

Florence, New Jersey
December 7, 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 8:07 PM. President Fratinardo led the Salute to the Flag.

The following statement was read: "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 M. Weiler, Township Clerk

MINUTES

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

Regular Session October 19, 2005, November 2, 2005 and November 9, 2005
Closed Session November 2, 2005

FINANCIAL CORRESPONDENCE

It was on the MOTION of Ryan; seconded by Baldorossi to receive and file the Chief of Police's report and the Township Clerk's report for November. Roll call vote – all ayes. Motion carried.

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. BINGO: RC Church of the Holy Assumption, Jan. – June 2006, 7:15 PM – 10:30 PM

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

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

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

Motion carries.

PUBLIC COMMENTS

Tom Stanuikynas, 15 Third Avenue, stated that the last set of minutes posted on the township web site is September 7th and asked when the rest would be posted? Joy Weiler, Township Clerk, explained that they are posted after Council approves them. Tonight 10/19, 11/2 and 11/9's minutes were approved. Clerk Weiler will check on the others.

Mr. Stanuikynas stated that last week he attended New Jersey DEP's public hearing on water quality for municipalities where their Wastewater Management Plans were either adopted or updated. Florence Township was not included and asked why not?

Administrator Brook responded that the township will be passing a Resolution this evening opposing what the State is doing in respect to its Wastewater Management Plans. A copy of the Resolution was given to Mr. Stanuikynas. Administrator Brook stated that Florence Township has an adopted Wastewater Management Plan and explained that three or four years ago the township went to DEP for approval to amend its Wastewater Management Plan to incorporate the school's property on Cedar Lane and certain properties on Route 130. The township was being very patient waiting for DEP but as the school project came closer, the town asked DEP to please move forward at least on the school site, which they did. Once DEP moved forward with the school site, the township went back to dealing with the other properties. The reviewers at DEP assured the township that everything was in order. The township and the Water and Sewer Engineer met with representatives of DEP. DEP asked that changes be made to the wording of the plan to accommodate their concerns. DEP once again assured the township that it would be placed into the register for approval. All of this is documented. The plans sat dormant for some time, even after many phone calls to DEP. DEP then responded that the township's plan is not approved and that there are serious issues with the plan. Administrator Brook met with representatives of DEP once again. They said there were serious errors in the plan because the DEP reviewers did not review the plan properly. DEP stated that Florence Township is in the same position as many other municipalities and apologized. The changes that DEP is now requiring will cost an additional \$15,000. The township is in the process of requesting a meeting with the Commissioner of DEP to explain to him what has taken place. The township believes it is appropriate to fight for approval before putting out \$15,000.

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Albert King, 35 W. Fifth Street, discussed Ordinance No. 2005-26 regarding fences that is on this evening's Agenda. He does not believe there is a need for this Ordinance.

Mr. Stanuikynas stated that several shade trees were cut down along Third Avenue and asked if there were plans to replace them? Assistant Administrator Sahol explained that anytime a street tree is taken down, that location is put on a priority list for replacement. There are thirty trees slated to go in and should be done in the spring.

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

RESOLUTIONS

RESOLUTION NO. 2005-216

**APPROVING ADDENDUM TO THE WATER AND SEWER AGREEMENT
BETWEEN THE TOWNSHIP OF FLORENCE AND THE FLORENCE
TOWNSHIP BOARD OF EDUCATION**

RESOLUTION NO. 2005-217

**RESOLUTION OPPOSING PROPOSED NJDEP
REGULATIONS REGARDING WASTEWATER MANAGEMENT PLANS**

RESOLUTION NO. 2005-218

**A RESOLUTION CONCERNING THE TOWNSHIP OF FLORENCE'S
PETITION FOR SUBSTANTIVE CERTIFICATION TO THE NEW JERSEY
COUNCIL ON AFFORDABLE HOUSING FOR ITS HOUSING ELEMENT AND
FAIR SHARE PLAN**

RESOLUTION NO. 2005-219

**RESOLUTION OF GOVERNING BODY OF INTENT TO BOND FOR
SHORTFALL**

RESOLUTION 2005-221

**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 2005-222

**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 2005-223

**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. 2005-224

**DENY REQUEST FOR MAINTENANCE BOND RELEASE
BEAZER HOMES DEVELOPER OF TIDEWATER FARMS/MALLARD CREEK**

It was on the MOTION of Garganio, seconded by Ryan that Resolutions 2005-216 through 2005-224 be approved.

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.

RESOLUTION NO. 2005-225

**RESOLUTION SUPPORTING EFFORTS
TO KEEP HOLY ASSUMPTION SCHOOL OPEN**

Mayor Muchowski explained that unfortunately Holy Assumption School has been slated by the Diocese to be closed and merged with another school in Burlington County. Several members of the community and Holy Assumption have approached members of the governing body asking for support in keeping the school open. Mayor Muchowski was also approached by members of Council asking that they make their support visible. Council President Fratinardo stated that closing the school will not only impact the township's school system but also the community. Holy Assumption provides various activities throughout the year for the community.

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Mayor Muchowski read Resolution No. 2005-225.

Council Vice President Ryan suggested that the last sentence of the Resolution be amended to read, "Florence Township urges the Catholic Diocese to reconsider" instead of "Florence Township hopes". She feels it will strengthen the Resolution. She questioned the second whereas which reads that the school may be closed; her understanding is the school will be closed barring any intervention. Mayor Muchowski suggested keeping the "may", it appears more optimistic. Council in agreement to change hopes to urge.

It was on the MOTION of Ryan, seconded by Baldorossi to approve Resolution No. 2005-225 as amended.

On the Question

Council Member Sandusky asked that a copy be sent to the Bishop from the township. Council Members agree.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Motion carries.

RESOLUTION NO. 2005-226

**CONSOLIDATION OF EMERGENCY MEDICAL SERVICES
WITH FLORENCE TOWNSHIP FIRE DISTRICT NO. 1**

Administrator Brook stated that there have been many conversations over the past couple of years between the township, fire district and the rescue squads regarding the feasibility of consolidating the rescue services under the fire district. It can be a difficult project for a municipality to undertake due to so many variables. Recently Administrator Brook, Mayor Muchowski and Council Member Garganio met with representatives of the fire district to see if both sides could work out the perimeters of an agreement so they could either move forward or put this topic to rest. It was agreed that the township would move forward with the Fire District effective July 1, 2006 to consolidate the two (2) rescue squads under their operations. The township will assist in the funding for a 3-year period, after that the entire operation will fall under the Fire District. This evening the governing body is being requested to authorize a MOTION to have the professionals prepare a Interlocal Services Agreement with the Fire District that will be adopted at either the December 14th or December 21st meeting that lays out the very basic perimeters of the arrangement for services. Once that is done both the township and Fire District work on an amendment to the Interlocal Services Agreement that spells out more of the details. During that time period the township will meet with the Rescue Squads and the Fire District to make sure everyone is in agreement. The Roebing Rescue Squad sent a letter stating that they are very interested in consolidating and would like see a conclusion come about so all parties can move forward for the betterment of the people that live in

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the community. The bottom line is how services are delivered to the residents of the community and he believes that consolidating will be beneficial to the residents.

It was on the MOTION of Garganio, seconded by Ryan to approve Resolution No. 2005-226.

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.

ORDINANCES

**ORDINANCE 2005-26
(2nd Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING
CHAPTER 91 (ZONING) OF THE CODE OF THE TOWNSHIP OF FLORENCE
TO ESTABLISH REQUIREMENTS FOR FENCES LOCATED ON
NON-RESIDENTIAL PROPERTIES**

It was on the MOTION of Garganio, seconded by Fratinardo to approve Ordinance No. 2005-26 on second reading for adoption.

Public Comment

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

Nothing at this time.

It was on the MOTION of Garganio, seconded by Baldorossi 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.

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**ORDINANCE 2005-29
(2nd Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING
CHAPTER 64 OF THE CODE OF THE TOWNSHIP OF FLORENCE TO
AMEND AND ESTABLISH FEES FOR PERMITS AND CERTIFICATES**

It was on the MOTION of Sandusky, seconded by Garganio to approve Ordinance No. 2005-29 on second reading for adoption.

Public Comment

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

Nothing at this time.

It was on the MOTION of Sandusky, 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 2005-28
(1st Reading)**

**AMENDING THE CODE OF THE TOWNSHIP OF FLORENCE
TO REGULATE AND LIMIT CERTAIN CONSTRUCTION AND
NOISE GENERATING ACTIVITIES**

It was on the MOTION of Sandusky, seconded by Baldorossi to approve Ordinance No. 2005-28 on first reading and set adoption for December 21, 2005.

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.

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REPORTS

Committees, Boards and Officers

- Nothing at this time.

Mayor Muchowski

- Mayor Muchowski thanked the employees of the township and members of the Roebing Historical Society for the beautiful job done on the decorations for the Florence and Roebing tree lightings. Both events were very well attended. The band played a nice selection at both events.
- Mayor Muchowski reported that the Florence Township High School Football Team won their 36th consecutive game as well as their 3rd consecutive State Championship. Their end of year banquet will be held on Saturday evening at which time they will be presented with a Proclamation from the township congratulating them.

Administrator

- Administrator Brook stated that Mary Beth Lonergan is present this evening. The COAH plan has been approved and will be submitted to the State. Once that is done Administrator Brook will provide the subcommittee members with information regarding third party administrators. There are parties that are interested and Administrator Brook feels that it looks optimistic for the town to move forward.

Assistant Administrator

- It was on the MOTION of Sandusky, seconded by Baldorossi to approve the *Horse Drawn Carriage rides in Roebing on December 18, 2005*, which are being sponsored by the Roebing Garden Club. Roll call vote – all ayes.
- At Mayor Muchowski's suggestion, Assistant Administrator Sahol asked if Council would like to move next year's tree lighting to a Saturday night? Mayor Muchowski reported that the event was moved from Friday to Saturday this past year and felt that it was better attended, which may be attributed to having a day in between Roebing's tree lighting and Florence's tree lighting. Mayor Muchowski will meet with Janice Carey, the Township Administrator's Secretary, who coordinates the event.

Township Solicitor

- Nothing at this time.

Township Engineer

- Dan Guzzi, Township Engineer, reported that some work has been completed on the Road Program but with the weather change, he will have to work with the contractor on changing the schedule. Mr. Guzzi will have an updated schedule for the governing body.

UNFINISHED BUSINESS

Nothing at this time.

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RECESS: 8:40 PM

MEETING RESUMED: 8:45 PM

NEW BUSINESS

Pay to Play Legislation

Solicitor Kearns stated that the State Legislation dealing with the award of contracts that are not subject to public bidding takes effect January 1, 2006. The purpose of the Ordinance or Resolution is to establish a fair and open process. He explained that it could be done by Ordinance or Resolution and feels that Resolution is the best way. Council President Fratinardo agrees.

Council Vice President Ryan asked if this includes professional contracts? Solicitor Kearns stated that it does.

Solicitor Kearns reviewed the process:

- Township advertises
- Proposals are received and opened in public
- Businesses must disclose contributions over \$300
- Proposals are opened in public
- Township does not have to award to the lowest proposal

Council Vice President Ryan feels the township must move forward. She also feels that it is a positive step and the more disclosure on all levels of government and the more competition the better. The latitude to make an informed decision is there

RESOLUTION NO. 2005-227

**AN RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
FLORENCE ESTABLISHING A FAIR AND OPEN PROCESS FOR THE
AWARDING OF CERTAIN CONTRACTS**

It was on the MOTION of Garganio, seconded by Fratinardo to approve Resolution No. 2005-227.

On the Question

Council Vice President Ryan asked if it was clear in the Resolution that the contracts that have to go through this process include Professional Contracts? Solicitor Kearns explained that the Resolution states, "any contracts that are not subject to public bidding", which includes professional contracts. She asked if it should be included for clarity? Solicitor Kearns stated that is fine.

It was on the MOTION of Garganio, seconded by Ryan to approve Resolution No. 2005-227 as amended to specifically include language for Professional Contracts.

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Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Unanimous approval.

Administrator Brook clarified that they are using the value stated? Council President Fratinardo stated yes: \$17,500.

Clerk Weiler asked Solicitor Kearns if a sample advertisement was included? Solicitor Kearns stated no, but will get back to Clerk Weiler.

Rezoning Discussion

Assistant Administrator Sahol delivered earlier in the week the information in regards to the governing body's options on rezoning. Discussion followed regarding rezoning three (3) residential properties on Olive Street, two (2) residential properties and a ten (10) unit subdivision going in on a vacant parcel on Hamilton Avenue from SM to RA. Also, rezoning of several residential properties on Railroad Avenue.

Assistant Administrator Sahol reviewed Council's options. He explained that since the Ordinance for rezoning Olive Street was introduced on first reading November 2nd, if no further action is taken this evening 2nd reading for this Ordinance could be held at the December 21st meeting. Second option would be continue with the original Ordinance and consider the whole process later after it is introduced and then amend the Ordinance. Third option would be to introduce a Draft Ordinance that Assistant Administrator Sahol distributed. Introducing this Ordinance would cancel the prior Ordinance, which was introduced on 1st reading November 2nd. It would then be sent to the Planning Board for review with the public hearing and adoption scheduled for Council's December 21, 2005 meeting. The Ordinance would rezone the RA section of Railroad Avenue properties that front to SM; it would rezone the three (3) properties on Olive Street from SM to RA; it would also rezone the vacant parcel with approvals on Hamilton Avenue and the two (2) houses on Hamilton Avenue from SM to RA. One minor change in this Ordinance would enumerate the properties that have existing residential uses and allow them to be listed specifically so they can continue to benefit from the RA standard, unless they change use or vacate.

Council Member Garganio asked if the Turnpike property should also be rezoned from RA to OP at the same time? He feels that would be consistent for that area on Florence-Columbus Road. Council in agreement to include changing the zone for the Turnpike's property from RA to OP in the Ordinance.

Discussion followed the proposed zoning change on Railroad Avenue. Assistant Administrator Sahol explained that currently the zoning is split; some of the residents are in the SM zone; some are in the RA zone. Residents in the SM zone have to follow SM zoning requirements or receive a variance. With this Ordinance every resident that fronts on Railroad Avenue will be afforded the ability to use the residential standard versus special manufacturing.

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Discussion followed regarding the 200' notification. Notices must be mailed out this Friday to hold second reading on December 21, 2005. Mr. Guzzi will fax 200' circle in the morning.

Council in agreement to move forward with the rezoning Ordinance.

**ORDINANCE 2005-30
(1st Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
AMENDING CHAPTER 91 (ZONING) OF THE CODE OF
THE TOWNSHIP OF FLORENCE TO ADOPT AN
UPDATED AND AMENDED OFFICIAL MAP AND AN
UPDATED AND AMENDED ZONING MAP**

It was on the MOTION of Garganio, seconded by Sandusky to approve Ordinance No. 2005-30 on first reading and set adoption for December 21, 2005.

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.

Roebing Centennial – Time Capsule Request

Council Member Garganio discussed the Roebing Centennial's request for the township to contribute to the time capsule and asked if the governing body was interested? The deadline for submission is January 30, 2006. Council is interested and will discuss further at the next Worksession.

DEP Discharge Report

Council Vice President Ryan noted the notification from DEP regarding some discharges in the community and asked if they were routine? Clerk Weiler stated that they are routine. Administrator Brook explained that any violation is submitted to the township. Council Vice President Ryan asked if there was a pattern with any certain business? Mayor Muchowski suggested that the reports be looked at to see if there is a pattern.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Nothing at this time.

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9:30 PM MOTION by Sandusky, seconded by Baldorossi to adjourn meeting. Roll call vote - all ayes.

ADJOURNMENT

9:30 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab