

Florence, New Jersey  
September 16, 2009

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 Baldorossi at 8:00PM. President Baldorossi 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 11, 2009; 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:

Bruce Garganio  
Dennis O'Hara  
Sean Ryan  
Jerry Sandusky  
Frank Baldorossi

Also present:

Mayor William Berry; Richard A. 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 Garganio to approve the following minutes. Roll call vote – all ayes. Motion carried.

Regular Session	August 12, 2009, September 2, 2009
Closed Session	September 2, 2009, September 9, 2009

### **FINANCIAL CORRESPONDENCE**

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

O'Hara made a MOTION; seconded by Sandusky 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**

Richard Lotter, 3 Walnut Court, questioned the status of demolishing the Bradley Fence building on Route 130? Administrator Brook met with the owner this past Monday and advised him that the township would be moving forward on foreclosing on the property and having the building demolished. Council Member Sandusky asked if the township can place a lien on the liquor license?

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Solicitor Kearns stated that the lien would be placed on the property; a lien cannot be placed on the liquor license because the issue is not related to the liquor license itself. He stated that is something that should be discussed when the liquor license is renewed.

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

**RESOLUTIONS**

**RESOLUTION NO. 2009-201**

**AUTHORIZING APPROVAL OF 2009-2010 RENEWAL OF  
PLENARY RETAIL CONSUMPTION LICENSE #0315-33-014-002  
(Sandor's Bar & Grill)**

**RESOLUTION NO. 2009-202**

**AWARD THREE YEAR TRASH CONTRACT  
TO GARDEN STATE REMOVAL**

**RESOLUTION NO. 2009-203**

**APPROVE CURRENT ESTIMATE #2 FOR THE CONTRACT FOR  
2009 ROAD PROGRAM  
ASPHALT PAVING, 500 EGG HARBOR ROAD, HAMMONTON, NJ**

**RESOLUTION NO. 2009-204**

**AUTHORIZE THE MAYOR TO SIGN APPLICATIONS  
FOR THE NJDEP PERMIT NJPDES/TWA FOR NFI  
BLOCK 160.01, LOTS 2.01, 8,9,10.01, 10.02,20,21,and 22, FLORENCE, NJ, 08518**

**RESOLUTION NO. 2009-205**

**DENY REQUEST TO RELEASE WATER & SEWER MAINTENANCE BONDS  
GREENBRIAR HORIZON, SECTIONS 1, 2, 3, 4 & 5  
Section 1: Bond No. 105039533  
Section 2: Bond No. 105039535  
Section 3: Bond No. 105039534  
Section 4: Bond No. 0871 9338-M  
Section 5: Bond No. 0871 9340-M**

**RESOLUTION NO. 2009-206**

**DENY REQUEST FOR RELEASE OF MAINTENANCE BONDS  
HILLCREEK LLC, PHASE I AND PHASE II  
#UB-0236601-A  
#UB-0236602-B**

**RESOLUTION NO. 2009-207**

**DENY REQUEST FOR RELEASE OF MAINTENANCE BOND  
HUNT CIRCUS DRIVE – STORMWATER BASIN  
BLOCK 163.02, LOTS 6, 13.01 AND 13.04  
Bond No. B1014402**

**RESOLUTION NO. 2009-208**

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF FLORENCE  
TO RENEW THE COOPERATIVE PRICING AGREEMENT  
WITH THE COUNTY OF BURLINGTON**

**RESOLUTION 2009-209**

**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. 2009-210**

**AUTHORIZE EXECUTION OF CDBG SUB-GRANTEE AGREEMENT  
BETWEEN THE TOWNSHIP OF FLORENCE AND THE  
COUNTY OF BURLINGTON**

It was on the MOTION of Garganio, seconded by O'Hara to approve Resolution No. 2009-201 through 2009-210.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCES**

**ORDINANCE NO. 2009-20**

**(1<sup>st</sup> Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING CHAPTER  
134-43 SCHEDULE XI. OF THE FLORENCE TOWNSHIP CODE TO AMEND  
DESIGNATE UNION STREET AS A STOP STREET AT THE INTERSECTION  
OF BODINE STREET**

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It was on the MOTION of Sandusky, seconded by Garganio to approve Ordinance 2009-20 on first reading and set adoption for October 7, 2009.

**On the Question**

Nothing at this time.

Upon roll call Council voted as follows

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**REPORTS**

**Committees, Boards and Officers**

- Nothing at this time.

**Mayor**

- Nothing at this time.

**Administrator**

- Administrator Brook noted that three (3) out of five (5) of **Greenbriar Horizon's** Performance Bonds have been released. They are working to get the other two (2) Bonds released in Sections I and II. A meeting will be set up in October with Solicitor Kearns to go over the Ordinance for dedication of the roads, signage and other enforcement that is needed.

**Assistant Municipal Administrator**

- Assistant Administrator Sahol provided a copy of a memo from David Dennison, Recreation Director, outlining the Recreation meeting this past Monday evening in regards to the **field usage policy**. Assistant Administrator Sahol stated that the committee took a great deal of time and went over all of the concerns and questions. There was very good dialogue between all of the parties involved. At this point, the committee has a good handle on the information and they will have as many meetings as necessary to make their recommendation to the governing body by the end of this year. He noted that there is a Recreation Meeting next Wednesday and additional meetings will be held and advertised if necessary. Assistant Administrator Sahol stated that the Recreation Committee is in agreement that existing applications will move forward as before.

Assistant Administrator Sahol explained that there was discussion to ask Council to rescind the policy, which was done at last week's Council Meeting.

Council Member Ryan stated that there are more questions than there are answers at this point as far as the policy. There are a lot of concerns. He attended Monday evening's Recreation Meeting and feels there are reasons that exist for a policy to be carefully considered with everyone involved. It will take time to put a policy that is fair and equitable in place. The policy must be enforced. Council Member Ryan feels that the recommendation to rescind the policy should be considered by Council. Council Vice President O'Hara is concerned over the recommendation to utilize the policy for any new applicant; it may set a precedent for future applications. Council Member Garganio suggested rescinding the policy and put applications on hold until a policy is put in place. Assistant Administrator Sahol

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stated that an organization scheduled two (2) tournaments in October without applying to the township. These tournaments will have a financial impact on the township. The township had no prior knowledge of these tournaments until Assistant Administrator Sahol called them to let them know that a policy is being worked on. Assistant Administrator Sahol stated that this applicant has scheduled tournaments in the past without notifying the township.

Council Member Sandusky suggested that Council hold off on taking any action until after the Recreation Meeting next Wednesday; they may come back to Council with a recommendation for a policy. Council Member Ryan does not feel that a rush decision should be made and does not believe that the Recreation Committee will be able to come to Council with a recommendation that is fair and equitable to all parties involved in a short period of time. Council Member Sandusky agrees somewhat but also does not want outside organizations to be a burden on the township taxpayers. He believes the teams running the tournament should bear the costs, not the taxpayers. Council Member Ryan has learned that there have been circumstances, for quite some time, where a financial burden has been put on the township for use of the police department and public works department. He has also learned that travel teams have used facilities without permission.

It was on the MOTION of Ryan, seconded by O'Hara to rescind the policy that was adopted at the September 2, 2009 Council Meeting until a fair and equitable policy that is in the best interest of the entire community can be devised and voted on.

On the Question

Council Member Sandusky reiterated that the Recreation Committee may come back with a recommendation following their meeting next Wednesday. Council Vice President O'Hara noted that in Mr. Dennison's memo he stated that the Recreation Committee will continue action to complete its recommendation to Council by December. He does not believe the issue will be resolved next Wednesday and perhaps rescinding the policy will urge the Recreation Committee to know that Council is concerned as well as many of the Recreation Members. Council Member Garganio agrees that the Recreation Committee will not have a resolution by Wednesday. There are so many questions and one problem that has come up is how to tie it into the different leagues such as baseball, softball, field hockey, soccer, football and theater groups. Assistant Administrator Sahol stated that theater groups would not be included in the policy

Mayor Berry noted that the Recreation Committee indicated that they may want Solicitor Kearns to attend a meeting to answer some legal questions.

Council President Baldorossi asked if the tournaments scheduled in October will be allowed to take place? Council Members in agreement to allow the tournaments scheduled in October.

Upon roll call Council voted as follows

YEAS: Garganio, O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

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Schedule permitting, Council Members that are available will attend next Wednesday's Recreation meeting. Joy Weiler, Township Clerk, will advertise that Township Council will be attending September 23, 2009 Recreation Meeting. No action by Township Council will take place.

- In response to a resident's request, Assistant Administrator Sahol suggested that the township keep a **community calendar**, where organizations could call to place events on the calendar to help avoid conflicts. It would be for local organizations only. The intent is not to advertise but to have available to organizations that wish to participate to help avoid conflicts with other organizations' events. The calendar will be held at the municipal building, where organizations can call to be placed on the calendar. The availability of the calendar can be advertised on Channel 19 but not the calendar itself. It would be up to the individual organization if they call and another event is being held, whether or not to change their event to another date.

### **Township Solicitor**

- Solicitor Kearns stated that tomorrow is the **222<sup>nd</sup> Anniversary of the Ratification of the Constitution in 1787.**

### **Township Engineer**

- Nothing at this time.

### **UNFINISHED BUSINESS**

Nothing at this time.

### **NEW BUSINESS**

Nothing at this time.

### **BOARD OF HEALTH**

Nothing at this time.

### **MISCELLANEOUS**

Clerk Weiler asked Solicitor Kearns if her presence is needed if there is a **quorum of the Township Council at the Recreation Meeting** because she will be out of town that evening? Solicitor Kearns does not believe she needs to be there. Assistant Administrator Sahol will take notes and the meeting will be recorded.

Richard Lotter, 3 Walnut Court, asked if the **recreational fields** in the township were built to be used by Florence Township or other towns as well? He feels that is the question. Council President Baldorossi explained that since 1993 the West Jersey Witches Travel Softball was associated with Florence Township Girls Softball. This year the association was dissolved. Mr. Lotter stated that the township has done a remarkable job with the facilities and does not believe that there are many towns in the County that have the same caliber of facilities. Council Member Ryan stated that same question was recently presented at a meeting with no definitive answer. He gave an overview of the services that have costs involved with an outside organization using the fields. The question becomes do you look at how many in town residents are on the team and how many non-residents are on the team and then spread out the costs? The other question then becomes what would happen to the girls that want to play travel but there are not enough in town girls that want to play to form a team? Council President Baldorossi stated that they are trying not to penalize the township resident children that want to play on travel teams. Council Member Sandusky asked what would happen if

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next year the West Jersey Witches do not have a Florence Township coach? Council Member Garganio explained that the policy has to address that along with any other organization that applies. There are hundreds of travel softball organizations that are looking for fields. When there was affiliation within the league, it was handled easier then Council can handle as a township.

Council Vice President O'Hara asked Administrator Brook if he could compile hourly rates for expenses such as lights and police manpower to provide to the Recreation Committee; it may help draft a policy.

Administrator Brook reported that the **savings** over three (3) years for basic services under the new **Solid Waste Collection contract** is approximately \$100,000 to \$105,000. The savings for picking up the three (3) condominium complexes will be approximately \$100,000 to \$150,000 over three (3) years.

9:00PM MOTION by O'Hara, seconded by Garganio to adjourn to Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

9:00PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC  
Township Clerk

/mab