

Florence, New Jersey
August 3, 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 8:00 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
Jerry Sandusky

Also present:

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

MINUTES

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

Closed Session	July 13, 2005 and July 20, 2005
Regular Session	July 6, 2005 and July 20, 2005
Executive Session	July 13, 2005

FINANCIAL CORRESPONDENCE

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.

APPLICATIONS

- A. RAFFLE: On Premise 50/50; Florence Township High School Marching Band Booster Club, Inc.; Florence Township High School Athletic Field; 9/17/05, 10/8/05, 10/22/05, 10/29/05, 11/24/05; 1:00 PM – 4:00 PM

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

Florence Township Council Regular Session: 08/03/05

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Motion carries.

PUBLIC COMMENTS

Don Kamienski, 10 Mc Cay Drive, asked Council last month to look at widening the parking area in front of the Post Office on Broad Street and asked if it has been looked into yet? Assistant Administrator Sahol stated that he and the Police Captain looked at it the next day. They agreed that one of the signs needs to be adjusted approximately 5' and parking stalls will be delineated. Public Works will do the work in house within the next six weeks.

Donna Cheesman, 262 Fifth Avenue, asked if there was a Nuisance Ordinance? She stated that there is a lot of drug activity on her street. There is one particular house that blatantly deals drugs in front of the house. She also discussed the disrespectful manner in which the people that hang out at this house treat the residents of Fifth Avenue. Mayor Muchowski does not believe it would fall under a nuisance; it is a drug offence and asked if she has called the Police? She stated that she has called the Police many times and sometimes the Police have been disrespectful to her.

Deborah Reily, 223 Fifth Avenue, asked if the parent of a minor who is dealing drugs could be held responsible? She believes the parent is aware of the drug activity. She expressed her fear of living on the street. She does not believe she should have to live in fear in her own home. She also discussed the disrespectful way in which these people treat the residents.

Mayor Muchowski explained that this is a police matter and offered to have the residents meet collectively with the police. Ms. Reily agreed to meet with the police.

Ms. Cheesman stated that one of the police officers made her feel that she was bothering him by having him called to Fifth Avenue. Mayor Muchowski will look into the allegation that Ms. Cheesman has made against the police officer.

Ms. Reily praised the police department for the job they have done so far.

John Gonzalez, 238 Fifth Avenue, stated that for the past two weeks the police have moved groups of kids along but as soon as that group leaves another group appears. He believes that the police are great. He discussed the dirty condition of his block and that older residents won't come out of their homes.

Florence Township Council Regular Session: 08/03/05

Mayor Muchowski stated that strategies have been used in other areas of the township that have experienced similar problems that have worked. He will look into those strategies. Mayor Muchowski will also look into what enforcement action can be taken against an individual homeowner who is allowing a situation to occur.

Richard Cheesman, 262 Fifth Avenue, thanked the police for the excellent job they have been doing and explained that his wife was referring to an isolated incident that involved one (1) police officer. The street was cleaned up for awhile, but the same activities are beginning again. Mr. Cheesman stated that he would be happy to meet with the police department on the condition that something will be done.

Joanne, Roebing resident, expressed her fear of being home alone.

Tangenica Byrd, 620 W. Third Street, has been living in the community for six (6) months and thanked the township for a beautiful neighborhood.

Ms. Byrd asked if the request for a block party was on this evening's Agenda? Administrator Brook responded that it will be on next Wednesday's Worksession Agenda.

Laura Mueller, 135 Fifth Avenue, stated that she does take a stand against the individuals that cause problems and receives verbal abuse because of it. She stated that the police do a good job when they are called but she is looking for consistency in their presence within the Fifth Avenue neighborhood. She would like to know the rotation of the police officers and the frequency of their tour in Roebing. She does not believe it should be up to the residents alone to protect their property.

Mayor Muchowski explained that he cannot go into detail regarding police investigations but the police department is aware of the problem and are putting the necessary effort into rectifying the problem. He assured the residents that it is not a problem that will go on endlessly.

Council Member Sandusky suggested posting a police officer on Fifth Avenue on overtime for seven (7) to ten (10) days. He also suggested that the residents take back their neighborhood by coming out of their homes and sitting on the front porches. He believes this would help move the individuals. He explained that the Township does not have the manpower to put a routine police officer on Fifth Avenue constantly and feels it would be well worth the money to post a police officer there on overtime.

Mr. Cheesman asked if they should seek outside help, as opposed to paying overtime? Council Member Sandusky stated that Chief Dawson has been called back to the department this evening to meet with the residents and Mr. Cheesman can ask him that question.

Mr. Rogers, 1048 Potts Mill Road, is here this evening concerning the sewer line on Potts Mill Road. He stated that he was told that at the last meeting, since they are going to begin building houses on Botlinger's Farm, Mayor Muchowski suggested that the developer run sewer lines up Potts Mill Road, but Council Vice President Ryan and

Florence Township Council Regular Session: 08/03/05

Council Member Garganio turned it down. Council Member Garganio stated that is not true and explained that the Township has been trying to run lines on Potts Mill Road for years. He explained that years ago there was an opportunity to run lines through the back of the properties but the residents did not want it. He also stated that the developer has not volunteered to run a line.

John Lane, 1054 Potts Mill Road, stated that the Township has had many opportunities over the past 20 years to run sewer lines. Council Member Garganio stated that he was not on Council ten or twenty years ago and can not speak for why they did not get sewer at that time. He did explain that when the age restricted development was approved a few years ago, they did not get sewer because of the recommendation from the Township Water and Sewer Engineer for a stronger system. It does not mean that Mayor and Council have forgotten about the Potts Mill Road residents. The goal is to hook up the residents but it is a difficult process and has been discussed many times.

Mr. Lane questioned the easement through a Potts Mill Road resident's property that was given to the developer and the resident received sewer free. Mr. Lane believes that the Township allowed it. Administrator Brook explained that was a private deal between two (2) private parties; the municipality had nothing to do with it.

Administrator Brook stated that installing sewer on Potts Mill Road has been discussed on numerous occasions and estimates have been revised to install sewer in at least two (2) or three (3) different scenarios. He also explained that it would have been very difficult to force the developer who is building Greenbrier to install sewer on Potts Mill Road. The developer was not legally bound to install sewer on Potts Mill Road and if they had sued the municipality, the town would have probably lost. Administrator Brook reviewed the negotiation process between developers and the township.

Since estimates have been prepared, a resident asked if there was a time frame? Mayor Muchowski stated that it was being discussed as an assessment. A census was done; half the residents wanted sewer; the other half did not. It makes Council's decision difficult when neighbors do not agree. Council is looking into ways of reducing the cost.

Discussion followed regarding some of the homes on Potts Mill Road that already have the ability to connect to sewer and how far the lines would have to run to connect. Council Member Garganio stated that the advantage to where the lines were run is that there was no road reconstruction at the location.

Mr. Lane asked Council to contact the residents that did not want sewer to see if they would reconsider.

John Gonzalez, 238 Fifth Avenue, discussed a tree in front of his home that is raising the sidewalk. Assistant Administrator Sahol stated that the Shade Tree Commission has inspected that tree, and they determined that when the concrete was installed around the tree, it caused more harm than good. Their recommendation at this point is for the Township to saw-cut the concrete out and reestablish a lawn area. Due to the growth of the tree, the concrete is pushed out to the adjacent concrete and has cracked it. The township's policy is to repair sidewalks if a healthy tree can be preserved. The Shade

Florence Township Council Regular Session: 08/03/05

Tree Commission feels that this a very healthy maple tree, so they have advised Assistant Administrator Sahol to get quotes to repair the sidewalk. Work should be done in the early fall.

Council Member Garganio stated that five (5) or six (6) years ago Council proposed running sewer in the back for Potts Mill Road. He was and still is in support of running the system in the back. Engineering studies have shown that it would work. He believes Council is still willing to explore the possibility of installing sewer but there may be an assessment to the residents. But he explained that they would need a consensus by the residents so they would not be forcing an assessment or easements on homeowners that do not want it. Mayor Muchowski also reiterated the need for a consensus between the residents.

Sam Ungarini, 1023 Potts Mill Road, asked if they would be building on Botlinger Farm? Mayor Muchowski responded that there are approvals in place from a building standpoint but they do not have their water permit approvals. No specific timetable has been set. Mr. Ungarini asked if the developer would be running water and sewer lines down Potts Mill Road? Administrator Brook explained that there are negotiations taking place and the township will go as far as it can with negotiations. He cannot tell the outcome.

Mr. Ungarini asked if it would help if the residents signed another petition? Mayor Muchowski stated that Mr. Ungarini has the ability to hook into the injector in front of his property. Mr. Ungarini asked about running water lines. Administrator Brook stated that it is the goal of the township to extend water throughout the entire community but does not have a timetable.

Greg Alloway, 1000 Potts Mill Road, asked when and if the lines are installed, if they would go down the length of Potts Mill Road from Old York Road to Route 130 or stop at the Botlinger Farm? Mayor Muchowski explained due to changing grades at this time, he does not believe the gravity line would go all the way to Route 130. He believes the injector line does go to Route 130, which Mr. Alloway is able to hook up to. Administrator Brook offered to have the Water and Sewer Engineer meet with Mr. Alloway.

Jim Heupel, 1011 Potts Mill Road, lives directly across from Botlinger Farm and asked if they have received final site plan approval? Mayor Muchowski stated that they do have final site plan approval but not all approvals are in place for them to begin construction. He explained that there will be two (2) developments; eighty-five homes on 15,000 square foot lots and fifty-eight homes on 20,000 square foot lots. Mr. Heupel asked if he could review the plans? Mayor Muchowski stated that he is welcome to review the plans and advised him to call Nancy Erlston, Clerk of the Planning Board, to set up a time to review the plans.

Marie Bingham, 1012 Cedar Lane, has noticed that the new school has broken ground. She expressed her concern for the safety of the students and asked if there were any plans to install a sidewalk and better lighting on Cedar Lane? Dan Guzzi, Township Engineer, explained that there are plans for sidewalk in front of the school, but not the entire length of Cedar Lane. Council recently applied for a grant from the State to fund sidewalk up

Florence Township Council Regular Session: 08/03/05

Cedar Lane from Wawa to the high school. Discussion followed regarding what side of the street the sidewalk would be. Mr. Guzzi explained that if the funding becomes available the area would then be surveyed, then laid out where there is adequate right of way and grading. He believes it may cross over from one side to the other.

Ms. Bingham questioned whether sidewalks would still be installed if the grant were not approved? Council Member Garganio explained that safety of the children is a big concern for Council and if the grant is not approved, Council will have to discuss how it could financially be done. Mayor Muchowski met with the County to request lowering the speed limit on Cedar Lane.

Ms. Bingham asked when the new school would open? Mayor Muchowski responded that it is scheduled to open September 2006. He advised Ms. Bingham that she could contact the School Board to get updates on the scheduled completion dates.

Bart Shrader, 46 Tall Timber Lane, questioned the property on the other side of the school's property and expressed concern that the property will become overdeveloped. Mayor Muchowski explained that area is zoned agriculture and is not in the sewer master plan area. The most dense that area can be is one (1) house per three (3) acres.

Dave Rapciewicz, 16 Tall Timber Lane, believed that Wawa was going to be present at this evening's meeting. Mayor Muchowski explained that Wawa would appear before the Planning Board the third Monday in August. Mr. Rapciewicz stated that Wawa has agreed to hire parking attendants for the oversized truck parking lot. He does not believe that a parking attendant will be able to tell a truck driver that they only have 15 minutes to park there. He believes that the truck drivers will offer money to the attendant to let them park there longer and the attendants would take the money.

Mr. Rapciewicz stated that he calls the Police Department every day regarding trucks illegally parked at and around the Wawa. He believes the problem will get worse when the new school opens and feels that Council should hold Wawa responsible.

Mr. Rogers, 1048 Potts Mill Road, asked if instead of forcing the developer to run sewer, the township work with the developer. Administrator Brook stated that the township has and is still trying to work with the developer.

In response to Mr. Rapciewicz, Council Vice President Fratinardo explained that Council gave a lot of thought to Wawa and asked them to limit the number of spaces they were asking for, which they did.

Mayor Muchowski and Council President Fratinardo explained that an Ordinance was adopted limiting the number of oversized truck parking spaces allowed on a property. Wawa has submitted an application based on the Truck Parking Ordinance to be heard by the Planning Board. The Ordinance gives the Planning Board a control measure they did not have before.

Council Member Fratinardo stated that Wawa will also have video cameras in place to help with enforcement.

Florence Township Council Regular Session: 08/03/05

Mr. Rapciewicz feels that no matter how many oversized parking spaces Wawa has it adversely affects the residents of Tall Pines and would like to ask Wawa to contribute towards the cost of installing water and sewer lines in the Tall Pines Development. He also asked that Council help in his endeavor.

Mr. Shrader questioned the financing for the Tall Pines Water and Sewer installation. Administrator Brook explained the process, including assessments, bondable life and debt service.

Mr. Shrader asked if any grants were received for this project? Administrator Brook responded that the township has not received any grants for this project.

Mr. Shrader asked if the rest of the development would have water and sewer in the future? Administrator Brook gave his opinion that since the governing body decided to go forward with the first phase of the project, which is a worthwhile community project, they have committed themselves to look into the second phase.

Mr. Rapciewicz asked if there was a time frame for the second phase? Administrator Brook explained that it is difficult to give a specific time period. It will be discussed during the next budget cycle, which should be complete by next spring.

Mr. Rapciewicz asked if the residents of Tall Pines that are not getting water and sewer in the first phase are going to get a tax reduction after water and sewer is installed for the residents included in phase one? Administrator Brook stated that they would not receive a tax break and explained that the Water and Sewer Utility is independent from tax dollars. The Water and Sewer Utility runs solely from the money that is paid into it by the residents that use water and sewer. They cannot mix that money with tax dollars. Council Member Fratinardo also explained that the residents that get water and sewer will be paying more because they will be assessed.

Mr. Rapciewicz discussed the amount of taxes he pays and the services he receives for his taxes. Council Member Sandusky explained the breakdown of the tax bills. He feels that the municipality's share is a fair amount. He also explained that the residents will not be paying for water and sewer until they get it.

Mr. Rapciewicz believes that the taxpayers are paying for the school's share of the water and sewer line. Council Member Garganio explained that the school was going to have to run that line no matter what; so Council asked them to realign the line so Tall Pines could hook into it, which would have cost the same amount.

Bill Bott, 64 Riverbank Drive, stated that growing up in Hamilton Township when sewer was installed on his street, each homeowner paid their fair share. Then when the house was sold the new owner already had water and sewer. He believes the township is doing a good job by beginning the project.

Mr. Shrader questioned what would happen with the assessment if he were to sell his home? Mayor Muchowski explained that the assessment would go to the new owner.

Florence Township Council Regular Session: 08/03/05

Mr. Shrader asked if the cost to hook into water and sewer would be taken off the assessment? Council President Fratinardo stated that it would not be taken off the assessment.

Mr. Shrader asked who would be making a profit from the assessment and the monthly utility payments? Administrator Brook explained that there is no profit on this job; it only occurs debt service. He asked if the Township makes money on the water and sewer utility? Council Member Garganio explained that the township does not make a profit in the water and sewer utility. The revenue that comes in covers the maintenance of the lines and the cost to run the department. There are times that money is lost and an increase is needed.

Mr. Shrader complained of trucks engine braking and idling at night. Mayor Muchowski explained that Mr. Shrader's property abuts Route 130, which is the commercial growth zone from Cedar Lane to the Burlington Township border. There will be commercial growth that was designated for that area. Mr. Shrader asked that "no engine braking" signs be installed on Cedar Lane.

Steve Steele, 1026 Potts Mill Road, asked if residents were currently hooked up to the injector line? Council President Fratinardo does not believe so. He questioned the fee to the developer to hook up. Administrator Brook explained that there is a fair share reimbursement to the developer, which he believes is still in effect.

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

RESOLUTIONS

RESOLUTION NO. 2005-151

**AUTHORIZE CONTRACT WITH ROEBLING VOLUNTEER FIRE
COMPANY NO. 3 FOR MAIN STREET FIREHOUSE
BLOCK 134, LOT 23**

RESOLUTION NO. 2005-152

**REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF THE
LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED
TRUST BY RIDER FOR MAINTENANCE OF MUNICIPAL DRAINAGE
BASINS PURSUANT TO N.J.S.A. 40A:4-39**

RESOLUTION NO. 2005-153

**REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF
LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST**

**BY RIDER FOR OUTSIDE EMPLOYMENT OF OFF DUTY POLICE OFFICERS
PURSUANT TO N.J.S.A. 40A:4-39**

RESOLUTION NO. 2005-154

RESOLUTION AMENDING 2005 CAPITAL BUDGET

RESOLUTION NO. 2005-155

**AWARD CONTRACT FOR TALL PINES WATER AND SEWER
TO PACT CONSTRUCTION, INC., P.O. BOX 74,
RINGOES, NEW JERSEY, 08551**

RESOLUTION NO. 2005-156

**AUTHORIZE APPROVAL OF RENEWAL OF PLENARY RETAIL
CONSUMPTION LICENSE FOR 2005-2006 FINE FOOD AND SPIRITS, INC.
AS PER SPECIAL RULING**

RESOLUTION NO. 2005-157

**SUPPORTS RENEWAL OF THE NEW JERSEY TRANSPORTATION
TRUST FUND AND INCREASED DEDICATION FOR LOCAL AID**

RESOLUTION NO. 2005-158

**CANCEL CERTAIN WATER AND SEWER UTILITY CAPITAL
APPROPRIATION BALANCES**

RESOLUTION NO. 2005-159

**AUTHORIZE APPROVAL OF NJ BUREAU OF SAFE DRINKING
WATER PERMIT APPLICATION FOR HAINES INDUSTRIAL CENTER,
WHITESELL'S PROPERTY KNOWN AS BLOCK 158, LOTS 2, 3 & 7
WAREHOUSE BUILDING NO. 2**

Clerk Weiler advised that Resolution No. 2005-155 will be HELD this evening.

It was on the MOTION of Ryan, seconded by Sandusky that Resolutions 2005-151 through 2005-154 and 2005-156 through 2005-159 be approved.

Florence Township Council Regular Session: 08/03/05

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinaro

NOES: None

ABSENT: None

Motion carries.

ORDINANCES

ORDINANCE NO. 2005-18

(2nd Reading)

BOND ORDINANCE PROVIDING FOR THE EXTENSION OF WATER AND SEWER MAINS AT THE TALL PINES DEVELOPMENT LOCATED OFF OF CEDAR LANE IN AND BY THE TOWNSHIP OF FLORENCE, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,330,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF AND PROVIDING FOR A SPECIAL ASSESSMENT OF THE COST THEREOF ON THE PROPERTIES BENEFITED BY SUCH IMPROVEMENT

It was on the MOTION of Ryan, seconded by Sandusky to approve Ordinance No. 2005-18 on second reading for adoption.

Public Comment

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

None at this time.

It was on the MOTION of Garganio, 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, Ryan, Sandusky, Fratinaro

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2005-19
(2nd READING)**

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AUTHORIZING THE TOWNSHIP OF FLORENCE TO ACQUIRE PROPERTY IDENTIFIED AS BLOCK 134, LOT 23 AND GENERALLY KNOWN AS THE ROEBLING FIREHOUSE FROM THE ROEBLING VOLUNTEER FIRE COMPANY NO. 3 AND TO ENTER INTO A LEASE AGREEMENT FOR THE PROPERTY

It was on the MOTION of Ryan, seconded by Sandusky to approve Ordinance No. 2005-19 on second reading for adoption.

Public Comment

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

None at this time.

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: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Unanimous approval.

REPORTS

Committees, Boards and Officers

- Nothing at this time.

Mayor Muchowski

- Nothing at this time.

Administrator

- Administrator Brook stated that the Public Works Department was able to do two (2) of the four (4) alleys. He asked if Council would agree to include the other two (2) in the road program along with some of the others as alternates, which will be going out to bid shortly. This way the Public Works Department can concentrate on crack sealing and road repair. Council in agreement to include in the road program.

Assistant Administrator

- Nothing at this time.

Florence Township Council Regular Session: 08/03/05

Township Solicitor

- Nothing at this time.

Township Engineer

- Nothing at this time.

Council President Fratinardo questioned Mr. Guzzi regarding the grates at Greenbrier that are supposed to stop any silt from going down the sewer drain. He has witnessed them being lifted. Mr. Guzzi stated that his inspector has also witnessed that and a letter has been sent to them. The lines must be cleaned out and TV'd before they are accepted by the Township.

UNFINISHED BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Nothing at this time.

10:15 PM MOTION by Ryan, seconded by Sandusky to adjourn to Closed Session. Action may be taken following Closed Session. Roll call vote - all ayes.

ADJOURNMENT

10:15 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab

NOTE: No action taken following Closed Session.