

Florence, New Jersey  
October 1, 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; 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	July 16, 2008 and August 6, 2008
Closed Session	September 3, 2008

### **FINANCIAL CORRESPONDENCE**

Sandusky made a MOTION; seconded by O'Hara to approve the Treasurer's Bill List. Roll call vote – all ayes. Motion carried.

### **REGULAR CORRESPONDENCE**

Nothing at this time.

### **APPLICATIONS**

None at this time.

### **PUBLIC COMMENTS**

Don Kaminski, 10 McCay Drive, thanked the township for the installation of the benches, lights and cigarette receptacles at the new gazebo at Clark T. Carey Memorial Park.

Mr. Kaminski stated that he believes that September 17<sup>th</sup> there was some question from Council whether benches were needed at the new gazebo, whether the people wanted benches, or did it make

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good sense to put benches in the new gazebo when none of the other gazebos in township have them. On September 22, Mr. Kaminski spent 1-½ hours at the gazebo and collected 31 signatures from people that frequent the gazebo saying, “Yes, it would be a good idea to put in benches.” He shared the petition with Mayor Berry and passed it on to Council President Baldorossi.

Council Member Sandusky stated that before that petition is received, he would like to see minutes where anyone on Council questioned the need for benches. Benches in that gazebo have always been planned; it was just a matter of a delay because the materials did not come in on time. The intention was never there not to install benches. Mr. Kaminski responded that the petition was signed before the benches were installed.

Council Vice President O'Hara does not recall anyone at the September 17<sup>th</sup> meeting saying that there would not be benches and asked where Mr. Kaminski got the idea that benches would not be installed? Mr. Kaminski stated that there was some feeling, at least on his part, as to whether the benches would be wanted or desired by the people because no resident came before Council stating that they want benches. So Mr. Kaminski took it upon himself to canvass 31 people at the gazebo and they all said they would like benches.

Council Member Ryan asked Mr. Kaminski if there was something specifically that he felt it necessary to solicit a petition; did Mr. Kaminski feel that the governing was not going to live up to their word and their obligation per the original plans? Mr. Kaminski believes there was conversation at the 9/17/08 Council Meeting that since there are no benches at the H. Kenneth Wilkie Memorial River's Edge Park gazebo or the Roebing Park gazebo, so are the benches really needed at the new gazebo at the Clark T. Carey Memorial Park? That was his recollection.

Mr. Kaminski stated that he is submitting this petition to Council because he thinks this document reflects what people that frequent that area feel about the gazebo and making it suitable to meet their needs. Mr. Kaminski stated that the gazebo does meet the people's needs.

Council Member Garganio stated that what bothers him is that at the September 10<sup>th</sup> meeting, Assistant Administrator Sahol reported to Mr. Kaminski that the holes were drilled for the benches and the benches would be installed. Then 12 days later Mr. Kaminski circulates a petition asking for benches.

Mr. Kaminski stated that at 9/10's meeting Assistant Administrator Sahol advised him that the benches would be installed within 7 days. Then, according to Mr. Kaminski's notes, at 9/17's meeting Assistant Administrator Sahol stated that the benches were ordered near the end of construction of the gazebo.

Assistant Administrator Sahol explained that there were separate vendors for the gazebo and the benches. The vendor for the benches was selected after Assistant Administrator Sahol met with a group of people that frequent the gazebo and went through some catalogues, after they had a feel for what was actually there. The people that frequent the gazebo helped Assistant Administrator Sahol determine the most appropriate and fitting benches. He decided to hold off on ordering the benches until he met with the people that use the gazebo to get their insight. They were most appreciative that Assistant Administrator Sahol came to them for their opinion.

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Council Member Garganio asked that a written response be sent to the people that signed the petition stating that benches were always intended and explaining the process that was followed. Council Vice President O'Hara does not understand the need for a petition; there was never conversation at any meeting, including September 17<sup>th</sup>, that there were not going to be benches. Council Member Garganio stated that due to this petition, 31 people believe that the township was not going to put benches in; he believes they should be informed of the process and the timeline that Assistant Administrator Sahol explained. Council Members in agreement that a response be sent to the people that signed the petition; Mayor Berry will sign the letter. Council Member Sandusky requested that a copy of the letter be posted at the gazebo for a week or so.

Council Member Sandusky stated that the gazebo came out very nice and is a beautiful addition to the boat ramp area.

Bill Bott, 64 Riverbank Drive, missed a couple of meetings but at the meetings he attended there was never any mention that benches would not be installed in the new gazebo. Every time Assistant Administrator Sahol was questioned about the benches, he explained what the delay was and stated that benches would be installed.

Mr. Bott asked how the declining value of homes would be handled through the reassessment? Administrator Brook stated that is the biggest obstacle the Tax Assessor is dealing with. He does not have a firm answer but stated that the Tax Assessor is well aware of what is going on in the market and taking it into consideration.

Mr. Bott thanked the Police Department and Public Works Department for taking down a house that kids were building off of the access road.

Paul Varga, 20 Fourth Avenue, stated that kids had dismantled a bench in Roebling Park earlier this year and asked if it would be repaired and put back? Assistant Administrator Sahol stated that a Public Works employee is working on repairing the bench; it will be put back in place.

Fred Wainwright, 1011 Cedar Lane, stated that he has lived at this new address for two (2) weeks and has been trying to get television cable. When he calls the cable company, Comcast, they say they have to do a survey, which Mr. Wainwright does not understand why because there is cable on the pole along the road. Assistant Administrator Sahol will contact Comcast Cable and report back.

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. 2008-182**

**AUTHORIZING APPROVAL OF 2008-2009 RENEWAL OF  
PLENARY RETAIL CONSUMPTION LICENSE  
#0315-33-014-002**

**RESOLUTION NO. 2008-183**

**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. 2008-184**

**RESOLUTION AUTHORIZING EXECUTION OF  
DEVELOPER'S AGREEMENT**

It was on the MOTION of Ryan, seconded by O'Hara that Resolutions 2008-182 through 2008-184 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. 2008-18  
(2<sup>nd</sup> 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 Sandusky, seconded by O'Hara to approve Ordinance No. 2008-18 on second reading for adoption.

Solicitor Kearns explained that Ordinance No. 2008-18 amends the existing park regulations due to a State Statute that prohibits Ordinances that make public intoxication an Ordinance violation. The amendment makes it clear that the prohibition is bringing into, possessing or consuming alcoholic beverages at any time, at any park or recreation area. The search of police records shows that particular Ordinance provision has not been used for many years.

Public Comment

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

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Nothing at this time.

It was on the MOTION of Sandusky, seconded by Garganio 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. 2008-19  
(1<sup>st</sup> Reading)**

**AN ORDINANCE AMENDING CHAPTER 91 OF THE CODE OF THE TOWNSHIP OF FLORENCE, AND THE ZONING MAP OF THE TOWNSHIP OF FLORENCE, TO DESIGNATE THE ENTIRETY OF A PROPERTY KNOWN AS BLOCK 160.01, LOTS 2.01, AS BEING WITHIN THE HIGHWAY COMMERCIAL (“HC”) ZONING DISTRICT, SUBJECT TO THE SPECIAL MANUFACTURING OVERLAY (“SMO”) DISTRICT ZONING REGULATIONS**

It was on the MOTION of Sandusky, seconded by O’Hara to approve Ordinance No. 2008-19 on first reading and set adoption for November 5, 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**

- Nothing at this time.

**Administrator**

- Nothing at this time.

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**Assistant Municipal Administrator**

- Nothing at this time.

**Township Solicitor**

- Nothing at this time.

**Township Engineer**

- Nothing at this time.

**UNFINISHED BUSINESS**

Nothing at this time.

**NEW BUSINESS**

Council Member Garganio discussed the letter from Administrator Brook regarding **illegal hydrant opening at Crossroads**. He asked at what point it is enforced opposed to a warning? Administrator Brook stated that it is being enforced; a significant ticket has been issued. After the ticket was issued, Administrator Brook met with the site superintendent and told him that if they illegally open the fire hydrant again, they will be in violation of their prior approvals, which gives Administrator Brook the authority to go to the Construction Code Official to advise him that he does not have to issue Certificates of Occupancy.

**BOARD OF HEALTH**

Mayor Berry asked Administrator Brook to convey Mayor and Council's **appreciation to David Lebak, Water and Sewer Superintendent**, for researching the problem of the rusty water in the area of the 800 block of W. Second Street. Administrator Brook stated that the affected resident will be charged the minimum water and sewer bill.

**MISCELLANEOUS**

Council Vice President O'Hara questioned the status of the **rusty water problem a Delaware Avenue** resident brought to Council's attention awhile back. Administrator Brook received a lengthy report from David Lebak, Water and Sewer Superintendent that he will review and report back to the governing body. He stated that the situation is different than was presented to the governing body. The residents had the opportunity to connect to Delaware Avenue a few years ago and chose not to. Administrator Brook offered to have the residents and Mr. Lebak come to a meeting to review.

8:45 PM MOTION by Sandusky, seconded by O'Hara to adjourn to Closed Session. Roll call vote - all ayes.

**ADJOURNMENT**

8:45 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER  
Township Clerk

/mab