

Florence, New Jersey
May 4, 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 8:00 PM. President Fratinardo led the Salute to the Flag.

The Township Clerk read the following statement: "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:

Michael Muchowski, Mayor; Richard Brook, Township Administrator; Thomas Sahol, Assistant Administrator; Dante Guzzi, Township Engineer; Ellen Kearns, Township Solicitor; William John Kearns, Jr., Township Solicitor (8:20 PM); Joy Weiler, Township Clerk

MINUTES

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

Executive Session March 9, 2005

FINANCIAL CORRESPONDENCE

It was on the MOTION of Sandusky; seconded by Garganio to receive and file the Chief of Police report for April. 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

None at this time.

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PUBLIC COMMENTS

Steve Mognancki, 904 Walnut Street, will be dedicating on Memorial Day a quilt his daughter made; the quilt was made to honor Florence Township's veterans who gave their lives for our freedom. Mayor Muchowski will be out of town that day. Mr. Mognancki asked that a Council Member attend so he can present the quilt to the township. A Council Member will be present.

Don Kamienski, 10 Mc Cay Drive, received notification that there would be discussion tonight regarding a zoning change to an adult active community for a property adjacent to him. He asked for clarification on an "active adult community." Mayor Muchowski explained that an active adult community is an age-qualified community that typically starts at 55 years old and older. There are restrictions on children.

Mr. Kamienski asked about low income units for this development? Mayor Muchowski explained that low income is not a requirement but with any housing development or development within New Jersey there is a low to moderate income housing component. When any development is approved within the township, with the new round of COAH requirements, for every eight houses that are built there is a low to moderate-income requirement. If this development is approved, part of the developer's agreement will be to supply that percentage of housing on site. That housing would carry the same type of qualification restrictions as the zoning allows.

Donna Frappolli, 249 E. Third Street, asked if low to moderate units were set-aside in the new Greenbrier Development? Mayor Muchowski explained that at that time Florence Township had met their obligations, but then found out the State had a retro-active regulation going back to January 2004, even though they did not provide the regulations until the end of 2004. Fortunately, the township had a surplus due to contributions. Now that the township has the new requirement, the Council and Planning Board are working to implement a program so all potential developers will know their requirements based on what they are proposing. Mayor Muchowski also reviewed low to moderate income housing for commercial developers.

Mary Wright, 19 Mc Cay Drive, stated her property backs up to the woods and asked how much of a buffer will be kept? Mayor Muchowski stated that there would be a 50' buffer.

Ms. Wright asked to see a plan of the homes. Mayor Muchowski stated that there are tentative plans that have to go before the Planning Board for final approval. He gave a description of the proposed plan.

Council President Fratinardo put the proposed plan up on the bulletin board for the public to view.

Ms. Wright asked if there was a start date for construction? Mayor Muchowski stated that there are still approvals that are needed and it would be difficult to predict a date.

Mr. Kamienski asked how many single family homes and how many town homes? Administrator Brook stated that there are 73 single homes and 39 town homes, 17 of

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which will be restricted by low and moderate income housing requirements. Administrator Brook explained that low to moderate income is not as low as it was years past.

Bill Bott, 64 Riverbank Drive, Environmental Commission Member at Large, discussed the trees taken down at the new high school site and how important trees are to the environment. He also discussed drainage problems caused by laying down concrete and asphalt. Council Member Garganio responded that part of the Planning Board process is review of the trees and buffers.

NOTE: 8:20 PM Solicitor Kearns present at this time.

Mr. Mognancki asked what the developer will give back to the township? Mayor Muchowski stated that in this case approximately \$90,000 will go to offsite improvements and a \$346,000 contribution to a recreational fund, such as a senior center. There are other fees and contributions the developer has to make.

Council Member Garganio noted that there will be no children in this development going to the township schools. Therefore, when the residents pay their taxes, they will also be paying into the school system without utilizing it.

Mr. Kamienski questioned the restrictions on children living in the development. A representative of the developer stated that the restriction is 19 years old and older. If a college student younger than 19 years, then they could live there a limited amount of time; only exception is a disabled child, which is mandated by federal law. Mayor and Council cannot guarantee that there will not be any children from this development in the school system but the marketing is not geared towards children

Mr. Kamienski has heard it rumored in Burlington County “move to Florence because they will pay for what your child needs in terms of disability, education, training and so forth”. Council President Fratinardo stated that rumor is incorrect because all communities are required to provide for special needs by State and Federal law. Mayor Muchowski believes the rumor is due to the quality of education in Florence Township.

Mr. Kamienski thanked Mayor and Council for taking care of the odor coming from Garelick Farms.

Craig Wilkie, 415 W. Second Street, stated that the reputation for a good education encompasses all of New Jersey, not just Florence. It is good to have the reputation of quality education.

Mr. Bott discussed the budget for Special Education, which is high in all of New Jersey not just Florence Township.

Council Member Garganio discussed the State mandated programs that are not funded through the State. They are good programs but costly.

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Mr. Wilkie asked the status of the School Budget? Council President Fratinardo stated that Mayor and Council are in the process of reviewing the budget. There are some questions they would like to present to the School Board. No decisions have been made yet. Mayor Muchowski stated that a Resolution must be passed by May 19th; there are two Council Meetings between now and then. Mr. Wilkie does not believe that it is a Closed Session topic and asked if discussion will take place in Open Session? Administrator Brook explained that School Budget discussions occur in many different forms in New Jersey. Right now Council is discussing the budget as a whole but may break up into a sub-committee.

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

Council President Fratinardo announced a change in the Agenda. Ordinances will appear before Resolutions with Ordinance No. 2005-12 first.

ORDINANCES

**ORDINANCE NO. 2005-12
(2nd Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING
CHAPTER 91 – LAND DEVELOPMENT OF THE FLORENCE TOWNSHIP
CODE TO PROVIDE FOR AN ACTIVE ADULT RESIDENTIAL ZONING
DISTRICT AND TO ESTABLISH AREA AND BULK STANDARDS FOR THAT
DISTRICT**

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2005-12 on second reading for adoption.

Public Comment

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

Craig Wilkie, 415 W. Second Street asked for an explanation. Council President Fratinardo explained that the property was being changed from a Special Manufacturing Zone to an Active Adult Zone with four (4) houses permitted per acre.

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, Fratinardo

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2005-10
(2nd Reading)**

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE VACATING THE PUBLIC INTEREST IN A CERTAIN 20 FOOT WIDE STREET KNOWN AS TILTON LANE AND RUNNING FROM WALLACE AVENUE SOUTHERLY TO THE BURLINGTON-BORDENTOWN ROAD (U.S. ROUTE 130), TOGETHER WITH A CERTAIN 20 FOOT WIDE UNNAMED ALLEY RUNNING FROM AN INTERSECTION WITH THE EASTERLY LINE OF SAID TILTON LANE EASTWARD TO PREMISES SHOWN AS LOT 6.01 IN BLOCK 109 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF FLORENCE; AND TO PROVIDE THAT THE VACATED AREAS SHALL BE INCORPORATED INTO LOTS 1 THROUGH 5, 7.01, 7.03, 8 AND 9, ALL IN BLOCK 109 AS SHOWN ON THE OFFICIAL TAX MAP OF, AND LOCATED IN, THE TOWNSHIP OF FLORENCE, BURLINGTON COUNTY, NEW JERSEY

Administrator Brook explained that the bank's attorneys have still not provided the information needed. He informed the attorney that the information must be received for the May 18th meeting or there is a possibility that the Ordinance may be denied since it has been held a couple of times. Administrator Brook asked that the Ordinance be HELD until May 18th.

It was on the MOTION of Sandusky, seconded by Ryan to TABLE Ordinance No. 2005-10 until May 18, 2005.

Upon roll call Council voted as follows:

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

Unanimous approval.

**ORDINANCE NO. 2005-11
(2nd Reading)**

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING CHAPTER 91 – LAND DEVELOPMENT OF THE FLORENCE TOWNSHIP CODE TO DEFINE AND TO PROHIBIT TRUCK STOPS WITHIN ANY ZONING DISTRICT OF THE TOWNSHIP OF FLORENCE

Solicitor Kearns explained that recommendation has not been received by the Planning Board yet. Ordinance must be HELD until the May 18th meeting. Public hearing can be held this evening.

Public Comment

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

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Bill Bott, 64 Riverbank Drive, asked how many oversized spaces would be allowed? Council President Fratinardo stated that six spaces would be allowed.

It was on the MOTION of Sandusky, seconded by Garganio to close the public hearing. All ayes – motion carried.

It was on the MOTION of Sandusky, seconded by Garganio to TABLE Ordinance No. 2005-11 until May 18, 2005.

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE 2005-13
(2nd Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
AMENDING THE CHAPTER 22 OF THE FLORENCE CODE
REGARDING EMPLOYMENT OF OFF-DUTY POLICE
OFFICERS FOR PRIVATE AND QUASI-PUBLIC FUNCTIONS**

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2005-13 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 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, Fratinardo

NOES: None

ABSENT: None

Unanimous approval.

ORDINANCE NO. 2005-14

**AN ORDINANCE FIXING THE COMPENSATION OF EMPLOYEES OF THE
DEPARTMENT OF POLICE OF THE TOWNSHIP OF FLORENCE
PATROLMEN
2005-2010**

It was on the MOTION of Garganio, seconded by Sandusky to approve Ordinance No. 2005-14 on first reading and set adoption for June 1, 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.

RESOLUTIONS

RESOLUTION NO. 2005-96

**AMEND MEDICAL COVERAGE POLICY FOR
TOWNSHIP OF FLORENCE**

RESOLUTION NO. 2005-97

**REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF
LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST
BY RIDER FOR THE COLLECTION OF COAH DEVELOPMENT FEES
RELATING TO THE IMPLEMENTATION OF THE FLORENCE TOWNSHIP
AFFORDABLE HOUSING PROGRAM PURSUANT TO N.J.A.C. 5:94-6**

RESOLUTION NO. 2005-98

**APPROVE DEVELOPERS AGREEMENT WITH
ATLANTIC EQUITY OLIVE STREET LLC
485A ROUTE 1 SOUTH, SUITE 310, ISELIN, NJ, 08830
FOR BLOCK 147.01, LOTS 1 AND 16.01
FOR AN ACTIVE ADULT COMMUNITY**

RESOLUTION NO. 2005-99

**TAX PAYMENT PLAN FOR BLOCK 129, LOT 33
108 SIXTH AVENUE**

RESOLUTION NO. 2005-100

RESOLUTION TO REMOVE PROPERTY FROM TAX SALE

RESOLUTION NO. 2005-101

**RESOLUTION STATING REASONS WHY 2005 BUDGET
IS BEING INTRODUCED BEYOND FEBRUARY 10, 2005**

RESOLUTION NO. 2005-102

INTRODUCE 2005 MUNICIPAL BUDGET

It was on the MOTION of Sandusky, seconded by Ryan that Resolutions 2005-96 through 2005-102 be approved.

On the Question

Upon roll call Council voted as follows:

YEAS: Baldorossi, Garganio, Ryan, Sandusky, Fratinardo

NOES: None

ABSENT: None

Unanimous approval.

REPORTS

Committees, Boards and Officers

- Nothing at this time.

Mayor Muchowski

- Mayor Muchowski discussed the Benefit Walk, which will be held in Roebing, to be held on the day of the Patriotic Celebration. He suggested splitting the proceeds between two beneficiaries this year: Joshua Shafer, a young boy diagnosed with Leukemia and the Florence Township High School Field Hockey Team, who were invited to play in a tournament in Florida. Council in favor.

Administrator

- Administrator Brook entered into the record a letter from Cynthia Carty, Olive Street resident, dated April 20, 2005. The letter, in regards to the Olive Street rezoning, questions the possibility of connecting to sewer and changing the zoning of three (3) properties that will remain Special Manufacturing to Residential. These requests will be looked into.
- Administrator Brook reported that Griffin Pipe began the repairs of the railroad crossings but stopped because the damage was much more severe then they anticipated. They hired a company to make the repairs. Work should be completed by the end of May.

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- Administrator Brook stated that a request was made to have a pony at a party at the FAAD Building and asked if Council would allow if the person having the party named the township as additional insured? Council in agreement as long as the renter is responsible for cleanup.

Assistant Administrator

- Assistant Administrator Sahol reported that the State will be doing a complete overlay of Route 130 in Burlington City, Burlington Township and almost all of Florence Township.

Township Solicitor

- Nothing at this time.

Township Engineer

- Nothing at this time.

UNFINISHED BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Council Member Sandusky announced to the public that Solicitor Kearns' wife and law partner, Ellen Kearns, filled in for him in the beginning of the meeting.

9:00 PM MOTION by Baldorossi, seconded by Sandusky to adjourn to Closed Session. Action may be taken following Closed Session. Roll call vote - all ayes. *

ADJOURNMENT

9:00 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab

* NOTE: No action taken following the Closed Session.