

Florence, New Jersey  
June 2, 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**

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

Regular Session	April 21, 2010; May 5, 2010
Closed Session	May 12, 2010

### **FINANCIAL CORRESPONDENCE**

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

### **REGULAR CORRESPONDENCE**

Nothing at this time.

### **APPLICATIONS**

A. BINGO: Parish of Sts. Francis & Clare, Monday Evenings, July – December 2010, 7:15PM-10:30PM, McGrath Hall

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

### **On the Question**

Nothing at this time.

**Florence Township Council Regular Session: 06/02/10**

Upon roll call Council voted as follows:

YEAS: Baldorossi, Ryan, Sandusky, Woolston

NOES: None

ABSENT: None

ABSTAIN: O'Hara

Motion carries.

**PUBLIC COMMENTS**

Don Kamienski, 10 McCay Drive, thanked Chief Fazekas, Sergeant Boldizar and Assistant Administrator Sahol for assisting in the resolution of a potential traffic hazard at the intersection of Oak Street, Grove Street and E. Third Street.

Richard Lotter, 3 Walnut Court, thanked Council President O'Hara for taking a few minutes at the last meeting to discuss the library. He explained that he is not against the library or spending money; he feels that there should be a review of the library to make sure it is truly being utilized. He stated that he brought it up due to the tough economic times.

Mr. Lotter discussed the trees that were planted along the road by the ball fields. He noted that it is going to take manpower for the Public Works Department to have to do the maintenance around the trees. Assistant Administrator Sahol stated that it will become part of the maintenance schedule and will be handled by the department. They have been doing a good job keeping up.

Mr. Lotter asked how many children are in the Florence Township school system? Emma Cartier, Florence Township School Board President, stated that, as of May 2010, there were 1,545 students enrolled with a budget of \$16 million.

Assistant Administrator Sahol did a review of the Florence Township Library and prepared a report on his findings. He explained that the library has a check in, check out system and is part of Burlington County's Library System. Any book that is in the library system throughout Burlington County can be obtained or dropped off at the local library. Assistant Administrator Sahol reported that in 2009: 25,281 were checked out of the local library; 5410 were granted extension of time and in addition to the 25,281 that were checked out, an additional 3,909 were checked back in that did not get checked out from that branch. People are utilizing the countywide system. He stated that so far this year the check out rates are up by approximately 10%. Assistant Administrator Sahol feels that the library is a well used resource in the community. Council President O'Hara agreed that the library serves the municipality well. The Council Members concurred that it is a positive to make the library more handicapped accessible. Mr. Lotter stated that if there is a benefit, the library is a positive.

Bill Bott, 64 Riverbank Drive, stated that he understood that they are working on the Peninsula project (landfill) in Burlington Township, which he will be discussing at the Environmental Commission Meeting. A housing development is going to be constructed on the Griffin Pipe property at the end of the Boulevard, which will probably have playgrounds. As an Environmental Commissioner, Mr. Bott believes that Florence Township has had enough; there is a landfill across the river and on the border of Florence Township and Mansfield Township. He would like the township to send a letter to the Burlington County Freeholders. Mr. Bott will be attending the upcoming Freeholders Meeting to share his opinion.

**Florence Township Council Regular Session: 06/02/10**

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. 2010-123**

**AUTHORIZING APPROVAL OF 2010– 2011  
RENEWALS OF CLUB LICENSES  
(All five Club Licenses)**

**RESOLUTION NO. 2010-124**

**AUTHORIZING APPROVAL OF 2010-2011 RENEWAL OF  
PLENARY RETAIL DISTRIBUTION LICENSES  
(Liquor Barn and Town Liquor)**

**RESOLUTION NO. 2010-125**

**AUTHORIZING APPROVAL OF 2010-2011 RENEWALS OF  
PLENARY RETAIL CONSUMPTION LICENSES  
(Bung's and Fine Food & Spirits, Inc.)**

**RESOLUTION NO. 2010-126**

**CANCEL CERTAIN OTHER TRUST FUND RESERVE BALANCES**

**RESOLUTION NO. 2010-127**

**AUTHORIZING APPROVAL OF 2010-2011 RENEWAL OF  
PLENARY RETAIL CONSUMPTION LICENSE  
WITH CONDITIONS  
WESLEY'S PUB, INC., t/a VERANN'S RESTAURANT**

**RESOLUTION NO. 2010-128**

**ACKNOWLEDGING FILING OF 2010-2011 RENEWALS OF  
PLENARY RETAIL CONSUMPTION LICENSES  
(Paglione's and Sandor's)**

**RESOLUTION NO. 2010-129**

**AUTHORIZING APPROVAL OF 2010-2011 RENEWALS OF  
PLENARY RETAIL CONSUMPTION LICENSES  
(Illusions and Downtown Tavern)**

**RESOLUTION NO. 2010-130**

**REFUND A PORTION OF A PAID LAND USE FEE  
FEE PAID FOR A MAJOR SITE PLAN WITH BULK VARIANCES  
THE APPLICATION IS A MINOR SITE PLAN WITH BULK VARIANCES  
CREAM-O-LAND DAIRIES, LLC  
529 CEDAR LANE  
FLORENCE, NJ, 08518**

**RESOLUTION NO. 2010-131**

**AUTHORIZING APPROVAL OF 2010-2011 RENEWAL OF  
PLENARY RETAIL DISTRIBUTION LICENSE  
Punam Corp. (Florence Liquor Mart)**

**RESOLUTION NO. 2010-132**

**BURLINGTON COUNTY MUTUAL AID AND ASSISTANCE  
AGREEMENT BETWEEN PARTICIPATING UNITS**

Council President O'Hara noted that Resolution No. 2010-124 will only be for the Liquor Barn and Town Liquor; the other will be held for June 16<sup>th</sup>.

It was on the MOTION of Ryan, seconded by Sandusky to approve Resolution No. 2010-123 through 2010-132, with the amendment to Resolution No. 2010-124 as Council President O'Hara announced.

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.

**ORDINANCES**

**ORDINANCE NO. 2010-11  
(2<sup>nd</sup> Reading)**

**AN ORDINANCE CREATING CHAPTER 2 OF THE CODE OF THE  
TOWNSHIP OF FLORENCE, NEW JERSEY ENTITLED "FEES" AND  
LISTING CERTAIN FEES WITHIN  
THE NEW CODE**

**Florence Township Council Regular Session: 06/02/10**

Solicitor Kearns noted that there was a typographical error in the “Non-Altered Dog Registration Fee”. It is listed as \$12; it should read \$13. The Township Solicitor noted that the change is not considered a substantive issue or change.

It was on the MOTION of Baldorossi, seconded by Sandusky to amend Ordinance No. 2010-11 so that the fee for Non-Altered Dogs reads \$13.

**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.

It was on the MOTION of Sandusky, seconded by Woolston to approve Ordinance No. 2010-11 on second reading for adoption.

**Public Comment**

Council President O’Hara 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, Ryan, Sandusky, Woolston, O’Hara

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2010-12  
(1<sup>st</sup> Reading)**

**ORDINANCE APPROPRIATING \$175,000 FROM THE CAPITAL SURPLUS FUND FOR  
VARIOUS PURPOSES IN AND BY THE TOWNSHIP OF FLORENCE,  
IN THE COUNTY OF BURLINGTON, NEW JERSEY**

It was on the MOTION of Baldorossi, seconded by Sandusky to approve Ordinance 2010-12 on first reading and set adoption for June 16, 2010.

**On the Question**

Nothing at this time.

## Florence Township Council Regular Session: 06/02/10

Upon roll call Council voted as follows

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

NOES: None

ABSENT: None Unanimous approval.

### REPORTS

#### **Committees, Boards and Officers**

- Council Member Sandusky stated that he has noticed **property maintenance** issues lately and suggested that the inspector follow up. Administrator Brook stated that Tom Layou, Housing Inspector, is out addressing high grass, weeds and problem properties. He noted that there have been issues with properties facing foreclosure.
- Council Member Sandusky noted that he has seen a lot of children on bikes and scooters without **safety helmets**. He suggested posting the safety issue on Channel 19 and the website. He also suggested that the police stop and advise children when they are not wearing a helmet. Also stop and praise the children that are wearing helmets.
- Council President O'Hara stated that the **Economic Development Committee** is hosting a **Meet & Greet** for the business community at the Roebing Museum on June 17, 2010. There will be light refreshments, representatives from various banks, representatives from Burlington County, Florence Township Officials and a website designer. The Meet & Greet is geared towards the businesses in the community to offer any services or ideas to help them deal with the tough economic times and/or to improve their business. The committee wants to show the local businesses that they support them.
- Council President O'Hara **thanked** the **Florence American Legion and the Roebing American Legion** for continuing the **fine tradition** they established in **honoring our veterans**. He encouraged the public to attend the services next year. He suggested a thank you letter from Mayor and Council be sent by the Township Clerk on their behalf.

#### **Mayor**

- Mayor Berry stated that he has also discussed the **property maintenance issues** with Mr. Layou, Code Official. Mr. Layou has advised him that there are several bank owned properties, which are a problem. He is working with the banks to have the properties cleaned up. He has been diligent in seeking out these properties and working to resolve the problems. Administrator Brook explained that a formal letter is sent by certified mail and if the property is not taken care of within 10 days, they are issued a citation to municipal court. Once a citation is issued, even if the violation is abated, they still have to appear in court. The municipality cannot withdraw a citation. That usually works but there are a significant number of properties this year.

#### **Administrator**

- Administrator Brook stated that the township's **Tax Cap Levy Waiver Application** is scheduled for review by the state next Wednesday. He noted that the state has reviewed the township's **budget** and given back several comments that the township had to respond to. The state also gave the township some additional credit under the levy waiver, which reduces the amount of the waiver application from approximately \$497,000 down to \$360,000 and lends support to the application.

#### **Assistant Municipal Administrator**

- Nothing at this time.

**Florence Township Council Regular Session: 06/02/10**

**Township Solicitor**

- Nothing at this time.

**Township Engineer**

- Dan Guzzi, Township Engineer, received **bids** for the **Road Program**, which includes Broad Street as well as several other projects that were included in the base bid, plus four (4) alternates. The low bidder was Cardinal Contracting. They were under the estimate. Mr. Guzzi explained that this is a quantity based project so the final number may vary plus contract is subject to the asphalt index adjustment. If the asphalt index goes up the cost of the asphalt will go up, which Council should keep in mind when awarding alternates. Mr. Guzzi stated that the cost of asphalt tends to go up in the summer because they are moving more product; he does not anticipate a huge rise in the price. If the price goes down the cost of the contract goes down. This is in accordance with state statute. Mr. Guzzi advised that a bid was received 15 minutes late the day of the opening and was not accepted.

Mr. Guzzi stated that bids were also received for the **Old York Road Bikeway**, which also came in favorable. The township has a \$300,000 grant for the project. Burlington County is doing some of the striping work as part of their overlay project of Old York Road. The low bidder was American Asphalt at just over \$225,000.

Mr. Guzzi explained that it is critical to award the Bikeway project as soon as possible since it is being coordinated with the county's project.

Administrator Brook noted that Broad Street is fully funded including the professional costs. He does not advise going all four (4) alternates; if they did two (2) alternates they would be covered under the Ordinance that was passed. There is still time to decide on the Road Program.

Council Member Ryan asked if the township was responsible for the maintenance of the bikeway, even though it is a county road? Mr. Guzzi stated it is the township's responsibility. Council Member Ryan asked if it was accurate, with the type of striping that is used, that there is a minimal amount of maintenance that is required? Mr. Guzzi stated that re-striping will need to be done after several years but it will not be an annual thing. He explained that a bike path does not see as much vehicle traffic, so there is not as much wear on the stripes. There is not a tremendous amount of maintenance.

Council Vice President Baldorossi asked if the price of asphalt for the bikeway is June's price or August's price? Mr. Guzzi stated that it is subject to adjustment, the same as the Road Program.

**RESOLUTION NO. 2010-133**

**APPROVE THE CONTRACT FOR  
THE OLD YORK ROAD BIKEWAY  
TO AMERICAN ASPHALT**

It was on the MOTION of Sandusky, seconded by Woolston to approve Resolution No. 2010-133 (Bikeway), including a paragraph that was suggested by the Township Solicitor stating that Florence Township Council has reviewed and approved the design of the bikeway.

**Florence Township Council Regular Session: 06/02/10**

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.

NOTE: The Road Program will be discussed at next week's meeting.

**UNFINISHED BUSINESS**

Council President O'Hara stated that as discussed at the last council meeting, **Brittany Logan**, a young lady from the community who has been selected as **President of the New Jersey State Junior Auxiliary**, will be at the July 21<sup>st</sup> Council Meeting and will be honored with a Proclamation.

**NEW BUSINESS**

Nothing at this time.

**BOARD OF HEALTH**

Nothing at this time.

**MISCELLANEOUS**

Nothing at this time.

**RECESS TO CLOSED SESSION**

8:45PM MOTION by Ryan, seconded by Sandusky to recess to Closed Session. Roll call vote – all ayes. Motion carries.

**REGULAR SESSION RESUMED**

9:20PM MOTION by Baldorossi, seconded by Sandusky to adjourn Closed Session and return to Regular Session. Roll call vote – all ayes. Motion carries.

**ABC LICENSES**

**Dr. Lou's Place: Hornberger Avenue, Roebling**

Discussion followed regarding Dr. Lou's Place ABC consumption license renewal. There have been charges by the State of New Jersey Alcohol Beverage Control Commission against Dr. Lou's Place, but Solicitor Kearns stated that most of the charges are inconsequential. The one serious charge is Undisclosed Interest, but ABC will accept a monetary penalty. None of the charges deal with serving minors or other serious violations. Administrator Brook stated that Chief Fazekas and Sergeant Greenberg have meet with Lou Pica, owner of Dr. Lou's Place, and Mr. Pica has made an earnest attempt to reduce the number of incidents at his establishment. Chief Fazekas and Sergeant Greenberg are comfortable with the ABC license being renewed. Solicitor Kearns believes, from the township's investigation, that Mr. Pica was being responsive and recommended that the township renew the ABC License. Township Council will renew the license and allow the State of NJ to follow through with their charges. A Resolution will be prepared for the June 16, 2010 meeting.

## **Florence Township Council Regular Session: 06/02/10**

### **River Rock Bar and Grille: Front Street, Florence**

Discussion followed regarding River Rock's ABC consumption license renewal. Administrator Brook stated that the Chief of Police provided a report. The results of the meeting with the owner and the manager of River Rock are listed and what was agreed upon:

- Camera system for the front porch area
- Two (2) Security Staff
- Juke Box has been moved away from the front door area and will kept at a comfort sound level at all times.
- "No Loitering" and "No Alcoholic Beverages Allowed to Be Brought into Establishment" signs will be posted at the front door.
- A scanner will be purchased and everyone entering the establishment will be required to have their identification scanned.
- All employees will be trained by the end of June and any new employees will be trained within two weeks of being hired. Training will be in ABC Laws and recognizing fake identification.
- Pool table will not be used after 10:00PM on Friday and Saturday nights.
- A \$5.00 cover charge will be required on Friday and Saturday nights from 9:00PM – 2:00AM.
- A black light device will be purchased and utilized to assist in the identification of fraudulent, counterfeit and/or fictitious identifications.
- A list of individuals that are "flagged" from the establishment will be kept at the bar and if individuals return to the establishment, the owner or manager will sign trespassing complaints.

Administrator Brook stated that Chief Fazekas is comfortable with the above conditions. There will be a review once a month for the first three (3) months, then quarterly as long as everything is running smoothly. If conditions are not adhered to, additional stipulations may include reducing hours of operation or suspension of the ABC License.

Administrator Brook noted that the owner and the manager of River Rock were very cooperative and forthright during the meeting with the Chief of Police, Sgt. Greenberg, Township Solicitor, Township Clerk and Township Administrator.

Council Members stated that they were comfortable with the above conditions, which will be written into the Resolution. The Township Clerk will prepare a Resolution for the June 16, 2010 meeting.

### **Murphy's Sports Bar: Hornberger Avenue, Roebling**

Joy Weiler, Township Clerk, explained that Murphy's is only open on Sundays at the present time. Chief Fazekas and Sergeant Greenberg stated that since the establishment is only open on Sundays, the problems have decreased and they do not believe there are any reasons to place conditions on the license. A Resolution will be prepared for the June 16<sup>th</sup> meeting to renew the consumption license.

### **HANDICAPPED PARKING**

Council Vice President Baldorossi stated that he has received calls from residents regarding a resident that has a handicapped parking space and that she has been away for a month. No one can park in that space; the entire time it is vacant. After discussion, Council Member Sandusky suggested that if a resident with a handicapped parking space goes away for a length of time that the

## **Florence Township Council Regular Session: 06/02/10**

sign be covered while they are away. After further discussion, it was decided that the sign will be covered while the resident is away and a letter will be sent to the individual. The majority of Council were in agreement.

### **SHOPS AT MALLARD CREEK**

Administrator Brook explained that Emma Cartier, representing Roma Bank, contacted Mayor Berry; Vince Scozzari contacted Council President O'Hara; also, their attorney contacted Solicitor Kearns with concerns regarding the new Sidewalk Ordinance.

Council President O'Hara explained that Vince Scozzari contacted him and stated that they are going to provide for sidewalk from the new building to the existing sidewalk at Fairview in their application to the Planning Board. Council President O'Hara asked him if he would consider installing sidewalk in front of Roma Bank? Mr. Scozzari stated that he would but he could only go so far because trees would have to be removed and that is a NJDEP issue. He is willing to consider installing sidewalk in front of the Shops at Mallard Creek. He asked to discuss with Council.

Solicitor Kearns noted that the Planning Board had suggested a joint meeting with the governing body on June 30, 2010, which is before Scozzari goes before the Planning Board. He stated that the Planning Board has a legal right to grant variances but Council has leverage because the Ordinance states that no construction permits can be issued unless the sidewalk requirement has been satisfied. Solicitor Kearns would like to see the Council and the Planning Board come to an agreement where the permit requirement can be removed from the Ordinance. There are varying opinions on the Planning Board. Solicitor Kearns will be meeting with the Planning Board's Solicitor and Planner before the two boards meet regarding this issue and other land use issues.

Council President O'Hara stated that Mr. Scozzari is aware that the township cannot force sidewalks in front of the Shops at Mallard Creek but is willing to consider installing sidewalks there.

Council Member Woolston expressed concern regarding the construction permit issue. If an existing business on Route 130 comes in for a permit for any kind of improvement they will first have to install sidewalk. Administrator Brook stated that the Ordinance is written very firmly; if someone comes in to change a sign, there are no permits issued on the highway unless the sidewalk requirement is met and only Council can grant a waiver.

Administrator Brook believes that Mr. Scozzari is fine with having to install sidewalk in front of their proposed business but are asking not to be forced to install sidewalk where they have to go back to DEP, where it could take a year or longer. Engineer Guzzi agreed that it may be a problem getting the NJDEP permit.

Council Members are in agreement to have a joint meeting with the Planning Board on Wednesday, June 30<sup>th</sup>. Once the date is firm, the meeting will be advertised.

Council President O'Hara noted that he does business with VJ Scozzari and will be abstaining from any votes. Administrator Brook will be the contact person for Mr. Scozzari.

**Florence Township Council Regular Session: 06/02/10**

10:10PM MOTION by Baldorossi, seconded by Sandusky to adjourn meeting. Roll call vote - all ayes. Motion carries.

**ADJOURNMENT**

10:10PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC  
Township Clerk

/mab