

June 2, 2004

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

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

**ABSENT:** Council member Daniel

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

**Update: Possible acquisition of the Post Office.** Mr. Smyth reported that David Eales, Asset Manager for the United States Postal Service signed the Memorandum of Understanding document on May 19, 2004. Mr. Smyth stated that this opens the door for us to commence negotiations for the possible acquisition of the Riverton Post Office for municipal purposes. Mr. Smyth stated that lead based paint, asbestos and roof problems are some of the areas of concern that will be reviewed and discussed during negotiations. Mr. Smyth further stated that the Post office subcommittee (Mayor, Solicitor, Mr. Gilmore, Mr. Smyth and resident Michael Sencindiver) would be meeting with some prospective architects to share some of the anticipated needs and some of the building problems. They will be asked to prepare some type of a statement indicating the nature and extent of the work that would need to be done to prepare that building for future uses. Council will be kept apprised of this issue.

**Discussion: Suggested Redevelopment plan submitted by Mr. Gilmore and**

**Mrs. Alls-Moffatt** recapped what had been proposed by the prior Planning Board. Mrs. Alls-Moffatt and Mr. Gilmore are suggesting that we concentrate on the Nu-way and National Casein area. They are suggesting the placement of 16 homes on the NuWay property which would be listed for \$300,000.00 each (these properties would be approximately assessed at \$200,000.00 per unit). Riverton would see a revenue of \$128,000.00, which is more than double what we are getting in taxes for the Nuway property. Mrs. Alls-Moffatt stated that they thought maybe 40 more homes could be placed at the National Casein site at the same builder's costs. Mrs. Alls-Moffatt and Mr. Gilmore are also suggesting an extension to the Riverton Park from both sides of the Pompston Creek Bridge. Mrs. Alls-Moffatt and Mr. Gilmore asked Council to have our Engineer (Rick Arango of Remington & Vernick) prepare a plot plan of both Nuway and National Casein to come up with cost estimates. Mrs. Alls-Moffatt stated that the following questions would need to be answered: finding out if our sewer plant could handle it, the effect on our Police & Fire Departments, trash pick-up, streets and roads issues, park would need additional work, the impact to our school(s)-Riverton Public School and sending students to Palmyra High School. Mrs. Alls-Moffatt believes smaller but better redevelopment is the way to go. She also believes the public should be brought in all the way. She believes these suggestions do not create mass density in town. She believes age restricted housing could be a consideration at these locations. Mrs. Villari asked if any commercial uses would be included with their suggestions. Both Mrs. Alls-Moffatt and Mr. Gilmore responded no, given the track record of some of our businesses. Mr. Gilmore commented that if council decides on this plan it will be written into our redevelopment plan and zoned for this type of project. Mr. Gilmore further stated that we could then go out and offer this project to builders. Mrs. Villari raised concern about eliminating all commercial uses from that location. She thinks it would be nice to have some small businesses at that area. Mr. Cesaretti asked if this is something that a private developer would want to do; shouldn't we let them pay for the engineering fees? Mr. Gilmore stated we are only looking to determine the feasibility of this type of

redevelopment as to how many lots can be set into these two properties. Mr. Cesaretti stated that if it is feasible, a private developer will find it faster than us. That is their job. Mr. Cesaretti asked if the two properties we are speaking of are already part of our redevelopment plan. Mr. Gilmore responded yes. Mr. Gunn commented that the Borough does not have a redevelopment plan; we have designated the areas for redevelopment. The Solicitor stated that a redevelopment plan officially needs to be put in place. The draft plan currently on file does have commercial uses in it. Mr. Gunn recommended that the Borough's Redevelopment Solicitor, Tom Colman should be present to assist Council with the redevelopment process. Mayor Martin commented that Dave Gerken, a local planner thought we could redirect the smart growth grant money for a sustainable zoning ordinance to redevelopment issues. Mayor Martin also believes more public comment is needed before any decision is made. Mr. Gilmore believes time is of the essence for decisions to be made regarding redevelopment. Mr. Cesaretti asked if we have an obligation to notify the owners of Nuway and National Casein of our possible intentions. Mrs. Villari stated that she also believes we need to adopt a solid redevelopment plan with different options before we go ask an engineer to do any plot plan and/or surveys. Mr. Gunn suggested that Mr. Coleman be asked to attend next week's meeting to assist Council. It was also suggested that David Gerken also be asked to attend next week's meeting.

**Update Re: Farmers' Market.** The Solicitor provided Council with the status of his negotiations with New Jersey Transit (NJT) regarding their required access permit. The Solicitor stated that he was able to get NJT to reduce the certificate of insurance amount down to one million from two million. Mr. Gunn further stated that the Borough, as well as NJT, may terminate the access permit on five days notice. Mr. Gunn further stated that any vendor participating in the Farmers' Market shall be required to execute the release Indemnity and Hold Harmless Agreement and to provide a certificate of insurance acceptable to the Barclay Agency, the insurance broker for the Borough of Riverton, prior to his participation in the event. Eric Goldstein, 404 Lippincott Avenue, commented that he would take care of making sure that the proper paperwork is submitted to the Borough and the Barclay Agency by 4:00pm this Friday. Mr. Gunn prepared a Resolution for Council's consideration.

**Michael Heine 206 Carriage House Lane** asked if there was a document that identifies the Borough as the operator of the Farmers' Market. The Solicitor responded that there are two things: a resolution adopted last month which makes Farmers' Market a subcommittee of the Borough of Riverton and a letter of intent signed by the Mayor to sponsor the market. Mr. Heine expressed strong concern that a site plan had never been submitted.

#### **RESOLUTION 62-04**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A NEW JERSEY ACCESS PERMIT NUMBER 04-233 PERMITTING THE OPERATION OF THE HISTORIC RIVERTON FARMERS' MARKET ON NEW JERSEY TRANSIT PROPERTY**

#### **(IN FULL IN RESOLUTION BOOK)**

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

**Review of bids received for Fire Ladder Truck.** The Solicitor reported that one bid was received, opened and publicly read on May 27, 2004 at 10:00am. The bid received was from **Pierce Fire Apparatus of Appleton, Wisconsin and amounted to \$549,966.00. The Solicitor stated that this bid includes a trade-in value of \$25,000.00 on our 1990 Pierce Refurbed 100' Aerial.** The Solicitor further stated that if the Borough would like to pay the full amount of the bid at contract signing than an

addition 8,000.00 may be deducted. The Solicitor did not recommend that Council agree to this. After some discussion, it was the consensus that Council would authorize the Mayor to execute a contract with Pierce subject to the advice of the Borough Solicitor as to the form thereof.

#### **RESOLUTION 63-04**

#### **A RESOLUTION TO AWARD A CONTRACT FOR THE PURCHASE OF A CUSTOM 100 FOOT HEAVY DUTY MID-MOUNT AERIAL FIRE TRUCK TO PIERCE MANUFACTURING, INC. OF APPLETON, WISCONSIN (IN FULL IN RESOLUTION BOOK)**

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

**Discussion: Possibly authorizing Dante Guzzi, Associates to advertise for bids for work to be done on Homewood Drive, Second Street and Cinnaminson Street.** Mrs. Villari reviewed the initial quotes received for this work with Council. Mrs. Villari reported that it is the recommendation to bid the entire project. A discussion then ensued. Mr. Cesaretti raised concern about the engineer for this project. Mr. Cesaretti believes there has been a lack of responsiveness from this firm on past projects requested by the Borough. Mrs. Villari stated that this firm has not been given any new engineering projects; however, since they have done all the required work for project, they should finish it. Mrs. Villari stressed the point that these streets have needed to be addressed for some time now. After additional discussion, it was the consensus of Council to agree with Mrs. Villari.

#### **RESOLUTION 64-04**

#### **A RESOLUTION AUTHORIZING DANTE GUZZI, ASSOCIATES TO ADVERTISE FOR THE RECEIPT OF BIDS FOR ROAD WORK TO BE DONE ON HOMEWOOD DRIVE, SECOND STREET AND CINNAMINSON STREET IN THE BOROUGH OF RIVERTON (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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Discussion: Possible amendments to Chapter 123 of the Borough Code Pertaining to Vehicles and Traffic.** Mr. Cesaretti stated that the following recommendations were unanimously approved by the Chief of Police and the Parking Committee. If Council concurs, our Ordinance would have to be amended to reflect the following time-limit parking on certain days: 123-26 Main Street Southwest from 8:00am to 6:00pm except Sundays for 120 minutes from North Broad Street to a point 400 feet west thereof, 123-26 Howard Street, Southwest from 8:00am to 6:00pm, except Sundays, for a maximum time of 120 minutes from North Broad Street to a point 400 feet west thereof and 123-25 Main Street, Southwest from 8:00am to 6:00pm, except Sundays for a maximum time of 120 minutes at the Riverton Borough Parking Lot. Mr. Cesaretti stated that it is also the recommendation to repeal the following time limit parking-123-26 Cinnaminson Street Southwest from 8:00am to 6:00pm, except Sundays for a maximum time of 60 minutes from a point 25 feet north of the north side of Broad Street to a point 80 feet north of the north side of Broad Street. After a thorough discussion, Council agreed to these recommendations.

Mr. Cesaretti then asked that Council amend Chapter 123-27.1 to include the following location for disabled persons parking in the area of the school: Cinnaminson Street South beginning at a point 152 feet from the southerly corner of Fourth and Cinnaminson Street extending thence 25 feet westward. Mr. Cesaretti asked that the

existing disabled person's location be repealed: Fifth Street, West, beginning at a point 40 feet from the southwesterly corner of the intersection of Fifth Street and Howard Street, extending thence 22 feet. After another thorough discussion, Council agreed to these recommendations. Ordinances will be prepared for first reading for next week's meeting.

Chief Norcross and Mr. Cesaretti asked that Council consider amending Chapter 123 to prohibit standing or stopping on Fifth Street, West during all hours between Howard Street and Cinnaminson St., to make the following streets one-way-Howard Street northwest between Fifth street and fourth street and Cinnaminson Street southeast between Fourth Street and Fifth Streets add the following loading zone at Howard Street, northeast, between Fifth Street and Fourth Street, Cinnaminson Street, Southeast between Fourth Street and Fifth Street. To repeal no stopping or standing limitation on Cinnaminson street, southwest all except 11:30 am to 11:45 am and 3:00pm, to 3:15pm from Fourth Street to Fifth Street and Howard Street, Northwest, all except 11:30am to 11:45am and 3:00pm to 3:15 pm from fifth street to the north line of Riverton school. These suggestions were made with the advice and consent of the Public Safety Committee with respect to traffic flow in the vicinity of the Riverton Public School- Police Chief has consulted with the Riverton public school with respect to these recommendations.

**Discussion: Municipal cross-acceptance representatives and required resolution.**

Council reviewed a request from the County's Department of Economic Development and Regional Planning asking that the appointments to the Route 130/Delaware Riverton Advisory Committee (Mrs. Alls-Moffatt and Mr. Gilmore) also serve as the official Cross-Acceptance representatives from our municipality. They would be assisting this Department in the development of Burlington County's Cross-Acceptance report, and official negotiations with the State Planning Commission. Both Mrs. Alls-Moffatt and Mr. Gilmore asked to defer their decision to serve until next week. They need additional information. Council agreed to their request.

**Discussion: Possible application to the Municipal Aid Program for Local Bikeway and Safe Streets to School Programs.**

Council reviewed correspondence from the Department of Transportation regarding this program. After a short discussion, it was the consensus to hold off on making an application at this time.

**Discussion: The Domestic Partnership Act which becomes law on July 10.** Both the Clerk and the Solicitor provided Council with detailed information regarding this new law and the burdens it will create for the Registrar's Office. Information on this new law is on file with the Municipal Clerk. The Solicitor stated that the current fee schedule for vital records does not include domestic partnership certificates. Therefore, our Ordinance needs to be amended. The Clerk also reported that we are not collecting enough in current vital record fees to offset the costs for the State mandated safety paper. The Solicitor stated that procedures will need to be in place to efficiently handle this new law. The Solicitor further stated that Council can consider participation in the New Jersey State Health Benefits program Act of the State of New Jersey for Domestic Partnership Coverage in accordance with Chapter 246, P.L. 2003. It was the consensus of Council to refer this issue to our Finance Committee for their recommendation. It was also the consensus of Council that our fee schedule ordinance be amended to include domestic partnership certificates. The Solicitor stated that he would recommend charging the same fees for all vital records. It was the consensus that the fees should be \$20.00 for the first certified copy of any vital record and \$15.00 thereafter. The Solicitor will prepare the necessary ordinance for next week's meeting.

**Discussion: Registration and room reservations for the League Conference in Atlantic City on November 16, 17, 18 & 19.**

After a short discussion, it was the consensus that 4 rooms for 2 nights be reserved for this conference. The Clerk will take care of getting the accommodations.

**Summer Park Personnel.** Mr. Gilmore reported that the following people would be working the summer programs this year. They are Emily Barth, Kady Iannacone, Kyle Holl, and Chris Rago. A formal Resolution will be prepared for next week's meeting.

**Preliminary agenda for June 9.** The Clerk reviewed this with the Governing Body.  
**Meeting open to the public**

**Frank Cioci, 408 Lippincott Avenue,** asked who was on the redevelopment committee. Mr. Gilmore responded there are 3 members from councils. Mr. Cioci took exception to the fact that Mr. Gilmore feels the businesses do not do well in town. Mr. Cioci feels we need more commercial properties in town and we have to make it easier for businesses to start up in town.

**Mary Ann Shea, 205 Bank Avenue,** asked if we were required to have low income housing in the Borough. Mrs. Alls-Moffatt responded yes, with any redevelopment you are required to have a certain amount of low income units. It was noted that the Borough is presently in compliance with the Council for Affordable Housing. The Borough has obtained substantive certification.

**Michael Heine, 206 Carriage House Lane,** believes Mrs. Alls-Moffatt's comments on redevelopment breed confusion. Mr. Heine provided statutory information regarding redevelopment for Council's information. Mr. Heine raised concern about the Farmers' Market and where it will be located. Mr. Heine believes it may violate our zoning ordinance if it is held on our property as opposed to NJT'S. Regarding the possible acquisition of the Post Office, he volunteered to participate on this committee.

**Jim Rivard, 304 Shrewsbury Lane,** disputed the projected assessment figures presented by Mrs. Alls-Moffatt and Mr. Gilmore regarding redevelopment this evening. Mr. Rivard asked when we would have a reassessment in town. Mr. Gilmore responded hopefully next year but added that reassessment is very costly. Mr. Rivard did like the idea of placing higher priced homes at the Nu-Way/National Casein location. Mr. Rivard stated that the Borough has a very able attorney on staff. He doesn't feel we need another attorney questioning everything that goes on here.

**Mary Ann Shea, 205 Bank Avenue,** asked if Council would be rescinding their request of the Planning Board to formulate this maintenance code. The Solicitor commented that Council would need to go back to determine if a previous Council had directed the planning board to work on this code. Mayor Martin reported that the Board would be looking at a sample code from Delanco Township to assist us in possibly putting together a softer ordinance. Mayor Martin commented that at this time we are not directing the Planning Board to do anything. Council is still thinking this issue through. Mrs. Alls-Moffatt suggested that Council review this issue at our next work session.

**Bill Harris, 502 Cinnaminson Street,** reviewed parking concerns with Council, in particular the one-way street recommendations that were made tonight. Mr. Harris also raised concerns about the street and off street parking of commercial vehicles. Mr. Harris reported that he is working on a petition to submit to the Senate regarding noise mitigation measures at the grade crossings.

**Cathy Martin, 103 Bank Avenue,** asked if Council had additional information regarding engineering work scheduled for the proposed Delaware River Heritage Trail. Mr. Gilmore stated that he spoke to Matt Johnson, the Delaware River Heritage Trail Administrator, and let him know that the engineers should restrict their work to county streets and not Borough Streets.

#### **RESOLUTION 65-04**

#### **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

absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that personnel and litigation will be discussed.

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

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

Mary Longbottom, RMC  
Municipal Clerk