

Florence, New Jersey
March 3, 2010

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 O'Hara at 8:00PM. President O'Hara 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 10, 2010; 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:

Frank Baldorossi
Sean Ryan
Jerry Sandusky
David Woolston
Dennis O'Hara

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 Ryan to approve the following minutes. Roll call vote – all ayes. Motion carried.

Regular Session	January 20, 2010; February 3, 2010
Executive Session	January 13, 2010
Closed Session	February 17, 2010

FINANCIAL CORRESPONDENCE

It was on the MOTION of Ryan; seconded by Sandusky to receive and file the Township Clerk's report for February and the Tax Collector's 2009 Report of Receipts. Roll call vote – all ayes. Motion carried.

Ryan 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

- A. Social Affair Permit: Roebing American Legion, March 20, 2010, 7:00PM – 12:00AM
- B. Calendar Raffle: Roebing Museum, 4/16/10, 4/23/10, 4/30/10, 5/7/10, 5/14/10, 5/21/10, 5/28/10, 6/4/10, 6/11/10, 6/18/10, 12:00PM

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

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On the Question

Nothing at this time.

Upon roll call Council voted as follows

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

NOES: None

ABSENT: None

Unanimous approval.

PUBLIC COMMENTS

Bob Adams, 3 Weber Court, member of the Board of Directors for the Legacy at Meadowcroft Homeowners Association, attended the meeting to give a status of the Clubhouse in the development. They did get into the clubhouse February 13, 2010 and are pleased with it. He thanked Mayor and Council for their support.

Mayor Berry stated that he received a verbal commitment from the developer that the pool will be ready by the Friday before Memorial Day.

Mr. Adams stated that he and another Board Member are meeting the developer tomorrow. The developer is bringing a punch list for the clubhouse and Mr. Adams asked what to expect from a punch list. Dan Guzzi, Township Engineer, explained that when a developer finishes a certain section of work, his office does an inspection and prepares a punch list of items that need more work or were not done correctly so that the developer can come back and complete. Administrator Brook explained that the developer ultimately has to turn the clubhouse over to the homeowners association and the homeowners association has to accept it. Administrator Brook offered for Mr. Adams to call him after the meeting if he is unsure of anything.

Council Member Sandusky offered, once the homeowners association starts meeting, to attend meetings and help out if he can. Mr. Adams appreciates the offer.

Don Kamienski, 10 Mc Cay Drive, attended a Council Meeting last month where three (3) options for the replacement of the boat dock was discussed. He asked if any additional figures have been developed for the replacement of the boat dock since last month? Mr. Guzzi stated that have been no additional cost estimates and explained that the governing body is working on the budget right now and a decision on the option for the replacement will be made after the budget is done. Administrator Brook will contact Mr. Kamienski once a final decision is made.

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

**HELD
RESOLUTION NO. 2010-63**

**AUTHORIZE CONTRACT WITH THIRD PARTY FOR
COAH (AFFORDABLE HOUSING) TO
NEW JERSEY HOUSING AND MORTGAGE
FINANCE AGENCY (HMFA)**

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RESOLUTION NO. 2010-64

**AUTHORIZE RELEASE OF PERFORMANCE BONDS
FINE FOOD & SPIRITS, INC.
2120 ROUTE 130 NORTH
DUE TO PROJECT AT A STANDSTILL**

RESOLUTION NO. 2010-65

**TOWNSHIP OF FLORENCE, COUNTY OF BURLINGTON SUPPORTS
THE MAYORS WELLNESS CAMPAIGN**

RESOLUTION NO. 2010-66

**AUTHORIZE THE TOWNSHIP ENGINEER TO PREPARE
SPECIFICATIONS, PLANS AND BIDS FOR
THE 2010 ROAD PROGRAM**

HELD

RESOLUTION NO. 2010-67

**APPROVE REQUEST TO RELEASE PERFORMANCE BOND
GREENBRIAR HORIZON, SECTION 1 (SW0155)
CONDITIONAL APPROVAL**

RESOLUTION NO. 2010-68

**TAX PAYMENT PLAN FOR BLOCK 100, LOT 8.02
941 HAMILTON AVENUE**

RESOLUTION 2010-69

**RESCIND TAX PAYMENT PLAN PREVIOUSLY
APPROVED BY RESOLUTION NO. 2009-159**

RESOLUTION 2010-70

**CANCEL CERTAIN GENERAL CAPITAL IMPROVEMENT
APPROPRIATION BALANCES**

RESOLUTION NO. 2010-71

AUTHORIZE FILING OF RECYCLING TONNAGE GRANT APPLICATION

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Administrator Brook asked that **Resolution No. 2010-67** (Release Performance Bonds for Lennar) be **HELD** and explained that it is not ready to be discussed this evening. It will be discussed at next week's Worksession and on the Agenda for approval the following week.

Regarding **Resolution No. 2010-63** (Renew Contract with Third Party for COAH), Council Member Ryan asked if the hold the state has put on the decision making process for COAH and the uncertainty of COAH has been taken under consideration? He does not want the township to lock into an agreement that is longer then necessary if things were to dramatically change. Administrator Brook suggested holding Resolution No. 2010-63 until March 17th and he will contact HMFA to see if they are willing to accept a 1-year contract. Resolution No. 2010-63 will be **HELD**. Solicitor Kearns reviewed the hold on COAH at the state level. He explained that the Third Party Administrator is still needed because the affordable housing obligation is not going to disappear.

It was on the MOTION of Ryan, seconded by Sandusky to approve Resolution No. 2010-64 through 2010-66 and 2010-68 through 2010-71.

On the Question

Council Member Baldorossi questioned **Resolution No. 2010-66 (Road Program)** and asked if the Sixth and Seventh Avenue alley from Main Street to Hornberger Avenue could be added to the Road Program as an alternate? Council Member Ryan explained that this was discussed at the last meeting which Council Member Baldorossi was unable to attend because his father was taken to the hospital that evening. Council decided that evening to only include alleys that have been previously engineered in order to keep costs down. There was a consensus to have a limited road program this year. Council Member Sandusky asked if they could add an alley if bid prices came in really low? Mr. Guzzi stated that they can add by change order but can only be 20% of the contract amount. Council Members in agreement to leave as is and if bid prices come in good, they can add the Sixth and Seventh Street alley between Main Street and Hornberger Avenue.

Upon roll call Council voted as follows

YEAS: Baldorossi, Ryan, Sandusky, Woolston, O'Hara
NOES: None
ABSENT: None

Unanimous approval.

ORDINANCES

**ORDINANCE NO. 2010-02
(1st Reading)**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

Administrator Brook gave an overview of Resolution No. 2010-02. He explained that the State of New Jersey has two (2) types of caps; one is a cap on the amount of taxes that can be raised each year and the other is a cap on the money a municipality physically spends. The state tells each municipality how much additional percentage they can spend each year. The amount Florence

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Township can budget is 3.5% over the appropriation levels from last year. It does not mean that the municipality is going to use it; Florence Township rarely comes close to the amount of cap. The township is required by state law to do an ordinance that authorizes the municipality to add a certain amount of spending into its budget. If the township does not use it, it gets put aside so if there is a significant amount of expenditures over the next couple of years those theoretical dollars are there. Florence Township does this ordinance every year as a precaution but never comes close to the amount being banked. It is done to protect the municipality in the future.

It was on the MOTION of Baldorossi, seconded by Woolston to approve Ordinance 2010-01 on first reading and set adoption for March 17, 2010.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

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

NOES: None

ABSENT: None

Unanimous approval.

REPORTS

Mayor

- Mayor Berry reported that the **Economic Development Committee** met last night and discussed the possibility of hosting a Meet & Greet for local businesses. They also discussed a possible newsletter. Council President O'Hara noted that it seems to be an excellent Economic Development Committee; the members are focused and enthusiastic. The goal is to appreciate the existing businesses in the community and offer to them some services such as web design. The committee is looking to schedule the Meet & Greet in May or June of this year.

Council Member Sandusky suggested that the Meet & Greet be the first users of the new Community Center. Mayor Berry and Council President O'Hara stated that was discussed and that is their first choice for location.

Administrator

- Administrator Brook recommended that they **HOLD** the discussion on **Punam ABC License** until March 17, 2010. He noted that the contractor has come in and filed for the demolition permit, which means he received his approvals from PSE&G.
- Administrator Brook reported that PSE&G did their mark outs at the **Brandow** building to prepare for demolition of that building.

Assistant Municipal Administrator

- Nothing at this time.

Township Solicitor

- Nothing at this time.

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Township Engineer

- Dan Guzzi, Township Engineer, stated that about a year ago the township received a \$300,000 grant for a **bikeway on Old York Road**. He has been working with Burlington County over the past several months because the county will be overlaying Old York Road and he wanted the work the township was doing to coordinate with the work the county is doing. The county's overlay project is schedule for later this spring. The county has approved the township's design for the bikeway, which will be a combination of being connected to the road and having a separation by a grass strip. The bikeway runs from Brookside Drive to Marter Park. Mr. Guzzi will provide plans with an aerial view for the governing body to review next week. He would like to get out to bid to coordinate with the county's overlay project because they have agreed to do some of the striping. The cost estimate is approximately \$350,000 but if the bids come in low it may all be covered by the grant. Mr. Guzzi did talk to the county about combining the projects but because of the funding sources they could not be combined. The county's project is being covered by stimulus funds.

Committees, Boards and Officers

- Council Member Woolston reported that the **opening day for baseball** will be April 17, 2010. There will be a parade at 9:00AM. There was a tremendous turnout for t-ball, baseball and softball.

UNFINISHED BUSINESS

Punam ABC License

It was on the MOTION of Sandusky, seconded by Ryan to HOLD until March 17, 2010.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

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

NOES: None

ABSENT: None

Unanimous approval.

NEW BUSINESS

Permit: Importing of Soil – Albax Site: Hamilton Avenue

Assistant Administrator Sahol stated that Mr. Lippincott of Lippincott & Lippincott contacted him regarding importing soil to the site. He will have to submit a letter requesting the permit to start bringing the soils in and the question is, since it is being imported, if there is sufficient bonding at the present time so he does not have to post additional bonding for the first 1,000 yards. Assistant Administrator Sahol spoke with Mr. Guzzi and they believe the bonding is sufficient for the first load, provided the sampling was satisfactory. Mr. Guzzi stated that he received the report on the sample and everything is fine. The question for the governing body is whether they are willing to waive the bond at the developer's request. The bonding requirement for that small amount of import is approximately \$4,000 versus the large Performance Bond they have posted for the whole site already. It will take 63 dump trucks and will be completed over several days. The developer will be required to clean up the streets if needed. The soil is coming from a development in Burlington behind Lucas Ford off of Columbus Road. Mr. Guzzi reviewed the testing process and will provide a report to the governing body.

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Mr. Guzzi explained that if Council waives the bonding requirement, the developer still has to pay the application fee and Mr. Guzzi's office will do their review.

Council Member Woolston asked if the amount of soil being brought in is monitored? Mr. Guzzi stated that his office will be on site to monitor the amount of soil being brought in.

It was on the MOTION of Sandusky, seconded by Ryan to waive the bonding requirement for the import of up to, but not exceeding, 1,000 cubic yards of clean fill to the Albax site; that fill and the analyses of the fill will be provided to the Township Engineer for his approval; if there are any issues with the condition of the street, the developer will have to immediately sweep the street or his performance bond will be in jeopardy as will any permits or approvals concerning the site plan.

Administrator Brook noted that the developer will be notified in writing.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

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

NOES: None

ABSENT: None

Unanimous approval.

BOARD OF HEALTH

Council Member Sandusky reviewed the Board of Health report for Eighth Avenue and Seventh Avenue in Roebling and asked if that problem has been taken care of? Administrator Brook stated that it has.

MISCELLANEOUS

Nothing at this time.

Fred Wainwright, 1011 Cedar Lane, stated that the road on Old York Road across from Wainwright Lawn Equipment breaks up all the time due to a spring. He stated that if the bikeway is put in next to the road, it will be right on top of the spring. Mr. Guzzi talk to the county about it.

8:45PM MOTION by Sandusky, seconded by Ryan to adjourn meeting. Roll call vote - all ayes.

ADJOURNMENT

8:45PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC
Township Clerk

/mab