

July 6, 2005

Borough Council held one meeting in July 2005 on the above date. Mayor Martin presiding.

PRESENT: Council members Daniel (left meeting at 10:00pm), Villari, Smyth, Gilmore, Alls-Moffatt and Solicitor Bruce M Gunn

ABSENT: Council members 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 notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 76-05

**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. 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. It should be noted that contract negotiations and litigation will be discussed.

At this time Mrs. Alls-Moffatt moved that we return to public session. This was seconded by Mr. Gilmore. 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.

Mayor Martin stated that he thought many residents were here tonight to discuss the possible purchase of the First Church on Main Street. Mayor Martin asked Council if they wanted to take public comment on this issue now. It was the consensus of Council to do that and to place a 30 minute time limit.

Mrs. Villari stated that Council is aware that this church is for sale. Council members were asked to go through the church. Mrs. Villari stated that it is obvious that the existing Borough Hall is inadequate and that we are running out of space. Mrs. Villari stated that she senses that the Church is not an appropriate purchase for our needs. Mrs. Villari stated that some people from the public have stirred up some controversy over this and they can now express their opinions and alternative ideas.

Larry Morgan, 417 Elm Avenue stated that he and Leslie Lewis distributed flyers to the public which informed them of this possible purchase. Mr. Morgan stated that all they want is for something to be done. If we don't purchase the Church what other options do we have? Mr. Morgan believes that the Church is gorgeous and would be great for our town.

Mrs. Villari agreed with Mr. Morgan; however, she believes it has stirred up some questions that the Church is not in the center of town. A large portion of the Church is in Cinnaminson Township. Mrs. Villari stated that the needs of our employees must be focused on and that is the number one priority. Council needs to see how much room and space all of the different departments and employees need. She does not know how to move forward when not all members of Council think this purchase is a positive thing.

Mrs. Alls-Moffatt explained that one of the reasons why she is not in favor of this purchase is because the Church is not 100% in Riverton. Another reason why she is opposed is the cost factor. She also believes that the roof would need to be replaced and she suspects there may be mold problems in the building. While she believes parking would be adequate, she believes we would have to build offices and make rooms to house the police.

Al Reeves, 437 Elm Avenue commented that both the Post Office and the Church are on Main Street; however the entrance for the Post Office is in the back. Mr. Reeves also questioned the fact that there is a handicapped ramp in the back of the building, but not in the front. **Mr. Smyth** commented that if we were to acquire the Post Office, a ramp will be

built in the front. Mr. Reeves raised concern about how much it would cost to heat and air condition these buildings.

Michael Heine, 206 Carriage House Lane, stated that he is the attorney that brought to the Borough the opportunity for the First Church deal. Mr. Heine stated that it is no secret that in the event that the deal is made, he gets a broker's commission with the seller's listing agent. Mr. Heine explained that if the Borough buys the Church, nothing is paid to him personally from the Borough. Mr. Heine believes this is a business decision that needs to be done. Mr. Heine acknowledged the fact that our present building is inadequate and that the Municipal Court had to be relocated. Mr. Heine stated that he feels the only two options that have been considered are the Post Office or the Church. Mr. Heine stated that the cost alternatives of these options should be discussed because something has to happen. Mr. Heine stated that the possible acquisition of the Post Office has been discussed for years.

Mr. Smyth stated that he believes the Church is not big enough to accommodate the Borough's needs and that we would have to extend it with additions on both sides. Mr. Smyth added that there is no space in the Church for offices for the Zoning and Planning Board. Mr. Heine commented that a professional should come in and assess the total amount of space that is needed. Council can then look at that and determine what is best for the Borough.

Leslie Lewis, 429 Elm Avenue. Ms. Lewis asked Mr. Smyth how long the plans for the Post Office have been in process. Mr. Smyth responded about seven years. Ms. Lewis feels that the Church is going to be a missed opportunity. Ms. Lewis stated that at the June 8, 2005 meeting all members of Council present agreed that the present Borough Hall is inadequate. However, Ms. Lewis commented that at that meeting Mayor Martin felt that this building was completely adequate and that we could store our files down at the sewer plant. Ms. Lewis added that she does not feel comfortable about that. She also does not feel comfortable with the fact that the Zoning and Planning Board records are presently being housed in the Board's secretary's house.

Mayor Martin stated that he has concern that Council is going to move to quickly on either the Church or the Post Office. He explained that if we are looking at alternatives, then we have to look at lower cost alternatives. Mayor Martin added that he does not want to purchase the Post Office or the Church.

Charles Caruso, 412 Lippincott Avenue suggested possibly purchasing Nuway and utilizing it as a Borough Hall.

William Harris, 502 Cinnaminson Street, stated that he knows the Borough pays the Fire Company rent for the space where the fire trucks are housed. Mr. Harris suggested that the Borough purchase the house behind Borough Hall and extend our existing building. Mr. Harris commented that he fears some people are not going to be able to live in Riverton if the taxes continue to rise.

Bill Layton, 801 Thomas Avenue, thinks it is odd that we are not talking about property taxes because that is one of the major concerns he has about living in Riverton. He stated that taxes are why he came to tonight's meeting. He is not here to dispute or debate the space needs of this building. Mr. Layton believes a long term plan needs to be discussed. Mr. Layton encouraged Council to move more slowly and cautiously. He stated he knows that there is a space need, but feels we should wait and see about Nu-Way before we make any decision. He doesn't want to see his property taxes going up.

Frank Siefert, 304 Main Street, believes we need to see how much we can afford for a new building. He added that you can't go and look at the church, have everyone fall in love with it and then decide how we are going to pay for it. Mr. Siefert believes the Borough needs to decide what they can afford and then you go out and look. Mr. Siefert believes the storage problem can be solved by utilizing one of those archival companies. Mr. Siefert suggested holding larger meetings in the Riverton School gymnasium.

Mr. Smyth stated that we have been pursuing the Post Office for at least seven years. Mr. Smyth stated that it has only been in the last three or four months that the U.S. Postal Service has finally agreed to sell us the property. The reason the process took so

long is because we have been waiting for them to make up their minds. Mr. Smyth stated that at the present time the U.S. Postal service is asking \$175,000.00 for the building and property. Mr. Smyth stated that the building is well built, with a lot of space. We would have to structurally make some roof repairs and build some walls on the first floor. Mr. Smyth stated that there are about ten rooms downstairs that we hope will house the Police Department and storage. Mr. Smyth informed Mr. Siefert that there are very strict state laws regarding archival facilities. Mr. Smyth informed the public that we are working with the Burlington County Bridge Commission and shared services. They may be able to help us put together bonding needs. Mr. Smyth added that we would try to set up an open house so the people can see the inside of the Post Office.

Michael Heine, 206 Carriage House Lane, suggested that an engineering survey be done on the Post Office.

Anne McIlhenney 604 Cedar Street, stated that she is proud of the present Borough Hall. She was on Council and helped get this building constructed. She stated that she heard there is a very bad mold and asbestos problem at the Post Office that would need to be removed. Mr. Smyth stated that he has not heard anything about a mold problem. Mrs. McIlhenney stated that she heard that from Post Office employees.

Michael Robinson, 6 Second Street, states that he believes that the Borough needs more space. He would like to see a larger municipal building that will meet all the unmet needs we have right now.

Mr. Daniel stated that he thinks it is recognized by everyone that we do need more space for the people who work in the Borough and for the Police Department. He added that the point is if we move forward with a new building, it costs money and taxes would go up. He further stated that we need to figure out what we can afford for a new building and then start looking for something that meets our needs as far as space and money. Dr. Daniel stated that we need to hire a professional, get an opinion and then make a decision. Dr. Daniel reiterated the fact that it will cost money so everyone should be prepared.

Mr. Smyth stated that he thinks this is a great gathering and he appreciates everyone's opinion. He apologized that there is not enough room for everyone.

Mayor Martin stated that he is concerned that we are starting at the high end rather than the low end. His fear is that taxes would go up substantially. Mayor Martin believes we would have to go to referendum if we choose to do anything.

Frank Cioci, 408 Lippincott Avenue questioned whether the Police Department and municipal building have to be at the same location. He also asked how much space we need. He stated that until we know that answer, why are we spending all this time talking about a possible purchase of anything? Mr. Cioci asked if we were to purchase the Post Office, would we have to use it as a municipal building. **Mrs. Alls-Moffatt** responded no, that we could possibly sell it for a major profit if we wanted to.

Larry Morgan, 427 Elm Avenue stated that he thinks that since we spent money to get an architectural design for the Post Office, we should get one done on the Church.

Michael Kinzler, 209 Lippincott Avenue stated that the first thing we need to do is figure out what we can afford and then go from there.

