

Florence, New Jersey
May 21, 2008

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 6, 2008; 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
Bruce Garganio (8:20PM)
Dennis O'Hara
Sean Ryan
Jerry Sandusky

Also present:

Mayor William Berry; 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	April 2, 2008
Special Budget Session	April 16, 2008
Closed Session	March 19, 2008; April 2, 2008; April 9, 2008; April 16, 2008; May 7, 2008; May 14, 2008

FINANCIAL CORRESPONDENCE

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

Sandusky 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

Nothing at this time.

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PUBLIC COMMENTS

Don Kaminski, 10 McCay Drive, previously measured the courtroom and provided the dimensions to the governing body.

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

PUBLIC HEARING ON MUNICIPAL BUDGET

Administrator Brook stated that the municipality is required by law to hold a Public Hearing on the Municipal Budget. He explained that the township budget this year is going up 3¢, which for a home assessed at \$117,000 is approximately \$35. The local purpose tax has not increased since 1996. He reviewed issues facing the municipality this year such as the State's increase of the pension system and the State's decrease of municipal aid. Those two (2) items alone equate to over \$400,000, which is a significant hit. When you factor in the increase of other expenses, it was just too difficult this year to reduce the rate or keep it at zero. When the budget is put together not only does he have to look at this year; he has to try to forecast ahead to the next few years. Overall Florence Township is keeping its basic services the same as the prior year and does its best to expand wherever possible.

It was on the MOTION by Ryan, seconded by Sandusky to open the Public Hearing on the Municipal Budget.

Don Kessler, 2 E. Fifth Street, stated that as he requested, Administrator Brook gave him a copy of the municipal budget and thanked him for that. He was disappointed in reading the budget; he does not believe it is detailed enough and leaves out projects. He believes there is a more detailed budget available. Administrator Brook explained that what he provided to Mr. Kessler is the exact copy of what is required to be submitted to the State of New Jersey. He stated that the budget can be confusing and offered to meet with Mr. Kessler or any resident at any time to go over the budget with them. Mr. Kessler will take Administrator Brook up on his offer to meet with him.

Bill Bott, 64 Riverbank Drive, stated that the local purpose tax has stayed the same for the past nine (9) years. Mr. Bott attends all of the meetings and stated that the governing body does try to keep the tax rate down but the State of NJ mandates certain things of municipalities yet cuts State aid to the municipalities. He gives the township credit for keeping the tax rate down all those years and stated that you can only keep it down for so long. He added that if residents are looking for change they have to look at the State level.

John D'Acquisto, 7 Yockus Lane, asked what the cost to a homeowner will be with the combined School Board and local purpose tax rate increase, which combined comes to 10.3¢? Administrator Brook would rather not give a definite figure without doing the calculation. Mr. D'Acquisto believes that the combined increase of 7.3¢ for the school budget and 3¢ for the local purpose tax is too much.

NOTE: 8:20PM Council Member Garganio present at this time.

Administrator Brook does not know the school budget in depth; he believes that when the school budget was defeated and was sent to the Township Council for review, the subcommittee struggled to cut the increase by 3¢. He feels it may have been devastating to cut the increase by more. Administrator Brook does know the township budget and explained that over the past 10 years the

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local purpose rate has gone down 7¢ but it cannot continue to go down or the township will run out of money to operate. At some point in time the rate has to be increased, even if it's a small adjustment. He does not believe that a 3¢ increase in the local purpose tax is unreasonable. Mr. D'Acquisto is looking at the combined increase of the school tax rate and the local purpose tax. He asked if the township was willing to only increase their tax rate by 1.5¢ this year? He also questioned the new homes that have received Certificate of Occupancy Certificates (CO's), whether taxes are being collected from them yet? Administrator Brook explained that the township is not collecting taxes at this time from new homes that have received CO's this year; taxes are received as an added assessment that comes on at the end of year. The township cannot anticipate more ratables then are physically on the books as of October 2007. That is the law.

Administrator Brook stated that the township could stay at zero by using more surplus but the question is, if the ratable base stays the way it is and doesn't expand, where will the township be. He has to protect the township's future interest. He explained that it was very difficult for Council to raise the tax rate this year. Administrator Brook stated that even raising the rate 3¢ does not leave him that comfortable. He actually started at a higher increase but after meeting with Mayor and Council they got down to 3¢. At that time he advised Mayor and Council that if it is dropped too low it poses potential problems in 2009 and 2010. With the state of the economy there is no guarantee that the township will not experience financial issues in the next two (2) years.

In response to Mr. D'Acquisto, Council Vice President O'Hara stated that the governing body members also live in the community and pay taxes. He explained that the State of New Jersey is in fiscal chaos. Due to decisions made by the State Administration regarding the pension system 8 – 10 years ago, it is costing the township \$225,000 this year. The township lost \$180,000 in State aid this year. Combined that is \$405,000. The 3¢ increase only covers the \$180,000 the township lost. Council Vice President O'Hara stated that he would be very concerned if the tax rate was not raised about what would next year bring if the economy remains in a down turn. If the rate was not raised, the township would have to use more surplus and would be mortgaging their future in order to keep the rate down this year. Council Vice President O'Hara praised Administrator Brook and explained that he does everything he can to keep expenses down. Council Vice President O'Hara stated that throughout the budget discussions the governing body and Administrator Brook were thinking of the taxpayers.

Administrator Brook noted that even after this increase, homeowners are paying less in local purpose taxes then 10 years ago.

Council Member Garganio stated that most municipalities do not drop their rate; when Florence Township had the opportunity to drop the rate they did. The rate has been dropped five (5) times over the past 10 years. If the township receives more funds or ratables, the rate will come back down. That is the township's goal.

Jorge Semidey, 21 Challander Way, questioned the reassessment of the homes in Florence Township? He believes the older homes will end up paying less in taxes and the new developments will pay more in taxes. Council Member Garganio stated that the whole town will be reassessed and will go by the value of the homes. Administrator Brook explained that after a reassessment there will be some where their taxes will be lower and some where taxes will be higher. A reassessment usually has an impact on a newer home; the value tends to come down. As the ratable base of the

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municipality increases significantly, the tax rate comes down. He cannot give a 100% guarantee but he would not be surprised if some of the brand new homes come down in their taxes.

Further discussion followed regarding the reassessment. The township is being proactive in doing the reassessment. Some municipalities are being forced by the County to do a reassessment and are put under a time constraint. Florence Township decided to begin the reassessment before the County mandated it.

Bill Bott, 64 Riverbank Drive, stated that he has lived in Florence Township for almost 20 years. He has been through a reassessment and his taxes did go up. Mr. Bott attends many meetings and stated that the governing body and administration “try and try” to do a good job and keep the tax rate down in Florence Township.

Mr. Kaminski asked what amount of surplus is in the new budget, how much surplus has there been in previous years and has the township had to tap into the surplus in the last five (5) years? Administrator Brook explained that normally municipalities use their surplus every year; the question is to what amount and to what degree. As of the end December 2007 the amount of surplus was \$4,375,000; Florence Township is using \$2,424,000. That leaves a surplus of \$1,950,000. Now what would happen if next year the township needs \$2,400,000? It would not be there. That is why when looking at the budget he does not just look at the present year but future years also. Administrator Brook explained that municipalities try to insulate homeowners from having a massive increase at one time.

Administrator Brook addressed the reassessment issue. He explained that the reassessment is done for every home in the municipality; it is irrelevant where they live or where the house is situated. It is a question of value and what the market will bring for the value and for the assessor to do his best to balance it out so no one person is paying a significant amount more in taxes. Some will be more in taxes; some will pay less. The township does its best to even it out so it is fair and is representative of what is occurring in the market. It is getting tougher because there have not been as many sales, which is relied on.

All residents having an opportunity to be heard, MOTION by O’Hara; seconded by Sandusky to close the public hearing. All ayes - motion carried.

RESOLUTIONS

RESOLUTION NO. 2008-100

**ADOPT MUNICIPAL BUDGET
TOWNSHIP OF FLORENCE**

RESOLUTION NO. 2008-101

**SOUTH JERSEY HEALTH INSURANCE FUND (SJHIF)
RESOLUTION TO PARTICIPATE IN A FEASIBILITY STUDY TO FORM
THE SOUTH JERSEY HEALTH INSURANCE FUND**

RESOLUTION NO. 2008-102

**DENY REQUEST FOR RELEASE OF PERFORMANCE BONDS
WAWA (STORE NO. 921), ROUTE 130
BLOCK 163.02 , LOT 13, 13.01 and 13.03
(Performance Bonds #104762993 & #104787505)**

RESOLUTION NO. 2008-103

**AUTHORIZE THE TOWNSHIP ENGINEER TO PREPARE
PLANS, SPECIFICATIONS AND SOLICIT BIDS FOR
2008 ROAD PROGRAM**

RESOLUTION NO. 2008-104

**RELEASE MAINTENANCE BOND FOR
MS INVESTMENTS/RITE AID PHARMACY
BLOCK 159, LOT 1.01
Maintenance Bond No. 5014525**

NOTE: Also conditioned upon payment of any and all escrow money due.

RESOLUTION NO. 2008-105

**RELEASE PERFORMANCE BOND FOR WHITESELL CONSTRUCTION
HAINES CENTER, BOND NO. PA1FSU0414179
FOR 270 DANIELS WAY, BLOCK 158, LOTS 1,2, AND 3
CONDITIONED UPON POSTING A MAINTENANCE BOND**

NOTE: Conditioned upon payment of any escrow funds due.

RESOLUTION NO. 2008-106

**RELEASE PERFORMANCE BOND FOR HUNTER INDUSTRIES/
NWL TRANSFORMERS, PERFORMANCE BOND NO. QC1-J31-464153-082
CONDITIONED UPON POSTING A MAINTENANCE BOND**

NOTE: Conditioned upon payment of any escrow funds due.

RESOLUTION NO. 2008-107

**AUTHORIZE EXECUTION OF APPLICATION AND AGREEMENT
IF APPROVED
FOR STATE AID TO MUNICIPALITIES OR STATE AID TO COUNTIES
AND MUNICIPALITIES UNDER THE NEW JERSEY
TRANSPORTATION TRUST FUND AUTHORITY ACT**

RESOLUTION NO. 2008-108

**AWARD CONTRACT FOR 2007/2008 COMMUNITY DEVELOPMENT
BLOCK GRANT APPLICATION
TO EAGLE CONSTRUCTION, 1623 JACKSONVILLE ROAD,
BURLINGTON, NJ, 08016**

RESOLUTION NO. 2008-109

**AUTHORIZE THE TOWNSHIP ENGINEER TO
DEVELOP COST ESTIMATE FOR
NJ DOT MUNICIPAL AID PROGRAM – BIKEWAYS
AND FILE APPLICATION**

RESOLUTION NO. 2008-110

**RELEASE MAINTENANCE BOND FOR
CJS INVESTMENTS/SUTTON HEIGHTS
BLOCK 171.01 , LOT 6.01
Maintenance Bond No. 5014836**

NOTE: Also conditioned upon payment of any and all escrow money due.

RESOLUTION NO. 2008-111

**AUTHORIZE EXECUTION OF AGREEMENT
FOR RECYCLING PROGRAM
WITH THE COUNTY OF BURLINGTON
CONCERNING THE ACQUISITION OF
AUTO CART CONTAINERS**

RESOLUTION NO. 2008-112

**AUTHORIZE REFUND OF FAAD BUILDING FEES
DUE TO CANCELLATION OF SOCIAL FUNCTION**

RESOLUTION NO. 2008-113

**RESOLUTION AUTHORIZING REQUESTS
FOR PROPOSALS TO BUILD & MANAGE
AN AFFORDABLE SENIOR RENTAL COMMUNITY
FLORENCE TOWNSHIP, BURLINGTON COUNTY, NJ**

RESOLUTION NO. 2008-114

**RESOLUTION NAMING PLANET AID AS A PROVIDER FOR
RECYCLING FOR TEXTILE MATERIALS IN THE TOWNSHIP OF FLORENCE**

It was on the MOTION of Garganio, seconded by Sandusky that Resolutions 2008-100 through 2008-114 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

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

NOES: None

ABSENT: None

Unanimous approval.

RESOLUTION NO. 2008-115

**RESCIND & AMEND RESOLUTION NO. 2008-98
APPROVING 2008-2009 FLORENCE TOWNSHIP SCHOOL BUDGET**

Administrator Brook explained that Burlington County notified the school this morning that they are not going to accept the Resolution that the township prepared and reason for that is they are not accepting the re-accounting of the debt services adjustment that the school was going to do in the amount of \$120,000. Administrator Brook stated that Bruce Benedetti, Florence Township School Board Business Administrator, revised his Resolution and made an adjustment, which is before Council this evening that equates to the \$120,000. Administrator Brook reviewed the Resolution. He stated that approval of this Resolution will rescind prior Resolution No. 2008-98. Administrator Brook explained that the township is under a time constraint from the County and the State of May 30th. If the township makes no formal decision it will have a massive impact on the residents because the school budget increase would not be implemented this year; it would be implemented next year along with next year's increase, if that were to occur.

Bruce Benedetti, Florence Township School Board Business Administrator, explained the State Statute on School Board Budgets and stated that the reduction stays the same, it is just from different sources.

It was on the MOTION of Sandusky, seconded by O'Hara that Resolution 2008-115 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

YEAS: O'Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

ABSTAIN: Garganio

Unanimous approval.

ORDINANCES

**ORDINANCE NO. 2008-07
(1st Reading)**

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING THE FLORENCE TOWNSHIP CODE BY AMENDING SECTION 134-35 – SCHEDULE III: NO STOPPING OR STANDING BY ADDING CERTAIN PROVISIONS FOR CEDAR LANE

It was on the MOTION of Sandusky, seconded by Ryan to approve Ordinance No. 2008-07 on first reading and set adoption for June 4, 2008.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

YEAS: Garganio, O’Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

**ORDINANCE NO. 2008-08
(1st Reading)**

AN ORDINANCE OF THE TOWNSHIP OF FLORENCE AMENDING CHAPTER 134 OF THE FLORENCE TOWNSHIP CODE TO ESTABLISH NO PARKING ON PORTIONS OF WALNUT COURT

It was on the MOTION of Sandusky, seconded by O’Hara to approve Ordinance No. 2008-08 on first reading and set adoption for June 4, 2008.

On the Question

Nothing at this time.

Upon roll call Council voted as follows

YEAS: Garganio, O’Hara, Ryan, Sandusky, Baldorossi

NOES: None

ABSENT: None

Unanimous approval.

REPORTS

Committees, Boards and Officers

- Council President Baldorossi requested that Dan Guzzi, Township Engineer, provide an updated punch list for **Greenbriar** for the June 4th meeting. Mr. Guzzi will provide.

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Mayor

- Mayor Berry thanked Council for allowing him to miss the May 7th meeting. He had the opportunity to represent Florence Township at a **Boss Lift by the New Jersey National Guard** to show support, as elected officials, for the National Guard and Armed Forces Reserves both home and abroad.
- Mayor Berry presented a **Proclamation** proclaiming the month of June 2008 as **Myasthenia Gravis Awareness Month**. This proclamation is dear to his heart as his granddaughter suffers from this disease. Joy Weiler, Township Clerk, read the Proclamation aloud.

Administrator

- Administrator Brook reported that the **stop signs on E. Third Street** between Olive Street and Hamilton Street that Mr. Kaminski requested should be installed next week.
- Administrator Brook stated that **Homes for Our Troops**, the organization building a specially adapted house on E. Fifth Street for an officer that served in Iraq that was injured and is now paralyzed, submitted deed restrictions. Administrator Brook and Solicitor Kearns reviewed the deed restriction and both feel that they are reasonable and give the town some protection.

Administrator Brook noted that the organization will meet with the Building Department. He explained that these homes are built within 3-5 days, which will take a significant amount of coordination and cooperation with the Building Department. They build dawn to dusk.

- Administrator Brook was contacted by Liberty's attorney requesting another meeting with the subcommittee. According to their attorney, **Liberty** is prepared to make a more detailed proposal to the township on what they would like to do with their development. Administrator Brook stated that Mayor Berry and Council Member Garganio are already on the subcommittee and he will need one more volunteer from Council. Council Member Ryan offered to participate on the subcommittee.

Assistant Administrator

- Assistant Administrator Sahol reported that the **Shade Tree Committee** met last night and one member is no longer a resident of the community. He noted that the committee is recommending Matthew Botlinger to the Mayor's office.

Township Solicitor

- Nothing at this time.

Township Engineer

- Nothing at this time.

UNFINISHED BUSINESS

Council Member Sandusky noted that this coming weekend is **Memorial Day**. Years ago Burlington County would supply geraniums and flags to the local veterans groups to place at the tombstones of deceased veterans. When the County stopped supplying the flowers and flags, Florence Township began supplying them. Council Member Sandusky believes there will be memorial services on both Sunday and Monday. The dates and times will be verified and the governing body will be notified.

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NJDOT Municipal Aid Grant Application

Dan Guzzi, Township Engineer reviewed the roads that have been on a list but have never made it onto a Road Program:

- Second half of Main Street
- End of Main Street (10th Avenue to the end)
- Baird Drive
- Schisler Drive
- W. Fourth Street from Church to the Boulevard
- Maple Avenue from Delaware Avenue to Parish Lane
- Winter Street from E. Fifth Street to E. Third Street

Council Member Ryan stated that there was a previous discussion of doing Fifth Avenue in the future and would like to make that suggestion. Council Member Sandusky asked if Fifth Avenue would be acceptable under the grant? Mr. Guzzi explained that the higher traveled the road the more likely to be approved. It is not a condition related; it is impact related. Fifth Avenue from Hornberger Avenue to Main Street could be considered a collector road. After further discussion, Fifth Avenue from Hornberger Avenue to Riverside Avenue will be included in the application. Mr. Guzzi explained that the grant received is typically \$150,000 and if that amount is not enough to cover the whole stretch of Fifth Avenue, they can only do half at this time.

RESOLUTION NO. 2008-116

**AUTHORIZE THE TOWNSHIP ENGINEER AND
TOWNSHIP ASSISTANT ADMINISTRATOR TO
DEVELOP COST ESTIMATE FOR
NJ DOT MUNICIPAL AID PROGRAM
AND FILE APPLICATION**

It was on the MOTION of Sandusky, seconded by Ryan that Resolution 2008-116 be approved.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

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

NOES: None

ABSENT: None

Unanimous approval.

NEW BUSINESS

Shade Tree Commission Appointment

Mayor Berry reported that a member of the Shade Tree Commission, John Shields, has moved out of town and presented the name of Matthew Botlinger for Council's approval to fill the unexpired term: Term Expires 12/31/2012.

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It was on the MOTION of Sandusky, seconded by Garganio to approve the appointment of **Matthew Botlinger** to the Shade Tree Commission for the unexpired term.

On the Question

Nothing at this time.

Upon roll call Council voted as follows:

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

NOES: None

ABSENT: None

Unanimous approval.

Zoning Change Request

Administrator Brook received a letter from Tom Coleman, attorney for Mark Dimon who was in last week asking for a zoning change, asking for an immediate response. At that meeting they were asked to make revisions to the plans. Administrator Brook advised the governing body that they need to make an informed decision when requested to change the zoning. He suggested inviting them to the June Worksession meeting to make a presentation with revised plans. Council Members are willing to meet at the June Worksession on the condition that they supply the revised drawings before hand so Council can review them.

BOARD OF HEALTH

Nothing at this time.

MISCELLANEOUS

Nothing at this time.

9:30 PM MOTION by O'Hara, seconded by Ryan to adjourn to Closed Session. Roll call vote - all ayes.

ADJOURNMENT

9:30 PM: Meeting adjourned.

Respectfully submitted,

JOY M. WEILER
Township Clerk

/mab