

Florence, New Jersey  
April 20, 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 President Fratinardo at 8:10 PM. President Fratinardo 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:

John Fratinardo, President  
Frank Baldorossi  
Bruce Garganio  
Elizabeth Ryan

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**

Ryan made a MOTION; seconded by Baldorossi 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 Baldorossi to receive and file the Court Administrator's report for March and the Tax Collector's report on uncollectible taxes for 2004. Roll call vote – all ayes. Motion carried.

Ryan 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.

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**APPLICATIONS**

- A. CONFIRM FREE YARD SALE DATE: May 14, 2005 with May 21, 2005 as rain date
- B. RAFFLES: St. Nicholas Byzantine Catholic Church, May 22, 2005, 2PM-5PM
  - On Premise Raffle
  - On Premise 50/50 Raffle
- C. SOCIAL AFFAIR: St. Nicholas Byzantine Church, May 6, 2005, 6PM-10PM

It was on the MOTION of Ryan, seconded by Garganio to approve the above applications.

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi (A), Garganio, Ryan, Fratinardo  
NOES: None  
ABSENT: Sandusky  
ABSTAIN: Baldorossi (B and C)

Motion carried.

**PUBLIC COMMENTS**

David Czartoryski, 2175 Old York Road, stated that he lives across from where the new development is being built. He voiced concern over the mess the construction is causing on his property. Dan Guzzi, Township Engineer, gave Mr. Czartoryski his business card and asked him to call his office whenever there is a problem. Mr. Guzzi will contact the developer regarding the problems Mr. Czartoryski is experiencing.

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. 2005-81  
AUTHORIZE FILING OF RECYCLING TONNAGE GRANT  
APPLICATION**

**RESOLUTION NO. 2005-82  
RESOLUTION TO WITHHOLD FUTURE INSTALLMENTS FOR SPECIAL  
ASSESSMENT FROM THE 2005 TAX SALE**

**RESOLUTION NO. 2005-83**

**RESOLUTION TO OMIT PROPERTIES FROM THE 2005 TAX SALE THAT  
WERE APPROVED FOR PAYMENT PLANS**

**RESOLUTION NO. 2005-84**

**CANCELING TAX SALE CERTIFICATES**

**RESOLUTION NO. 2005-85**

**CANCELING TAX SALE CERTIFICATE**

**RESOLUTION NO. 2005-86**

**EMERGENCY TEMPORARY BUDGET APPROPRIATIONS FOR 2005**

**RESOLUTION NO. 2005-87**

**CONTRACTUAL AGREEMENT FOR GAS SERVICE  
BETWEEN THE FLORENCE TOWNSHIP SCHOOL BOARD  
OF EDUCATION AND THE TOWNSHIP OF FLORENCE**

**RESOLUTION NO. 2005-88**

**RELEASE PERFORMANCE BONDS FOR  
HILL CREEK FARMS, PHASE 1 AND 2  
CONDITIONED UPON POSTING TWO YEAR  
MAINTENANCE BONDS**

*NOTE: Also conditioned upon payment of any and all escrow money due.*

**RESOLUTION NO. 2005-89**

**APPROVE PAYMENT OF CURRENT ESTIMATE NO. 17 FOR  
RMS CONSTRUCTION COMPANY, 1985 DUTCH MILL ROAD,  
FRANKLINVILLE, NJ 08322  
NEW PUBLIC WORKS FACILITY**

**RESOLUTION NO. 2005-90**

**AUTHORIZE HYDROGEOLOGIC STUDY  
AWARD PROFESSIONAL CONTRACT TO  
LEGGETTE, BRASHEARS AND GRAHAM, INC.  
PROFESSIONAL GROUND-WATER AND  
ENVIRONMENTAL CONSULTANTS  
6 ARROW ROAD; SUITE 130  
RAMSEY, NJ 07446**

**RESOLUTION NO. 2005-91**

**RELEASE MAINTENANCE BOND FOR  
TIDEWATER FARMS/MALLARD CREEK-DETENTION BASINS  
MAINTENANCE BOND NO. 104090660**

**RESOLUTION NO. 2005-92**

**AUTHORIZE RELEASE OF MAINTENANCE BOND  
R.T.C. PROPERTIES, INC., BLOCK 148.06, LOT 6.01 &  
BLOCK 148.02, LOT 6.02**  
**NOTE: CONDITIONED UPON PAYMENT OF ANY AND ALL ESCROW FUNDS DUE**

**RESOLUTION NO. 2005-93**

**AUTHORIZING REFUNDS OF CERTAIN OVERPAYMENTS**

**RESOLUTION NO. 2005-94**

**AUTHORIZING THE PUBLIC SALE OF TOWNSHIP  
OWNED PROPERTY**

(Motor Vehicles that came into possession of the Florence Township Police Department  
through abandonment or failure of the owners to claim)

It was on the MOTION of Garganio, seconded by Ryan that Resolutions 2005-81 through 2005-94 be approved.

**On the Question**

Council Vice President Ryan questioned Resolution No. 2005-87, Gas Agreement with School, and asked what rate the township was charging the school? Administrator Brook stated that the township is charging what the township pays. He explained that when the new fuel system is purchased the gas contract and billing arrangement will be amended.

Upon roll call Council voted as follows:

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

Unanimous approval.

**ORDINANCES**

**ORDINANCE NO. 2005-10  
(2<sup>nd</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE VACATING THE PUBLIC INTEREST IN A CERTAIN 20 FOOT WIDE STREET KNOWN AS TILTON LANE AND RUNNING FROM WALLACE AVENUE SOUTHERLY TO THE BURLINGTON-BORDENTOWN ROAD (U.S. ROUTE 130), TOGETHER WITH A CERTAIN 20 FOOT WIDE UNNAMED ALLEY RUNNING FROM AN INTERSECTION WITH THE EASTERLY LINE OF SAID TILTON LANE EASTWARD TO PREMISES SHOWN AS LOT 6.01 IN BLOCK 109 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF FLORENCE; AND TO PROVIDE THAT THE VACATED AREAS SHALL BE INCORPORATED INTO LOTS 1 THROUGH 5, 7.01, 7.03, 8 AND 9, ALL IN BLOCK 109 AS SHOWN ON THE OFFICIAL TAX MAP OF, AND LOCATED IN, THE TOWNSHIP OF FLORENCE, BURLINGTON COUNTY, NEW JERSEY**

Administrator Brook explained that there is some additional information that is needed from their attorney. The public hearing can be held this evening but Administrator Brook recommended that adoption be rescheduled for the first meeting in May.

**Public Comment**

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

Nothing at this time.

It was on the MOTION of Garganio, seconded by Ryan to close the public hearing.  
All ayes – motion carried.

It was on the MOTION of Garganio, seconded by Ryan to TABLE Ordinance No. 2005-10 until May 4, 2005.

Upon roll call Council voted as follows:

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

Unanimous approval.

**ORDINANCE NO. 2005-11  
(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING  
CHAPTER 91 – LAND DEVELOPMENT OF THE FLORENCE TOWNSHIP  
CODE TO DEFINE AND TO PROHIBIT TRUCK STOPS WITHIN ANY  
ZONING DISTRICT OF THE TOWNSHIP OF FLORENCE**

**ORDINANCE 2005-13  
(1<sup>ST</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE  
AMENDING THE CHAPTER 22 OF THE FLORENCE CODE  
REGARDING EMPLOYMENT OF OFF-DUTY POLICE  
OFFICERS FOR PRIVATE AND QUASI-PUBLIC FUNCTIONS**

It was on the MOTION of Ryan, seconded by Garganio to approve Ordinance No. 2005-11 and Ordinance No. 2005-13 on first reading and set adoption for May 4, 2005.

On the Question

Council Vice President Ryan asked for a brief summary of Ordinance No. 2005-11. Solicitor Kearns explained the changes; findings, adds the definition for oversized truck parking and allows six (6) oversized parking spaces opposed to four (4).

Council Vice-President Ryan asked if a penalty provision should be included for exceeding the 15-minute limit? Solicitor Kearns stated that the general penalty provision Ordinance that would cover that.

Discussion followed regarding requiring companies that have oversized truck parking to provide private enforcement of the 15-minute parking. Solicitor Kearns added the language: *Any approval of the site plan should include provisions satisfactory to the Planning Board for monitoring and enforcement of the parking limitations by the owner. The monitoring plan shall include provisions for the maintenance of the monitoring records and the availability of those records to the township for a period of one year.*

Council Vice President Ryan verified that if an owner of a company consistently allows violations, the township has recourse against the operators of the vehicles and the owner of the company. Solicitor Kearns stated that is so.

Site plan approvals were discussed. Solicitor Kearns will look at the Sub-Division Ordinances and make recommendations.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Fratinardo

NOES: None

ABSENT: Sandusky

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Unanimous approval.

Joy Weiler, Township Clerk, asked solicitor Kearns if the summary would change or could she advertise as is? Solicitor Kearns stated that the summary would not change at all.

### **REPORTS**

#### **Committees, Boards and Officers**

- Nothing at this time.

#### **Mayor Muchowski**

- Mayor Muchowski read a Proclamation declaring May 5, 2005 National Day of Prayer. He expressed his appreciation to Joy Weiler, Township Clerk, who has taken a very active part in setting up a service every year for National Day of Prayer.
- Mayor Muchowski stated that he and Administrator Brook have been going over the General Budget and Water and Sewer Budget. The budget will be ready to be distributed to Council in the next couple of days. He offered the opportunity for the Council Members to meet with Administrator Brook individually to go over the budget.
- Mayor Muchowski announced that the School Budget was defeated. He spoke with the School Superintendent and advised him what should be provided to the governing body so they can review the budget. He asked if there is any information that Council would like, they can contact Administrator Brook. Council Vice President Ryan stated that the budget is very thick but the governing body can only touch approximately 10% of it. She asked that the school identify the items that Council has latitude over. Administrator Brook will make the request in writing.

#### **Administrator**

- Administrator Brook reported that the dock is in at the boat ramp.
- Administrator Brook stated that the striping work is ready to begin at Brookside Drive for traffic calming. He reviewed the striping to be done. Notice will be issued to the residents.

#### **Assistant Administrator**

- Assistant Administrator Sahol discussed the memo in Council's packet regarding the Shade Tree Committee's interest in finalizing the project of the plantings along Main Street between Fourth and Fifth Avenues. All business owners in the area are in favor of the project. Shade Tree Committee will begin the process and hopes to complete by the Patriotic Celebration in July. Assistant Administrator Sahol reviewed the project and reported that it will cost a few thousand dollars.

Council President Fratinardo asked if results have been received from the cooper **tests** the **Water and Sewer Department** did in the **Greenbrier Development**? Administrator Brook will send out a written report, and another notice will be sent to the residents once the Water and Sewer Department is finished flushing the line. Council President Fratinardo stated that the homeowners met and asked if Dave Lebak, Water and Sewer

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Superintendent, would attend a community meeting? Administrator Brook will set up. Mayor Muchowski will also attend. Council Vice President Ryan asked that Council Members be advised of the time and date of the meeting so they can attend if available.

**Township Solicitor**

- Nothing at this time.

**Township Engineer**

- Nothing at this time.

**UNFINISHED BUSINESS**

Nothing at this time.

**NEW BUSINESS**

Council Member Garganio spoke with several **Board of Education** Members and was asked if the **township's test well** on the site could be used as an **irrigation well**? Administrator Brook stated that he was also approached and contacted Russell Trice, Water and Sewer Engineer, to investigate the feasibility of it.

Council Vice President Ryan noted that the addition to the **township's web site** regarding **child safety seats** is excellent and thanked Assistant Administrator Sahol. She especially was pleased that on the site, the Chief of Police invites residents to the **police station** for **help** with **installation** of child safety seats.

**BOARD OF HEALTH**

Nothing at this time.

**MISCELLANEOUS**

Clerk Weiler thanked Christine Swiderski and Mary Anne Brown (Clerk's office staff) for diligently working on copying the school budget today for distribution to Mayor and Council this evening.

8:45 PM MOTION by Garganio, seconded by Ryan to adjourn to Closed Session. Action may be taken following Closed Session\*. Roll call vote - all ayes.

**ADJOURNMENT**

8:45 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab

\* Note: No action taken after Closed Session.