

August 11, 2004

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

PRESENT: Council members Daniel, Smyth, Gilmore, Alls-Moffatt and Solicitor Bruce M. Gunn

ABSENT: Council members Villari and Cesaretti

The following statement was read by Mayor Martin:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notice of all meetings to be held in 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from July 7, July 14 and closed session minutes from June 2, June 9, July 7 and July 14 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth

Mr. Smyth moved that the attached Treasurer's and Finance Committee Reports for the month of July be approved as submitted. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

In Mr. Cesaretti's absence, Mrs. Alls-Moffatt read the police report for the month of June that was submitted by Chief Norcross. Vehicle Mileage 2972, Gas Used 407, Juvenile Arrests 3 (Assaults 0, Miscellaneous 3), Adult Arrests 11 (Criminal Warrants 3, Criminal Summons 1, Traffic Warrants 5, DWI 2), Motor Vehicle Crashes 2, Motor Vehicle Stops 94, Motor Vehicle Warnings 15, Motor Vehicle Summons 94, Burglar Alarms 10, Asst. to other Police Departments 31, Animal Complaints 3, Fire calls 12 (Riverton 2, Out of Town 10), Ambulance Calls-Riverton 32, Unattended Deaths 0, Criminal Cases 33, Domestic Violence 0, Thefts 4, Burglaries 2, Firefighters/EMT 0, Civilian 1), Sexual Assault 0, Criminal Mischief 7, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 37, Miscellaneous Calls 504, and Total Calls 973.

In Mr. Cesaretti's absence, Mrs. Alls-Moffatt read the police report for the month of July that was submitted by Chief Norcross. Vehicle mileage 3080, Gas Used 395.2, Juvenile Arrests 5 (assaults 0, Miscellaneous 5), Adult Arrests 12, (Criminal Warrant 3, criminal Summons 1, Traffic Warrant 6, DWI 2), Motor Vehicle crashes 3, Motor Vehicle Stops 56 Motor Vehicle Warnings 6, Motor Vehicle Summons 63, Burglar Alarms 1, Asst. to other Police Departments 53, Animal Complaints 5, Fire Calls 8, Ambulance calls (Riverton) 21, Unattended Deaths 1, Criminal Cases 41, Domestic Violence 1, Thefts 7, Burglaries 0, Assaults 2 (Police Officers 0, Firefighters/EMT 0 & Civilian 2, Sexual Assault 0, Criminal Mischief 6, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 38, Miscellaneous Calls 589 and Total Calls 929.

Mr. Gilmore asked the Chief about the blue Chevrolet on the municipal parking lot. Mr. Gilmore believes this vehicle has been abandoned and is not registered. Chief Norcross stated that Officer Kirk was taking care of that now. However, Mr. Gilmore stated that he did not see any indication that the police addressed this situation before tonight's meeting. Mr. Gilmore complained that this situation was previously brought to the Chief's attention and it has taken the department three weeks to address it. Mr. Gilmore doesn't know how we can enforce the new 2 hour parking ordinance when the police don't even check what goes on in our own municipal parking lot. Mr. Gilmore asked the Chief to think about this and get back to the Public Safety Committee. Mr.

Gilmore asked the Chief why the parking lot is not policed. The Chief responded that the officers do check the parking lot. Mr. Gilmore stated that the officers should be writing things down. Mrs. Alls-Moffatt then asked if the two hour parking signs were delivered. The Chief responded no, that they had not been ordered. The Chief also stated that the estimated cost for these signs and posts is six or seven hundred dollars. The Chief commented that the signs must be a height of seven feet. Mr. Gilmore asked if the Chief anticipates a problem for his department by putting these signs up. The Chief responded no, and that he had just ordered chalk sticks to mark the tires.

PARK, RECREATION, RECYCLING, ENVIRONMENTAL COMMISSION AND MUNICIPAL COURT-Mr. Gilmore

Mr. Gilmore reported that maintenance continues to be done at the park. Mr. Gilmore has contacted three fence companies to obtain quotes for fencing at the back of the stadium.

Mr. Gilmore read a report for the month of June that was submitted by Court Administrator Laura Frick. There were 158 traffic tickets issued—19 for parking, 139 traffic other and 2 DWI. There were 10 criminal charges filed—1 summons, 3 warrants and 0 local ordinance. The total receipts for the month amounted to \$10,498.50. The total disbursed to Riverton amounted to \$5605.65.

Mr. Gilmore read a report for the month of July that was submitted by Court Administrator Laura Frick. There were 66 traffic tickets issued—13 for parking 53 traffic other and 0 DWI. There were 13 criminal charges filed—1 summons, 3 warrants and 1 local ord. The total receipts for the month amounted to \$10,173.00. The total disbursed to Riverton amounted to \$5708.00

PUBLIC WORKS/SEWER-Mrs. Villari

In Mrs. Villari's absence, the Clerk reported that the road project on Homewood Drive, Cinnaminson Street and Second Street will commence on September 1, 2004. It is anticipated that the work will be completed by September 18. The contractor will be given an extension until the end of September if the weather does not cooperate.

ZONING, PLANNING, CODE ENFORCEMENT AND REDEVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt reported that Christian Hochenberger, a member of the Planning Board was appointed by Council last week to serve as the Borough's COAH liaison. Mrs. Alls-Moffatt reported that the sub-committee is still working on rewriting our fence ordinance. Mrs. Alls-Moffatt reported that the Board reviewed a minor site plan application for the operation of an antique shop at 300 Lippincott Avenue. Glenn Smyth, the applicant was present at the Board meeting to review this application. Mr. Smyth informed the Board that he was initially told that all he needed was a mercantile license. He was later informed that he needed minor site plan approval. Mrs. Alls-Moffatt provided an overview of the Board's discussion on this issue. Detailed information can be obtained through the Planning Boards' secretary and minutes. Mrs. Alls-Moffatt raised concern that the general public may not be aware of the required procedures regarding permits and planning and zoning board applications. She recommends that a letter be sent to all residents informing them of the proper procedures.

The Zoning Board heard an application from James Brandenberger regarding a project that he would like to build on the six hundred block of Main Street. The plans are on file in Borough Hall. This application was continued until the Zoning Board's August meeting. There was also an application for a side yard setback by another resident which the Board approved. Mrs. Alls-Moffatt reported that resolutions were memorialized for Cindi Vee's application for a bed and breakfast and for Mr. Grahm's fence application.

SHADE TREE/HUMAN SERVICES-Dr. Daniel

Dr. Daniel stated that there was nothing to report regarding Shade Tree this month.

Dr. Daniel read a report for the month of July that was submitted by Welfare Director Florence Klein. There were two clients on assistance. Mrs. Klein attended various seminars and workshops throughout the month.

OLD BUSINESS

UPDATE RE: RAIL MEETING

Mr. Gilmore reported that he and Mrs. Alls-Moffatt recently met with representatives from Riverfront Associates for the New Jersey Transit Riverline Consulting Team. Mr. Gilmore stated that this meeting was to help identify and evaluate desirable municipal economic development that can be supported by the RiverLine in each of the communities that hosts a RiverLine station. Both Mr. Gilmore and Mrs. Alls-Moffatt reported that the meeting went well. Information was exchanged and concerns were raised. Mr. Gilmore stated that another meeting will be held sometime in the Fall. Council will be kept informed.

ZONING/CODE ENFORCEMENT OFFICER ISSUES

Mrs. Alls-Moffatt asked that Council address Mr. Dydek's suggested amendments to our Zoning Ordinance. These suggested were previously presented to Council for their consideration. A discussion then ensued. Our Solicitor recommended that the Zoning Board and their attorney be apprised of these suggestions for their review and input. This should be done prior to any action Council may decide to take.

LEGAL OPINION RE: RAIL HORNS

Council reviewed a legal opinion from our Solicitor as to whether the Borough would have a cause of action against New Jersey Transit relative to the frequency and volume of the whistles which emit from the light rail trains. This opinion is on file with the Municipal Clerk. Mr. Gunn stated that the Borough would have the right to present a petition attesting to the noise pollution issues created by the railroad. Mr. Gunn cautioned that the Surface Transportation Board would probably raise safety arguments in defending the practice blowing horns at the grade crossings. A discussion ensued with Council taking this issue under advisement.

NEW BUSINESS

ORDINANCE 9-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 22 ARTICLE I OF THE RIVERTON BOROUGH CODE CREATING A UNIFORM CHECKLIST FOR SUBMISSION REQUIREMENTS FOR VARIOUS APPLICATIONS TO THE PLANNING BOARD

The above Ordinance was read by title only for the first time by Mrs. Alls-Moffatt, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye. Second reading and a public hearing on the Ordinance is scheduled for September 8, 2004 at 7:00pm.

ORDINANCE 10-04

AN ORDINANCE TO AMEND CHAPTER 13 OF THE RIVERTON CODE TO PROVIDE FOR THE MAYORAL APPOINTMENT OF MEMBERS OF THE RIVERTON BOROUGH ENVIRONMENTAL COMMISSION AND DESIGNATION OF ITS CHAIRMAN

The above Ordinance was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent

and Mrs. Alls-Moffatt aye. Second reading and a public hearing on this Ordinance is scheduled for September 8, 2004 at 7:00pm.

MAYORAL APPOINTMENT TO THE ARCHITECTURAL REVIEW COMMITTEE

Mayor Martin appointed Nancy Siefert to serve as a regular member of this committee. Mrs. Siefert will be filling the unexpired term of Dan Campbell, who moved out of town. Mrs. Siefert's term will expire on December 31, 2006.

CORRESPONDENCE-There was no correspondence presented at this time.

Michael Heine, 106 Carriage House Lane, asked what Nancy Siefert's qualifications were to serve on the Architectural Review Committee. Mrs. Alls-Moffatt listed all of Mrs. Siefert's qualifications for this appointment.

Mr. Heine believes that we should look into obtaining parking signs that are aesthetically pleasing. Concern was raised about the potential costs for such signs. Chief Norcross commented that he would find out from the State what specific requirements are necessary for these signs.

Mr. Heine asked that a legal opinion be obtained regarding the present Farmers' Market sign. It was the consensus that our Code Enforcement Officer determine whether this sign conforms to our ordinance requirements.

Mr. Heine believes that the updated draft redevelopment plan should be evaluated by Tamara Lee, the Planning Board's Planner. Mr. Gilmore disagreed with Mr. Heine.

Mr. Heine believes that the Zoning Officer's proposed amendments to our Zoning Code be sent to the Architectural Review Committee for their review and consideration.

William Harris, 502 Cinnaminson Street, raised concern that the bathrooms at the grandstand in the park have not been locked. A discussion ensued with the consensus being that the police would follow through on this issue.

Michael Heine, 206 Carriage House Lane, expressed concern that there might be a conflict of interest for Nancy Siefert to serve on the Architectural Review Committee. Because her husband is a member of our Planning Board, certain applications that could be before that Board may also require review by the Architectural Review Committee. The Solicitor commented that he would review this situation for potential problems.

REDEVELOPMENT DISCUSSION-TOM COLEMAN, REDEVELOPMENT SOLICITOR PRESENT

Mr. Gilmore and Mrs. Alls-Moffatt reported that the redevelopment sub-committee's modifications to the draft redevelopment plan were distributed to Council at last week's meeting. Mr. Gilmore had asked Council to relay any concerns or questions about the plan to him. Mr. Gilmore stated that he has not received any comment from the members of Council one way or the other. Both Mr. Gilmore and Mrs. Alls-Moffatt would like to move forward with the process of getting this plan adopted. Mr. Coleman commented that he was not sure that the sub-committee had finished all of their work on this draft plan. He recommended that another meeting be held. Mr. Coleman stressed the importance that the Mayor and Council be comfortable with the plan before it is considered for adoption. Mr. Coleman provided an overview of the process that would be required for the adoption of a redevelopment plan. After a short discussion, it was the consensus that the sub-committee meet on August 17 to review the draft plan. Council will be kept informed.

RESOLUTION 83-04

A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT C.231 P.L. 1975 (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye. It should be noted that a litigation matter will be discussed.

At this time Mr. Gilmore moved that we return to public session. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

NEWSLETTER

Dr. Daniel commented that we are seeking volunteers to assist us in the formulation of a Borough Council newsletter. The Clerk supplied him with samples of previous newsletters that we have done. Council will be kept informed.

FARMERS' MARKET VOUCHERS

The Treasurer reported that we have incurred almost a thousand dollars in legal fees pertaining to the Farmers' Market. After short discussion it was the consensus that revenue received from the market be used to offset these costs.

RE-ASSESSMENT OF ALL PROPERTIES

The Clerk reported that the County Tax Administrator would like to come to a Council meeting to discuss a possible revaluation. It was the consensus that the Clerk ask the County Tax Administrator to attend the next Council work session, if possible.

There being no further business to discuss, Mr. Smyth moved that the meeting be adjourned. This was seconded by Mr. Gilmore, with all present voting in the affirmative.

Mary Longbottom, RMC
Municipal Clerk