also, one additional item is \$8,000 to extend the water main to install a fire hydrant near the Bustleton Church. After the installation of this fire hydrant, the country area would have 95% fire coverage.

Council Member Garganio reviewed funding for the projects.

Council Member Garganio stated that there has been discussion about installing permanent restroom facilities at the parks that could be pumped out opposed to portable restrooms.

Mayor Muchowski questioned the cost difference between the tot lot at Marter Park and the tot lot at Wilkie Park. Assistant Administrator Sahol explained that part of the cost difference is due to prep work.

Discussion followed regarding purchasing and renovating the Roebling Firehouse as a community center. Administrator Brook explained that there is a Bond Ordinance for a new community center but will look to see if it can be used for renovations as written.

Administrator Brook advised the governing body that it would be best to go before the Finance Board one time opposed to two times.

Mayor Muchowski asked Administrator Brook, once he was finished what he is currently working on, to turn his attention to other projects that he feels need to be included in financing in the upcoming year. He also advised Council to think of any projects they would like to see done. A meeting can be held mid-February to decide what to present to the State. The budget can then be prepared with those projects in mind.

Council Member Sandusky would like to see a restroom facility at the Wilkie Park.

Further discussion will take place at January's Worksession.

Discussion followed regarding the Duffy School. Mr. Guzzi believes that it is in sound condition but recommended an environmental company inspect for potential hazards.

Administrator Brook explained that there are 27 skylights that need to be replaced in the municipal building. The cost to replace each one is approximately \$1,000 to 1,200. He suggested, with such a significant cost, that an engineer look at them. Mr. Guzzi advised replacing with a shallow pitch roof with windows on the side that would let the light in. He stated that skylights are often a problem.

**DRUG FREE ZONE MAP**

In response to a request from the County Prosecutor's Office, the Township has reviewed their Drug Free Zone Map; Assistant Administrator Sahol met with representatives of the police

**Florence Township Council Executive Session: 12/08/04**

department. They found some amendments that need to be made, which he would like to do by Ordinance at next week's meeting. Council in agreement to proceed.

**WATER AND SEWER RATES**

Administrator Brook explained the need to increase the water and sewer rates by at least 15% over time. Discussion of when and how much was discussed. Council would like to phase in the increase. This will be on next week's Agenda for further discussion.

**ADJOURNMENT**

9:40 PM Motion made by Ryan; seconded by Sandusky to adjourn to Closed Session. Roll call vote – all ayes.

**RETURN TO OPEN SESSION**

10:00 PM Motion made by Sandusky, seconded by Ryan to adjourn Closed Session and return to Open Session.

**WATER AND SEWER RATES**

Mayor Muchowski discussed the need to make a decision on rate increase. Look at figures next week. Solicitor Kearns suggested modest increase over period of time, easier for property owners to handle.

10:10 PM MOTION by Ryan, seconded by Baldorossi to adjourn meeting. Roll call vote - all ayes.

**ADJOURNMENT**

10:10 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab