

October 13, 2004

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

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

ABSENT: Council member Villari

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 September 1, September 8 and closed session minutes from September 8 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Ms. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth

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

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti reported that the Police Chief did not submit reports for the month of September. When they are submitted they will be reflected in the minutes.

PARK, RECREATION, ENVIRONMENTAL COMMISSION AND

MUNICIPAL COURT-Mr. Gilmore

Mr. Gilmore reported that the Borough's Tree contractor is removing some diseased trees. Mr. Gilmore reported that various plantings have been done by our Public Works Department along the railroad.

Mr. Gilmore read a Municipal Court report for the month of September that was submitted by Court Administrator, Laura Frick. There were 111 traffic tickets issued—4 for parking, 105 traffic other and 2 DWI. There were 12 criminal charges filed, 12 summons, 0 warrants and 0 local ordinance. The total receipts for the month amounted to \$17,04300. The total amount disbursed to Riverton amounted to \$9,866.17.

PUBLIC WORKS/SEWER-Mrs. Villari

In Mrs. Villari's absence, the Solicitor reported that we are required to take public comment regarding the Broad Street Enhancement Grant. Mr. Gunn suggested starting our November 3 work session at 6:30pm instead of 7:00pm to do this. Dan Guzzi, the Borough's Engineer for this project will be present and answer questions from the public. It was the consensus of Council to agree to this. The Clerk will take care of advertising the change in the meeting time in the Burlington County Times.

ZONING, PLANNING, CODE ENFORCEMENT AND

REDEVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt reported that Mr. Flamini formally applied for a variance to build 16 age restricted homes adjacent to the Cedar Lane Manor Apartments. The application was continued until next month. Detailed information can be obtained from the Zoning Board secretary.

Regarding Bob Moccia's site plan application (300 Broad Street), the Planning Board determined that there were two issues to be addressed. They are whether Mr. Smyth

would be permitted to open his furniture store, and what could be done about the new 14 space parking lot at this location. Mrs. Alls-Moffatt reported that Mr. Moccia was of the opinion that he was just bringing his property up to code. He was advised by the Board that there are procedures to be followed. Mrs. Alls-Moffatt further stated that Mr. Moccia has submitted a site plan application to the Board. Detailed information can be obtained from the Planning Board Secretary.

Mrs. Alls-Moffatt reported that Mr. & Mrs. Miller submitted required paper work to open up an ice cream parlor on Main Street. This application is scheduled to be heard on October 19.

Mrs. Alls-Moffatt announced that Eric Goldstein and Christian Hochenberger have both resigned from the Planning Board. The Mayor will consider new appointments later on in the meeting.

SHADE TREE/HUMAN SERVICES-Dr. Daniel

Dr. Daniel reported that we would be doing a Resolution pertaining to going out to bid for a Shade Tree Contractor for the years 2005 & 2006 later in the evening.

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

OLD BUSINESS

POSSIBLE PURCHASE OF THE PROPERTY LOCATED AT 500 HOWARD ST.

Mr. Gilmore reported that he has spoken to the owner about the possibility of the Borough purchasing this property. Mr. Gilmore stated that this issue would be discussed further in closed session tonight since it has to do with contract negotiations.

UPDATE RE: POSSIBLE NOISE ORDINANCE

The Clerk reported that there may be some modifications to the State's draft noise ordinance that was discussed last week. Council will be kept apprised of this issue.

NEW BUSINESS

RESOLUTION 94-04

**APPROVING THE SHADE TREE SPECIFICATIONS AND AUTHORIZING
THE ADVERTISEMENT FOR THE RECEIPT OF BIDS FOR A SHADE TREE
CONTRACTOR**

(IN FULL IN RESOLUTION BOOK)

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

TAX SALE ANNOUNCEMENT

Mr. Smyth announced that the tax sale is scheduled to take place on November 10 2004 at 10:00am in the municipal building.

CORRESPONDENCE

Mrs. Alls-Moffatt read a letter that resident William Harris wrote to George D. Warrington, Executive Director of New Jersey complaining about the horns blowing at the grade crossings. In his letter, Mr. Harris stated that he contacted the Chairman of the Committee of the United States Congress which has oversight on the Federal Railroad Administration. His name is Dan Young of the State of Alaska. Mr. Harris states that he was informed by Mr. Young's office that there is no rule, statute, or law that states that the horns have to blow at grade crossings. Mr. Harris challenged Mr. Warrington to produce the law or rule regarding this issue. Mr. Harris will continue to keep Council informed.

Mrs. Alls-Moffatt read a letter that was sent by 13 residents to our Code Enforcement Officer. Their concern is that Riverview Estates (Baptist Home) is taking commercial deliveries prior to 8:00 am in violation of their prior zoning appeal. Mrs. Alls-

Moffatt will forward this information onto our Code Enforcement Officer. A copy of the petition has been placed on file.

MEETING OPEN TO THE PUBLIC

Dennis Eversmeyer, 400 Fulton Street, raised concern about potholes on his street, that the Flag not being properly lit at the War Memorial or at the Yacht Club at night, that the plaques at the War Memorial are not lit and public access to the Yacht Club.

Michael Heine, 206 Carriage House Lane, 206 Carriage House Lane, stated that the sidewalk near 107 Lippincott is breaking down and should be addressed. Mr. Heine raised strong concern once again that our Zoning Officer violated his duties by not fining the property owner at 300 Broad for enlarging his parking lot at this location. Mr. Heine asked if the new “draft” redevelopment plan was sent to Tamara Lee, Planner. The response was yes. Mr. Heine asked if Redevelopment Solicitor Tom Coleman has submitted a written report regarding the draft plan and any builders’ remedy implications. The response was no. Mr. Heine also asked if an economist had reviewed this draft plan. The response was no.

Jody Goldstein, 404 Lippincott Avenue, announced that the Farmers’ Market would not be held this Saturday. It will resume next week and will run through Saturday, November 6.

Iris Gaughan, 401 Main Street, asked when the Town Clock would once again be operational. Mr. Gilmore provided an overview of why it is not working at this time. However, Mr. Gilmore reported that once the Broad Street Enhancement Grant project is complete it should be operational.

MAYORAL APPOINTMENTS TO THE PLANNING BOARD

Mayor Martin announced that he was appointing Donna Tyson as a regular member of the Planning Board. Ms. Tyson will fill the unexpired term of Eric Goldstein, who recently resigned. Ms. Tyson’s term will expire on December 31, 2005.

Mayor Martin announced that he was appointing Robert Smyth of Bank Avenue, to serve as an alternate member of the Planning Board. Mr. Smyth will fill the unexpired term of Donna Tyson. Mr. Smyth’s term will expire on December 31, 2004

REDEVELOPMENT DISCUSSION (TOM COLEMAN, REDEVELOPMENT SOLICITOR WAS PRESENT)

Mr. Gilmore distributed copies of the “draft” redevelopment plan and reviewed the suggested changes. Mr. Gilmore asked that Council consider introducing it tonight on first reading. Mr. Coleman provided an overview once again of the process that would be required for the adoption of the plan. A discussion ensued. Concern was raised that Council has not had enough time to review this document to make a final decision. Mr. Smyth moved that Council discuss this “draft” redevelopment plan at their November 10 council meeting. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore nay, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that Redevelopment Solicitor Tom Coleman will be present for the November 10 meeting.

RESOLUTION 95-04

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

At this time Mr. Smyth moved that we return to public session. 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 aye and Mrs. Alls-Moffatt aye.

POSSIBLE POLICE DEPARTMENT MERGER OR ABSORPTION WITH ANOTHER MUNICIPALITY

Mr. Cesaretti, Director of Public Safety, moved that we put on the record that preliminary fact finding discussions have been initiated with Cinnaminson Township regarding the possible merger or absorption of our Police Department. Mr. Cesaretti further moved that we would also initiate discussions with the Borough of Palmyra. Mr. Cesaretti stated that if written responses are received from these municipalities, he would report back to Council. Mr. Cesaretti stated that it is important for the Council to know what other monetary and policing options are available when the next police contract is negotiated. Mr. Gilmore seconded Mr. Cesaretti's motion. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

RESOLUTION 96-04

A RESOLUTION AUTHORIZING THE AWARDED OF A CONTRACT FOR PROFESSIONAL SERVICES TO DANTE GUZZI, ASSOCIATES AS ENGINEER FOR THE COMPLETION OF THE BROAD STREET ENHANCEMENT GRANT FOR THE BOROUGH OF RIVERTON AND AUTHORIZING THE MAYOR TO EXECUTE THE REQUIRED CONTRACT (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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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