

Florence, New Jersey  
June 7, 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  
Jerry Sandusky

Also present:

Mayor Michael Muchowski; Richard Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; Ellen Kearns, Township Solicitor; Joy M. Weiler, Township Clerk

### **MINUTES**

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

Closed Session                      May 17, 2006

### **FINANCIAL CORRESPONDENCE**

It was on the MOTION of Sandusky; seconded by Baldorossi to receive and file the Chief of Police's report for April and May, the Township Clerk's report for May and the Court Administrator's report for May 2006. Roll call vote – all ayes. Motion carried.

Sandusky 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. BINGO: Holy Assumption Church, Monday Nights, July – Dec. 2006, 7:15 – 10:30 PM

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

Upon roll call Council voted as follows:

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

Motion carries.

**PUBLIC COMMENTS**

Christopher Vogel, 37 Railroad Avenue, would like to meet with Council in Closed Session and asked how to go about doing that? Administrator Brook stated that he would have to get a legal opinion from the Township Solicitor, who was unable to attend the meeting this evening. He explained that there are three (3) general reasons that the governing body normally uses to go into Closed Session and they are: Contract Negotiations, Personnel, Litigation or Potential Litigation. He is not sure that the governing body can go into Closed Session with Mr. Vogel without getting a legal opinion from Township Solicitor, William John Kearns, Jr., on the purpose of the Closed Session. Administrator Brook apologized for not being able to give Mr. Vogel an answer this evening, but will have an answer for him in the morning. Mayor Muchowski explained that any member of the community can request to meet with himself or a Council Member as long as it is not a quorum of the entire Council. Council Member Sandusky asked Mr. Vogel if it turns out that a Closed Session is not allowed by law if he would be willing to meet with the Mayor and a subcommittee of Council? Mr. Vogel is willing to meet with a subcommittee.

Bill Bott, 64 Riverbank Drive, discussed an article in the Trentonian Newspaper dated May 24, 2006 that referenced Garelick Farms in Florence Township and their use of ammonia at the plant and the possibility of an emergency or accident. Mayor Muchowski explained that the township's Emergency Management along with the fire departments and rescue squads attended training and are prepared for the potential hazards that can happen at any of the industrial sites.

Steve Mognancki, 904 Walnut Street, stated that the JAR Seniors had their last meeting today until September and asked if the new Community Center in the Roebing Firehouse would be available and how scheduling would work? Mayor Muchowski explained that at this time they are going out to bid for some of the renovations that need to be done. He stated that he and Council have to draft a policy for use of the building but Mr. Mognancki's group and all of the groups that have used the building on a regular basis are at the forefront of those discussions. He stated that there will be assigned times for specific groups but also open times for general use. Mayor Muchowski and Council are also looking into staffing and administration of the building. The senior groups will be invited to be part of the discussions. Administrator Brook asked Mr. Mognancki to let him know what times and days his group would like, and if they would need the auditorium or a meeting room. Mayor Muchowski assured Mr. Mognancki that his group will be able to use the building for their two (2) meetings a month.

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

**RESOLUTIONS**

**RESOLUTION NO. 2006-106**

**AUTHORIZING APPROVAL OF 2006-2007 RENEWALS OF  
PLENARY RETAIL CONSUMPTION LICENSES**

**RESOLUTION NO. 2006-107**

**APPROVING RENEWAL OF 2006-2007 ALCOHOLIC  
BEVERAGE LICENSE FOR AIEBON CORPORATION INC. t/a ILLUSIONS  
PLENARY RETAIL CONSUMPTION LICENSE WITH CONDITIONS**

**RESOLUTION NO. 2006-108**

**AUTHORIZING APPROVAL OF 2006-2007 RENEWAL OF  
PLENARY RETAIL CONSUMPTION LICENSE F&A, INC. WITH CONDITIONS**

**RESOLUTION NO. 2006-109**

**AUTHORIZING APPROVAL OF 2006-2007 RENEWAL OF  
PLENARY RETAIL CONSUMPTION LICENSE  
BRIDGES AT ROEBLING STATION WITH CONDITIONS**

**RESOLUTION NO. 2006-110**

**AUTHORIZING APPROVAL OF 2006- 2007  
RENEWALS OF CLUB LICENSES**

**RESOLUTION 2006-111**

**AUTHORIZING APPROVAL OF 2006-2007 RENEWALS OF  
PLENARY RETAIL DISTRIBUTION LICENSES**

**RESOLUTION NO. 2006-112**

**AUTHORIZE THE TOWNSHIP ENGINEER TO PREPARE PLANS AND  
SPECIFICATIONS AND SOLICIT BIDS FOR CONVERTING THE  
ROEBLING MAIN STREET FIREHOUSE TO A  
SENIOR/COMMUNITY CENTER**

**RESOLUTION NO. 2006-113**

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

**RESOLUTION NO. 2006-114**

**APPROVE THE PUBLIC DISPLAY OF FIREWORKS  
FOR FLORENCE TOWNSHIP'S PATRIOTIC CELEBRATION DAY**

**RESOLUTION NO. 2006-115**

**OPPOSE TRANSPORTATION OF VX NERVE GAS THROUGH  
THE TOWNSHIP OF FLORENCE AND STATING OPPOSITION TO  
DUMPING THE NERVE-AGENT WASTE IN THE DELAWARE RIVER**

**RESOLUTION 2006-116**

**AMEND RESOLUTION NO. 2006-06  
ACCOUNTS DEPOSITED AT ROEBLING BANK  
IN ORDER TO ADD TWO COAH ACCOUNTS**

**RESOLUTION No. 2006-117**

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM  
OF REVENUE IN THE BUDGET OF THE TOWNSHIP OF FLORENCE,  
COUNTY OF BURLINGTON, PURSUANT TO N.J.S. 40A:4-87  
CHAPTER 159, P.L. 1948**

**RESOLUTION NO. 2006-118**

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM  
OF REVENUE IN THE BUDGET OF THE TOWNSHIP OF FLORENCE,  
COUNTY OF BURLINGTON, PURSUANT TO N.J.S. 40A:4-87  
CHAPTER 159, P.L. 1948**

**RESOLUTION NO. 2006-119**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
FLORENCE WAIVING ANY INTEREST OF THE TOWNSHIP IN CERTAIN  
EQUIPMENT OWNED BY THE ROEBLING RESCUE SQUAD**

It was on the MOTION of Garganio, seconded by Sandusky that Resolution 2006-106 through 2006-119 be approved.

Administrator Brook stated that **Resolution No. 2006-119** will be amended to add the language that the piece of equipment being transferred to the City of Bordentown is for public ownership and use.

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On the Question

Council Member Sandusky pointed out that some of the **ABC licenses** that are being renewed are **pocket licenses**. He requested that the Code Enforcement Official check on the progress of the facilities with pocket licenses periodically.

Mayor Muchowski referenced the letter from Kevin Mullen, Fire Official, regarding the **fire works**, stating no shells over 6". Assistant Administrator Sahol stated that it will be a policy call. State regulation requires 100' for every inch of shell diameter. As long as there is 800' to 1000' of clearance between an occupied structure and the shoot point, he believes a show can be safely fired, especially if they acquire a reputable company. Assistant Administrator Sahol would like to pursue the larger shells as long as it is safe. He will be working with Mr. Mullen.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Sandusky, Fratinardo

NOES: None

ABSENT: Ryan

Motion carries.

**ORDINANCES**

**ORDINANCE NO. 2006-15  
(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN  
BURLINGTON COUNTY, STATE OF NEW JERSEY AMENDING THE  
FLORENCE TOWNSHIP CODE AND ESTABLISHING REGULATIONS  
FOR THE GRADING OF PROPERTIES AND REQUIRING APPROVAL  
FOR GRADING PLANS**

**ORDINANCE NO. 2006-16  
(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN  
BURLINGTON COUNTY, STATE OF NEW JERSEY AMENDING  
THE FLORENCE TOWNSHIP CODE AND ESTABLISHING  
REGULATIONS FOR THE PLACEMENT OF PORTABLE HOME  
STORAGE UNITS ON RESIDENTIAL**

**ORDINANCE 2006-17  
(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE  
AUTHORIZING INTERLOCAL SERVICE AGREEMENTS WITH THE  
FLORENCE TOWNSHIP FIRE DISTRICT #1 UNDER WHICH  
CERTAIN EMERGENCY MEDICAL SERVICES WILL BE PROVIDED  
BY THE FLORENCE TOWNSHIP FIRE DISTRICT #1 AND CERTAIN  
EQUIPMENT WILL BE TRANSFERRED FROM THE TOWNSHIP OF  
FLORENCE TO THE FLORENCE TOWNSHIP FIRE DISTRICT #1**

**ORDINANCE 2006-18  
(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING  
CHAPTER 15 (FIRE DEPARTMENT) OF THE FLORENCE CODE BY  
ADDING A NEW ARTICLE PROVIDING FOR FEES FOR  
EMERGENCY MEDICAL SERVICES**

It was on the MOTION of Sandusky, seconded by Baldorossi to approve Ordinance No. 2006-15 through 2006-18 on first reading and set adoption for June 21, 2006.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Sandusky, Fratinardo

NOES: None

ABSENT: Ryan

Motion carries.

**REPORTS**

**Committees, Boards and Officers**

- Council President Fratinardo stated that the Recreation Committee did not have a quorum this month.

**Mayor Muchowski**

- Mayor Muchowski met with a group of people last night that are involved with the **statue** that will be installed at the **Roebing Circle** regarding what was discussed a couple of years ago. The minutes and Resolution from that time were pulled for reference. One of the concerns at that time was coordinating with the Roebing Historical Society and the families and other organizations that have monuments at the circle. The three most important things are moving the municipality's "Keep Right" sign, one of the four flag poles that are up in symmetry, which will be directly in front of the statue and options to move or conceal the electrical box. Mayor Muchowski asked Assistant Administrator Sahol to have an electrician look at and see what can be done with the electrical box. There are also two monuments at the circle, which the owners have verbally agreed to relocate. Mayor Muchowski asked the organizers of the statue project to get the agreement in writing from the owners of the monuments.

Mayor Muchowski requested that Assistant Administrator Sahol have the mark outs done. He also asked the organization to indicate the foundation area to see what work needs to be done to accommodate their project.

Mayor Muchowski stated that the organization will provide a sketch and a letter of what they are looking for.

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- Mayor Muchowski discussed the letter in the packet from Terri Southerland regarding the Community Theater, which is currently working under the Venture Crew (a division of Boy Scouts). Since the **Community Theater** is growing and expanding beyond the Venture Crew, Ms. Southerland is asking if they could become one of the township's **recreation programs**? Mayor Muchowski feels that it is a good outlet for the kids and would like to investigate the possibility of the Community Theater becoming part of Recreation. He stated that Assistant Administrator Sahol and Dave Dennison, Recreation Director, could look to see what other municipalities do. Council Member Sandusky suggested appointing one of the individuals from the group to the Recreation Committee; there is one (1) vacancy. Mayor Muchowski will see if there is interest once it is determined that they could become part of Recreation.
- Administrator Brook asked Mayor Muchowski if the County has responded to him regarding **lowering the speed limit and restricting trucks on Cedar Lane**? Mayor Muchowski stated that he had a verbal conversation but has not received anything in writing. Working through Burlington County Freeholder Vincent Farias, the Burlington County Engineering Department believes they can work with the township regarding lowering the speed limit on Cedar Lane and they would like to work in conjunction with the township to approach the State DOT regarding the truck routes.

### **Administrator**

- Administrator Brook referenced the memo from the **Florence Emergency Squad** asking if the **chairs and tables**, which are not in bad shape, could be donated to churches? Administrator Brook asked if Council would like to hold on to them to see if there is a public use for them then consider donating them? Council in agreement to hold the tables and chairs for the new Community Center.

### **Assistant Administrator**

- Assistant Administrator Sahol discussed the **tot lot at Marter Park**, which is in bad shape and is **unsafe**. Since bid openings for park improvements will be held June 20<sup>th</sup>, he asked Rich Pendel, Public Works Superintendent to start to disassemble the tot lot. The replacement structure has been ordered and should be in place before the fall.
- Assistant Administrator Sahol stated that there is **policy** regarding **installation of improvements**, such as fences, in **easements**. In the case of underground utilities such as water and sewer, the past policy of Council has been to permit the fence provided that the resident agreed that they would be responsible for removal and restoration of the fence in an emergency. Fences have never been allowed in an above ground swale where it would impede the flow of water. The policy never specifically stated whether Council would permit a fence to be installed in a storm sewer easement if it is underground. Assistant Administrator Sahol asked if Council would like to consider the storm sewer pipe the same as water and sewer utility infrastructure and have the resident sign the same agreement holding them responsible for removal and restoration if the need arose? Mayor Muchowski and Council Member Garganio questioned the planting of trees and such. Administrator Brook stated that trees cannot be planted over a wastewater line. Council Member Garganio expressed concern regarding enforcement and making sure trees are not planted in the easement. Administrator Brook stated that the best preventative measure is not to allow it. Discussion followed regarding various problems

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and being consistent. Administrator Brook and Assistant Administrator Sahol will report back with a formal recommendation. Mayor Muchowski asked them to include the number of fences that have been allowed in a water and sewer easement.

**Township Solicitor**

- Nothing at this time.

**Township Engineer**

- Dan Guzzi, Township Engineer, reminded Mayor and Council that next week is the deadline for selecting and finalizing the roads for the DOT Transportation Trust Fund application. He asked that it be added to next week's Agenda. Mr. Guzzi will have two (2) Resolutions for June 21<sup>st</sup>.

**UNFINISHED BUSINESS**

Nothing at this time.

**NEW BUSINESS**

Council Member Sandusky suggested, with the loss of the Holy Assumption Carnival, holding a **summer concert in the park**. It may not be possible this summer but look into budgeting for next summer. Council Member Sandusky remembers the concerts in the park years ago and how enjoyable they were. He feels it would be good for the community. Burlington City has summer concerts and will be contacted to see what is involved.

**BOARD OF HEALTH**

Nothing at this time.

**MISCELLANEOUS**

Nothing at this time.

8:45 PM MOTION by Sandusky, seconded by Baldorossi to adjourn meeting. Roll call vote - all ayes.

**ADJOURNMENT**

8:45 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab