

Florence, New Jersey
September 7, 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
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

Council President O'Hara stated that right after the last scheduled meeting the Township Clerk, Joy Weiler, realized some health issues and had a medical procedure. She is back to work already. He thanked Clerk Weiler for her dedication and on behalf of Mayor and Council expressed appreciation for the great job that she does. Clerk Weiler thanked Council President O'Hara for his kind words of recognition and the Mayor and Council Members for their thoughtful get well wishes.

MINUTES

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

Regular Session	July 13, 2011; July 20, 2011
Executive Session	July 13, 2011
Closed Session	August 3, 2011, August 10, 2011

FINANCIAL CORRESPONDENCE

It was on the MOTION of Ryan, seconded by Woolston to receive and file the Chief of Police's report for August. Roll call vote – all ayes. Motion carried.

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

REGULAR CORRESPONDENCE

Nothing at his time.

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APPLICATIONS

A. Transient Merchant Renewal: Mister Softee, September 2011 – September 2012

Clerk Weiler stated that this is a renewal and she spoke with the Chief of Police and there have not been any issues.

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.

PUBLIC COMMENTS

Don Kamienski, 10 McCay Drive, noted that the county will be repaving Delaware Avenue and asked if the striping that is currently in place will stay the same, especially by the intersection of Station Road? Assistant Administrator Sahol stated that it will.

Mr. Kamienski stated that a small shopping center is being built on Route 130 South behind the Florence Market. One of the buildings resembles a bank and he asked what bank is moving in there? Council President O'Hara explained that the shopping center is being built per the approved plans and part of the approved plans were a pad site for a bank. He has checked several times with township officials and no lease has been signed for the building.

Vincent Krisak, 602 Pine Street, stated that there is a problem with the drainage basin at the end of Wilbur Henry Drive. After the hurricane there was water running around the side of his house; there was water in his basement and there was 12 feet of water in the basin. His son went out the next day and the water in the basin was up to his neck. He stated that there are two (2) acres for the basin yet the main drain is approximately six to eight inches; a handful of leaves can clog it. He did clear the drain before the storm and at the time the opening was covered by leaves, there was two feet of water and swarms of mosquitoes. He stated that there is sitting water in the basin all summer long and it causes a health hazard. Mr. Krisak just wants to be sure that the township is aware and that the problem will be addressed. Assistant Administrator Sahol stated that the township was notified about the problem by another resident and that he along with the Township Engineer and Public Works Superintendent are scheduled to go out next week to see if the basin is functioning according to design. Mr. Krisak will also meet. Administrator Brook checked the basin last night and thought there was more water in it then there should have been. The lines will be tv'd to see if there is a blockage.

Bill Modica, 580 Shaver Drive, also had water in his basement. He asked who owns the railroad tracks that run along his house? He stated that the weeds are five feet high; it is an eyesore and breeds mosquitoes and vermin. Assistant Administrator Sahol stated that Conrail owns the railroad tracks in that area. He explained that the tracks go nowhere and he will contact Conrail to see what is their intention with the property. He stated that they may let the area return to its natural state. He explained that woods do not harbor mosquitoes but standing water does.

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Peggy Wells, 258 Birch Hollow Drive, has heard rumors of a warehouse being constructed in the area of I295 and asked if there were any plans for the construction of a warehouse in the area of Florence-Columbus Road, I295 and Route 130? Council President O'Hara stated that there are plans for a warehouse in Mansfield Township but not Florence Township.

Bill Lee, 551 Shaver Drive, stated that construction vehicles travel at a high rate of speed on Route 130 every morning between 6:00AM and 6:30PM. He rarely sees police at that time of the morning. Mayor Berry noted that shift change is at 7:00AM. The vehicles turn right onto Route 130 North from Florence Columbus Road. Administrator Brook will advise the Chief of Police. Council Member Sandusky suggested contacting the NJ State Police to make them aware.

Joe Bryce, 227 Fifth Avenue, has tried to reach out to the NJ State Police for a similar situation without success. Maybe the township would have a better outcome. Assistant Administrator Sahol will contact the NJ State Police.

Mr. Bryce stated that Florence Township has a water and sewer minimum usage of 12,000 gallons for billing. He lives in Roebing and polled some of his neighbors and most of them do not come close to the minimum usage. He questioned where his incentive to save water is when he is paying for it but not using it? Mr. Bryce also called neighboring towns and their minimum is between 7,000 – 8,000 gallons. The minimum usage for senior citizens is 9,000. Mr. Bryce is not concerned with the cost but he is concerned about paying for something that he is not receiving. He believes the rate should be raised and the minimum should be lowered. Council President O'Hara explained that the minimum is based on the consumption of an average household; Mr. Bryce is single so he is not using the minimum. Mr. Bryce stated that the bulk of his neighbors and the Village of Roebing are single or husband & wife; he believes the township should do what is best for the majority, not the minority. Administrator Brook explained that the township tracks water and sewer rates throughout Burlington County; a resident that uses 12,000 gallons in Florence Township pays \$114 a quarter, a resident living in Mt. Holly that uses 12,000 gallons pays \$251, Medford \$182, Mt. Laurel \$196, Burlington City \$132. He explained that there are costs related to the operation of the system and the operation of sewer is much more expensive than water. Florence Township's fees have not kept up with the cost of operating the facility. He believes the minimum Florence Township charges is a rational number. He does not believe the township could create a minimum based on the number of occupants in a home. The only other alternative is to bill residents for exactly what they used but he does not believe from a billing standpoint that would work. Administrator Brook will look into what minimum other municipalities are charging.

In response to Mr. Bryce, Administrator Brook stated that Florence Township has not in the past 21 years, on its own, put a mandatory restriction on water usage. The only restriction has come down from the State of New Jersey.

Mr. Bryce asked the difference between a sign that states "No Stopping, No Standing" and a sign that states "No Standing"? He asked because there are "No Standing" signs in front of The Avenue on Hornberger Avenue and there are cars that park there and the NJ Transit bus has to cross over the double lines to get around those cars. He has come close to being hit by the bus a couple of times. He believes the vehicles should be ticketed for parking there. Council President O'Hara believed that parking was only allowed on one side of Hornberger Avenue since Council Member Sandusky brought up the safety concerns when deliveries are being made to The Avenue and Dr. Lou's Place. Administrator Brook does not have an answer to Mr. Bryce's question regarding the meaning of the sign and will have either the police sergeant or police chief get in touch with him.

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Michael Sawka, 75 Riverbank Drive, has checked the water and sewer rates of other municipalities and Florence Township's rates are cheaper. He would like the township to keep the billing as it is. 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.

RESOLUTIONS

RESOLUTION NO. 2011-178

ABSENCE FROM MEETINGS POLICY

RESOLUTION NO. 2011-179

**REFUNDING OVERPAYMENTS WITH INTEREST DUE TO
SUCCESSFUL STATE TAX APPEALS FOR 2010**

RESOLUTION 2011-180

CANCEL CERTAIN CAPITAL IMPROVEMENT APPROPRIATION BALANCES

RESOLUTION NO. 2011-181

**REFUND HOUSING INSPECTION FEE
BLOCK 163.05, LOT 1.192**

RESOLUTION NO. 2011-182

**REFUND HOUSING INSPECTION FEE
BLOCK 67.02, LOT 4**

RESOLUTION NO. 2011-183

**A RESOLUTION CANCELLING TAXES AS THE RESULT OF AN
ERRONEOUS ASSESSMENT
BLOCK 147.11, LOT 5**

RESOLUTION NO. 2011-184

**SPECIAL LEGAL COUNSEL FOR
AMERIPAY, LLC BANKRUPTCY**

RESOLUTION NO. 2011-185

**A RESOLUTION CANCELLING TAXES AS THE RESULT OF AN
ERRONEOUS ASSESSMENT
BLOCK 167.06, LOT 38; BLOCK 167.13, LOT 26
AND BLOCK 167.03, LOTS 57-59**

RESOLUTION NO. 2011-186

**AUTHORIZE EXECUTION OF CDBG
SUB-GRANTEE AGREEMENT
BETWEEN THE TOWNSHIP OF FLORENCE AND THE
COUNTY OF BURLINGTON**

It was on the MOTION of Sandusky, seconded by Ryan to approve Resolution No. 2011-178 through 2011-186.

On the Question

Council Member Ryan questioned Resolution No. 2011-178 (Absence From Meeting Policy) and asked if that also includes Authorities? Solicitor Kearns stated that it does include Authorities.

Upon roll call Council voted as follows:

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

Unanimous approval.

ORDINANCES

**ORDINANCE NO. 2011-11
(2nd Reading)**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF THE TOWNSHIP OF
FLORENCE, NEW JERSEY ENTITLED "FEES" TO PROVIDE FOR CERTAIN
INSPECTION FEES**

Administrator Brook explained that normally the township charged the developer for the Township Engineer's inspections of new homes through the developer's escrow account. Some of the developers approached the township and said that they would prefer that the township charge on a per lot basis every time the Township Engineer does an inspection. Looking at the law, Administrator Brook believes that the developers are technically correct even though it slows up the process. The Township Engineer prepared a new fee schedule that the large developers were in agreement with and receptive to using. This Ordinance gives the township the authority to charge the inspection fees this new way.

It was on the MOTION of Woolston, seconded by Baldorossi to approve Ordinance No. 2011-11 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.

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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.

**ORDINANCE NO. 2011-12
(2nd Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AUTHORIZING
THE SALE OF A 49% INTEREST IN BLOCK 139, PROPOSED LOT 1.03,
BEING THAT PORTION OF THE ROEBLING STEEL SITE PRESENTLY
USED BY THE ROEBLING FRONT GATE MUSEUM TO THE
COUNTY OF BURLINGTON WITH THE PROCEEDS TO BE USED FOR THE
ROEBLING FRONT GATE MUSEUM AS APPROVED BY THE TOWNSHIP COUNCIL**

It was on the MOTION of Baldorossi, seconded by Sandusky to approve Ordinance No. 2011-12 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 Ryan, 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: Baldorossi, Ryan, Sandusky, Woolston

NOES: None

ABSENT: None

ABSTAIN: O'Hara (Due to conflict.)

Motion carried.

REPORTS

Committees, Boards and Officers

- Council Member Sandusky was visiting the Yacht Club last week when two people asked the members where to obtain a **boat ramp permit**? They were directed to the municipal building. One of the members suggested permits be issued from the Yacht Club on weekends

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when the police window is closed. Administrator Brook will talk to the Chief of Police to see if it is feasible and report back.

- Council Member Ryan thanked Mayor Berry for sending letters of **appreciation to all involved during the hurricane**. He also expressed his appreciation to all of the departments involved in the preparation before the hurricane, and their work during and following the hurricane. Council Member Ryan and Council President O'Hara specifically thanked Phillip Drangula, Office of Emergency Management Coordinator. Council echoed Council Member Ryan's sentiments.
- Council President O'Hara thanked Assistant Administrator Sahol for posting the information for the **food banks** that are available in the community.

Mayor

- Mayor Berry expressed **appreciation to the township workers that worked over the weekend of the hurricane**. He stated that Florence Township is very fortunate to have an outstanding Public Works, Water & Sewer, Police Department and administrative staff. The township is also fortunate that the storm was not as bad as it was in other parts of the east coast.
- Mayor Berry suggested that a copy of Resolution No. 2011-178 (**Absence From Meeting Policy**) be sent to each member of the boards and committees.

Administrator

- Nothing at this time.

Assistant Municipal Administrator

- Assistant Administrator Sahol stated that next year is the **Florence Township Fire Department's 100th anniversary** and they are planning a **celebration**. He met with some representatives of the fire department and advised them that the township has begun fundraising efforts to bring back the Patriotic Celebration in 2012 and they discussed **merging the celebrations**. It could be a spectacular event. It would also save the municipality money for some of the things that are usually budgeted. Combining efforts with the fire department would also bring in fire police, which would help relieve some of the stress on the manpower of the police department. The fire department will be having a vote on September 19, 2011 as to whether they want to combine efforts with the township.
- Assistant Administrator Sahol stated that there is a **5k run** scheduled for the end of the month, with proceeds going towards the **fundraising efforts for the Patriotic Celebration**. It has been advertised on the website and Channel 19 and registration forms are available at local businesses. The township is seeking sponsorships, as they have in the past, for the t-shirts. The first 150 to register will receive a t-shirt.
- Assistant Administrator Sahol reported that in just one month \$1,945 has been raised towards the 2012 Patriotic Celebration. Other events will be planned to raise funds.
- Assistant Administrator Sahol reported on the **illegal dumping on Riverview Drive**, which causes erosion concerns. As of yesterday, the suspected contractor and resident contacted Assistant Administrator Sahol and said that they were very concerned about the township's concerns so they decided to take it upon themselves to go out on the riverbank and remove all of the material that someone had cut from the trees and to completely remove any of the potential for undergrowth being killed and erosion getting worse. Assistant Administrator will be looking at with the Township Engineer and it will be documented to be sure that the erosion does not worsen. In the past, courtesy letters were sent out, without success, he feels

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it is time to move forward with posting signs at the sensitive riverbank areas and begin enforcement for illegal dumping, activities that will worsen the erosion.

- With school starting, Assistant Administrator Sahol will be providing a recommendation from the Police Department next week on **Tenth Avenue parking**. He noted that the recommendation comes out of the Police Department because they are experiencing an unsafe situation in regards to the parking on the west side of Tenth Avenue between Hornberger Avenue and nearing the VFW's driveway. With the construction on the corner of Hornberger Avenue and Tenth Avenue, there will be another driveway on Tenth Avenue on the same side of the street causing even more conflicts. The recommendation will be for no parking on that side of the street on Tenth Avenue.
- Assistant Administrator Sahol, as discussed previously, stated that there really is no longer a FAAD Alliance. Therefore the FAAD **seat on the Recreation Committee** would be well served going to an active recreation participant, someone who can represent more of the children and their needs. It is a seat that he fills but would like to open it up to an active recreation participant. There has been a recommendation for Jon Swanson to fill the seat; he is very active with the recreation programs.

Township Solicitor

- Nothing at this time.

Township Engineer

- Dan Guzzi, Township Engineer, stated that the **NJDOT** is administrating three (3) **grant opportunities**: Roadways, Safe Streets to Transit and Bikeways. In working with Assistant Administrator Sahol, their recommendation for the Roadways is for the Boulevard from Front Street to Fifth Street; for the Bikeway a continuation of the prior grant, which would include Cedar Lane to extend the bikeway out to Route 130; for Safe Streets to Transit an application to create a sidewalk along Route 130 from Cedar Lane to the Florence Light Rail Station. The applications are due later this month. The Resolutions have been prepared for Council's consideration. Discussion of the possibility of extending the bikeway onto Florence Columbus Road reviewed and considered. It would tie in a large residential group and is a viable option. Council Member Ryan discussed eventually bringing the bikeway across Route 130 onto Delaware Avenue. He sees a large number of bicyclists on Delaware Avenue and believes they are heading out to the new bike path. Mr. Guzzi agreed that it is a good idea and will have to make sure a right of way can be worked out with Burlington County. Assistant Administrator is concerned about the right of way between the turnpike and Route 130. Mr. Guzzi can report back by Wednesday if there are significant hurdles. He noted that there are obstacles on Cedar Lane as well. Township Council will hold the Resolution and discuss the Bikeway (**Resolution No. 2011-176**) further at next week's meeting.

RESOLUTION NO. 2011-175

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SAFE STREETS TO TRANSIT 2012 PROJECT

RESOLUTION NO. 2011-177

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR MUNICIPAL AID FOR ROADS

It was on the MOTION of Ryan, seconded by Sandusky to approve Resolution No. 2011-175 & 2011-177.

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

UNFINISHED BUSINESS

Nothing at this time.

NEW BUSINESS

New Wards and Districts

The Township Clerk advised that the county will provide color-coded maps for Council's information. Council Member Ryan asked if there is anything the governing body needs to do in the process? Clerk Weiler explained that the Burlington County Board of Elections approves the change to the Wards; the township takes care of the Districts but works with the county. There were meetings with both parties represented (Democrat and Republican). The Ward Commission is made up of two (2) democrats and two (2) republicans with the Township Clerk as the tie vote, which was not needed because everyone agreed. Clerk Weiler explained that the wards are drawn by census block and population; not the number of registered voters. The districts are determined by the number of registered voters. Due to new home construction there were a tremendous number of voters in one district and the county was trying to balance out the wards/districts. Clerk Weiler believes the changes will work out well. Council Member Ryan thanked Clerk Weiler for her guidance and hard work through the process. Assistant Administrator Sahol will advertise the changes on the website and post the map for the residents' information. Clerk Weiler noted that the changes will take effect after this year's general election.

BOARD OF HEALTH

Mosquito Issue

Administrator Brook will contact Conrail and the Burlington County Mosquito Commission regarding the complaint made earlier during the meeting about the wooded area along the railroad tracks.

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Dumping Concern

Council Member Ryan was advised of a dumping issue near the parking lot of South Street and Fifth Avenue and asked that it be checked.

MISCELLANEOUS

Nothing at this time.

ADJOURN TO CLOSED SESSION

9:25PM MOTION by Woolston, seconded by Ryan to adjourn to Closed Session. Roll call vote - all ayes. Motion carried.

RESUME REGULAR SESSION

9:50PM MOTION by Sandusky, seconded by Woolston to resume Regular Session. Roll call vote – all ayes. Motion carried.

Tax Appeal Reports

Administrator Brook provided a report on the tax appeals so the governing body can see how they are structured. The Tax Assessor and solicitor did a good job and worked well together. The next concern is to deal with the large commercial appeals.

Fountain of Life – Sidewalks

Administrator Brook stated that there is an application from Fountain of Life that involves sidewalks. He has been speaking with Fountain of Life informally and he advised them that he would speak with the governing body formally, on the record. Their application involves a solar project and under the current Ordinance it could possibly involve the installation of sidewalks. Sidewalks may not be the best fit out there and Fountain of Life is such an integral, committed member of the municipality that it may be worth considering that they make a contribution into the sidewalk trust fund. The amount discussed was approximately \$52,500. Fountain of Life is also willing to lower that contribution and make a donation to the Patriotic Celebration fundraising efforts, \$45,000 to the sidewalk trust fund and \$7,500 to the Patriotic Celebration. A Resolution approving the amount will be needed. Council Members are in agreement to work with Fountain of Life on a fair compromise. Administrator Brook will advise Fountain of Life and work with Solicitor Kearns on the agreement.

10:00PM MOTION by Baldorossi, seconded by Woolston to adjourn the meeting. Roll call vote - all ayes. Motion carried.

ADJOURNMENT

10:00PM Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC
Township Clerk

/mab