

Florence, New Jersey  
May 17, 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 Council 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  
Frank Baldorossi  
Bruce Garganio  
Elizabeth Ryan  
Jerry Sandusky

Also present:

Mayor Michael Muchowski; 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**

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

Regular Session	April 19, 2006 and May 3, 2006
Closed Session	May 3, 2006 and May 10, 2006

### **FINANCIAL CORRESPONDENCE**

It was on the MOTION of Ryan; seconded by Baldorossi to receive and file the Court Administrator's report for April 2006. 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**

Nothing at this time.

### **APPLICATIONS**

- A. RAFFLES: On Premise 50/50 and Basket Raffle, Florence Township High School Marching Band Booster Club Inc., June 30, 2006, 7:00 PM – 11:00 PM, Verann's Restaurant

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It was on the MOTION of Baldorossi, seconded by Ryan to approve the above applications. Roll call vote – all ayes. Motion carried.

**PUBLIC COMMENTS**

Joan Young, 1014 W. Front Street, stated that she attended a meeting a few months ago in regards to the condition of the alley behind her house and was told that it will be taken care of. She asked when it would be taken care of? She had a tire destroyed just this past week. She stated that eight (8) families park in the alley due to the lack of parking in the front of the homes. Administrator Brook stated the alley behind Ms. Young's home is scheduled to be raked out, filled and graded as best as possible during the month of June, depending on the weather. The residents will be notified. Ms. Young appreciates anything the township can do to improve the alley.

Kimberly Muhs, 610 W. Second Street, stated that she was not at the School Board meeting when the decision was made not to hire a sixth third grade teacher. She does not feel it is appropriate to have 26 children in each third grade class. Council President Fratinardo advised that it would be best if discussed with the School Board. Ms. Muhs stated that a letter was sent home today suggesting that parents attend this evening's Council Meeting, and the letter specifically mentioned the decision not to hire an additional third grade teacher. Mayor Muchowski explained that the School Board makes the decisions on how they allocate monies. The School Board met with Council and recommended cuts to the budget for Council to approve. The full discretion on how the school prioritizes and budgets money is with the School Board. They are an individual governmental entity. Mayor Muchowski asked who signed the letter?

Michelle Boracci, 14 Tall Timber Lane, stated that the letter was from the PTA stating that there was a public hearing regarding the school budget, the public was welcome to attend and that some issues of concern, including not hiring an additional third grade teacher, would be discussed.

Ms. Boracci stated that she is the President Elect of the PTA and the public just became aware that an additional third grade teacher was not included in the master budget that was brought before the voters and defeated. This meeting is the first possible moment for the public to express their concern about the exclusion of an additional third grade teacher. She explained that due to the larger class size of the current 2<sup>nd</sup> grade an additional staff member has been hired each year since they were in kindergarten. She stated that the Principal of the Duffy School requested that that an additional staff member for the third grade be included in the budget; it was not. Ms. Boracci was informed that fact one week ago, which was after the public hearings were held by the School Board and after the budget was defeated. Had she known sooner, she would have expressed her concerns to the School Board. She understands that Council is not in the position to add to the budget but would like them to know that there are many people who are concerned and they will continue to pursue this topic along any possible avenue. Council Member Fratinardo stated that the municipality does not have any say in the school allocation of monies. Ms. Boracci understands that and stated that this is the first public forum to be able to voice their concerns. Council Member Garganio agrees with Ms. Boracci to stay on top of the School Board regarding this issue.

Administrator Brook reviewed the cuts Council, along with guidance of the school, made to the budget. The cuts total \$200,000. No current employees will lose their job due to the reductions in

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the budget. He stated that the concern raised this evening is the first it has been brought up to Council.

Bill Bott, 64 Riverbank Drive, attended the School Board's budget hearing and only two (2) people from the public were there.

Marcie Romano, 28 Brookside Drive, explained that when she moved to the township her biggest concern was the schools. She is a teacher in another school district and it breaks her heart to know that her children are not getting what she provides to other children. She understands that there is nothing the governing body can do, but feels that the school must step up. Council Member Fratinardo stated that as a concerned parent she should attend the School Board Meeting's.

Ms. Romano expressed her concern that the third grades are going to have 26 – 28 children in each class next year, which is not teaching its "crowd control." Council Members suggested that the parents go to the School Board Meetings and ask why an additional teacher was not a priority. Administrator Brook agreed and advised the parents not to wait until the next budget is prepared; go and raise the issue now.

Council Member Garganio believes that the parents may be able to make a difference for the upcoming school year, but it has to be brought to the School Boards attention. Council Member Ryan advised the parents of the date of the next School Board meeting.

Solicitor Kearns pointed out that when a municipality adopts its budget, they cannot transfer money from one account to another until November; but the School Board can transfer money from one account to another anytime as they establish appropriate priorities for the school.

Mr. Bott attends the School Board Meetings and stated that they transfer money all the time. Mr. Bott gives Mayor and Council credit for reviewing the budget, which is a rather lengthy and detailed document that they do not normally work with.

The parents thanked Mayor and Council.

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.

**PUBLIC HEARING ON MUNICIPAL BUDGET**

Nothing at this time.

All residents having an opportunity to be heard, MOTION by Sandusky; seconded by Ryan to close the Public Hearing on Municipal Budget. All ayes - motion carried.

**RESOLUTIONS**

**RESOLUTION NO. 2006-88**

**ADOPT MUNICIPAL BUDGET**

**RESOLUTION NO. 2006-89**

**APPOINT DEPUTY TOWNSHIP CLERK**

**RESOLUTION NO. 2006-90**

**AMEND EASEMENT AGREEMENT  
WITH THE SHOPPES AT MALLARD CREEK**

**RESOLUTION NO. 2006-91**

**APPROVE WATER AND SEWER AGREEMENT WITH ATLANTIC EQUITY OLIVE  
STREET LLC 485A ROUTE 1 SOUTH, SUITE 310, ISELIN, NJ, 08830  
FOR BLOCK 147.01, LOTS 1 AND 16.01 FOR AN ACTIVE ADULT COMMUNITY**

**RESOLUTION NO. 2006-92**

**APPROVE WATER AND SEWER AGREEMENT WITH  
K. HOVNANIAN AT FLORENCE I, LLC, 1170 WHEELER WAY,  
SUITE 200, LANGHORNE, PENNSYLVANIA 19047  
CROSSROADS BLOCK 165.01, LOT 2.01**

**RESOLUTION NO. 2006-93**

**APPROVE WATER AND SEWER AGREEMENT WITH  
K. HOVNANIAN AT FLORENCE II, LLC, 1170 WHEELER WAY,  
SUITE 200, LANGHORNE, PENNSYLVANIA 19047  
CROSSROADS EAST BLOCK 165.01, LOT 4.01**

**RESOLUTION NO. 2006-94**

**APPROVE WATER AND SEWER AGREEMENT WITH  
CRAFT STEWART, LLC, 16 HIGH POINT DRIVE, MEDFORD, NJ, 08055  
BLOCK 156.01, LOT 2**

**RESOLUTION NO. 2006-95**

**APPROVING 2006-2007 FLORENCE TOWNSHIP SCHOOL BUDGET  
(NOTE: See Page 7 of minutes)**

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**RESOLUTION NO. 2006-96**

**AUTHORIZE PURCHASE OF PLAYGROUND EQUIPMENT  
STATE CONTRACT PURCHASE  
A59062**

**RESOLUTION NO. 2006-97**

**APPROVE PAYMENT OF CURRENT ESTIMATE NO. 5  
AMERICAN ASPHALT COMPANY, 116 MAIN STREET,  
W. COLLINGSWOOD HEIGHTS, NJ 08059  
FOR 2005 ROAD PROGRAM**

**RESOLUTION NO. 2006-98**

**APPROVE PAYMENT OF CURRENT ESTIMATE NO. 20 FOR  
RMS CONSTRUCTION COMPANY, 1985 DUTCH MILL ROAD,  
FRANKLINVILLE, NJ 08322  
NEW PUBLIC WORKS FACILITY**

**RESOLUTION NO. 2006-99**

**AUTHORIZE EXECUTION OF APPLICATION AND AGREEMENT, IF APPROVED,  
FOR STATE AID TO MUNICIPALITIES OR  
STATE AID TO COUNTIES AND MUNICIPALITIES UNDER THE NEW  
JERSEY TRANSPORTATION TRUST FUND AUTHORITY ACT**

**RESOLUTION NO. 2006-100**

**RELEASE PERFORMANCE BOND FOR CJS INVESTMENTS, INC.  
1415 WYCKOFF ROAD, SUITE 3000, FARMINGDALE, NJ 07727  
FOR SUTTON HEIGHTS, BLOCK 171.01, LOT 6.01  
CONDITIONED UPON POSTING A MAINTENANCE BOND  
*NOTE: Conditioned upon payment of any escrow funds due.***

**RESOLUTION NO. 2006-101**

**RENEWAL OF CONTRACT WITH  
COMMUNITY GRANTS & PLANNING**

**RESOLUTION NO. 2006-102**

**AUTHORIZE APPROVAL OF CHANGE ORDER NO. 1  
AMENDING PAVING SCHEDULE**

**TALL PINES WATER AND SEWER  
PACT CONSTRUCTION, INC., P.O. BOX 74, RINGOES, NJ 08551**

**RESOLUTION NO. 2006-103**

**APPLY FOR GRANT FROM NJ DEPARTMENT  
OF COMMUNITY AFFAIRS FOR FUNDS FOR MANDATED  
ANNUAL DOMESTIC VIOLENCE TRAINING**

It was on the MOTION of Sandusky, seconded by Garganio that Resolution 2006-88 through 2006-94 and 2006-96 through 2006-103 be approved.

On the Question

Joy Weiler, Township Clerk, referred to **Resolution No. 2006-99** and advised the governing body that the township is only asking for the sidewalk connection between Route 130 and the new high school on Cedar Lane, not the traffic signal on Hornberger Avenue. Administrator Brook stated that the municipality is replacing the flashing school signs on Hornberger. It will be a cash purchase; no debt service will be incurred.

Administrator Brook stated that **Resolution No. 2006-98** will be **HELD** this evening.

Administrator Brook gave an overview of **Resolution No. 2006-102**, Amend Paving Schedule for Tall Pines. The difference between the prior contract and the Change Order is the pulverizing and the re-grading of the road. After additions and deductions, the total difference in cost is \$39,028. There are adequate funds in the Bond Ordinance.

Administrator Brook stated that a formal authorization has never been given to Alaimo Associates to replace the damaged curbing, driveways and ADA ramps. A Change Order will have to be done but in the meantime the township will move forward on the curbing.

Administrator Brook apologized for **Resolution No. 2006-103** being on the Agenda last minute. The Chief of Police asked today that it be added in order to apply online for grant monies for the Police Department.

It was on the MOTION of Sandusky, seconded by Ryan to AMEND the above MOTION and approve Resolution No. 2006-88 through 2006-94, 2006-96, 2006-97, 2006-99 through 2006-103.

On the Question

Mayor Muchowski questioned Resolution 2006-100? Administrator Brook explained that the enforcement action is separate against Ryan Homes in Municipal Court for the Truth in Sales.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinaro  
NOES: None  
ABSENT: None Motion carries.

**RESOLUTION NO. 2006-95**

**APPROVING 2006-2007 FLORENCE TOWNSHIP SCHOOL BUDGET**

It was on the MOTION of Sandusky, seconded by Fratinardo that Resolution 2006-95 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Ryan, Sandusky, Fratinardo

NOES: None

ABSTAIN: Garganio

ABSENT: None

Motion carries.

**ORDINANCES**

**ORDINANCE 2006-14  
(2<sup>nd</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING CHAPTER 114 OF THE FLORENCE TOWNSHIP CODE TO PROVIDE DISTINCT DEFINITIONS AND REGULATIONS REGARDING TRANSIENT MERCHANTS AND TEMPORARY BUSINESSES ALONG WITH REGULATIONS APPLICABLE TO EACH**

It was on the MOTION of Sandusky, seconded by Baldorossi to approve Ordinance No. 2006-14 on second reading for adoption.

Public Comment

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

Bill Bott, 64 Riverbank Drive, questioned Ordinance No. 2006-14? Mayor Muchowski explained that Transient Merchants and temporary businesses are merged under similar headings in the Ordinance even though they are two different uses. This amendment adds clarification to the distinction between Transient Merchant and temporary or seasonal business. Solicitor Kearns explained that transient means that they move from place to place and do not sit in one location for certain periods of time. There is an exception for construction sites. A temporary business is in one location on a temporary basis for a limited period of time. In response to Mr. Bott's concern regarding the pizza truck in the Amboy Avenue lot on Friday evenings, Solicitor Kearns stated that they may have to come in for a minor site plan to address cleanup of the site, paving and landscaping. The Ordinance is designed so that it does not take effect until the fall to give businesses time to comply. Mr. Bott discussed the poor condition of the lot on the corner of Hornberger Avenue and Amboy Avenue. Solicitor Kearns explained that under the prior

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Ordinance the business was considered to be transient; under the new Ordinance he will no longer be considered a Transient Merchant and will have to get site plan approval and clean up the property. The Ordinance is not being changed just for that business. The terminology in the Ordinance is being changed because it is confusing and inconsistent.

It was on the MOTION of Sandusky, seconded by Ryan 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, Garganio, Sandusky, Fratinardo

NOES: None

ABSENT: None

ABSTAIN: Ryan

Motion carries.

## REPORTS

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

- Nothing at this time.

### **Mayor Muchowski**

- Mayor Muchowski spoke with the **Local Chapter of the American Red Cross** who gave assistance following the fire at Academy Woods and they gave him an update. He feels it appropriate, on behalf of Mayor and Council, a **letter of appreciation** be sent to them thanking them for all they did. They did a phenomenal job assisting the affected residents of the fire.

### **Administrator**

- Administrator Brook referenced the letter from the **Renaissance Players**, an arts group in the community, asking for use of the **Roebing Firehouse** for practice and their performance. They used the facility last year and the volunteers from the fire company are willing to accommodate them. Mayor and Council in agreement to allow the Renaissance Players to use the building.
- Administrator Brook received a request regarding **COAH** and asked if Council would like to discuss at a future Worksession Meeting. Will discuss in June or July.

### **Assistant Administrator**

- Assistant Administrator Sahol identified the young boy who has cancer that will be one of the recipients of the **proceeds** from the **5k Run/Walk/Jog** that will be held during the **Patriotic Celebration Day** on July 8<sup>th</sup>. He is a cub scout who will be moving up to a boy scout.

Assistant Administrator Sahol stated that a **theme** needs to be decided on. He was given a suggestion that the theme recognize the fire company volunteers and the EMS volunteers, since five organizations will be consolidating into one this year. After further discussion

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and various suggestions it was decided to ask the parents of the young boy with cancer to be the grand marshal, with the boy scout organization following behind him in the parade. If the parents or the young boy are not comfortable with that, the boy scouts and girl scouts can lead the parade. The theme will revolve around “**Florence Township – A Community That Cares**”.

**Township Solicitor**

- Nothing at this time.

**Township Engineer**

- Dan Guzzi, Township Engineer, is working on **prioritizing** the list of **roads** that was discussed last year for the **DOT funding**. He asked if there were any other roads the governing body would like him to look at, please let him know. He would like to finalize the list by the first or second meeting in June.

**UNFINISHED BUSINESS**

Council Member Sandusky referred to the request for an **extension** without penalties from the company that will be **demolishing the Buc’s property**. He asked for a follow up stating what date they will be tearing it down? Administrator Brook will speak with Thomas Layou, Code Enforcement Officer, and get a date. He explained that part of the delay is receiving full clearance from the utility companies in writing, specifically gas and electric before a permit can be issued.

**NEW BUSINESS**

Nothing at this time.

**BOARD OF HEALTH**

Nothing at this time.

**MISCELLANEOUS**

Nothing at this time.

9:12 PM MOTION by Sandusky, seconded by Garganio to adjourn to Closed Session. Action may take place following Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

9:12 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab

Note: No action taken following Closed Session.