

Florence, New Jersey  
April 15, 2015

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 Sandusky at 8:00 PM. President Sandusky led the Salute to the Flag.

Council President Sandusky called for a moment of silence in remembrance of fallen Florence **Township Police Officer Walter Kotch**. He died in the line of duty 50 years ago on this day. He was halting traffic for a funeral procession on Route 130 where the WaWa is now. At the time there was no traffic light at the intersection. He was struck by a car.

The **Opening Statement** was read by the Township Clerk: Notice was posted on the municipal bulletin board; placed on the web-site on January 8, 2015; and advertised in the Burlington Co. Times on January 11, 2015.

Present: Frank Baldorossi, Paul Ostrander, Jerry Sandusky

Also present: Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Administrator; Kelly Grant, Esq., Township Solicitor; Joy M. Weiler, Township Clerk

Absent – Mayor Craig H. Wilkie, Ted Lovenduski, David Woolston due to family commitments.

### **MINUTES**

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

- Township Council Closed Session – April 1, 2015

### **FINANCIAL CORRESPONDENCE**

It was the MOTION of Ostrander, seconded by Baldorossi to receive and file the Court Administrator, Township Clerk and Tax Collector's Water & Sewer Reports for March and the Tax Collector's Annual Report of Taxes Not Collectible. Roll call vote – All ayes. Motion Carried.

It was on the MOTION of Baldorossi; seconded by Sandusky to approve the **Treasurer's Bill List**.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky  
NOES: None  
ABSENT: Lovenduski, Woolston

Motion carried.

## **Florence Township Council Regular Session 04/15/15**

**REGULAR CORRESPONDENCE:** None at this time.

### **APPLICATIONS:**

- A. On-Premise 50/50 Raffle, Riverfront School PTO  
4/30/15, 5/1/15, 5/2/15, 6:30pm – 10:00pm, Riverfront School

It was the MOTION of Baldorossi; seconded by Ostrander to approve the application. Roll call vote - all ayes. Motion carried.

### **PUBLIC COMMENTS**

Helen Steck, 624 Station Road, said the neighbor behind her purchased his house about six months ago. She owns 624 and 644 Station Road. The driveway that goes between those two properties is owned by the neighbor behind her. He owns a house that is on Delaware Avenue and a cottage that is behind his house. The driveway runs from Station Road to the neighbor behind her. The man that purchased the house behind her installed a six foot tall stockade fence along the back of her yard and along the sides of the driveway.

She wanted to make sure he followed the proper procedures for the fence. She has spoken to Assistant Administrator Sahol about the fence but was not satisfied with the way it was resolved. There isn't a feud but she isn't happy that everyone is saying since he owns the property, she has to learn to live with it. She raised her family there and finally retired after thirty-seven years and she does not want to leave her home and loves living in Florence Township. She wanted to put up an arbor and white picket fence but could not financially do it. After all these years, she finally can. She mentioned it to her neighbor when he purchased the property and he told her she could not because he was putting up a stockade fence. She is also concerned that he was able to build the fence all the way to the street. She said Assistant Administrator Sahol and an inspector made him move it back from the street a little bit.

She said the fence is right on the property line and she can't open her car door when in her driveway. She was told when she wanted to put in her fence, it had to be a certain distance from the property line. She asked why he was able to build up to the line? Backing out of her driveway, she can't see if there are cars coming. An inspector told her neighbor the fence could not go all the way to the street. Her neighbor cut the last section from six feet to four feet. She said it still obstructs the view and there is heavy traffic on the street and she worries about the safety of the children on the street.

She thanked the Police Department for placing the traffic speed trailer on the street for a few days. It helped. Her concern is that the fence should not be as close to the road as it is. She does not like the fact that there is a stockade fence but she knows she will have to learn to live with it and she is not happy about that. She does not like the fact that it is right on the line. She would like someone to investigate it further.

### **Florence Township Council Regular Session 04/15/15**

She has spoken to Assistant Administrator Sahol on several occasions and she is trying to be neighborly and doesn't want to fight but she feels she is being penalized. She pays taxes for her two properties and can't even open her car door in her driveway. She would like someone to look into it and tell her what can be done.

