

Florence, New Jersey  
December 17, 2008

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

The following statement was read by the Township Clerk: "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 6, 2008; 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:

Bruce Garganio  
Dennis O'Hara  
Sean Ryan  
Jerry Sandusky  
Frank Baldorossi

Also present:

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

## **PRESENTATION**

### **Virginia Boyea: Crossing Guard, Retirement**

On behalf of the Mayor and Council, Council President Baldorossi presented flowers and a clock/plaque to Virginia Boyea, Crossing Guard, in honor of her retirement and years of dedicated service to Florence Township from October 1, 1984 – December 31, 2008.

The Chief of Police, Stephen Fazekas, retired Police Captain Joseph Gadbois and several Florence Township Police Officers were present to honor Mrs. Boyea.

Administrator Brook spoke regarding Mrs. Boyea's years of service to the community as crossing guard in all different kinds of weather. He stated that crossing guards are entrusted with one of the most valuable treasures, children. The township has been fortunate that Mrs. Boyea has graced them with working here since 1984. He stated that he appreciates all of her hard work and she will be missed.

Chief Fazekas stated that Mrs. Boyea has served as crossing guard for 24 years and 22 of those years were in front of the Roebing School. He stated what a great job she has done. On behalf of the Police Department, Chief Fazekas wished Mrs. Boyea well in her retirement.

Retired Captain Gadbois stated what a valuable asset the crossing guards are to the community and it is so hard to get dependable people. He stated that Mrs. Boyea has shown incredible dedication over the past 24 years. He stated that Florence Township has some of the best crossing guards that you

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could ever get; they are dependable and Mrs. Boyea was the head of the crossing guards. He congratulated Mrs. Boyea and her husband on her retirement.

Mrs. Boyea thanked everyone and stated that it has been an honor for her to work as a crossing guard for Florence Township. She enjoyed every minute of it and loves the children. She will miss it.

A group from Fountain of Life Center wished everyone a Merry Christmas and sang Christmas Carols.

Mayor Berry noted that there were refreshments and cake in the front conference room in honor and celebration of Mrs. Boyea's retirement.

**MINUTES**

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

Regular Session	November 5, 2008, November 12, 2008
Closed Session	December 3, 2008, December 10, 2008

**FINANCIAL CORRESPONDENCE**

It was on the MOTION of Garganio; seconded by Sandusky to receive and file the Chief of Police's report and the Court Administrator's report for November. 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**

Nothing at this time.

**APPLICATIONS**

Nothing at this time.

**PUBLIC COMMENTS**

Nothing at this time.

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.

**RESOLUTIONS**

**RESOLUTION NO. 2008-221**

**ADOPT FAIR SHARE HOUSING PLAN – COAH REPORT**

It was on the MOTION of Garganio, seconded by O'Hara that Resolution 2008-221 be approved.

**On the Question**

Nothing at this time.

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Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi  
NOES: None  
ABSENT: None

Unanimous approval.

**RESOLUTION NO. 2008-222**

**APPROVE ALCOHOLIC BEVERAGE CONTROL LICENSE  
PERSON TO PERSON & PLACE TO PLACE TRANSFER  
PLENARY RETAIL CONSUMPTION LICENSE  
FROM BRIDGES AT ROEBLING STATION L.L.C. TO  
DR. LOU'S PLACE, LLC  
LICENSE NO. 0315-33-013-008**

It was on the MOTION of Sandusky, seconded by O'Hara that Resolution 2008-222 be approved.

On the Question

Solicitor Kearns explained that the township received an objection raised from someone claiming to have a judgment and that the license was impacted by it. Solicitor Kearns reviewed the documentation and the judgment is against the license holder personally; not against the entity that holds the license. Additionally, while the judgment states it is a first lien on the property, he feels it is invalid because the property was not owned by the ABC license owner. In addition, the property is separate from the ABC license. Solicitor Kearns does not feel that objection has any validity as far as the license transfer.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi  
NOES: None  
ABSENT: None

Unanimous approval.

**RESOLUTION NO. 2008-223**

**APPROVE CURRENT ESTIMATE NO. 4  
COMMUNITY CENTER  
EAGLE CONSTRUCTION SERVICES  
1624 JACKSONVILLE ROAD  
BURLINGTON, NJ 08016**

**RESOLUTION NO. 2008-224**

**APPROVE CURRENT ESTIMATE NO. 4 FOR  
2008 ROAD PROGRAM AND CHANGE ORDER #1  
AMERICAN ASPHALT COMPANY  
116 MAIN STREET  
W. COLLINGSWOOD, NJ 08059**

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**RESOLUTION NO. 2008-225**

**APPROVE REQUEST TO RELEASE PERFORMANCE BOND  
PRM ASSOCIATES, INC., BLOCK 163.01, LOT 3.01  
CATHY LANE IMPROVEMENTS  
CONDITIONED UPON POSTING A TWO YEAR  
MAINTENANCE BOND**

*Note: Conditioned upon payment of any escrow funds due.*

**RESOLUTION NO. 2008-226**

**RELEASE CASH PERFORMANCE BOND FOR GARELICK FARMS  
DEAN FOODS NORTHEAST, LLC  
BLOCK 162, LOT 4.02  
CONDITIONED UPON POSTING A MAINTENANCE BOND**

*NOTE: Conditioned upon payment of any escrow funds due.*

**RESOLUTION NO. 2008-227**

**RELEASE CASH PERFORMANCE BOND FOR MAKKAY  
11 W. 2<sup>nd</sup> STREET  
CONDITIONED UPON POSTING A MAINTENANCE BOND**

*NOTE: Conditioned upon payment of any escrow funds due.*

**RESOLUTION NO. 2008-228**

**AUTHORIZE THE MAYOR TO SIGN APPLICATIONS  
FOR THE NJDEP PERMIT NJPDES/TWA  
FOR ALBAX, LLC, HAMILTON AVENUE, ROEBLING,  
BLOCK 100; LOT 8.01, FLORENCE, NJ, 08518**

**RESOLUTION NO. 2008-229**

**AUTHORIZING REFUNDS OF CERTAIN TAX OVERPAYMENTS**

**RESOLUTION NO. 2008-230**

**A RESOLUTION CANCELING TAX OVERPAYMENTS LESS THAN \$10.00**

**RESOLUTION NO. 2008-231**

**AMENDING RESOLUTION NO. 2008-205  
ACCOUNTS DEPOSITED AT ROEBLING BANK**

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**RESOLUTION NO. 2008-232**

**REJECT BIDS FOR DUCTILE IRON PIPE,  
FITTINGS, VALVES AND OTHER MATERIALS FOR THE  
WATER AND SEWER DEPARTMENT**

**RESOLUTION NO. 2008-233**

**TAX ABATEMENT RESOLUTION  
SENIOR HOUSING – FORMER MARCELLA L. DUFFY SCHOOL**

**RESOLUTION NO. 2008-234**

**AUTHORIZING AN AFFORDABLE HOUSING AGREEMENT  
BETWEEN THE  
TOWNSHIP OF FLORENCE AND  
FAMILY SERVICE OF BURLINGTON COUNTY**

**RESOLUTION 2008-235**

**TRANSFERRING CERTAIN 2008 BUDGET APPROPRIATIONS**

**RESOLUTION NO. 2008-236**

**AUTHORIZING PROFESSIONAL SERVICES AGREEMENT  
EUS (EXTRAORDINARY UNSPECIFIED SERVICES) CONTRACT  
WITH BRINKERHOFF ENVIRONMENTAL SERVICES, INC.**

**RESOLUTION NO. 2008-237**

**EXTEND CONTRACT WITH GARDEN STATE  
REMOVAL FOR SANITATION REMOVAL SERVICES**

It was on the MOTION of Sandusky, seconded by O'Hara that Resolutions 2008-223 through 2008-237 be approved.

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

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**RESOLUTION NO. 2008-238**

**APPROVE – INTENT TO BOND: COAH**

**RESOLUTION 2008-239**

**AUTHORIZING REFUNDS OF CERTAIN OVERPAYMENTS  
WATER AND SEWER DEPARTMENT**

It was on the MOTION of Sandusky, seconded by Garganio that Resolutions 2008-238 through 2008-239 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCES**

**ORDINANCE NO. 2008-21  
(2<sup>nd</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING THE FLORENCE  
TOWNSHIP CODE BY AMENDING SECTION 116-4 – SUBSECTIONS C, D AND E  
PROVIDING FOR INSPECTION FEES FOR CERTIFICATES OF CONTINUED  
OCCUPANCY**

It was on the MOTION of Sandusky, seconded by Garganio to approve Ordinance No. 2008-21 on second reading for adoption.

Public Comment

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

Linda Pelicore, 1020 W. Fourth Street, stated that by reading this Ordinance the housing inspection fee will be raised to \$120 for the sellers. She thought it was the buyer's responsibility to have the inspection done and asked why the seller should pay for the inspection fee to sell the house? Solicitor Kearns stated that it is the seller's responsibility to be sure that the house is okay to be transferred. He explained that whether the buyer and the seller reach an agreement that it is the buyer's responsibility that is a contractual arrangement between the buyer and the seller. From the township's standpoint a Certificate of Occupancy will not be issued without the inspection. Solicitor Kearns stated that a contractual agreement between the seller and the buyer is perfectly valid. He explained that the township is not concerned with who makes out the check, just that the inspection is done. Ms. Pelicore stated that on average a buyer pays \$500 for a housing inspector. Solicitor

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Kearns explained that is a separate inspection. That is an inspection a buyer gets before a buyer wants to be able to buy the house; this is a code compliance inspection to be sure that the house complies with code. Ms. Pelicore asked why the increase? Solicitor Kearns stated because of the cost to do the inspections; plus it may include two (2) inspections. Ms. Pelicore asked why increase now with the economic troubles? Solicitor Kearns explained that if it is not charged to the people getting the inspections, all of the taxpayers will be bearing the cost because of the cost to the township to do the inspections. Ms. Pelicore asked when the increase would take effect if it is adopted? Solicitor Kearns informed her that it will take effect after publication, so around the first of the year. Council Vice President O'Hara explained that the fee increase was based on a thorough study performed by administration of what it costs to pay the inspectors for the time involved to do the inspection; the time to do the required forms; and the time the associates that work with the inspectors put into it. The township is only trying to recover costs associated with the inspections so the residents are not paying out of their taxes.

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

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Sandusky, Baldorossi

NOES: Ryan

ABSENT: None

Motion carries.

**ORDINANCE NO. 2008-22  
(2<sup>nd</sup> Reading)**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF HEAVY DUTY UTILITY VEHICLES FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

It was on the MOTION of Sandusky, seconded by Garganio to approve Ordinance No. 2008-22 on second reading for adoption.

**Public Comment**

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

David Carriger, 404 E. Fifth Street, stated that his question applies to Ordinance No. 2008-22, 23 and 24, which total \$430,000 for two (2) police vehicles, a wood chipper and a leaf vacuum. He asked, with the State cutting aid to the municipalities, if these purchases were really necessary at this time? He sees budget shortfalls in other municipalities throughout the State. Council Member Ryan stated that he has discussed the same concerns with Administrator Brook. Council Member Ryan explained that the wood chipper is broken beyond repair and is a necessary purchase. In regards to the police vehicle fleet, the vehicles are cycled out, as they are needed. He believes the township is

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being proactive in recycling vehicles that are nearing the failing point with new vehicles that are going to improve the longevity of the existing fleet. With regard to the leaf vacuum machine, there have been extensive conversations regarding this purchase. It is something that will make the township more efficient with the process. Less manpower will be utilized on this machine so the public works department can be working on other projects within the community. Council Member Ryan stated that he also has concerns regarding the economic issues. He will cast an affirmative vote with the clear understanding that next year, when they get into the budget cycle, if there are numbers that are not in the township's favor, the purchases would be reconsidered.

Mr. Carriger asked when the purchases would be made if the Ordinances were approved this evening? Administrator Brook explained that with the wood chipper and leaf vacuum the township would prepare bid specifications, go out to bid and once the bid specifications are received they will be analyzed and the report would be prepared for the governing body. At that time, approximately in February, the budget will be very well prepared so Council will be able to make an informed decision as to whether to move forward with the purchase of the leaf vacuum and wood chipper. Administrator Brook stated that the governing body could decide to not to purchase the vehicles for the police department but advised that it is not the wisest idea not to keep the police vehicle fleet current. The fleet is not being enlarged. Administrator Brook stated that it is not his intent to borrow the money for the equipment or police vehicles; his intent is to pay it back out of surplus each year. Mr. Carriger stated that since administration and the governing body have a clearer picture of the financial situation of the township and they feel comfortable, he supports their decision. Administrator Brook offered to meet with Mr. Carriger to go over the budget anytime.

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

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2008-23  
(2<sup>nd</sup> Reading)**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A WOOD CHIPPER FOR THE DEPARTMENT OF PUBLIC WORKS IN AND BY THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$80,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$76,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

It was on the MOTION of O'Hara, seconded by Sandusky to approve Ordinance No. 2008-23 on second reading for adoption.

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**Public Comment**

Council President Baldorossi opened the meeting to the public for comments at this time. Solicitor Kearns noted that public comments were made regarding Ordinance No. 2008-23 during the public hearing for Ordinance No. 2008-22. No other comments made.

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

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2008-24  
(2<sup>nd</sup> Reading)**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A LEAF VAC MACHINE FOR THE DEPARTMENT OF PUBLIC WORKS IN AND BY THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

It was on the MOTION of O'Hara, seconded by Sandusky to approve Ordinance No. 2008-24 on second reading for adoption.

**Public Comment**

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

Council Vice President O'Hara noted that public comments were made regarding Ordinance No. 2008-24 during the public hearing for Ordinance No. 2008-22. No other comments made.

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

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

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**ORDINANCE NO. 2008-25  
(2<sup>nd</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING  
THE FLORENCE TOWNSHIP CODE BY AMENDING PORTIONS OF  
SECTION 130 – TOWING AND STORAGE OF MOTOR VEHICLES TO  
ADD CERTAIN DEFINITIONS AND TO AMEND THE FEE SCHEDULE**

It was on the MOTION of Ryan, seconded by Garganio to approve Ordinance No. 2008-25 on second reading for adoption.

**Public Comment**

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

Ms. Pelicore questioned Ordinance No. 2008-25. Solicitor Kearns stated that this Ordinance sets and limits the fees that towing companies can charge when they come to tow a vehicle that has been in an accident or breaks down. Administrator Brook also reviewed the Ordinance. In response to Mr. Carriger, Solicitor Kearns explained that this Ordinance only deals with situations where the Florence Township Police Department calls for a tow; not when a resident calls for a private tow.

Fred Wainwright, 1011 Cedar Lane, as a former Mayor in another township, stated that it is great to see residents coming to the Council meetings and asking questions. Council Vice President O'Hara agrees and stated that it is a pleasure to address the questions.

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

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2008-26  
(2<sup>nd</sup> Reading)**

**AN ORDINANCE AUTHORIZING AN AGREEMENT FOR TAX  
ABATEMENT WITH JSPD, L.L.C. FOR  
THE PROPERTY LOCATED ON HUNT CIRCUS DRIVE  
BLOCK 163.02, LOT 13.01**

It was on the MOTION of Sandusky, seconded by O'Hara to approve Ordinance No. 2008-26 on second reading for adoption.

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### Public Comment

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

Ms. Pelicore asked for an explanation of Ordinance No. 2008-26. Administrator Brook explained that in the State of New Jersey, if a municipality qualifies, can offer a tax incentive, which the state refers to as a tax abatement. Several years ago Florence Township adopted an Ordinance that enables the municipality, when it believes it is appropriate, to help bring business into the community by offering a tax abatement. He explained with this case as the property is being developed the owner will continue to pay full taxes on the land and the taxes on the building value will be phased in over a period of 5 years. This gives Florence a competitive edge. He gave an overview of some of the companies that have taken advantage of the tax abatement program. This gives the business time to get their feet on the ground before paying full taxes.

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

### On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

## REPORTS

### **Committees, Boards and Officers**

- Council President Baldorossi wished everyone a happy and safe holiday season.

### **Mayor**

- Mayor Berry wished everyone a Merry Christmas and a Happy New Year.

### **Administrator**

- Administrator Brook acknowledged the memo in the packet from Florence Township Chief of Police, Stephen Fazekas, **commending Detective Greenberg and Patrolman Ford** for their role for helping to solve some of the bank robberies in the County. It was an incredible act of detective work. They were working on the Florence bank robberies but were able to help solve bank robberies in other communities. There is also a letter from Edgewater Park's Chief of Police commending Detective Greenberg and Patrolman Ford.
- Administrator Brook explained that Mary Beth Lonergan, COAH Planner, had made some administrative language changes to the agreement with Family Services. The changes will be made before the document is signed. Council Members are in favor of changes.
- Administrator Brook noted that there was a letter in the packet from the Roebling Museum Committee asking that a letter go out from the Mayor on behalf of Mayor and Council asking for support from the County. Since the municipality is the property owner and owner of the building, the museum committee is also asking for the opportunity to meet with Mayor and Council at the January Worksession to discuss the feasibility of the building powered by

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solar panels on the ground. Council Members in agreement that a letter of support be sent and that the Roebing Museum is welcome to attend the January Worksession.

**Assistant Municipal Administrator**

- Assistant Administrator Sahol wished everyone a Merry Christmas and a Happy New Year.

**Township Solicitor**

- Solicitor Kearns wished everyone a Merry Christmas and a Happy New Year.

**Township Engineer**

- Dan Guzzi, Township Engineer, thanked Mayor and Council for a great year and wished everyone a Merry Christmas.

**UNFINISHED BUSINESS**

Council Vice President O'Hara wished everyone a Merry Christmas and a Happy New Year. He thanked the members of the public that came out this evening to discuss their concerns with the Ordinances.

Council Members wished everyone Happy Holidays.

**NEW BUSINESS**

Council Member Sandusky stated that he looks forward to working with his fellow Council Members next year; hopefully, they can have a great year where they do not have to worry about the economics of Florence Township.

**BOARD OF HEALTH**

Nothing at this time.

**MISCELLANEOUS**

Council Member Ryan wished everyone a Merry Christmas and Happy New Year. He noted that the 2009 municipal calendar was extremely impressive with the photographs. He commended Thomas Sahol and all that were involved with the design of the calendar. Assistant Administrator Sahol stated that the Boy Scouts will start distributing the calendar next week.

9:35 PM MOTION by Garganio, seconded by Sandusky to adjourn the meeting. Roll call vote - all ayes.

**ADJOURNMENT**

9:35 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab