

August 4, 2004

The work session of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

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

**ABSENT:** Council member 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 the Burlington County Times on January 13, 2004

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

**Financial Issues: a. approval & execution of required certificates Re: renewal of Bond Anticipation Note,** Council reviewed the three bids received for the renewal of our Bond Anticipation Note. They were as follows: 1st National Bank –A Bank of America Company 1.79%, Parker & Hunter 2.75% and Commerce Corp. 3%. Mr. Smyth reported that the Borough would accept the bid from 1<sup>st</sup> National Bank. Mr. Smyth further stated that this was a renewal of our Bond Anticipation Note plus additional funding for a fire truck. The Mayor is required to execute required certificates regarding this note. **b. Tax Bills-extending the grace period for August payments.** Mr. Smyth reported that the distribution of the Borough's tax bills were delayed by the County and State's failure to timely approve the Borough's 2004 Municipal budget. Mr. Smyth reported that the tax bills were mailed out to all residents on July 30<sup>th</sup>. The Treasurer reported that, by law, tax bills should be mailed at least 25 days before the due date (August 1) Mr. Smyth reported that it is the recommendation to extend the grace period for the August tax payments until August 31, 2004. After that date, the interest charges would revert back to August 1. After a short discussion, it was the consensus of Council to agree to this recommendation.

#### **RESOLUTION 80-04**

#### **A RESOLUTION AUTHORIZING THAT THE GRACE PERIOD FOR DELINQUENT 2004 3<sup>RD</sup> QUARTER TAXES BE EXTENDED TO AUGUST 31, 2004**

**(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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**Update Re: 2004 Community Development Block Grant Project.** Mrs. Villari reported that we have received notification that the Borough's approved allocation for this project amounts to \$85,000.00. Mrs. Villari explained that the Borough would be removing architectural barriers and installing handicapped curb ramps at 41 locations throughout the Borough. Mrs. Villari reported that we need to authorize the Mayor to sign the sub-grantee agreements required for this project.

#### **RESOLUTION 81-04**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE SUB-GRANTEE AGREEMENT PERTAINING TO THE BOROUGH'S 2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT**

**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye,

Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**Review of the following draft Ordinances: Checklist requirements for site plan and sub-division applications and making required appointments to the Environmental Commission consistent with state statutes.** Council reviewed both of these draft ordinances prepared by our Solicitor. It was the consensus that they be placed on the agenda for first reading at next week's Council meeting.

**Announcement of the completion of the Pompeston Creek Environmental Inventory Booklet.** Mr. Gilmore made this announcement and stated that this publication was produced under the NJDEP Environmental Services Program Matching Grant ES02-014. Five hundred copies of this booklet have been printed. This publication provides basic information about the geology, history, plants, animals and recreation value of the Creek.

**Announcement that the Borough Code book has been placed on the internet:**

[www.generalcode.com](http://www.generalcode.com) (The Borough's code codifiers). The Clerk made this announcement and informed Council that the Borough's webmaster would be creating a link from our website to the on-line Code so that the Code book will be accessible to the public. Council will be kept apprised of this issue.

**Review of correspondence from Congressman Rob Andrews Re: Riverton resident's complaint about the horn blowing at the grade crossings.** Council reviewed this correspondence and it was the consensus that the Mayor respond in writing. Council also explored other options that might be available to the Borough to alleviate the horn problem. One suggestion was for neighboring communities to band together and consider taking legal action against New Jersey Transit. Council asked our Solicitor to provide a legal opinion on this. The Solicitor also suggested contacting our congressional representatives who oversee the Federal Railroad Association for assistance.

**Discussion: Council on Affordable Housing (COAH) liaison.** Mrs. Alls-Moffatt reported that Planning Board member Christian Hochenberger has volunteered to serve in this capacity. Our Solicitor commented that the Borough is required to complete and submit annual COAH monitoring forms. This had previously been done by former COAH liaison and member of the Planning Board, Lyn Johnson. Mr. Gunn further commented that there are new COAH rules scheduled to be adopted by the State in January 2005, which may have an impact regarding our substantive COAH certification. Mr. Gunn stressed the importance of appointing a COAH liaison to assist Council with COAH issues. Dr. Daniel expressed concern that Mr. Hochenberger may not have the time to do the work that may be required. Discussion resumed. It was the general consensus that Mr. Hochenberger be appointed to serve as the COAH liaison for the remainder of 2004. Mr. Hochenberger will be working closely with Tamara Lee, Planner regarding COAH requirements.

#### **RESOLUTION 82-04**

#### **A RESOLUTION APPOINTING CHRISTIAN HOCHENBERGER TO SERVE AS THE BOROUGH'S COUNCIL ON AFFORDABLE HOUSING (COAH) LIAISON FOR THE REMAINDER OF 2004 (IN FULL IN RESOLUTION BOOK)**

The above Resolution 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 abstained, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**Redevelopment sub-committee report-**Mr. Gilmore reported that the sub-committee recently met, reviewed the present draft plan, and made some modifications to it. Copies of the new draft redevelopment plan, with the inclusion of the suggested modifications were distributed to Council. Mr. Gilmore asked that Council review this document for next week's meeting. He would like Council to move forward and approve this plan and then hold a public hearing on it. A discussion then ensued. It was the consensus of

Council that our Redevelopment Solicitor, Tom Coleman, be asked to attend next week's meeting to review these suggested modifications with the Governing Body. Mr. Coleman will also be asked to review the proper procedures regarding the adoption of a redevelopment plan.

**Discussion: Possible application for the Statewide Livable Communities Grant for Municipal Capital Improvement Projects.** Council reviewed information regarding this grant. The purpose of this grant is to assist municipalities with capital improvement projects for municipally-owned properties (excluding those specific to parks and recreation) to include; existing building and structures, roads, pipes, drains and other utilities infrastructure, acquisition of and rights-of way (excluding open space), equipment, and vehicles other than passenger cars and station wagons. Additional guidelines would also have to be met. It was the consensus that an application be made. Mrs. Villari will contact Rick Arango, the Borough's Consulting Engineer to move forward with the application process. Council will be kept informed.

**Preliminary agenda for August 11.** The Clerk reviewed this with the Governing Body.  
**Meeting open to the public**

**Michael Heine, 206 Carriage House Lane,** asked Mrs. Alls-Moffatt if she has had any formal discussions with potential developers. Mrs. Alls-Moffatt responded no, that she has only initiated informal discussions for informational purposes only.

Mr. Heine raised concern about an antique store being operated out of 300 Broad Street as well as the parking lot recently paved at this location. Mr. Heine asked if site plan applications had been submitted for approval. Mrs. Alls-Moffatt responded that we are aware of these two issues and they are being addressed by our Code Enforcement Officer. Council will be kept informed.

Mr. Heine suggested that Council ask our Solicitor for a legal opinion as to whether or not 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. It was the consensus of Council that the Solicitor be asked to do this.

Mr. Heine asked when our website would be updated. The Clerk responded that our website is being worked on by the Borough's webmaster, Deborah Lengyel.

Mr. Heine stated that he believes there should be revenue accountability regarding the Farmers' Market.

Mr. Heine also questioned the new draft redevelopment plan and whether the people working on it were qualified to do so. He believes our Planner should have input regarding this plan.

**Debra Wenig, 200 Cinnaminson Street,** inquired as to whether the Borough would definitely be purchasing the Post Office. Mr. Smyth commented that the Borough has been exploring this issue and has appointed an architect to help us determine what the costs would be to renovate and remediate this site for municipal purposes. Mrs. Wenig expressed concern about the high taxes and believes this issue should go to a referendum. Mr. Smyth stated that the Borough first needs to find out what the costs would be before any decisions are reached. Mayor Martin commented that he would like this issue to be placed on a referendum. Mr. Gunn commented that it would be very costly for the Borough to hold a special election to put the question before the public as to whether we should acquire and renovate the post office. The best time to do this would be the placement of the question on the ballot for the general election. Mr. Gunn further stated that a referendum cannot be done during a primary election. Council took this entire issue under advisement.

**William Harris, 502 Cinnaminson Street,** asked if Council would be considering the offer made by the owner of the Red Balloon to sell his property to the Borough. Council has not made any decision regarding this offer.

**Nancy Washington, 201 Main Street,** stated that she finds the redevelopment process confusing. Mrs. Alls-Moffatt volunteered to provide Mrs. Washington with information regarding this process.

**Michael Heine, 206 Carriage House Lane**, asked if either Mr. Gilmore or Mrs. Alls-Moffatt would sign off on the draft redevelopment plan presently being considered. Mrs. Alls-Moffatt stated that she would sign the document.

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

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

Mary Longbottom, RMC  
Municipal Clerk