Connie Hurtnole, 1057 Wallace Avenue, said her back door looks out to the Steck residence. Being neighbors, they wave to each other and if she knows they are not home, she can see their house and make sure everything is okay. Now she can't see it because the fence is so high. She is concerned with the safety and the issues of not being able to open the car doors. Neighbors look out for each other and notice if they see strange people walking around and she also liked to be able to be neighborly and wave.

Council President Sandusky said he saw the fence today and it is very close to the Steck property.

Assistant Administrator Sahol said it is a very unique property. The property is a "Flag Lot," it fronts on two streets. The skinny portion of the lot does touch Station Road. The township code does allow for properties to be entirely fenced. It does require the fence to be set back one foot from the property line along the street, which in this case is Station Road. Assistant Administrator Sahol said he did go and talk to the gentleman and tried to rationalize to him what the fence is presenting as far as the difficulties for his neighbor. He understood to an extent. He believed it was after this that there were some sections either removed or lowered.

Assistant Administrator Sahol said he did not have the authority to compel him to do that. A homeowner is allowed to install a fence on their property line, but it is at the property owner's own risk. Assistant Administrator Sahol said he understands the concern but the homeowner is allowed to put the fence on his property line. The way the code is currently written there is nothing that he can do to make the neighbor change the fence. If there were a section of the code that talked about keeping a setback that was consistent with adjoining properties or something that was a little more conducive to the neighborhood, that might be something that could be taken into consideration. There are a handful of properties where this might apply. Most properties don't front like this, they are usually single front or corner. This is very unusual.

Mrs. Steck said when she was planning to install a fence and arbor, it had to be a certain distance from the property. She questioned why her neighbor was able to build on the property line. Assistant Administrator Sahol believes there may have been a misunderstanding, no one would have provided that misinformation. He explained an arbor would be considered a structure, perhaps that was the setback. Mrs. Steck explained how she had planned to situate the fence and arbor she wanted to install.

### **Florence Township Council Regular Session 04/15/15**

She asked for clarification regarding why her neighbor was able to go right to the property line. Assistant Administrator Sahol said it is permitted but a homeowner takes certain risks building right on the line. Surveys are measured not in inches but in tenths of a foot. If there was a mistake of a tenth of a foot in any direction it could be on someone else's property. He always warns residents to exercise caution.

Mrs. Steck said there are easements in the area. Assistant Administrator Sahol said that could have been the reason her structure needed a setback. Mrs. Steck said she went to Burlington County and did some research and learned there were easements. Assistant Administrator Sahol said there are private easements and public utility easements. It could be that there was a private easement for the property behind her to provide access to Station Road. It could have been granted by a property owner in the past.

Mrs. Steck asked what could be done? Assistant Administrator Sahol said going forward the ordinance can be reviewed to keep it from happening again in the future. Another issue is the site triangle. He does not know the rules for site triangles regarding public roads versus private driveways. He tried to explain to the neighbor that he could be opening himself up to a civil matter.

She asked a lawyer if it would make sense to try and purchase the property in question? She was told it was not advisable because there is a water line that goes down the driveway. Mrs. Steck said she has lived here for forty-five years and feels like she is being penalized. She thinks there must be something someone can do. She has been very patient and is trying to be a nice neighbor but she is very frustrated. Assistant Administrator Sahol said he would provide an answer in writing.

Council President Sandusky said the situation is very upsetting. It disturbs him that she can't even get out of her car. He asked for the administration to reach out to the owner of the fence again and see if would be willing move the fence. Assistant Administrator Sahol said he will again talk to the neighbor. Mrs. Steck thanked everyone.

Fred Scheetz, 12 Church Street, said the fire hydrant in front of his house was replaced over the summer. After it was done, his wife was told to run the water and she did. Since then he has had yellow water. It isn't detected unless a bath is drawn, there is a yellowish orange tint. He said the neighbors are experiencing the same thing.

Administrator Brook said he will get Mr. Scheetz's contact information and arrange for the Water & Sewer Director to take a look.

It was the MOTION of Baldorossi; seconded by Ostrander to close the public comments. Roll call vote - all ayes. Unanimous approval.

**Florence Township Council Regular Session 04/15/15**

**RESOLUTIONS**

**RESOLUTION NO. 2015-99  
Approving CWA Local 1036 Contract  
for 2015**

**RESOLUTION NO. 2015-100  
Authorize Contract with Professional  
Real Estate Appraiser and Consultant to  
Provide Appraisal for 1476 Hornberger Avenue**

**RESOLUTION NO. 2015-101  
Award of Professional Services Contract, Tax Office  
to J.H. Services, Inc.**

**RESOLUTION NO. 2015-102  
Award the Contract for  
Florence Township Library Roof Replacement and Related Work to  
Laurant Construction, 3 Meadows Court  
Pennington, NJ 08534**

**RESOLUTION NO. 2015-103  
Deny Request for Release of Water & Sewer Maintenance Bond for  
Phase I for the Manors at Crossroads**

**RESOLUTION NO. 2015-104  
Authorizing Refunds of Certain Tax Overpayments**

It was the MOTION of Ostrander; seconded by Baldorossi to approve Resolution Nos. 2015-99 through 2015-104.

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky

NOES: None

ABSENT: Lovenduski, Woolston

Motion carried.

**Florence Township Council Regular Session 04/15/15**

**ORDINANCES**

**ORDINANCE NO. 2015-10  
ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING  
AND SUPPLEMENTING CHAPTER 116 OF THE CODE  
OF THE TOWNSHIP OF FLORENCE ENTITLED  
“PROPERTY MAINTENANCE”  
(2<sup>nd</sup> Reading) (Public Hearing & Adoption)**

Administrator Brook said the State of New Jersey enacted a law recently that gives municipalities the ability to significantly increase the fines for abandoned properties. Unfortunately, there are some people who lost their homes due to foreclosure or just walked away. This legislation allows the township to issue fines of up to \$1,500 a day for certain properties and \$2,500 a day for other properties. The properties were abandoned and are owned by a bank or creditor. It is to be used as a deterrent to try and make sure the properties are maintained in a reasonable manner, so it does not impact the quality of life for nearby residents. He noted that later in the year the township will be presenting legislation for landlord registrations and more frequent inspections of rental properties.

It was the MOTION of Ostrander; seconded by Baldorossi to open the meeting to the public regarding Ordinance No. 2015-10. No public comments.

It was the MOTION of Baldorossi; seconded by Ostrander to close the public hearing for Ordinance No. 2015-10. All ayes.

It was the MOTION of Ostrander; seconded by Baldorossi to adopt Ordinance 2015-10.

Upon roll call Council voted as follows:

AYES: Baldorossi, Ostrander, Sandusky

NOES: None

ABSENT: Lovenduski, Woolston

Motion carried.

**ORDINANCE NO. 2015-11  
AN ORDINANCE FIXING THE COMPENSATION OF  
CERTAIN OFFICIALS AND EMPLOYEES OF THE  
TOWNSHIP OF FLORENCE  
(CWA Union Contract)  
(2<sup>nd</sup> Reading) (Public Hearing & Adoption)**

**Florence Township Council Regular Session 04/15/15**

Administrator Brook explained this is a one year contract with the CWA for the Township employees. There is a two percent increase. The only language change that was inserted has to do with Water & Sewer employees and the way the pager program is operated, twenty-four hours a day, seven days a week.

It was the MOTION of Baldorossi, seconded by Ostrander to open the meeting to the public regarding Ordinance No. 2015-11. Seeing no one wishing to be heard, it was the MOTION of Baldorossi, seconded by Ostrander to close the public hearing on Ordinance 2015-11. All ayes.

It was the MOTION of Sandusky, seconded by Ostrander to adopt Ordinance No. 2015-11.

Upon roll call Council voted as follows:

AYES: Baldorossi, Ostrander, Sandusky

NOES: None

ABSENT: Lovenduski, Woolston Motion carried.

**ORDINANCE NO. 2015-12  
AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING  
CHAPTER 4, ARTICLE XI, SECTION 46.3 OF THE CODE  
OF THE TOWNSHIP OF FLORENCE TO  
INCLUDE THE ADDITION OF TWO LIEUTENANT POSITIONS  
WITHIN THE POLICE DEPARTMENT  
(2<sup>nd</sup> Reading) (Public Hearing & Adoption)**

Administrator Brook said whenever a municipality creates a position of this nature, it is required to insert the title into the Municipal Code. Florence Township is a Civil Service community, and when the township fills the position, Civil Service will want to see that it is included in the code. This ordinance creates the position within the Florence Township Code Book.

It was the MOTION of Baldorossi, seconded by Ostrander to open the meeting to the public regarding Ordinance No. 2015-12. No public comments.

MOTION made by Baldorossi, seconded by Ostrander to close the public hearing. All ayes.

It was the MOTION of Ostrander, seconded by Sandusky to adopt Ordinance No. 2015-12.

Upon roll call Council voted as follows:

AYES: Baldorossi, Ostrander, Sandusky

NOES: None

ABSENT: Lovenduski, Woolston Motion carried.

## Florence Township Council Regular Session 04/15/15

### REPORTS

#### Committees, Boards and Officers

##### Administration

###### Mayor

Council President Sandusky said the Mayor was not in attendance this evening but he provided a proclamation for the **National Day of Prayer** being held on **May 7, 2015**. A ceremony will be held on that day at 12:00pm in front of the Municipal Building. The information will be posted on the Township website and on Channel 19.

###### Administrator

Administrator Brook said someone gave Mayor Wilkie old pictures of **Officer Kotch**. They were of him in uniform. Assistant Administrator Sahol took the photos to **Boyd's Pharmacy** on Broad Street to copy them. In their typical fashion, and the way they work with the community, they did not charge for the copies. Administrator Brook wanted to publicly acknowledge their generosity and kindness. It means a lot to the town and the Police Department. They do a lot for the community.

He said **NFI** has approached Florence Township to construct the second half of the Subaru building on Route 130. That will probably be starting in about 30-60 days. He anticipates re-planting of the buffer area next week.

###### Assistant Municipal Administrator

Assistant Administrator Sahol said Florence Township received a \$196,000 grant. This will be used on a portion of Hornberger Avenue. He is working with Township Engineer, James Biegen and the State of NJ on planning the project.

This evening a resolution was approved selecting a contractor for repairs to the Township Library's roof. There is a construction meeting scheduled for next week.

Florence Township went to settlement on a blighted property it purchased on Railroad Avenue. He thinks clean-up will begin very quickly.

Division of Law Nothing at this time.

Division of Engineering Nothing at this time.

###### Unfinished Business

Council President Sandusky asked if there was any communication received from the Beverly National Cemetery? There was something in the packet from someone that responded to the article that was in the minutes. He would like to get a copy of the article to Judy King of the Florence Historical Society.

New Business Nothing at this time.

**Florence Township Council Regular Session 04/15/15**

**Miscellaneous**

Council President Sandusky said on April 21, 2015 there will be a dedication for a home for a disabled veteran at Oak Mill. It will be held at 10:30am and the public is invited to attend. **Staff Sgt. Mario Murray** and his family will be receiving a furnished, mortgage-free home from **Pulte Group** through its **Built to Honor Program**. The home is at 610 Seaman Drive.

**Public Comments: Open to the Public**

It was the MOTION of Sandusky; seconded by Baldorossi to open the meeting to the public at this time. Roll call vote: All ayes.

Don Kamienski, 10 McCay Drive, said he has read in the paper that certain residents in New Jersey were overpaid for their tax rebate and have to pay the State of NJ back. He asked if there were any in Florence Township?

Administrator Brook said he will talk to the Tax Collector but he knows the State of New Jersey has cracked down significantly on payments to individuals they believe may not be eligible and they require that the municipality provide documentation. Sometimes they go back to homeowners that they feel were overpaid in error and they move to collect the money. He said he will talk to the Collector and get back to Mr. Kamienski.

It was the MOTION of Ostrander; seconded by Baldorossi to close the public portion of the meeting. Roll call vote – all ayes. Unanimous approval.

8:40 PM MOTION of Ostrander; seconded by Baldorossi to adjourn. Roll call vote – all ayes. Motion carried.

**ADJOURNMENT:** 8:40 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER, RMC/MMC  
Township Clerk  
/aek