

## **FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION**

**March 8, 2006**

**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 8, 2006; 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**

Nothing at this time.

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.

### **NFI – PRESENTATION**

David Serlin, representative of NFI, thanked Mayor and Council for having NFI back this month with the sound consultant in order to hear his findings.

Norman Dotti with Russell Acoustics, LLC, Butler, NJ introduced himself to Mayor and Council. He reviewed his credentials, which include being a licensed professional engineer and a licensed planner in NJ. He worked as a municipal engineer for 30 years; he is on the State Noise Control Council. He has testified on local Planning Board, Municipal Court, State Court and Federal Court level as an expert in acoustics. His customers include developers and municipalities. He has performed work in acoustics around the world.

On this project Mr. Dotti was asked to look at the different sound sources involved, where they are located and prepare calculations to estimate the sound levels, which were done in the daytime and nighttime. He explained the main difference is at night some of the sound sources are turned off.

Mr. Dotti reviewed the results of the calculations, which takes into account distance, terrain effects, atmospheric conditions, barriers and buildings. He did not include anything but the proposed structures that would reduce the sounds, such as trees. Mr. Dotti performed a worst-case scenario during the day with possible refrigeration units on the warehouse, rooftop units on top of the maintenance facility, data for power tools, trailer repair using rivets and steel needles with the garage doors open. He also included in the calculations fifteen (15) idling tractors, two

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(2) idling trucks at the office, a truck filling up with fuel, a yard tractor raising up a trailer, and various vehicles in motion. He explained that NFI dissipates approximately one hundred fifty (150) trucks in a 24-hour period, which would be six (6) to seven (7) trucks an hour or one (1) truck every 9.6 minutes on average. Mr. Dotti is showing multiple trucks with two (2) yard tractors, majority of the time one (1) yard tractor sits idle. Mr. Dotti visited four (4) different NFI locations to collect the data to put into this model.

Mayor Muchowski stated that BJ's warehouse in Burlington Township runs eight hundred (800) trucks a day and asked Mr. Dotti to compare to his illustration? Mr. Dotti stated that BJ's is an average one (1) truck every 2 minutes and explained that he is showing a continuous stream of trucks.

Mayor Muchowski discussed the possibility of several trucks waiting to load and depart the facility at the same time. Mr. Dotti stated that his illustration shows fifteen 15 trucks idling at one time.

Mr. Dotti explained the several mitigation things taking place, one being distance, second a 16' acoustical barrier along the border on the eastern side and the southern side. The acoustical barrier should provide a mitigation of approximately 10 decibels (dBA).

Mayor Muchowski verified that the employee parking is located at the open end of the building near the school site. Mr. Dotti stated that is correct. Bruce Benedetti, Florence Township School Business Administrator, asked how deep the employee parking lot is? Mr. Dotti responded it is two rows of cars deep. Mr. Benedetti asked why there was no barrier between the employee parking lot and the school site? Mr. Dotti explained that a car is approximately 10 dBA quieter than a truck.

Mr. Dotti stated with everything running the site will produce approximately 50 dBA. When the sound levels around the site were tested over a four (4) day period in October 2005, the ambient sound levels varied from 45 dBA in excess of 70 dBA. Mr. Dotti gave an example of how dBA's are added together, 50 dBA and 50 dBA do not equal 100 dBA, added together they equal 53 dBA. He stated that 3 additional dBA can barely be detected. He gave an example of background noise in a typical open office as 45 - 50 dBA or two (2) people using a regular conversational voice produce 60 - 65 dBA. Mr. Dotti reiterated that the sound levels projected from the NFI site, under worst-case scenario, are comparable to the sound level that is there now. The residents in the area may hear sounds from the site but they will also hear their neighbors, trucks driving on the street and other sounds in the area. The nature of the sound, motor vehicle traffic, and the magnitude of the sound are comparable to what is there now.

Mr. Benedetti asked Mr. Dotti to explain why it would not be beneficial to put up a barrier around the employee parking lot? Mr. Dotti stated that the amount of sound coming from that area is insignificant compared to the other areas of the site. Putting up a barrier there will not substantially change the level of sound in that area. He explained that the sound level in that area coming from the facility will be 40 dBA, which is quieter than the quietest it gets right now. That means that when the area around the site is at its quietest, sounds will be heard from the facility but there will also be times when the surrounding sound levels will be louder than the sounds coming from the facility.

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Mayor Muchowski understands the noises coming from an idling truck but expressed concern regarding the backup alarms on the tractor-trailers disturbing the school's outside activities on the fields. Mr. Dotti explained that the sounds from the fields when a game is being held will be louder than the sounds from the facility. Mayor Muchowski asked if the backup alarm of the tractor-trailer would interrupt the flow of a game or activity? In Mr. Dotti's opinion, no. The sound level (worst case scenario) projected in that area is 50 dBA and lower, which is very quiet. Council President Fratinardo asked how many originating dBA's is a backup alarm? Mr. Dotti stated that there are different grades of backup alarms. Mr. Dotti explained that OSHA does not specify the sound level on a backup alarm; they only require that it be loud enough to be audible. After further questioning on the dBA of back up alarms, Mr. Dotti stated that he does not recall the highest dBA for alarms. Council Member Garganio expressed concern over the residents sitting in their back yards and hearing the backup alarms. These residents have invested their life savings into these homes. Solicitor Kearns stated that Federal Regulations require that new trucks have to emit a dBA level not exceeding 80 when they are driving. He asked that Mr. Dotti add in the alarm and multiple trucks. Mr. Dotti stated that 80 dBA at 50' extrapolated out to 600' brings it down to 59 dBA. He stated that there is no room in that area for more than two (2) trucks.

Discussion followed regarding the 16' sound barrier. Mr. Dotti explained that what counts most is how tall the barrier is relative to the sound source and sound receiver; as long as the barrier is substantial enough that sound does not go through it. Council Member Garganio asked if the numbers would be affected if the barrier were increased to 20'? Mr. Dotti stated that it would lower the sound level/increase the attenuation of the barrier a slight amount. Council Member Garganio questioned the houses in the yellow area, where the dBA is the highest. He asked what could be done to lower the dBA for those residents? Mr. Dotti stated that has a barrier already. Council Member Garganio believes it would be a major impact on the development; even with the barrier the residents will still hear the sounds. Mr. Dotti stated that the magnitude of the sound projected (worst case scenario) to come from the site is comparable to the magnitude of the sounds that are there now. A majority of the sound is motor vehicle traffic, which comes from Route 130, the Turnpike Extension and general traffic in the area. An applicant is not responsible for the surrounding sounds. He explained that if the worst-case scenario from the facility and the worst-case condition from the test results of the surrounding area were added together it would equal 70 dBA. Mayor Muchowski asked, from the test results, what time period and what created the existing worst-case condition? Mr. Dotti stated during the day caused by motor vehicle traffic, which fluctuates. The school site was not being worked during the testing period.

Council President Fratinardo asked what type of noise the residents would hear, would it be comparable to the droning noise of the Turnpike? Mr. Dotti stated that what they would hear, when they hear it, would be more of an individual event when a truck goes by, which would be on an average every 9.6 minutes. Mr. Dotti invited Mayor and Council to visit one of NFI existing facilities.

Mayor Muchowski once again asked if a resident were sitting in their backyard or a game is being held on one of the athletic fields and a truck begins to backup, what would they hear? Mr. Dotti stated that they may or may not hear the backup alarm; it depends on the ambient conditions. He further explained that it is possible that residents or someone on the athletic fields may hear the backup alarm but it would be faint. He does not believe it would disturb a player's train of thought.

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Council Member Sandusky questioned the overnight hours when residents are sleeping, could they hear the backup alarms of the trucks? Mr. Dotti stated yes, they could hear it but the magnitude of the sound is comparable to the existing sounds in the area. He also noted that NFI would be leaving 100' of trees that were not taken into account, which would act as a buffer in the summertime. It may reduce the sound by 5 dBA.

With sixty (60) doors, Mayor Muchowski asked how many tractor-trailers run at one time? A representative of NFI explained that the tractors come in, pick up and go. He feels Mr. Dotti's illustration is an accurate depiction of NFI's operation. Mr. Dotti used thirty doors as an example and stated that with thirty (30) doors it is possible but not probable that thirty (30) trailers could be pulled out at the same time. Discussion followed regarding Mr. Dotti's illustration of the site showing the level of sounds. Mr. Dotti reviewed the equipment that is running again that he is showing on the illustration, which is a worst-case scenario.

Mr. Benedetti asked if it was a temperature controlled building or a dry building? Mr. Dotti stated that it is a dry building but there are provisions for 160,000 SF of refrigeration in the building. Mr. Benedetti asked if that changed the character of the truck body sitting and waiting? Mr. Dotti stated that he included refrigeration trucks in his model.

Council President Fratinardo asked where NFI's other facilities were located? A representative of NFI stated that Mr. Dotti looked at the facilities in the Haines Industrial Park (500,000 SF building) and Cherry Hill (300,000 SF building).

Solicitor Kearns asked where a tractor goes after it drops a trailer? A representative of NFI stated that the tractor would then pick up a loaded trailer and be on his way.

Mayor Muchowski stated that NFI is asking for a zoning change that allows for the expansion of the building into the currently zoned AGR parcel. The elimination of that building within that zone would increase the space between NFI and the neighboring properties. He asked what effect there would be on Mr. Dotti's calculations if the facility and building were built within the commercial zone only? He also asked what mitigating factors could be utilized so the effect of an expanded building with a smaller building would be the same for the neighboring properties? Mr. Dotti showed on the illustration that if the building were moved back to a certain point it would do nothing. Due to the volume he also explained that calculations can take up to an hour in the computer.

Mayor Muchowski stated that the township is asking for assurances that a zoning change would not be detrimental to the surrounding area. He asked what factors NFI would utilize to assure him that the township is getting the benefit of a larger building but not sacrificing the quality of life for the neighboring properties to achieve the benefits that both the township and NFI are looking for? The main concern is that the investment the community made in a new school and the investment that the existing residents made in their homes are not adversely effected because the governing body allowed an expansion beyond the existing commercial zone. Mr. Dotti understands the concerns.

Discussion followed regarding the difference in sound if NFI were to complete the project with out utilizing the parcel in the AGR Zone. A representative of NFI stated that if they were not able to use that parcel it would not fit their needs. Mr. Dotti stated that if the building were pulled back it may affect the sound level; he is not prepared to say how much.

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Mayor Muchowski stated that a barrier is proposed for the most effected area and asked why not install a barrier through the open end of the property? Mr. Dotti stated that calculations can be done on that but because of where the sound is coming from, he does not believe that it would provide even close to 10 dBA. He cannot give a definite number without doing calculations.

Mr. Benedetti agrees with Council Member Garganio that the residents are affected more then the school property and even if the building were shrunk down the residents would still get the sounds. The only property affected by a larger building is the school property. He stated frankly that if NFI is choosing not to build the barrier near the school property to save resources that they would other wise be expending and exposing the school to additional noise, the school is prepared to absorb the additional noise at some cost. The school needs to meet with NFI to discuss what it would take to reduce the school's pain and suffering by NFI not having to install a barrier. A representative agrees that discussions need to be held. He also stated that it is a permitted use closer to the residents.

Council Member Garganio understands that it is a permitted use but expressed his concern for the residents that are affected. The residents are in the yellow area on the illustration, which is the worst area. He feels those residents should be helped. A representative of NFI stated that is why they are proposing the 16' barrier. Council Member Garganio stated that by the illustration the residents are still in the worst spot. Mr. Dotti stated that the area is the worst spot because it is in the loudest spot but the loudest is still not as loud as it is out there with nothing going on. Presently the ambient conditions in that area are 45 – 70 dBA. When you compare the worst case from the facility to the worst case from the ambient, there is a lot more sound out there now. Mr. Dotti explained if there is a very quiet period, which statically can happen, the residents may hear more sounds from the facility. Most of the time the sound that is there now is comparable to the facility or louder, in some cases substantially louder.

Council Member Garganio asked if the sound tests that were done at the Florence site were performed at any of NFI's existing facilities? Mr. Dotti stated that the same tests were not performed at existing facilities and explained it would not be helpful because he would not be able to eliminate the ambient sounds from the test and get a true reading from just the facility.

A representative addressed Council Member Garganio and explained that the conversation was steered towards the school because NFI recognizes the township's investment. Mr. Dotti stated that the homes were looked at.

Council Member Ryan asked what color on the illustration the homes would be if the existing average ambient level were added to the dBA from the facility versus the worst case scenario? Mr. Dotti stated that they would still be in the yellow region. Council Member Ryan asked what a resident sitting on their back porch would hear? Mr. Dotti stated occasionally they may hear a distant backup alarm; it would not sound like a delivery truck at the next door neighbors. Council President Fratinardo asked if the facility will have an outside paging system? A representative of NFI stated that there would not be an outside paging system.

Council Member Garganio asked if they looked into turning the building? A representative stated that is was looked into but it would not work for a number of reasons. The building would still go across the lot line and would reduce the trucking company site from 24 acres to 18 acres. It would constrict what they can do on the site to the extent that the site will not work operational

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for a trucking company. In fact one of the buildings would be closer to the residents. Council Member Garganio questioned if they lost the front lots and pushed the buildings forward. The representative stated that NFI does not own one of the lots and the other lot is required for a jug handle. Discussion followed regarding different layouts for the site that would have less of an impact on the residents. Council Member Garganio stated that there are pad sites in the front and he would like to see the site reconfigured. He believes there are ways it can be done. Different scenarios were discussed. The NFI representative does not believe the site can be changed to where it would work for a trucking facility. He asked Mr. Dotti if there was anything further that can be done in regards to the sound the existing residents would hear? Mr. Dotti stated raising the barrier height from 16' to 20' might help slightly. He does not know the exact dBA without doing the calculations.

Mr. Dotti reminded the governing body that he presented the worst-case scenario, it shows the activity as being constant and it is not.

The NFI representative stated that the parcel that they are looking to have rezoned is in the yellow and green on the illustration. He stated that NFI would do what they have to do to satisfy the township's concern. He does not believe turning the buildings will address the concerns.

Steve Lyden, professional planner with Burgess Associates, introduced himself. He stated that he was asked to look at what the rezoning would do, specifically how it reports to the Master Plan. Mr. Lyden reviewed an exhibit that shows what NFI is looking to do. It shows that the subject property (6.01) is unusually shaped; it is approximately 45 acres. NFI seeks to create a subdivision line that would effectively remove 25 acres or so in a triangular shape and appendage it to Lot 2.01. The current lot has frontage on Bustleton Road. They are seeking to move the lot that is closer to Route 130 to 2.01. If the rezoning were to occur and the subdivision approved, NFI would be continuing the pattern that Florence Township has established in that area. The lots along Route 130 are in the Highway Commercial Zone (HC) or the Highway Commercial with Special Manufacturing Overlay District. The lots along Bustleton Road are in the Agriculture Zone (AGR). The division line between the zones is the commandeer property line that they are proposing to extend to the east, which would effect approximately 25 acres.

Mr. Lyden explained one of the primary reasons for the request is that even though lot 2.01 has a significant amount of road frontage along Route 130 it dramatically narrows as you go towards the south, which creates a constrained lot configuration.

Mr. Lyden reviewed the 1999 Master Plan, 2000 Re-examination Report and 2003 Re-examination and based on those documents he believes that the proposed rezoning is consistent and compatible with the township's observations and goals of the Master Plan.

Mr. Lyden noted that the 1999 Master Plan is predicate of the 13 objectives, principals, assumptions and policies. The very first one is that managed and balanced economic development should be encouraged in the township, the second one is that the infrastructure improvements that is necessary for economic development to occur needs to go hand in hand with the land use plan. Mr. Lyden mentions those two because the intersection has been reconstructed in the recent past and sewer and water facilities have or are in the process of being improved. He believes that the balance that the documents call for are occurring.

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Mr. Lyden stated that the 1999 Master Plan includes a land use element. This element talks about the fact that residential development has greatly outstripped the amount of commercial and non-residential developments occurring in town and this was creating some significant local stresses in the economic tax base. One of the important goals of the land use plan was to restore the balance between the commercial development and the residential development by promoting commercial development. The land use element called for continued promotion of commercial development in the appropriate areas through zoning and upgrading of municipal services. Mr. Lyden believes that this proposal is consistent with that.

Mr. Lyden stated that the 1999 Master Plan acknowledges that the Route 130 area has remained stagnant or actually declined since the prior Master Plan document. The document projected that once the intersection improvements and water and sewer upgrades went through that would likely change. He feels that because NFI is here today that is proof of that.

Mr. Lyden stated that the 2000 Re-examination Report did not differ much from the Master Plan, which is to be expected since they were close together. It mentions that there has been increasing pressure to create more residential development in town and it is anticipated that new development along the Route 130 corridor would include facilities related to travel services (hotels and restaurants) and distribution, warehouse and trucking. Under the Circulation Plan it states that non-residential development in the Route 130 area especially along Cedar Lane would be a good area for distribution facilities. He stated that most of the predictions have come true and would be carried on with the proposed rezoning.

Mr. Lyden believes that the proposed rezoning as projected on NFI's plans would be in keeping with the principals of the Master Plan and would also implement some of the goals and policies that the Master Plan is predicated on. This will also solve some of the problems that the township has worked on. One of the Master Plan Re-examination Reports talks about the undesirability of having split zoned lots. Presently NFI owns one lot and the other lot is under contract. If this lot is acquired and the subdivision goes through it will create a split-zoned lot.

The Master Plan also discusses creating economic incentives and increase the employment base in town. Mr. Lyden stated that it is anticipated that 300 jobs will be created.

Administrator Brook believes that the governing body understands the economic impact of the project. The biggest issue is the sound and impact on the adjoining properties, including the school. Mr. Lyden displayed an aerial photograph of the existing NFI facility in Cherry Hill, which he believes shows that NFI knows how to be a good neighbor and operate a distribution center in close proximity to a residential neighborhood. Administrator Brook does not doubt that NFI would do their best to be a good neighbor but stated once the decision is made the governing body cannot go back on it. The governing body wants to understand the exact impact on the neighbors and the school.

Mayor Muchowski stated that when NFI purchased the parcel they knew where the lot line ended. This is a subsequent proposal after the initial purchase. As the governing looks to allow NFI to expand, what is the increased affect, if any, on the neighboring residents? Mayor Muchowski does not believe that a clear answer has been given to the question; what will change in the quality of life pre and post development? That is the answer the governing body is looking as they amicably enter the conversation of rezoning the parcel in the AGR Zone.

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Mr. Dotti showed the range of ambient sounds, the sound that is there now, which fluctuates. In the nearby residential areas the sound levels from this operation is comparable to the sound that is there now but occasionally trucks may be heard. In the worst-case scenario, the sound level reaching the homes is 50 dBA.

Mayor Muchowski verified that the standard applicant with a site that runs 24 hours a day has to meet to be within the acceptable sound limit is 65 dBA during the day and 50dBA at night. Mr. Dotti stated that is correct. He explained that the State Noise Regulation (NJAC 7:29) sets limits of 50 dBA for nighttime (10:00PM – 7:00AM) at the property line or any place on the property and 65 dBA during the day. The day scenario is not an issue. He showed on the illustration the property line and stated that the nighttime dBA is not 50 it is about 60 dBA. He discussed the intent of the Noise Regulation. He explained that they are looking to define a zone around the homes for the nighttime limit, which NFI would meet, even though that is not what the regulation states at this time. Mayor Muchowski asked how the Planning Board could approve an application that they know exceeds the regulation? Mr. Dotti cannot answer that question but explained that the intent of the Noise Regulation was to keep people from having disturbance of sleep.

Council Member Garganio questioned what would happen if houses were built on a vacant parcel in the future near the sight where the dBA were higher then 50? Mr. Dotti stated that NFI would have to comply with the Noise Regulation, how they would do that he is not sure.

A representative of NFI stated that Mr. Dotti prepared a report that he was not able to get to the governing body ahead of time. He feels the report will answer many of their questions. He stated that NFI would come back and respond to further questions. He stated that they cannot assure the township that there will be no impact. But they will do the best they can to address the township's concerns. He reiterated that redesigning the site would not work for NFI and will provide documentation if needed. Also part of the property is needed for road design.

Administrator Brook stated that the township will respond to NFI with their concerns or questions after the governing body is able to review the report.

Mr. Benedetti stated that the school will discuss the report. He added that the school will be able to accommodate the nuisance; the real issue is the sound coming from the tract that is already zoned to accommodate NFI's use, which is closer to the neighboring residents. He does not believe it is a problem with the school but will comment back to NFI after the school reviews the report.

NFI thanked Mayor and Council for their time.

9:40 PM: It was on the MOTION of Garganio, seconded by Ryan for a short RECESS. All ayes.

9:42 PM: It was on the MOTION of Ryan, seconded by Baldorossi to resume meeting. All ayes.

**TOWNSHIP WATER AND SEWER ENGINEER**

**Test Well No. 6: Current Estimate No. 5 (Final) & Change Order No. 1**

Russell Trice, Township Water and Sewer Engineer, reviewed and recommended Current Estimate No. 5 and change Order No. 1 for Test Well No. 6. Payment will close out the contract. A Resolution will be prepared for next week's meeting.

**Update – Hydrogeological Testing**

Mr. Trice stated that the hydrogeologist collected the last of the data from Waste Management. They are working on a report, which should be available in three (3) to four (4) weeks.

**TOWNSHIP ENGINEER**

**Update on High School**

Dan Guzzi, Township Engineer, reported that the scheduled completion date is July 1, 2006.

**Drainage Basin: 37 Creekwood Drive**

Mr. Guzzi discussed a problem with the basin backing up onto 37 Creekwood Drive's property. As long as the basin is maintained it functions properly. It has been added to the regular maintenance schedule and an eye will be kept on it. If the problem occurs with regular maintenance, other options will be discussed.

**Hill Creek (Brookside Est.) Phase I & II: Performance Bonds Release**

Mr. Guzzi reviewed and recommends release of the Performance Bonds. A 2-year Maintenance Bond will be required. A Resolution will be prepared for next week.

**Contract: 2005 CDBG – Sidewalk Project**

Mr. Guzzi discussed the bids received for the CDBG project. Mayor Muchowski would like the alternate to make the auditorium at the high school handicapped accessible included. A Resolution will be prepared for next week awarding the contract to Sullivan & Pigliacelli with alternates 2, 3, 5 and 6.

**TOWNSHIP ADMINISTRATOR**

**Roebing Main Street Firehouse**

Administrator Brook stated that Mr. Guzzi had plans to hand out for review. Mr. Guzzi reviewed the plans for improvements that include offices, meeting rooms, converting the garage area into restrooms and a kitchen, a large storage room in the back, closing off the front steps to the basement.

Mayor Muchowski stated that he was approached by Mr. & Mrs. Lengel on behalf of the Roebing Historical Society, who asked about being able to utilize storage and office space in the basement for a fee. They also offered to handle the booking of the building and man the building during business hours 5 days a week. Mr. Guzzi stated that there are environmental concerns with people working in the basement, such as lead and asbestos. There are also code issues in the basement. If it does not work out that they can utilize the firehouse, it was suggested that maybe they could use the Roebing Rescue Squad building once it is vacant. Council does feel it is worth exploring. Administrator Brook reported that Craig Wilkie advised him that the fire department can only take care of the events held at the firehouse until the end of June.

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Administrator Brook stated that the 1<sup>st</sup> level of the building will be ADA accessible but it is a massive expense to install an elevator for the upstairs. He added that the main use will be the 1<sup>st</sup> floor and the auditorium has many different uses, especially after there is an up to date kitchen.

Administrator Brook stated that Mr. Guzzi and Assistant Administrator Sahol are preparing an overall draft of how other community centers operate. Mayor Muchowski stated that requiring insurance for use of the facility will have to be discussed and determined.

Administrator Brook will speak with Ms. Lengel to discuss the request for storage space, office space and manning the building to explore further. Council Member Garganio would like to see the fire company continue to do the bookings, then at one point it could be turned over to the historical society.

### **CAP Ordinance: No. 2006-10**

Administrator Brook reported that this is the standard Ordinance that is done each year. The Cap on the State is 2.5%. Will be on next week's Agenda for approval.

**Mayor Muchowski stated that he will be away beginning April 13<sup>th</sup>.**

### **Police Vehicles**

Administrator Brook stated that there is money in the budget for Tahoes from another department, which will have to be kept for a certain amount of time then transferred over. They will not be able to be awarded until the end of the year. This will free up the fleet with moving two (2) in and moving two (2) out.

### **Water and Sewer Amendment Ordinance: No. 2006-09**

Administrator Brook explains that this clears up the language of the Ordinance in case a property owner refuses to allow the township to change the water meter as part of the meter upgrade program.

## **ASSISTANT ADMINISTRATOR**

### **Outside Organizations: Background Checks**

Assistant Administrator Sahol questioned the volunteer organizations (Witches Softball, RVL baseball and the scouting programs) that use the municipal facilities that have contact with children and the background checks. He suggested that the organizations be allowed to piggyback with the township's background check program and reimburse the township. Council in agreement to allow them to piggyback with the township.

### **Recycling Ordinance**

Assistant Administrator Sahol stated that the Ordinance is ready for introduction at next week's meeting.

### **ABC: TRANSFER – PERSON TO PERSON (CORP: SANDOR'S)**

Joy Weiler, Township Clerk, reported that the application is deficient in several areas. She has been working with Jack Vassallo of Solicitor Kearns' office. The son of the owner of the business wants to transfer the license to a corporation.

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Council Member Sandusky asked if the license could become a pocket license since the business is not open? Solicitor Kearns stated that is one of the issues that has to be clarified since they stated on their application that they are open.

**POPLAR AVENUE: RIGHT-OF-WAY (VACATION REQUEST)**

Administrator Brook reviewed the vacation request. Discussion followed regarding the utility lines, which is where they would like to plant the trees. Due to the location of the utility lines, the request will be denied.

**TRANSFER RESOLUTION**

Administrator Brook stated that there will be a Transfer Resolution on the Agenda next week.

10:35 PM MOTION by Ryan, seconded by Sandusky to adjourn to Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

10:35 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab