

Florence, New Jersey  
February 16, 2005

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 Vice President Ryan at 8:10 PM. Vice President Ryan 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 2, 2005 and January 16, 2005; 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  
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

### **MINUTES**

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

Reorganization	January 5, 2005
Regular Session	December 15, 2004
Closed Session	February 2, 2005

### **FINANCIAL CORRESPONDENCE**

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

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

### **REGULAR CORRESPONDENCE**

None at this time.

### **APPLICATIONS**

- A. RAFFLES: Florence Township Civic Association, Inc., 4/2/05 at Holy Assumption School, 6PM – 2AM – Chinese Auction and On Premise 50/50 Raffle

**Florence Township Council Regular Session: 02/16/05**

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

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Sandusky, Ryan

NOES: None

ABSENT: Fratinardo

ABSTAIN: Garganio

Motion carried.

**PUBLIC COMMENTS**

Jim Napolitan, 13 Second Avenue, asked why the Historic Commission was not notified of the construction at the corner of Second Avenue and Main Street? Administrator Brook explained that the resident applied to put a second story addition on his home. The application review lasted approximately six months; and the advise of the Zoning Board Solicitor was sought. It was determined that no variances were needed.

Administrator Brook reviewed the decision made years ago where unless an application had to go before the Planning Board or Zoning Board it would not be sent to the Historic Commission. Pulling a permit does not require Historic Commission review.

Colleen Carney, 121 Second Avenue, stated that she has reviewed the Ordinance and it does state under *Activities Requiring Certificates of Appropriateness: An addition or alteration to a historic site, which changes its appearance*. Administrator Brook stated that the description of the intent specifically addresses applications that go before the Planning Board and Zoning Board must be sent to the Historic Commission.

Gary Bykowsky, 780 Hamilton Avenue, asked that the Historic Commission at least be notified of applications. He stated that he has been on the Commission for four (4) years and has done virtually nothing. He feels that the application for the addition should have been submitted to the Historic Commission for review.

Administrator Brook discussed what took place approximately late 1980's or early 1990's when all applications were sent to the Historic Commission for review. A majority of the residents came forward the governing body unhappy with that regulation and the governing body decided that only applications that had to go before the Planning or Zoning Board would be sent to the Historic Commission.

Council Member Garganio asked what the Historic Commission role would be since there was nothing in the Zoning Ordinance that restricted the second story addition? Administrator Brook believes that they would like the opportunity to have input in an area that is deemed to be historic in nature. Council Member Garganio believes that the time to have input is before the applications come in. He suggested that the Historic

**Florence Township Council Regular Session: 02/16/05**

Commission do an evaluation and make recommendations that could be incorporated into the Zoning Ordinance.

Bill Bott, 64 Riverbank Drive, understands the Historical Commission's position, but asked how many Roebling homes are like what they were back then. He feels if regulations were changed now, it would not be fair for new residents coming in that would like to change the appearance of their homes.

Andrew Napolitan, 155 Seventh Avenue, believes that if the addition were brick opposed to siding, it would look better.

Ms. Carney discussed a program available through the Federal Department of Interior in which residents that renovate their houses according to the federal standards would receive a 20% tax deduction off the cost of the renovation. She feels that would be a good incentive for the residents. Roebling would have to be approved to participate.

After further discussion, Members of the Historic Commission stated that they would like the opportunity to make recommendations. The governing body asked that the Commission put together guidelines for Council to discuss at the next Worksession.

Jim Napolitan, 13 Second Avenue, stated that he has had five (5) tree limbs fell on his car over the years. Every time he has the vehicle repaired it costs him the \$500 deductible. He does not believe he should have to pay that since they are township trees. The last incident the Township's insurance company turned his claim down because he did not notify the Township that there was a potential problem. He does not believe he should be responsible for the deductible since it is a Township tree. Assistant Administrator Sahol stated that the trees on Second Avenue have been worked on numerous times. He explained that any time the municipality receives a call, they act immediately and they are always on the lookout for problems. Mr. Sahol explained that the insurance company is saying if Mr. Napolitan had notified the Township and the Township failed to act, the Township would be responsible. Mr. Sahol reviewed the tree-trimming project taking place in Roebling, which started in the fall. Mr. Napolitan stated that the limbs that fell onto his vehicle were not live limbs that blew down in a windstorm; they were dead limbs that just fell. Administrator Brook explained the insurance procedure. He stated that the Township has taken significant strides to make sure the trees are safe in the community. He will have an assessment done on the trees on Second Avenue.

Andrew Napolitan stated that he does not believe that the company trimming the trees does a proper job.

A meeting will be set up with Jim and Andrew Napolitan, two members of the Shade Tree Committee, the contractor and Assistant Administrator Sahol. Council Vice President Ryan asked for a report after the meeting is held.

Judy King, 35 W. Fifth Street, questioned the grant application for a community center that is on this evening's Agenda. She asked if there were plans for a location? Administrator Brook explained that the grant is to purchase the Roebling Firehouse.

**Florence Township Council Regular Session: 02/16/05**

Mr. Bykowsky asked if there was an Ordinance stating the clearance height for limbs over the sidewalks? Administrator Brook stated that an individual should be able to walk on the sidewalk without having to duck under branches. If there is a particular area that is a problem, the Township does have the legal right to trim the branches back. Assistant Administrator Sahol explained that the Shade Tree Commission is checking the height for pedestrians and box trucks and working on having the branches trimmed back.

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

**RESOLUTIONS**

**RESOLUTION NO. 2005-50**

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

**RESOLUTION NO. 2005-51**

**AUTHORIZING LEASE AGREEMENT BETWEEN  
THE TOWNSHIP OF FLORENCE AND FLORENCE AGAINST  
ALCOHOL AND DRUGS**

**RESOLUTION NO. 2005-52**

**APPLICATION FOR GRANT FROM NJ DEPARTMENT OF  
THE TREASURY FOR PURCHASE OF POLICE-  
IN-CAR VIDEO SYSTEMS**

**RESOLUTION NO. 2005-53**

**AUTHORIZE THE PURCHASE OF POLICE-IN-CAR VIDEO  
SYSTEMS FROM MOBILE VISION  
State Contract Purchase #A44254**

**RESOLUTION NO. 2005-54**

**AUTHORIZE APPLICATION FOR GRANT FROM  
NJ DEPARTMENT OF THE TREASURY FOR  
PURCHASE OF A BUILDING FOR USE AS A SENIOR/  
COMMUNITY CENTER**

**RESOLUTION NO. 2005-55**

**APPROVE PAYMENT OF CURRENT ESTIMATE NO. 15 FOR  
RMS CONSTRUCTION COMPANY, 1985 DUTCH MILL ROAD,  
FRANKLINVILLE, NJ 08322  
NEW PUBLIC WORKS FACILITY**

**RESOLUTION NO. 2005-56**

**AWARD BID TO T-MOBILE USA FOR  
LEASE OF SPACE AT WATER TOWER #2  
FLORENCE-COLUMBUS ROAD**

**RESOLUTION NO. 2005-57**

**AUTHORIZE PAYMENT OF CURRENT ESTIMATE NO. 4  
FOR TEST WELL NO. 6  
TO WILLIAM STOTHOFF CO., INC.  
P.O. BOX 68  
FLEMINGTON, NJ 08822**

It was on the MOTION of Garganio, seconded by Baldorossi that Resolutions 2005-50 through 2005-57 be approved.

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

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

Unanimous approval.

**ORDINANCES**

**ORDINANCE NO. 2004-16  
(Held from 12/15/04)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING  
CHAPTER 120 – SOIL REMOVAL AND DEPOSIT OF THE FLORENCE  
TOWNSHIP CODE TO REQUIRE THE RELOCATION OF ANY SOIL OR  
EARTH REMOVED FROM A SITE WITHIN TO TOWNSHIP OF FLORENCE  
TO A LOCATION WHERE IT CAN BE PUT TO PUBLIC USE BY THE  
TOWNSHIP OF FLORENCE**

**Florence Township Council Regular Session: 02/16/05**

At the direction of the Governing Body, Administrator Brook spoke with EPA regarding soil being used for capping at the steel mill site. Tamara Rossi, EPA, informed him that they would like the soil but it would take 30 to 60 days to test it. US Home is willing to give the soil to the Township but asked that their trucking costs be covered. In order for EPA to pay for the trucking, it would have to be under contract. It is a possibility, but it would take months to get the approval for EPA to pay for the trucking. EPA must test the soil themselves. At this time US Home is not concerned with the balance of the soil but with the immediate need to move 2,800 cubic yards of soil. Dan Guzzi, Township Engineer stated that there will be a lot of top soil available to the Township over the next couple of years, so they could let this soil go elsewhere.

Fritz Wainwright, Florence-Columbus Road resident, stated when he sold his farm he was told that they would have to purchase dirt to finish filling to get to grade. Now they have soil to sell. He farmed that ground and does not feel that they had to move the soil the way they did. Mr. Guzzi explained to Mr. Wainwright that this is topsoil there is a difference.

Council Member Garganio asked how long it would take to get EPA approval for financing? Administrator Brook believes it will take months. Council Member Garganio asked if the mound of soil could be spread out? Mr. Guzzi can talk to the developer about doing that but there may be a significant cost.

Council Vice President Ryan asked if the governing body would like to continue to HOLD the Ordinance? Council Member Garganio would like Administrator Brook to continue to investigate having available soil from various construction sites in the Township trucked to the Roebling Steel Mill site. Administrator Brook will see if he can get definite time periods. Mr. Guzzi suggested that on the Planning Board level a requirement be set that states that developers with excess fill be responsible for transporting to a designated site in the town.

**Ordinance 2004-16 – Continue to HOLD**

**ORDINANCE NO. 2005-08  
(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING  
CHAPTER 134 OF THE FLORENCE TOWNSHIP CODE TO PROVIDE A  
PROCEDURE FOR APPLICATIONS FOR PERSONALIZED HANDICAPPED  
PARKING SPACES AND FOR THE CONSIDERATION OF THOSE  
APPLICATIONS**

It was on the MOTION of Garganio, seconded by Sandusky to approve Ordinance No. 2005-08 on first reading and set adoption for March 2, 2005.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

**Florence Township Council Regular Session: 02/16/05**

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

Unanimous approval.

**REPORTS**

**Committees, Boards and Officers**

- Nothing at this time.

**Mayor Muchowski**

- Nothing at this time.

**Administrator**

- Administrator Brook has been looking into a completely new fuel system, which is utilized by the township, school, fire company and emergency squad. He discussed charging a small additional amount per gallon to help offset the township's costs. He suggested .10¢ to .15¢ per gallon for five to six years. A Resolution will be on next week's Agenda.
- Administrator Brook stated that the letter from Fountain of Life would be discussed at the next Worksession.

**Assistant Administrator**

- Nothing at this time.

**Township Solicitor**

- Nothing at this time.

**Township Engineer**

- Nothing at this time.

**UNFINISHED BUSINESS**

**Bond Ordinance**

Council Member Garganio suggested putting a basketball court in at Marter Park. Mayor Muchowski feels that there are some concerns since it is a remote location. Council Member Garganio would like to include it and if it has to be pulled it can be pulled. It would add \$50,000 to the cost.

Council Member Garganio would like to authorize Administrator Brook to proceed with the paperwork for the bond. Bond Council will have to be secured. Mayor Muchowski suggested getting quotes.

Discussion followed regarding the alleys throughout the Township.

It was on the MOTION of Garganio, seconded by Sandusky authorizing Administrator Brook to move forward to begin preparing the necessary legislation.

**Florence Township Council Regular Session: 02/16/05**

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Sandusky, Ryan

NOES: None

ABSENT: Fratinardo

Unanimous approval.

Mayor Muchowski asked if a grant becomes available, how it would be handled with the State? Administrator Brook stated that it would reduce the overall debt. He explained that the money would be borrowed short term, pay the Township back with the grant, reduce the debt and wait as long as possible before going out for permanent funding. Discussion followed regarding approval from the State since over debt limit. Administrator Brook does not feel that the Township will have a problem.

**NEW BUSINESS**

Nothing at this time.

**BOARD OF HEALTH**

Nothing at this time.

**MISCELLANEOUS**

Administrator Brook was contacted by a gentleman that would like to do a **documentary** on the **Roebling Steel Mill**. He has done historical documentaries on other locations throughout the country. He asked if the EPA does not object would the municipality have any objections? Council Members feel that as long as it is reputable, they would have no objections.

Council Member Garganio asked if the **letter** from the **Planning Board** regarding **rezoning** would be on next month's Worksession Agenda? Administrator Brook stated that it will be.

9:30 PM MOTION by Baldorossi, seconded by Garganio to adjourn to Closed Session. Action may be taken following Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

9:30 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab