

Florence, New Jersey
September 17, 2008

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 8:00 PM. 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 6, 2008; 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 Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; Joy M. Weiler, Township Clerk

OATH OF OFFICE

John A. Bunce: Florence Township Police Department - Captain

The Oath of Office was administered by the Township Clerk to John A. Bunce, who was being promoted to Captain of the Florence Township Police Department. Captain Bunce's wife and children stood by his side and held the Bible.

Captain John A. Bunce thanked Mayor, Council and Administrator Brook for the opportunity to serve in his new command position. He also thanked his fellow police officers and retired Police Chief Gordon Dawson that came out to support him this evening. Chief Dawson has been a great mentor and a leader by example in all the years he worked in Florence Township. He thanked his family and friends present this evening especially his wife and children.

Captain Bunce stated that this position will be challenging but he is up to the challenge. He acknowledged retired Florence Township Captain Joseph Gadbois who did a remarkable job, along with Chief Dawson, in bringing the Florence Township Police Department to a professional level and providing an excellent service to all of the residents of Florence. Captain Bunce will work with Chief Stephen Fazekas to continue to provide that professionalism throughout the department as well as provide quality service that the residents deserve.

Captain Bunce is honored to accept the position and thanked everyone for attending this evening.

Chief Fazekas congratulated Captain Bunce and praised him for his service in the military and the Florence Township Police Department. Chief Fazekas looks forward to serving with Captain Bunce during the next few years in Florence Township.

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Retired Chief Gordon Dawson praised and congratulated Captain Bunce. He stated that Captain Bunce has worked hard for this promotion; he deserves it and is well qualified.

MINUTES

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

Regular Session	July 9, 2008
Executive Session	July 9, 2008

FINANCIAL CORRESPONDENCE

It was on the MOTION of O'Hara; seconded by Sandusky to receive and file the Court Administrator'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

Evelyn Blount, 9 Lee Lane, asked who hires the workers in the Greenbriar Horizon development? Dan Guzzi, Township Engineer, stated that the contractor, Lennar, hires the workers.

Maryann Nicolini, 3 Barbee Court, asked if any bond money has been released to Lennar? Mr. Guzzi stated that no bond money has been released in at least six months. Administrator Brook stated that detailed reports of the status of the bonds have been provided to Greenbriar's Homeowners Association. He stated that a significant amount of money is being held, which far exceeds the remaining work to be done. Administrator Brook stated that it is not the township's intention to release the bond unless the work is done and the Homeowner's Association is notified in advance. Administrator Brook offered to provide a report on how much money is left, and the amount of each bond.

Ms. Nicolini asked, since she lives in a senior development, if there was a Senior Tax Freeze program? Assistant Administrator Sahol explained that there is a Senior Tax Freeze Program through the State of New Jersey. As long as the State continues to fund the program the applicant gets a certain portion back, which is the amount that the taxes increased based on the year the applicant qualifies. Administrator Brook will have the Tax Collector contact Ms. Nicolini.

Bill Bott, 64 Riverbank Drive, stated that the Senior Tax Freeze Program is based on income.

Council Vice President O'Hara suggested posting the information regarding the Senior Tax Freeze Program online, so other senior citizens can take advantage of the program.

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John D'Acquisto, 7 Yockus Lane, stated that he discussed the possibility of solar lighting being installed in the Greenbriar Horizon development at a Council meeting in April or May. He asked if it would be done? Administrator Brook stated that it has been cost out through PSE&G and it is being looked into how solar lights would work in a development where there is already electric lighting. He stated that Council has committed to installing lights and believes that it is more likely that they will be installed early next year rather than this year, whether solar or conventional. Mr. D'Acquisto believes this would be the perfect time since the contractor is digging up the streets. He does not understand why it is taking so long. Council Vice President O'Hara suggests that Mayor and Council discuss at next month's Worksession.

Geraldine Davies, 5 Barbee Court, asked if a reassessment is being done in the township? Administrator Brook stated that a reassessment is being done at the present time. He explained with the condition of the market right now it is making the reassessment much more difficult since the values associated with the reassessment often times are correlated to what is happening in the market and the sales. The average price of homes is coming down and there are limited sales. Administrator Brook advised Ms. Davies that the inspectors should be in the Greenbriar development within the next three to four weeks.

Ms. Davis asked if there were any new businesses coming into the township to bring up the ratables? Administrator Brook reviewed several anticipated projects that will be bringing in commercial ratables over the next five to seven years; Whitesell, a hotel and chain restaurant and also a potential supermarket and several commercial pad sites. He offered to give a report in writing.

Ms. Nicolini asked if these businesses would be taxed or given a tax break? Administrator Brook stated that they will be taxed although Florence Township does, as do other towns in New Jersey due to the competition with nearby states, offer a tax incentive. The tax incentive lasts for five years where the owner is paying a certain amount each year until they are fully on the books in the fifth year.

Ms. Nicolini asked if the residents of Greenbriar would see a drop in their property taxes after the reassessment since the homes are worth less than what they bought them for? Administrator Brook cannot give a definitive answer. The truthful answer is that in all likelihood the newer homes are going to see more of a positive advantage to a reassessment than the older homes.

Don Kaminski, 10 McCay Drive, stated that Assistant Administrator Sahol told him at last week's Council meeting that the benches for the new gazebo at the Clark T. Carey Memorial Park should be installed within a week. The benches have not been installed. Prior to this evening's meeting, Mr. Kaminski spoke with Assistant Administrator Sahol who indicated that the material for the benches has not come in yet. Mr. Kaminski does not understand why, since the kit for the gazebo has been in for months. He asked that Assistant Administrator Sahol contact the manufacturer and expedite the installation of the benches. Mr. Kaminski added that progress has been made on the lights and landscaping. Council Member Sandusky stated that the Public Works Department will be installing the benches; and for a limited number of people in that department, they do a good job. With the amount of rain we have had, even if the benches had been delivered, the Public Works Department would not have had the time to install them this week because of all the grass they have been cutting. He assured Mr. Kaminski that the benches are coming. Council Vice President O'Hara stated that it has not deterred people from going there with chairs of their own.

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Assistant Administrator Sahol explained for clarification that the benches were not part of the gazebo package. The benches were ordered as the gazebo was nearing completion so he would know the exact type of benches the people that frequent the gazebo would like to see. He spoke with some of the gentleman at the gazebo; they put their heads together and ordered the benches they would like. Assistant Administrator Sahol acknowledges that he did state that the benches should be in within a week. He also acknowledges that there is a delay but as soon as the material arrives, the benches will be installed. So as to not delay anything further, restoration work was started today.

Council Vice President O'Hara was there one evening and noticed that several of the people that enjoy the park smoke cigarettes, and asked if cigarette receptacles could be installed? Assistant Administrator Sahol will look into having them installed.

Ms. Blount stated that that Lennar's contractors are plugging into the homes using the resident's electricity; they have blown out circuit breakers. Ms. Blount stated that they plugged into her home without her knowledge and blew her circuit breaker. She will be saving her PSE&G bill. Mr. Guzzi will look into the situation. Administrator Brook received an email from Lennar late today that they will no longer be using the resident's electric. He stated that they should never have used it without the resident's permission.

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

RESOLUTIONS

RESOLUTION NO. 2008-169

**AUTHORIZE EXECUTION OF AN AMENDMENT
TO TRANSPORT AGREEMENT WITH
VIRTUA HEALTH, INC.
10-15-08 to 10-14-09**

RESOLUTION NO. 2008-170

APPROVE ANNUAL AUDIT

RESOLUTION NO. 2008-171

**A RESOLUTION CANCELING TAXES ON PROPERTY
OWNED BY A TOTALLY DISABLED VETERAN**

RESOLUTION NO. 2008-172

**AWARD CONTRACT TO RENOVATE THE FORMER
MARCELLA L. DUFFY SCHOOL FOR AFFORDABLE SENIOR HOUSING
TO COMMUNITY INVESTMENT STRATEGIES, INC.
201 CROSSWICKS STREET, BORDENTOWN, NJ, 08505**

RESOLUTION NO. 2008-173

**DENY REQUEST FOR RELEASE OF MAINTENANCE BONDS
HILL CREEK FARMS I/BROOKSIDE
BOND NO. UB-0236603-A (WATER DISTRIBUTION)
BOND NO. UB-0236600-A (SANITARY SEWER)**

RESOLUTION NO. 2008-174

**APPROVE CURRENT ESTIMATE NO. 1 (FINAL) FOR
2007 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT
EAGLE CONSTRUCTION SERVICES
1624 JACKSONVILLE ROAD
BURLINGTON, NJ 08016**

RESOLUTION NO. 2008-175

**APPROVE CURRENT ESTIMATE NO. 7 AND
CURRENT ESTIMATE NO. 8 (FINAL) FOR
WELL NO. 6, WELL PUMP, BUILDING & APPURTENANCES
B&H CONTRACTING, INC., 1022 BLACK HORSE PIKE,
FOLSOM, NEW JERSEY, 08037**

RESOLUTION NO. 2008-176

**APPROVE CURRENT ESTIMATE NO. 1 FOR
COMMUNITY CENTER
EAGLE CONSTRUCTION SERVICES
1624 JACKSONVILLE ROAD
BURLINGTON, NJ 08016**

RESOLUTION NO. 2008-177

**APPROVE CURRENT ESTIMATE NO. 1 FOR
2008 ROAD PROGRAM
AMERICAN ASPHALT COMPANY
116 MAIN STREET
W. COLLINGSWOOD, NJ 08059**

RESOLUTION NO. 2008-178

**AUTHORIZATION TO CONTRACT WITH
RECYCLEBANK FOR THE PURPOSE OF ADMINISTERING
RECYCLING TONNAGE REPORTS AND PROVIDING DIRECT
BENEFITS TO THE RESIDENTS OF THE TOWNSHIP OF FLORENCE WHO
PARTICIPATE IN CURBSIDE RECYCLING
RESOLUTION NO. 2008-179**

**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. 2008-180

**WATER AND SEWER PAYMENT PLAN FOR BLOCK 165.09, LOT 15
207 LEFFLER CIRCLE**

It was on the MOTION of Garganio, seconded by Ryan that Resolutions 2008-169 through 2008-180 be approved.

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. 2008-17
(2nd Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
AMENDING SECTION 140-43 AND 140-48
OF THE CODE OF THE TOWNSHIP OF FLORENCE
ESTABLISHING WATER AND SEWER RATES
WITHIN THE TOWNSHIP OF FLORENCE**

It was on the MOTION of Sandusky, seconded by O'Hara to approve Ordinance No. 2008-17 on second reading for adoption.

Public Comment

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

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It was on the MOTION of Garganio, 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: Garganio, O’Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2008-18
(1st Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN BURLINGTON COUNTY,
STATE OF NEW JERSEY AMENDING THE FLORENCE TOWNSHIP CODE, CHAPTER
110 PARKS AND RECREATION TO PROHIBIT THE POSSESSION OR CONSUMPTION
OF ALCOHOLIC BEVERAGES IN ANY PARK OR RECREATION AREA**

It was on the MOTION of Ryan, seconded by Sandusky to approve Ordinance No. 2008-18 on first reading and set adoption for October 1, 2008.

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

- Mayor Berry remembers being in the audience before he was Mayor when streets have been named for former judges and the evening when Mayor Muchowski brought in former Mayor Sampson and made the presentation that a **street** would be **named in his honor** in the Roebling Steel Mill site. This evening Mayor Berry is requesting that Council consider naming a street after former assignment **Judge John Sweeney**, who just retired. Council Member Ryan would like to back up Mayor Berry’s request.

Administrator

- Administrator Brook explained that **Ordinance No. 2008-18, Repeal Public Intoxication Law** was prepared due to litigation against many municipalities, including Florence

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Township, regarding an ancient State law that indicates a municipality cannot have a Public Intoxication Law on the books. So the township is drawn into this lawsuit even though the township has never charged anyone with public intoxication as far as Administrator Brook can remember. In order to provide a good defense, the Ordinance is being amended to say that alcohol cannot be possessed or consumed in public and repeals the language that says you cannot be publicly intoxicated.

Assistant Municipal Administrator

- Nothing at this time.

Township Engineer

- In response to Council's request regarding the **Road Program**, Mr. Guzzi stated that the contractor is working on Coachman's Drive and Sixth Street. He provided schedules for the balance of the Road Program. The plan is to complete the Road Program before Christmas, weather permitting.

UNFINISHED BUSINESS

Council Vice President O'Hara stated that awhile back there was a discussion regarding the **lights at Waterworks Field** and asked the status. Administrator Brook stated that the lights and concession stand will be demolished this fall after football season.

NEW BUSINESS

Council Member Ryan stated that the NJ League of Municipalities is asking for nominations for the Michael A. Pane, Esq. Award. He would like to nominate **Solicitor Kearns**. Mayor and Council unanimously agree that Solicitor Kearns does an excellent job, is very knowledgeable, trustworthy and a pleasure to work with.

It was on the MOTION of Ryan, seconded by Garganio to nominate **William John Kearns, Jr., Florence Township Solicitor** for the Michael A. Pane, Esq. Award, through the NJ League of Municipalities. Roll call vote – all ayes. Unanimous approval.

Council Vice President O'Hara discussed the memo in the packet regarding the **property on the corner of Delaware Avenue and Hornberger Avenue**. He noted that years ago the property was a deli and then a law office. Council Member Sandusky and Mayor Berry remember that. Council Vice President O'Hara concurs with Administrator Brook that it needs to go before the board to open a commercial business there now.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Nothing at this time.

ADJOURNMENT

9:00 PM MOTION by Ryan, seconded by O'Hara to adjourn to Closed Session. It was noted that action may follow Closed Session. Roll call vote - all ayes.

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RETURN TO OPEN SESSION

10:00 PM MOTION by Ryan, seconded by Sandusky to adjourn Closed Session and return to Open Session. Roll call vote – all ayes.

It was on the MOTION of Ryan, seconded by Sandusky to authorize the professionals to move forward to bring the **Agreement between the Township of Florence and NFI** back for formal authorization in October.

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.

10:02 PM MOTION by Garganio, seconded by O'Hara to adjourn the meeting. Roll call vote - all ayes.

ADJOURNMENT

10:02 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab