

Florence, New Jersey  
April 19, 2006

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 President Fratinardo at 8:00 PM. President Fratinardo 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 8, 2006; 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:

John Fratinardo, President  
Bruce Garganio  
Elizabeth Ryan  
Jerry Sandusky

Also present:

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

### **MINUTES**

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

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### **FINANCIAL CORRESPONDENCE**

It was on the MOTION of Ryan; seconded by Garganio to receive and file the Township Clerk's report and Court Administrator's report for March 2006. Roll call vote—all ayes. Motion carried.

Ryan made a MOTION; seconded by Garganio 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**

David Carriger, 404 E. Fifth Street, asked for an explanation of Ordinance No. 2006-11, Police Sergeant Salaries, that was advertised in the Burlington County Times on April 9<sup>th</sup>.

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Administrator Brook explained that this is a five-year split contract where a percent of the increase is given in January and a percent in July. This actually works out better financially for the municipality. With a five-year contract the municipality knows exactly what its cost will be over that five-year period, so they can budget accordingly.

Administrator Brook reviewed the process of binding interest arbitration, which the police can utilize if they feel they are not getting a fair contract. The State would appoint an arbitrator who would hear both sides and make a decision that is binding by both parties. He stated that arbitrators tend to award contracts in the range of 4%.

Mr. Carriger asked if Sergeants are eligible for overtime and if so, how is it figured into the budget? Administrator Brook stated that Sergeants are eligible for overtime and overtime is factored in based on the number of officers, what has taken place in the community over the past couple of years and what the department looks to accomplish.

Mr. Carriger asked what other topics are discussed in negotiations besides pay increase? Administrator Brook responded that some of the other topics included the schedule, manpower, pension system, co-pay related to health benefits, clothing allowance and the death of an officer in the line of duty.

Mr. Carriger feels that the contract is tilted towards the union. Administrator Brook explained that both parties, the union and the township, compromised to reach a middle ground that is as fair as possible and neither got everything they wanted. Administrator Brook stated that the township did look into what is happening in the Binding Interest Arbitration market and it would not have paid the township to spend \$10,000 to \$20,000 in attorney fees if it went to arbitration and the township lost. That would have been a waste of public money. The contract was negotiated over a period of four to five months and he feels a fair contract was reached.

Solicitor Kearns explained that during the negotiating process both sides look at contracts in comparable municipalities, population and size of department. Mr. Carriger asked if it was also compared on an income capita? Solicitor Kearns stated that an arbitrator does not look at the per capita income in a municipality, they are looking at what the police officer is worth.

Mr. Carriger asked if there were any requirements in Florence Township for the police officers to take a physical fitness test? Administrator Brook stated that when the officers are first hired they go through an extensive background check, which includes a physiological test, a physical test and a drug test. Florence Township does not have a standard of physical fitness like the NJ State Police do. Administrator Brook feels that the majority of the township's police force are physically fit. Mr. Carriger asked why it was not brought to the table and if it was because the union would not allow it? Administrator Brook is not aware of any local municipalities that have that in their contract. He stated that many of the officers belong to the local gym and many work out on their own. Mr. Carriger feels that the officers are paid top dollar and if a yearly physical fitness test is good enough for the NJ State Police and the National Guard why is it not good enough for the Florence Township Police Force? Administrator Brook does not see a need to implement a yearly physical fitness test in Florence Township at this time. Mr. Carriger

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feels that administration does not feel the need to hold the police officers accountable. Administrator Brook stated that the police officers are held accountable and explained the most important standard for a police officer is that they know the law and how to apply it, that they abide by the law, that they have a great level of intelligence and fit enough to perform their job. He explained that there are range qualifications and forty (40) hours of in-service ever year at the County Police Academy. Police officers have to do more in their job then most individuals. Administrator Brook feels that the Florence Township Police Officers are very qualified and are held to a high standard.

Council Member Fratinardo also spoke highly of the police officers.

Council Member Garganio asked if a physical standard would have to be negotiated or could it be mandated? Solicitor Kearns stated that it would have to be negotiated. Council Member Garganio feels that one of the problems would be if the township wanted it and the union said no, it would have to go to arbitration and since no other department in the County has a physical standard there is a large chance the township would lose.

Mr. Carriger expressed his dissatisfaction that the police officers are not held to a physical standard. Administrator Brook reiterated that the police officers are held to an incredibly high standard and are fairly compensated.

Solicitor Kearns stated that if there were officers with physical issues there would be a significant increase in Workers Comp claims and the township has not had that.

Mr. Carriger asked if each Council Member would state how they feel about the contract, starting with Council Member Graganio. Council President Fratinardo stated that Mr. Carriger was out of order because he is not the Chair of the Council.

Solicitor Kearns stated that there will be a public hearing before the Ordinance is voted on.

Bill Bott, 64 Riverbank Drive, stated that he knows most of the police officers and that he at one time had been involved in negotiations as a union president. He feels what was explained to Mr. Carriger is correct. He stated that he sleeps very well at night because the police officers are on duty. He also has no problem with the officer's salary. Police Officers put their lives on the line everyday.

Steve Mognancki, 904 Walnut Street, feels that a message was sent to Council when the School Budget was defeated last evening by an almost 2-1 margin that the school taxes in the township are out of line. Mr. Mognancki spoke with a School Board Member who stated there are plenty of items that could be cut but was overruled by the other School Board Members. Council asked if Mr. Mognancki found out the items that could be cut, to please advise Council. Council Member Garganio explained that the problem is that the School Board Members should be the ones to cut from the budget but it is the Council's responsibility now. Mr. Mognancki understands.

Mr. Mognancki stated that Memorial Day is coming up and a year ago he presented a quilt to be displayed with 37 names of veterans that paid the supreme sacrifice. Assistant

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Administrator Sahol explained that the township has tried to get the school to build a display case but they have decided not to. A private contractor will have to be engaged and then a place to display it will have to be found. He discussed his concern regarding displaying it at the municipal building since there is no place to hang it above ground level. He worries it would be damaged. He suggested the community center at the Roebling Firehouse. Council Member Sandusky agrees. Assistant Administrator Sahol explained that being the situation, it does not necessarily need a case. It could be incorporated into the structure of the building once the work begins. The quilt will need UV protection. Mr. Mognancki asked how long it will take for it to be displayed? Administrator Brook apologized and feels that Mr. Mognancki should have received an explanation sooner. He is sorry that it has gone on so long. He assured Mr. Mognancki that he and Assistant Administrator Sahol will have a response to him both verbally and in writing as soon as possible. Mr. Mognancki thanked Administrator Brook.

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. 2006-75**

**EMERGENCY TEMPORARY BUDGET APPROPRIATIONS FOR 2006**

**RESOLUTION NO. 2006-76**

**APPROVE REQUEST FOR RELEASE OF MAINTENANCE  
BOND FOR OAK COURT DEVELOPMENT**

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

**RESOLUTION NO. 2006-77**

**AWARD CONTRACT FOR WELL NO. 5 REDEVELOPMENT  
TO LAYNE CHRISTENSEN COMPANY  
P.O. BOX 27, BEVERLY, NJ, 08010**

**RESOLUTION NO. 2006-78**

**APPROVE PAYMENT OF CURRENT ESTIMATE NO. 4 AND  
CHANGE ORDER NO. 1  
AMERICAN ASPHALT COMPANY, 116 MAIN STREET,  
W. COLLINGSWOOD HEIGHTS, NJ 08059  
FOR 2005 ROAD PROGRAM**

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**RESOLUTION NO. 2006-79**

**AUTHORIZE REDUCTION OF PERFORMANCE BOND  
HAPCO PETROLEUM CORPORATION – AMOCO GAS STATION  
RENOVATION**

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

**RESOLUTION NO. 2006-80**

**APPROVING POLICE SUPERVISORS ASSOCIATION  
CONTRACT FOR 2006, 2007, 2008, 2009 and 2010**

**RESOLUTION NO. 2006-81**

**RESOLUTION STATING REASONS WHY 2006 BUDGET  
IS BEING INTRODUCED BEYOND FEBRUARY 10, 2006**

**RESOLUTION NO. 2006-82**

**INTRODUCE 2006 MUNICIPAL BUDGET**

**RESOLUTION NO. 2006-83**

**AUTHORIZE THE MAYOR TO SIGN THE SUBGRANT  
AGREEMENT FOR THE 2006 MUNICIPAL  
ALLIANCE GRANT AWARD**

It was on the MOTION of Sandusky, seconded by Ryan that Resolutions 2006-75 through 2006-83 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, Ryan, Sandusky, Fratinaro

NOES: None

ABSENT: Baldorossi

Motion carries.

**ORDINANCES**

**ORDINANCE NO. 2006-11  
(2<sup>nd</sup> Reading)**

**AN ORDINANCE FIXING THE COMPENSATION OF EMPLOYEES OF THE  
DEPARTMENT OF POLICE OF THE TOWNSHIP OF FLORENCE WHO HAVE  
ATTAINED THE RANK OF SERGEANT  
2006-2010**

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2006-11 on second reading for adoption.

**Public Comment**

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

Council Member Garganio stated that he will be voting in favor of the contract. He supports the contract and feels the township has good officers. There may be things that need to be added and negotiated but that may be difficult to get done.

Council Member Sandusky will also be voting in favor of the contract. He believes that the contract was negotiated fairly. Administrator Brook and Mayor Muchowski negotiated the contract and reported back to Council after every meeting. Council Member Sandusky has taken the time to sit in on a couple of Court Sessions and believes the police officers are doing a wonderful job.

Council Member Ryan stated that she will also be voting yes this evening. She explained that Council received an email today regarding a shooting that took place today on Foundry Street. The Police Officers handled it very well, very professionally. She is proud of the job the Police Officers did.

Council Member Fratinardo stated that Mayor Muchowski and Administrator Brook are vigilant on every contract they negotiate for the township. They report every step that goes in negotiations to Council. They are concerned and have a balance, they have to keep the costs down but they also have to be fair to the police officers and all other employees of the township or they would not have a quality staff. He explained other areas where the Mayor has kept costs down, such as with Professional Contracts. Council President Fratinardo stated that the Council Members work for the benefit of Florence Township and that is how they base their votes.

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: Garganio, Ryan, Sandusky, Fratinardo

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NOES: None  
ABSENT: Baldorossi

Unanimous approval.

**ORDINANCE NO. 2006-12  
(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE  
AMENDING CHAPTER 76 (FIRE PREVENTION) OF THE  
FLORENCE CODE**

**ORDINANCE NO. 2006-13  
(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE  
AMENDING CHAPTER 15 (FIRE DEPARTMENT OF THE  
FLORENCE CODE)**

It was on the MOTION of Garganio, seconded by Sandusky to approve Ordinance No. 2006-12 and Ordinance No. 2006-13 on first reading and set adoption for May 3, 2006.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: Baldorossi

Unanimous approval.

**REPORTS**

**Committees, Boards and Officers**

- Nothing at this time.

**Administrator**

- Administrator Brook thanked Council for the kindness showed to him and his family over the past couple of weeks.

**Assistant Administrator**

- Assistant Administrator Sahol will need a short Closed Session.

**Township Solicitor**

- Nothing at this time.

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**Township Engineer**

- Nothing at this time.

**UNFINISHED BUSINESS**

Nothing at this time.

**NEW BUSINESS**

Council Member Ryan asked Administrator Brook for a report on when Council will be receiving the **School Budget**? Solicitor Kearns stated that Council has until May 18<sup>th</sup> to take action.

**BOARD OF HEALTH**

Nothing at this time.

**MISCELLANEOUS**

Nothing at this time.

8:55 PM MOTION by Garganio, seconded by Sandusky to adjourn to Closed Session. Action may be taken following Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

8:55 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab

NOTE: Action was not taken following the Closed Session.