

Florence, New Jersey
February 16, 2011

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 O'Hara at 8:00PM. President O'Hara 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 2, 2011 and January 16, 2011; 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:

Frank Baldorossi
Sean Ryan (Late)
Jerry Sandusky
David Woolston
Dennis O'Hara

Also present:

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

MINUTES

None at this time.

FINANCIAL CORRESPONDENCE

It was on the MOTION of Baldorossi, seconded by Sandusky to receive and file the Chief of Police's report, the Court Administrator's report and the Township Clerk's report for January. Roll call vote – all ayes. Motion carries.

NOTE: 8:05PM Council Member Ryan present.

Sandusky made a MOTION; seconded by Woolston 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

Don Kamienski, 10 McCay Drive, requested information regarding the meeting recently held with the School Board regarding recreation. Council President O' Hara explained that Council Member David Woolston would report later during the meeting.

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Robert Adams, 3 Webber Court resident, discussed issues and complaints regarding his development, Legacy. He recently attended Zoning Courses and thought that sending Mayor and Council a list of issues and concerns regarding his development would help; he wanted to have the issues documented. The Township Engineer, Dante Guzzi, responded that there will be a punch list of items for completion prior to release of their performance and or maintenance bonds. At that time the site related issues will be addressed. The Homeowners Association should advise the town of any problems.

Mr. Adams noted that there is flooding behind the townhouses when there is a heavy rain. The Township Administrator stated that he or the Assistant Municipal Administrator will check the area.

The Township Solicitor, William John Kearns, Jr., advised that the Greenbriar development has one person as a spokesperson for the development. The Township Administrator confirmed that it is better for all involved that one person be selected to be the spokesperson.

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

ORDINANCES

**ORDINANCE NO. 2011-01
(2nd Reading)**

**ORDINANCE OF THE TOWNSHIP OF FLORENCE AUTHORIZING THE
EXECUTION OF A LEASE BETWEEN THE TOWNSHIP OF FLORENCE AND THE
FLORENCE TOWNSHIP YACHT CLUB REGARDING
THE LEASE OF CERTAIN MUNICIPAL LANDS**

It was on the MOTION of Baldorossi, seconded by Sandusky to approve Ordinance No. 2011-01 on second reading for adoption.

Public Comment

Council President O'Hara 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, Ryan, Sandusky, Woolston, O'Hara

NOES: None

ABSENT: None

Unanimous approval. Motion carried.

**ORDINANCE NO. 2011-02
(1st Reading)**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

It was on the MOTION of Baldorossi, seconded by Sandusky to approve Ordinance No. 2011-02 on first reading and set public hearing and adoption for March 2, 2011.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

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

NOES: None

ABSENT: None Unanimous approval.

RESOLUTIONS

Council Member Ryan requested that Resolution No. 2011-59 be voted on separately due to a conflict.

RESOLUTION NO. 2011-55

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
FLORENCE AUTHORIZING THE SETTLEMENT OF LITIGATION WITH
AMERICAN ASPHALT COMPANY, INC.**

RESOLUTION NO. 2011-56

**AUTHORIZING A LEASE AGREEMENT WITH
FLORENCE TOWNSHIP YACHT CLUB**

RESOLUTION NO. 2011-57

**AUTHORIZE PAYMENT OF CURRENT ESTIMATE NO. 6 (Final)
CLYDE N. LATTIMER & SON CONSTRUCTION CO. INC.
FOR A NEW BELT FILTER PRESS FOR THE WATER AND SEWER PLANT**

RESOLUTION NO. 2011-58

**APPROVE REQUEST FOR REDUCTION OF PERFORMANCE BONDS FOR
THE ESTATES AT OAK MILL – PULTE HOMES
BLOCK 156.01; LOT NO. 2**

NOTE: Conditioned upon payment of any escrow funds due

RESOLUTION NO. 2011-60

**APPROVE RELEASE OF MAINTENANCE BOND
READY PAC PRODUCE, INC.**

BLOCK 147.01, LOTS 3.01 & 3.11

NOTE: Conditioned upon payment of any escrow funds due

RESOLUTION 2011-61

INCREASE TEMPORARY BUDGET APPROPRIATIONS FOR 2011

RESOLUTION NO. 2011-62

**AUTHORIZE THE TOWNSHIP ENGINEER AND THE
ASSISTANT MUNICIPAL ADMINISTRATOR
TO PREPARE PLANS, SPECIFICATIONS AND OBTAIN BIDS
FOR NJ DOT PEDESTRIAN GRANT: SIDEWALKS & RAMPS**

RESOLUTION NO. 2011-63

**AUTHORIZE THE TOWNSHIP ENGINEER AND THE
ASSISTANT MUNICIPAL ADMINISTRATOR
TO PREPARE PLANS, SPECIFICATIONS AND OBTAIN BIDS
FOR BURLINGTON COUNTY PARK DEVELOPMENT PROGRAM**

RESOLUTION NO. 2011-64

**AWARD CONTRACT FOR DUFFY MANOR
REDEVELOPMENT PLANNING
FOR AFFORDABLE SENIOR HOUSING
REMINGTON, VERNICK & ARANGO ENGINEERS**

Administrator Brook met with Solicitor Kearns and Dan Guzzi, Township Engineer regarding Resolution No. 2011-58 (Performance Bond Reductions for The Estates at Oak Mill – Pulte Homes). There is no objection to reduction of the bonds but not ready for a full release of the bonds. Florence Township needs to insure that all legal protections are in place prior to the release of the Bonds.

It was on the MOTION of Sandusky, seconded by Woolston to approve Resolution No. 2011-55 through 2011-58 and 2011-60 through 2011-64.

On the Question

Nothing at this time.

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Upon roll call Council voted as follows

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

NOES: None

ABSENT: None

Unanimous approval.

RESOLUTION NO. 2011-59

**RELEASE MAINTENANCE BOND FOR HAINES INDUSTRIAL CENTER
270 DANIELS WAY, CASH MAINTENANCE BOND
Block 158; Lots 1, 2, 3**

NOTE: Conditioned upon payment of any escrow funds due

It was on the MOTION of Sandusky, seconded by Baldorossi to approve Resolution No. 2011-59.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

YEAS: Baldorossi, Sandusky, Woolston, O'Hara

NOES: None

ABSENT: None

ABSTAIN: Ryan

Motion carried.

REPORTS

Committees, Boards and Officers

The Mayor reported that he and Council Member (and Recreation Representative from Council) David Woolston; Thomas Sahol, Assistant Municipal Administrator and David Dennison, Recreation Director, along with Council Member Frank Baldorossi met on Saturday with the School Board of Education to discuss the use of their outside facilities and fields when the school is closed.

One of the problems addressed is when there is a holiday and the school is closed.

The Mayor stated that when he was on the School Board when the new high school was planned and built, he thought the building was going to be available to the community. The "use of facilities requests" were discussed and the process that is used by the School Board for approval discussed. The School Board of Education does not approve the requests; the decisions are generally made by the administration office.

The Mayor and Council discussed the community-funded facilities at the high school.

Council Member Ryan confirmed with the Mayor that the applications are not seen by the Board of Education; the approvals and denials are made by the Business Administrator or his secretary in the School Board Office? The Mayor confirmed.

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William Bott, 64 Riverbank Drive, stated that he was previously an employee of the school maintenance staff and that he knew firsthand that the children using the building need to be supervised.

The Recreation Director, David Dennison, was well prepared for the meeting. He has a file for all of the requests by the township which are denied requests for facilities use at the high school.

The Mayor noted that there was to be a gate to section off areas where people could not enter, but the gate was never constructed.

Joseph Csik, 45 E. Fifth Street, questioned if the School Board knows that the residents of the community pay for the facilities?

Council Member Ryan questioned the Assistant Administrator about the town's policy regarding Recreation and the school. Mr. Sahol stated that the school always did get high priority but now the school has their own facilities and no longer needs the town's facilities. The town was always accommodating for the school's needs.

Council Member Ryan suggested that when formal facility use request applications are sent to the school's business office that a carbon copy be sent to each school board member so they see what the township is actually requesting. Assistant Administrator Sahol believes, based on last Saturday's meeting, that the board members will be made aware of the facility use requests. He also believes that the School Board will draft a policy on handling the applications. Council President O'Hara suggested a letter be sent to the School Board President with a recap and understanding of what the township took out of the meeting and request that if it is any thing to the contrary to please let us know. A letter will be drafted to the Florence Township School Board President.

Fred Wainwright, 1011 Cedar Lane, noted that he also experienced a problem with receiving a decision from the school's administration without the information going before the School Board Members.

Mr. Kamienski suggested a group of people along with a reporter attend the School Board meeting regarding this issue. Council Member Ryan believes it is an issue that the township can handle and does not believe that is necessary. He hopes with a dialogue and a starting point towards addressing the situation was established at the meeting last Saturday. The township will be following up on the matter and if that does not help, the township may consider an alternate means of sending the facility use requests. Council President O'Hara agreed that he would like to see the response from the School Board Members before further action from the township. He noted that the School Board Members are not being criticized; they never had the opportunity to see the applications that were denied but it has now been brought to their attention. Council President O'Hara did encourage residents to attend School Board meetings, which is where a large majority of the tax dollars go.

- Council Member Sandusky stated that there have been some **tractor trailers parked overnight** in a lot on Route 130 across from John Galt Way. He has also noticed more **truck traffic** through town. He does not believe they are all local deliveries; he thinks they are coming from Burlington and turning right onto Broad Street. Administrator Brook will look into.

Mayor: Nothing at this time.

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Administrator

- Administrator Brook acknowledged **two (2) very nice letters addressed to the Public Works Department**; copies were included in the governing body's packet. The letters were from residents **complimenting the snow plowing efforts**.
- Administrator Brook also noted the **acknowledgement from Bordentown City's Police Chief to Florence Township's Police Chief and the officers** who attended the memorial service for the young veteran that died overseas.
- Administrator Brook stated that he has a meeting next week with the Township Auditor regarding the **budget** and will be ready to schedule the first budget meeting shortly.

Mr. Adams noted that the residents of Legacy appreciate the township helping with the snow removal in the development. He explained to the residents that the streets are not dedicated to the township yet and the township was doing the residents of the development a favor.

Assistant Municipal Administrator

- Nothing at this time.

Township Solicitor

- Solicitor Kearns provided information on **Rental Inspections**. Florence Township does have in their Ordinance now that an inspection must take place on a transfer of occupancy. The suggestion was to have an annual or once every two-year inspection of rental units because there may be instances where a tenant may live in the same dwelling for an extended period of time. It is not difficult to do the Ordinance but there are a lot of decisions that have to be made such as how frequently to inspect. If an inspection is done because of change in occupancy within a certain number of months of the required inspection, should that inspection be waived. The cost for the inspection and re-inspection has to be set; he suggested getting input from the inspections department on how many rental units there are in the township. They want to be sure the registration fee and inspection charge covers the cost of administrating the inspections. Another decision is when do the inspections get done? Should all of the inspections be done on a certain date or should they be spread out over a year so the inspections are not a burden on the Inspections Department? He noted to anticipate displeasure from the landlords. Council President O'Hara welcomes the chance to address the landlords. Council President O'Hara would like to discuss more in depth at a Worksession.

Council Member Ryan asked if there was a way the township can track if a change in occupancy took place without the required inspection? Solicitor Kearns stated that one way would be if there is a change of name for the water and sewer bill, which will only work if the bill is in the tenant's name. Neighbors can report it and the township could verify.

Council Member Sandusky suggested that Florence Tollgate's Homeowner Association notify the township every time there is a change of occupancy. Administrator Brook believes that Florence Tollgate would work with the township.

Administrator Brook explained that Thomas Layou, Housing Inspector, has cited landlords for moving a tenant in without a CCO, if he catches them. There have been repeat offenders.

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Council President O'Hara requested discussing further during budget discussions because of the impact it would have on the budget.

Joy Weiler, Township Clerk, will try to obtain information on problem landlords and the number of rentals and report back.

Township Engineer

- Nothing at this time.

UNFINISHED BUSINESS

Report on Municipal Buildings

Council President O'Hara discussed the report from Assistant Administrator Sahol regarding the township owned buildings. It seems that all of the buildings are being used for storage or another purpose except the former EMS building in Roebing, which is in deplorable condition. Council Member Ryan, who had originally asked for the report, thanked Assistant Administrator Sahol for the information and has no further comments on this topic this evening.

Amusement Machine License Fee

Council President O'Hara noted that Fountain of Life has filed five (5) Amusement Machine applications and, as a non-profit, are asking that the \$100 license fee per machine be waived. He asked that this be discussed and a decision made at the next meeting.

NEW BUSINESS

Black History Month Essay Contest Role Model

Council President O'Hara congratulated two (2) young residents from Florence Township who were selected as winners in a Black History Month Essay Contest on Role Models. They received an all expense paid trip to Memphis, TN to see an NBA game and to tour the National Civil Rights Museum. The winners were Tray Fisher, son of Florence Township Police Patrolman Darrell Fisher, and Rachael Smith-Nipe.

BOARD OF HEALTH Nothing at this time.

MISCELLANEOUS Nothing at this time.

9:10PM MOTION by Ryan, seconded by Woolston to adjourn meeting. Roll call vote - all ayes. Motion carried.

ADJOURNMENT

9:10PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC
Township Clerk

/mab