Chris Halt, 400 Linden Avenue, believes there should be an administrative decision to the question of whether this Borough Hall is adequate or do we need more space. Mr. Halt directed this question to Mayor Martin. Mayor Martin's stated that he thinks it is a matter of opinion. Mayor Martin's opinion is that we do not need a new Borough Hall. Mr. Halt commented that he did not like the idea of official records possibly being stored at the sewer plant. Mayor Martin agreed that there is a need for more storage space. Mr. Halt asked the Mayor where we should hold court so that we can bring that revenue back to Riverton. Mayor Martin responded by saying that the court hardly makes any money.

Gary Ford, 311 Bank Avenue, suggested that we get a committee of professionals from town to work on exactly what we need. We need to examine the space and storage issues. The financial aspect needs to be addressed to determine its impact on the taxpayers.

Joe Creighton, 630 Elm Terrace, stated that if taxes continue to go up, the senior citizens in our town are not going to be able to live here anymore and that will change the fabric of our town. Mr. Creighton told Mayor Martin to continue with his fiscal sanity and to continue pursuing that angle.

Michael Heine, 206 Carriage House Lane, suggested that we pass a Resolution tonight picking up on all of the comments of the people.

Charles Caruso, 412 Lippincott Avenue believes that Council should take advantage of all the people resources we have in town.

Mrs. Villari made a motion to utilize all the friends, professionals and business owners of Riverton who can offer any kind of advice to help Council move forward to finding adequate space or a solution to get our needs met. Dr. Daniel seconded this motion. 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.

The minutes from June 1, June 8 and closed session minutes from May 4 and May 11 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel abstained, Mrs. Villari abstained from the May 11 minutes and voted aye for all the rest, 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 June be approved as submitted. 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.

RESOLUTION 77-05

A RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BOROUGH BUDGET FOR THE YEAR 2005

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

RESOLUTION 78-05

A RESOLUTION EXTENDING THE DUE DATE FOR 3RD QUARTER TAXES UNTIL AUGUST 10, 2005

(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.

Discussion: Re-establishing the Economic Development Committee. Mrs. Villari reported that members of our business community as well as some residents have indicated that they would like to re-establish the Economic Development Committee. Mrs. Villari requested that Council consider this. Mrs. Villari commented that she would be willing to serve as the Council liaison to this committee. A discussion then ensued with Council agreeing to Mrs. Villari's request.

RESOLUTION 79-05

A RESOLUTION AUTHORIZING THE RE-ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT COMMITTEE

(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 Dr. Daniel. 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.

Streets, Road & Sewer Issues: a. Review of Draft Ordinances regarding new stormwater regulations, Mrs. Villari reported that the required stormwater regulation ordinances have been prepared by our Solicitor and distributed to Council for their review. Mrs. Villari stated that these ordinances pertain to the following: the prohibition of the feeding of unconfined wildlife in any park area or any other property owned by the Borough, the establishment of requirements for the disposal of pet waste, the establishment of a yard waste collection program, prohibiting the improper disposal of waste, prohibiting illicit connections to the municipal septic storm sewer system operated by the Borough and to establish requirements to control litter in the Borough of Riverton. Mrs. Villari reported that these ordinances must be in place prior to October 1, 2005; therefore, they should be introduced at Council's August meeting. Mrs. Villari asked Council to read the Ordinances prior to our next meeting and bring any questions or concerns to either her or our Solicitor.

b. Possible amendments to Chapter 111 Streets and Sidewalks, Mrs. Villari reported that her committee is currently reviewing this chapter of the Borough Codebook and will be making recommendations for some amendments. Some of the changes being considered are the following: fees charged for a street opening permits, required surety deposit amounts, increasing the public utility surety bond, etc. Mrs. Villari stated that our Streets and Roads Engineer is assisting our committee with these issues. Mrs. Villari hopes to have something for Council to review at the August meeting.

c. Update Re: 2005 Road Program, Mrs. Villari reported that our Streets and Roads Engineer is working on the required work for this project. Fulton Street is the major road to be done this year. Council will be kept apprised of this issue.

Update Re: 2004 Community Development Block Grant Project. Mrs. Villari reported that work has commenced on this project and is moving along very well.

e. Update Broad Street Enhancement Grant. Mr. Gilmore reported that we have received the required Transportation Enhancement Agreement papers that must be executed and returned to the Department of Transportation. Mr. Gilmore also reported that Dante Guzzi, Associates, the Engineer for this project is preparing the bid package.

RESOLUTION 80-05

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE STATE OF NEW JERSEY AND DEPARTMENT OF TRANSPORTATION FOR \$308,200.00 FOR TRANSPORTATION ENHANCEMENT-CONSTRUCTION (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 aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

Discussion: Petitioning COAH for Third Round Certification-Required Resolution. Mr. Gunn explained that our Planner, Tamara Lee, advised us that the state had changed the COAH rules and reversed their approval of our development fee ordinance. In order to have this ordinance validated, we need to petition COAH immediately for substantive certification. Mr. Gunn further explained that we would have had to do this in April 2006 anyway. Mr. Gunn stated that COAH had approved our development fee ordinance; however, the Attorney General had determined that it was not in accordance with the regulations. Mayor Martin commented that the Planning Board had reviewed this issue and is now passing it onto Council. Mayor Martin stated that our Planner estimates that it will cost \$10,200.00 to do the required work. Mrs. Alls-Moffatt stated that Planner is asking Council for a commitment and a resolution to proceed with the third round certification process. Mr. Gilmore asked if we have the money in our budget to defray this amount. The response was no. Mayor Martin asked what would happen if we don't follow through with this. Mr. Gunn stated that Council would have to rescind the development fee

ordinance that was passed a couple of months ago. Mr. Gilmore asked if Ms. Lee is agreeable to billing us after the project is done. Mr. Gilmore stated that we could then place the money needed in our 2006 budget. The Treasurer commented that there may be money to transfer in November that could help offset Ms. Lee's fees. Mrs. Villari asked whose responsibility it was to follow through regarding COAH. Mrs. Villari does not feel the Borough should pay for someone's mistake. Mrs. Alls-Moffatt stated that COAH changed the rules; that Riverton has done nothing wrong. **Chris Halt** of the Planning Board, commented that the reason this needs to be done is because we missed a specific date. Part of the reason why was COAH changed the plans and changed the rules. Mr. Halt commented that the Board felt the lesser of all evils was to go forward with this work to protect the Borough. **Frank Siefert, Chair of the Planning Board** concurred with Mr. Halt's comments. Mr. Siefert thought that at the last board meeting Ms. Lee indicated that her fees for this work would not exceed \$10,200.00. A discussion then ensued. Mayor Martin asked Council if they wanted to move forward with this and vote the Resolution. Mr. Gilmore commented that we have to. **Michael Heine 206 Carriage House Lane** stated that COAH changed no rules and that Council was not advised properly by Planner, Tamara Lee. Mr. Heine stated that the specific provision was contained in the New Jersey Administrative Code, which was effective December 2004. This provision required municipalities, including Riverton, to file this certification by December 2005. Mr. Heine stated that Ms. Lee blew the date. Mr. Heine believes if this had been handled properly, Council would have had ample time to have budgetary considerations in place. Mr. Heine asked that Council get an opinion from our Solicitor as to whether Ms. Lee blew the date. Mr. Gunn commented that he would have to review the regulation that Mr. Heine spoke of. Mr. Gilmore commented that COAH changes the rules as they go along. Mrs. Alls-Moffatt took exception to Mr. Heine's comments about Ms. Lee, especially given the fact that she was not present to defend herself. Mr. Smyth asked Mr. Siefert for his opinion. Mr. Siefert responded that he thought Council should go ahead with Tamara's recommendation. The Treasurer will contact Ms. Lee to discuss the possibility of funding her fee in part or in full during November when transfers are permitted.

RESOLUTION 81-05

A RESOLUTION OF INTENT TO SUBMIT A PETITION TO THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING FOR THIRD ROUND CERTIFICATION FOR THE BOROUGH OF RIVERTON (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 Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari nay, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye

Discussion: re-examination of the 1998 Master Plan-Goals and Objectives. Mrs. Alls-Moffatt distributed copies of the new Master Plan goals and objectives which was completed on June 21, 2005 by the Planning Board's Master Plan subcommittee. (Mrs. Alls-Moffatt, Mr. Joseph Katella and Robert E. Smyth.) **Bob E. Smyth, 1 Bank Avenue** stated that the subcommittee reviewed the 1998 goals and revised them. They then went through a process of talking about what has changed in the town since 1998. The subcommittee then went through a list of tasks (data collection.) Mr. Smyth stated that the key thing for the public to know is that they are putting together an updated survey for our taxpayers and citizens to answer. Mr. Smyth stated that the Planning Board needs direction from Council as to what goals and objectives from the 1998 plan have been met. He asked that Council members send their suggestions to the subcommittee. Mr. Gilmore stated that he has reviewed the 1998 goals. Mr. Gilmore suggests the establishment of a town museum. Mayor Martin believes that the one area where we come up short is developing the Nu-way Shopping Center and the Sitzler property. This is very important to the town. Discussion ensued. Dr. Daniel asked if there was a way of investigating ways retirement age residents would have access to housing in such a way that they can stay in Riverton.

Mayor Martin thought we could be talking about some restricted housing for those who are 55 years or older.

Update and discussion Re: Smart Growth Grant (Redevelopment project). Council reviewed the attached correspondence from Planner Tamara Lee regarding this grant. The Office of Smart Growth has reviewed the Borough's scope of work and has made some modifications. If we don't agree to their modifications, the State will ask for the money back. A discussion then ensued, with the consensus being that we cannot concur with the State's modifications.

RESOLUTION 82-05

**A RESOLUTION TO REJECT THE STATE'S PROPOSED REVISIONS TO THE SCOPE OF THE WORK FOR THE SMART GROWTH GRANT FOR 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. Gilmore. 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.

Mr. Gilmore's suggested amendments to Zoning Ordinance. Mr. Gilmore distributed a packet of information that he put together regarding Block 1500 Lot 2 (National Casein property). Mr. Gilmore reviewed the attached amendments to our Zoning Code (Chapter 128-29) that he would like Council to consider. The packet of information is on file with the Municipal Clerk. A discussion then ensued. Mr. Gunn suggested that these proposed amendments be referred to our Planning Board to ascertain that they are consistent with the Borough's Master Plan before any decision is reached by Council. It was the consensus of Council to agree to this.

RESOLUTION 82-05

**A RESOLUTION TO REFER PROPOSED AMENDMENTS TO SECTION 128-29 OF THE ZONING CODE OF THE BOROUGH OF RIVERTON TO THE RIVERTON PLANNING BOARD
(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.

Request to destroy old police computers. Chief Norcross reported that he is requesting that Council authorize the destruction of these computers. Council reviewed correspondence from F. Gerald Caruso, of Networks Plus attesting to the fact that the computers in question will never work properly again. After a short discussion, it was the consensus of Council to authorize the destruction of these computers.

RESOLUTION 84-05

**A RESOLUTION AUTHORIZING THE DESTRUCTION OF OLD DESKTOP COMPUTER EQUIPMENT
(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. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

Request from Assemblymen Connors and Conaway for a Resolution against the privatization of Social Security. Council reviewed this request and took it under advisement. No action was taken.

Meeting open to the public

Art Reeves, 437 Elm Avenue, reported that he still has issues regarding the Ward fuel oil trucks that are parked on the property that backs up to his. Mr. Reeves stressed that this presents a hazardous situation. Mr. Reeves stated that he would give Council 72 hours to take care of this before he files a lawsuit. Mrs. Alls-Moffatt stated that this issue was looked

into by our Assistant Zoning/Code Enforcement Officer and Chief of Police. Mrs. Alls-Moffatt commented that these oil trucks are not in violation of any ordinance. **Frank Siefert, Chair of the Planning Board** stated that when the Board considered Mr. Ward's minor site plan application, they were informed that hazardous material would not be stored on the site. **Bob E. Smyth, 1 Bank Avenue** stated that even though the tank is empty, there probably is product residue in the manifold, which has the potential for leakage. Chief Norcross commented that the trucks in question falls under Department of Transportation regulations and is inspected once a year. Chief Norcross believes the trucks are not hazardous. Mrs. Alls-Moffatt commented that she would look into this issue once again.

Michael Heine, 206 Carriage House Lane, stated that our Code Enforcement Officer should be addressing this issue. He should determine by a legal opinion if this use violates the law. Mr. Heine does not feel that Council members should get involved with this. Mr. Heine then asked for an update on the interview process for a new Code Enforcement Officer. Mrs. Alls-Moffatt reported that Mr. Dydek resigned June 30. Mrs. Alls-Moffatt commented that the interview process would take place as soon as possible.

Larry Morgan, 427 Elm Avenue, expressed concern that we will be paying our Planner, Tamara Lee additional money to re-do what she did wrong regarding the COAH issue. Mr. Gilmore stated that that was incorrect. Mr. Morgan would like to know why we missed required dates. Mrs. Alls-Moffatt commented that she doesn't know if Ms. Lee missed any dates. We only have Mr. Heine's word for it.

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

Mary Longbottom, RMC
Municipal Clerk