

Florence, New Jersey
September 5, 2007

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 Baldorossi at 8:00 PM. President Baldorossi 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 7, 2007; 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, President
John Fratinardo
Bruce Garganio
Elizabeth Ryan
Jerry Sandusky

Also present:

Mayor Michael Muchowski; Richard Brook, Township Administrator; Thomas Sahol, Assistant Municipal Administrator; Dante Guzzi, Township Engineer; William John Kearns, Jr., Township Solicitor; Joy M. Weiler, Township Clerk

MINUTES

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

Regular Session	July 18, 2007, August 1, 2007 & August 8, 2007
Executive Session	July 18, 2007 & August 8, 2007
Closed Session	August 8, 2007

FINANCIAL CORRESPONDENCE

It was on the MOTION of Ryan; seconded by Sandusky to receive and file the Court Administrator's report for July. 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. RENEWAL OF TRANSIENT MERCHANT LICENSE: Mister Softee
- B. SOCIAL AFFAIR PERMIT: St. Nicholas Byzantine Catholic Church Picnic/Festival, September 9, 2007, 12:00AM – 7:00PM

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

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Fratinaro, Garganio, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

PUBLIC COMMENTS

Karen McConnell, 963 Hamilton Avenue, understands that the Florence Township Council does not oversee the Florence Township School Board but feels Council should be aware of a situation. School starts in two (2) days and she received a letter today from the Florence Township Board of Education that her children would no longer receive courtesy busing. She does not believe it is fair to leave parents unprepared with such short notice. She also does not believe it is fair that the Florence Township Board of Education is not adhering to a Resolution they passed March 7, 2007. She stated that Resolution #06/07-066-R-379 states Burlington County Route 656 shall be designated as hazardous for all students up to and including those attending third grade. Mrs. McConnell has twins that will be attending third grade this year. She also has data from the New Jersey Department of Transportation (NJDOT) taken December 19, 2006 that states the traffic flow on Delaware Avenue at that time was only half of what is on Route 130. She feels that is dangerous.

Mrs. McConnell read aloud part of the letter that was hand delivered today from the Florence Township Board of Education, which acknowledges that the decision to eliminate courtesy busing in certain areas should have been communicated earlier in the process and separated from the formal bus pass process. The letter also states the assumption that timely information would be distributed during the regular process was not a valid assumption.

Mayor Muchowski explained that the Florence Township School Board is a separate entity from Florence Township. Mrs. McConnell realizes that but believes the township should be aware and that it should not have happened. Mayor Muchowski understands that it is a concern.

Mrs. McConnell explained that as long as she has lived here, the bus has come to the corner of Hamilton Avenue and Delaware Avenue and picked up the children in the area over the railroad tracks. She also expressed concern that her children will have to cross the railroad tracks, which she did not believe had a crossing guard. Mayor Muchowski stated that there is a crossing guard at both sets of railroad tracks in the community.

Mrs. McConnell just wanted the township to be aware of the situation.

Council Member Sandusky believes that all of Mayor and Council sympathize with Mrs. McConnell and the other residents in the area that are concerned with the situation. He is very surprised that the decision was made in March and just relayed to the residents now. He suggested that the parents attend the next School Board Meeting.

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Mrs. McConnell believes that there is a problem with communication between Florence Township and Florence Township Board of Education. Council Member Garganio stated that the problem is communication between the residents and the Board of Education. He explained that the Board of Education is an elected board that sets their own tax rate. This type of judgment has nothing to do with the township. The only communication the township has with the school regarding a bus or walking route is if they need another crossing guard, because the township deals with the crossing guards.

Council Member Garganio agrees that the parents should have been notified in March so they could have followed the appeal process.

Council Member Ryan suggested that Council get a copy of the letter and consider, if the facts are as stated, writing a letter expressing their dismay regarding the lack of communication and ask the School Board to work diligently to address the concerns of the residents that will no longer receive courtesy busing. Council in agreement to send letter.

Mayor Muchowski would like to first find out what the deviation from last year's bus route is before moving forward with a letter. Council Member Ryan agrees that the facts have to be verified. In the letter Mayor Muchowski would like to ask the rationale of the decision and why the parents were not notified in a timely manner. Administrator Brook stated that by listening to the letter from the School Board to the parents, they are confirming that the parents were not notified.

Mayor Muchowski asked Assistant Administrator Sahol to make copies of the letter for Council.

Kevin Stoner, 974 Hamilton Avenue, also just received this letter today when he came home from work. He does not have time to prepare for this change. He asked if Council was aware? Mayor and Council responded that this is the first they are hearing of it. Mayor Muchowski stated that now that it has been brought to their attention, they will take a look at it to see if there is a resolution that will work for all involved. He cannot make any promises that it can be accomplished by Friday.

Mr. Stoner does not understand how the School Board can do this two (2) days before school starts. Council Member Ryan stated that Mayor and Council agrees and explained that what they are trying to convey is that, unfortunately, the School Board is not a department of the township and the township cannot make them change the policy. She assured Mr. Stoner that the township will do what they can to get some answers.

Since there is no opportunity for the parents to attend a School Board Meeting before school starts, Council Member Garganio suggested that the parents call the Superintendent of Schools and ask for a delay until the parents have an opportunity to express their concern at a School Board Meeting. Council Member Ryan suggested that they also call the School Board President.

Mayor Muchowski reviewed the portion of the letter that addresses the reasons for the decision:

1. To better adhere to the New Jersey Department of Education guidelines.
2. Addresses an inequity in courtesy busing that existed where pupils attending the same school at the same grade level were treated differently in transportation to and from school. Some pupils were required to walk while others were offered courtesy busing. This inequity issue was a key factor in the decision.

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3. Another factor was the cost and logistics associated with continuing courtesy busing, student population and the grade realignments caused by the closing of Duffy Elementary School.

Mayor Muchowski believes that the School Board's biggest fault, which is a self admitted fault, is not notifying the parents until concerned parents called them looking for their bus passes.

Mayor Muchowski understands, as a parent himself, the concerns of Mrs. McConnell and Mr. Stoner but apologized for having to say that the township has limited ability to change the decision of the School Board.

Mrs. McConnell will be sure that the situation will be followed up by the State of New Jersey.

Mrs. McConnell asked how many crossing guards are stationed at the railroad tracks? Mayor Muchowski stated that there is one (1) crossing guard at the railroad tracks on Delaware Avenue at Station Road and Hornberger Avenue at Railroad Avenue.

Council President Baldorossi thanked Mrs. McConnell and Mr. Stoner for coming in this evening and bringing this to Mayor and Council's attention.

Bill Bott, 64 Riverbank Drive, understands the concerns of the parents. He agrees that they should have been notified much sooner. He also stated that Mayor and Council's hands are tied in the situation.

Mr. Bott stated that when he was appointed to the Environmental Commission he did not really know what it was all about. Now he understands that, not just in this community but as a whole, the more concrete or asphalt that is put down the water has no where to go. It doesn't go underground and it does not go to the aquifer; it goes away. As long as he is on the Environmental Commission, if he sees something wrong he will make a phone call.

Richard Lotter, 3 Walnut Court, complained that residents from Florence Tollgate walk their dogs on his property and allow them to urinate on his property, killing the grass. He feels there should be a barrier between the three (3) properties on Walnut Court and Florence Tollgate. He would like to see the plans from when the condominiums were built and see why there is no barrier there.

Mr. Lotter asked if the road in front of his home would be fixed this year? Administrator Brook will provide to Mr. Lotter a written response with a timetable of when the work will be done.

Mr. Lotter stated that the curb stops are deteriorating and not fastened. Assistant Administrator Sahol acknowledged that some of the curb stops are deteriorating and not fastened but they are acting the way they should; they keep people from parking beyond where they should and keep people from driving over the curb, which Mr. Lotter has expressed a concern about in the past. Assistant Administrator Sahol does look at the area often. He also explained that Florence Tollgate has been very responsive to his requests. He noted that Florence Tollgate completely enclosed the recycling and trash area with a fence and privacy slats so the Walnut Court residents did not have to see it.

Mr. Lotter stated that many years ago, when he first purchased his home and Florence Tollgate was in the process of being built, he was told by Mayor and Council that a barrier would be put up. That was over 30 years ago. Assistant Administrator Sahol stated that there was never a requirement in

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the site plan that called for a fence between the property of Florence Tollgate and the road of Walnut Court. Mr. Lotter asked to see the site plans? Assistant Administrator Sahol stated that he can show Mr. Lotter the site plan tomorrow. He explained that the site plan shows the layout of the entire development, which was filed far in advance of construction of Mr. Lotter's home. It shows Mr. Lotter's property as being open land.

Steve Mognancki, 904 Walnut Street, stated that his Senior Citizens meetings started today and asked when the community center would be available? Administrator Brook explained that the plans are complete. The plans have to be reviewed by the New Jersey State Historical Office of Preservation and the Veterans' Affairs Office, which is part of the grant process. Once confirmation is received, the township will go out to bid.

Mr. Mognancki stated that there is poison growing all along the fence in Roebling along the riverbank from Seventh Avenue to Second Avenue. Administrator Brook will look at and also contact the EPA.

Mr. Mognancki stated that a couple of years ago a new water line was installed and he has two (2) filters but his water is still brown. He has given samples to David Lebak, Water and Sewer Superintendent, who stated that it is rust and would not hurt him. Mr. Mognancki stated that the toilets in the house are turning black from the rust. Administrator Brook will speak with Mr. Lebak and report back to Mr. Mognancki and the governing body.

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. 2007-149

**APPROVE REDUCTION OF PERFORMANCE BONDS
K. HOVNANIAN FOR ESTATES AT CROSSROADS
(CROSSROADS EAST)**

RESOLUTION NO. 2007-150

**AUTHORIZE APPROVAL OF RENEWAL OF PLENARY
RETAIL CONSUMPTION LICENSE FOR 2007-2008
SAMUEL O. PAGLIONE
AS PER SPECIAL RULING**

RESOLUTION NO. 2007-151

**AUTHORIZE ASSISTANT MUNICIPAL ADMINISTRATOR
AND DIRECTOR OF WATER AND SEWER DEPARTMENT TO
BID CERTAIN QUANTITIES OF DUCTILE IRON PIPE, FITTINGS,
VALVES AND OTHER MATERIALS AS MAY BE NECESSARY
FOR WATER OR SEWER PIPE INSTALLATIONS
RESOLUTION NO. 2007-152**

**AUTHORIZE FILING A CLAIM AGAINST THE
BONDING COMPANY FOR THE PRESERVE AT BROOKSIDE
KNOWN AS BLOCK 165.03; LOTS 1 - 25**

RESOLUTION NO. 2007-153

**AUTHORIZE THE ASSISTANT MUNICIPAL ADMINISTRATOR
TO DEVELOP PLANS AND SPECIFICATIONS AND TO OBTAIN BIDS
FOR LEASING SPACE FOR CELLULAR ANTENNAS
ON PUBLIC PROPERTY, CEDAR LANE WATER TOWER**

RESOLUTION NO. 2007-154

**AUTHORIZE EXECUTION OF CDBG
SUB-GRANTEE AGREEMENT
BETWEEN THE TOWNSHIP OF FLORENCE AND THE
COUNTY OF BURLINGTON**

It was on the MOTION of Fratinardo, seconded by Sandusky that Resolutions 2007-149 through 2007-154 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Fratinardo, Garganio, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

ORDINANCES

ORDINANCE NO. 2007-10

(1st Reading)

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN BURLINGTON
COUNTY, NEW JERSEY, CREATING THE POSITION OF MUNICIPAL
HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE
FLORENCE TOWNSHIP AFFORDABLE HOUSING PROGRAM
PURSUANT TO THE NEW JERSEY FAIR HOUSING ACT**

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2007-10 on first reading and set adoption for September 19, 2007.

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On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Fratinaro, Garganio, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2007-11
(1st Reading)**

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE
AMENDING CHAPTER 134 OF THE FLORENCE TOWNSHIP
CODE TO ESTABLISH PARKING
RESTRICTIONS ON FIREHOUSE LANE**

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2007-11 on first reading and set adoption for September 19, 2007.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: Fratinaro, Garganio, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

REPORTS

Committees, Boards and Officers

- Nothing at this time.

Mayor Muchowski

- Nothing at this time.

Administrator

- Nothing at this time.

Assistant Administrator

- Nothing at this time.

Township Solicitor

- Nothing at this time.

Township Engineer

- Nothing at this time.

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UNFINISHED BUSINESS

Nothing at this time.

NEW BUSINESS

Nothing at this time.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Nothing at this time.

8:55 PM MOTION by Ryan, seconded by Fratinardo to adjourn to Closed Session. Action will not be taken following Closed Session. Roll call vote - all ayes.

ADJOURNMENT

8:55 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab