

March 10, 2004

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

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

**ABSENT:** Council members Gilmore 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 February 4, February 11 and closed session minutes from February 4 and February 11 were then presented. Mayor Martin asked for a motion to approve these minutes. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

The Treasurer reported that our computer server failed last Friday; therefore no reports could be generated. The reports will be presented at Council's March 15<sup>th</sup> budget session.

#### **COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti.** In Mr. Cesaretti's absence, it was announced that these reports would be placed on file.

#### **PARK, RECREATION, RECYCLING &**

**ENVIRONMENTAL COMMISSION-Mr. Gilmore (No Report)**

#### **PUBLIC WORKS/SEWER-Mrs. Villari**

Mrs. Villari reported that the Streets and Roads Department are preparing for Spring clean-up. Leaves and brush are being picked-up. Mrs. Villari reported that she would be speaking to our Engineer regarding how the recent grant award might impact their proposal regarding the new stormwater regulations. Council will be kept apprised of the situation.

Regarding the Broad Street Enhancement, Mrs. Villari has received an update from the Borough's Engineer for this project, Dan Guzzi. Mrs. Villari read this letter, which is on file with the Municipal Clerk. Mrs. Villari reported that the Municipal Clerk also received correspondence from the Bureau of Environmental Program Resources regarding this project. They have requested additional information from Mr. Guzzi to complete and submit required documentation. Mrs. Villari will review what is required and keep Council informed on the progress.

#### **ZONING, PLANNING, CODE ENFORCEMENT**

**AND REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that the Zoning Board approved the appointment of Remington, Vernick and Arango as their Engineering firm for 2004.

Mrs. Alls-Moffatt reported that the Planning Board returned the proposed Commercial Property Maintenance Code to their sub-committee to be re-worked. Mrs. Alls-Moffatt reported that the Planning Board's Solicitor Tom Coleman had given the sub-committee a sample code from another municipality for their review. Mrs. Alls-Moffatt had suggested that the board review two or three sample codes from other municipalities before we do our own.

Regarding the Smart Growth Grant award to write a sustainable Zoning Ordinance, Mrs. Alls-Moffatt reported that the State has given the Borough an extension to complete this ordinance. However, the State has not responded to the Borough's

requests for them to approve the changes in the scope of work for this project. The Planning Board is now recommending that the Borough return the grant money.

Mrs. Alls-Moffatt reported that representatives from the rail line attended the recent Planning Board meeting to discuss rail issues, in particular the blinking lights along Broad Street.

Mrs. Alls-Moffatt reported that the Planning Board re-elected Christian Hochenberger to serve as their liaison to the Environmental Commission.

Mrs. Alls-Moffatt reported that a checklist for applications for site plans and/or sub-divisions has been completed and will be referred to Council for their review.

In appreciation for the volunteer efforts to weed certain areas near the rail line by our Girl Scout Troop, Mrs. Alls-Moffatt took them to tea at the New Leaf.

#### **SHADE TREE, BOARD OF HEALTH & HUMAN SERVICES**

Dr. Daniel reported that the Shade Tree Commission applied for and received a \$2,000.00 Community Forestry Grant. The matching requirements will be met by doing in kind services. A formal Resolution will be done later on this evening.

Dr. Daniel read a report for the month of February that was submitted by Welfare Director, Florence Klein. There were two clients on the rolls. Mrs. Klein attended various training seminars and meetings throughout the month.

**OLD BUSINESS**-There was no old business presented at this time

#### **NEW BUSINESS**

#### **ORDINANCE 1-04**

#### **BOND ORDINANCE AMENDING BOND ORDINANCE NO. 4-02 OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED AUGUST 8, 2002, AS AMENDED BY BOND ORDINANCE NOS. 10-02, 7-03 AND 13-03 IN ORDER TO AMEND DESCRIPTION OF PROJECTS (IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. Since there was no public comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **ORDINANCE 3-04**

#### **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123, SECTION 27.1 SCHEDULE VA OF THE RIVERTON BOROUGH CODE TO ADD AN ADDITIONAL LOCATION WITHIN THE BOROUGH FOR DISABLED PERSONS PARKING**

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

#### **ORDINANCE 4-04**

#### **AN ORDINANCE AMENDING CHAPTER 123 REPEALING A DESIGNATED HANDICAPPED PARKING SPACE ON FIFTH STREET.**

The Solicitor reported that there is a legitimate need to retain this handicapped parking space. The Solicitor further explained that we are required to have a designated handicapped space at our polling place (the Riverton Public school). It was the consensus with Council to agree with this. No action was therefore taken on this proposed Ordinance.

**CONSENT AGENDA**-Mayor Martin

Mayor Martin announced that the Transfer Resolution listed on the consent agenda would be removed. This is due to the fact that our computers were not operating this week.

**RESOLUTION 30-04**  
**SHADE TREE COMMISSION'S RECEIPT OF \$2,000 FROM THE GREEN**  
**COMMUNITY GRANT AWARD**  
**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 31-04**  
**A RESOLUTION BINDING THE BOROUGH OF RIVERTON TO PURCHASE**  
**ELECTRIC GENERATION SERVICES PURSUANT TO A MULTI-**  
**GOVERNMENT ENERGY AGGREGATION CONTRACT AWARDED**  
**THROUGH THE BURLINGTON COUNTY COOPERATIVE PRICING**  
**SYSTEM #4BuCCP**  
**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 32-04**  
**A RESOLUTION AUTHORIZING AERIAL MOSQUITO CONTROL**  
**ACTIVITIES OVER THE BOROUGH OF RIVERTON DURING 2004**  
**(IN FULL IN RESOLUTION BOOK)**

Mr. Smyth moved that this Consent Agenda be adopted. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye.

**CORRESPONDENCE**-There was no correspondence presented at this time  
**MEETING OPEN TO THE PUBLIC**

**Donna Tyson, 206 Carriage House Lane**, believes that there is difficulty with communications between the various Boards and Council. Ms. Tyson explained that the Environmental Commission is talking about recommending a setback or buffer around the Pompeston Creek regarding any development in that area. She stated that this issue was discussed at a recent Environmental Commission meeting. However, she doesn't believe this information was brought to Council's attention. She suggested that the Chair of each Board and/or Commission be asked to come to Council's regular meetings to make reports. This would be in lieu of a council member giving such a report. She believes we would have more access to information by doing this.

Ms. Tyson stated that it appears that the Planning Board is the contact for light rail issues. This was mentioned at the recent Planning Board meeting. She is not in favor of this. She believes it should be a member of council. Mrs. Villari stated that she is the light rail council liaison.

Ms. Tyson raised concern regarding the grant application made by Mr. Gilmore for a path around the park. Ms. Tyson does not feel comfortable moving forward with this. She has not seen a plan or any other information regarding this grant application. Ms. Tyson commented that she had asked Jerry Savidge of light rail if this path is to be part of the Heritage Trail. The answer was yes. Ms. Tyson would like Council to put a hold on this grant. Mrs. Alls-Moffatt believes Ed Gilmore should be here to give input before a decision is reached.

Ms. Tyson also raised concern about proper placement of people to serve on various boards and commissions. She also feels that some type of attendance policy should be instituted.

**Dennis Eversmeyer, 400 Fulton Street**, reported that there are potholes that need to be addressed along Fulton Street. Mr. Eversmeyer also raised concern that there is no light on the Flag at the park. Mr. Eversmeyer suggested contacting PSE&G to find out about a program that they offer that could assist the Borough with this. Mr. Eversmeyer also reported that the light at the memorial was out. Mrs. Villari commented that she would turn these concerns over to our Public Works Manager.

**William Harris, 502 Cinnaminson Street** urged Council to address the noise problems from the light rail line. Mr. Harris stated that he has contacted Randy Dickinson of the

Federal Railroad Administration (FRA), who is willing to come down and discuss this issue with Council. Mr. Harris further stated that Council would have to do a resolution requesting that Mr. Dickinson come before Council. This needs to be done by April 19, 2004. After a lengthy discussion, Mrs. Villari moved that we investigate whatever can be done to mitigate the noise problems regarding the rail line. This was seconded by Mr. Smyth, with all present voting in the affirmative. Mrs. Villari stated that as Council's rail liaison, she would be willing to discuss this issue further with Mr. Harris and report back to Council.

**Gene Bandine, 522 Main Street**, raised concern about the traffic lights on Broad Street and the back-up of traffic at the Broad & Main intersection

**Michael Heine, 206 Carriage House Lane**, believes that many of the rail issues discussed require professional input. He urged Council to authorize our Engineer to review the rail issues and make recommendations to the Governing Body.

**William Washington, 201 Main Street**, agrees that the representative from the FRA should be asked to come down to review the noise problems coming from the rail line before the deadline.

Mr. Washington raised concern about potential development of open space behind Cedar Street Apartments between 8<sup>th</sup> Street and 9<sup>th</sup> Street. Mr. Washington understands that new setback requirements are being recommended by the Planning Board.

**Michael Heine, 206 Carriage House Lane**, raised strong concern about the erosion problems at various riverwall locations along Bank Avenue. Mr. Heine urged Council to authorize our Engineer to assess these areas. Mr. Heine believes Bank Avenue is in jeopardy of washing out. Mr. Heine presented Council with a proposed Ordinance that would supplement our present code regarding Bulkhead maintenance for Council's consideration.

**Jim Gross, 203 Fulton Street**, urged Council to authorize a revaluation on all properties in the Borough. He understands that the last time this was done was in 1989. He believes this should be done as soon as possible. Council referred this request to our Finance Committee.

#### **RESOLUTION 33-04**

#### **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. Villain. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye. It should be noted that personnel, contract negotiations and litigation would be discussed.

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

#### **RESOLUTION 34-04**

#### **A RESOLUTION REAFFIRMING THE BOROUGH'S PROPOSED COMMITMENT TO EXPLORE THE FEASIBILITY OF ACQUIRING THE U.S. POST OFFICE BUILDING IN RIVERTON (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 absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **RIVER LINE INAUGURAL CELEBRATION INFORMATION**

Mayor Martin asked if anyone from Council would be attending this celebration which is scheduled for Saturday, March 13. Since the response was negative, Mayor

Martin reported that Robert Smyth, who lives at 1 Bank Avenue, expressed an interest in attending. It was the consensus of Council to let Mr. Smyth attend this function.

**REQUEST FOR A FARMER'S MARKET IN RIVERTON**

Mayor Martin reported that a resident (Eric Goldstein) has indicated his interest in starting a Farmers' Market in town. The market would be located immediately adjacent to the new Riverton Light Rail Station. After a short discussion, it was the consensus of Council that the Clerk obtain information from other municipalities who have Farmers' Markets to determine what regulations, licenses, etc are required. The Clerk will contact Collingswood and Woodbury. Council will be kept informed.

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

Mary Longbottom, RMC  
Municipal Clerk