

August 3, 2005

The Borough Council of the Borough of Riverton held one meeting during August, 2005 on the above date. Mayor Martin presiding.

**PRESENT:** Council members Daniel, Villari, Smyth (arrived at 7:04pm), Gilmore (arrived at 7:03pm), Cesaretti, Alls-Moffatt and Solicitor Bruce Gunn

Mayor Martin read the following statement:

Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

Having written notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

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

**RESOLUTION 85-05**

**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. Cesaretti, 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 absent, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that personnel and contract negotiations will be discussed.

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

Mayor Martin thanked the Police Department for all of their help and assistance to the Yacht Club during a recent storm Mayor Martin acknowledged the Police Department's efforts regarding the National Night Out event that was held at Riverton Park on August 2<sup>nd</sup>.

The minutes from July 6 and closed session minutes from July 6 were then presented. 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 aye, Mr. Cesaretti abstained 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 July 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 aye, Mr. Cesaretti aye, and Mrs. Alls-Moffatt aye.

**Streets & Roads Issues: a. Introduction of the following required Stormwater**

**Regulation Ordinances:** Mrs. Villari reviewed these required Ordinances with Council.

Ms. Villari commented that these Ordinances need to be in place by October 1, 2005; therefore, we need to have first reading on them tonight. It was the consensus of Council to agree to this.

**ORDINANCE 8-05**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 106 OF THE RIVERTON BOROUGH CODE, TO PROHIBIT ILLICIT CONNECTIONS TO THE MUNICIPAL SEPTIC STORM SEWER SYSTEM OPERATED BY THE BOROUGH OF RIVERTON**

**ORDINANCE 9-05**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 106 OF THE RIVERTON CODE, TO PROHIBIT IMPROPER DISPOSAL OF WASTE**

**ORDINANCE 10-05**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE RIVERTON CODE, TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PARK AREA OR ANY OTHER PROPERTY OWNED OR OPERATED BY THE BOROUGH OF RIVERTON**

**ORDINANCE 11-05**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE RIVERTON BOROUGH CODE, TO ESTABLISH REQUIREMENTS FOR DISPOSAL OF PET WASTE.**

**ORDINANCE 12-05**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON IN THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 74 OF THE RIVERTON BOROUGH CODE, TO ESTABLISH A YARDWASTE COLLECTION PROGRAM**

**ORDINANCE 13-05**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 74 OF THE RIVERTON BOROUGH CODE, TO ESTABLISH REQUIREMENTS TO CONTROL LITTER IN THE BOROUGH OF RIVERTON**

The above Ordinances were read by title only for the first time 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. Gilmore aye, Mr. Cesaretti aye, and Mrs. Alls-Moffatt aye. Second reading and public hearings on these Ordinances are scheduled for September 7, 2005.

**Possible amendments to Chapter 111: Streets & Sidewalks.** Mrs. Villari reported that we are considering several amendments to this chapter. Our Solicitor has prepared a "Draft" Ordinance for Council to review and consider for next month's work session. Mrs. Villari also stated that the Borough's Streets and Roads Engineer would be making some recommendations for Council's consideration. This issue was taken under advisement.

**Review of proposal from T&M Associates regarding Regulatory permitting for the Borough owned Seawall Stabilization at Linden Avenue.** Council reviewed in detail this proposal and concurred that this issue needs to be addressed as soon as possible. Mrs. Villari commented that T&M Associates proposes to complete the scope of work of services provided on time and materials basis, with a not to exceed limit of \$2,000.00.

**RESOLUTION 86-05**

**A RESOLUTION ACCEPTING T&M ASSOCIATES PROPOSAL FOR PROFESSIONAL SERVICES REGARDING REGULATORY PERMITTING FOR SEAWALL STABILIZATION AT LINDEN AVENUE AND THE DELAWARE RIVER 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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Update Re: 2005 Road Program.** Mrs. Villari reported that the Borough's Engineer for this project, Remington, Vernick and Arango have performed the survey of the existing street and conditions. The base plans have been prepared and the Contract Specifications have been prepared. The design of the roadway is approximately 60% complete. We anticipate having this project completed by August 31, 2005.

**Update Re: Enhancement Grant.** Mr. Gilmore reported that Mr. Guzzi has submitted the final plans and specifications for this project. Mr. Gunn reported that he has reviewed these documents and they are in order. A Resolution needs to be done authorizing Mr. Guzzi's firm to advertise for the receipt of bids for this project.

**RESOLUTION 87-05**

**A RESOLUTION AUTHORIZING DANTE GUZZI ENGINEERING ASSOCIATES TO ADVERTISE FOR BIDS FOR THE BROAD STREET ENHANCEMENT GRANT  
(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 aye and Mrs. Alls-Moffatt aye.

**Request from Environmental Commission Re: Ground Water Contamination.**

Council reviewed correspondence from the Commission recommending that the governing body lend its support to the ongoing New Jersey Department of Environmental Protection (DEP) investigation into ground water contamination apparently related to past discharge of perchloroethylene (PCE) from the Erin Cleaners site in Riverton. A discussion then ensued. Mr. Gilmore moved that the Mayor be authorized to send a letter to the DEP requesting that further action be taken for the remediation of this contamination and that the Governing Body be informed as the investigation continues. 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 aye and Mrs. Alls-Moffatt aye.

**Update Re: Bid Threshold.** The Clerk reported that as of July 1, 2005 the Base Bid Threshold will increase to \$21,000.000. The Clerk further reported that local units that have appointed a Qualified Purchasing Agent and take advantage of a higher bid threshold pursuant to N.J.S.A. 40A:11-3(a) can have their maximum bid threshold increased from \$25,000.00 to \$29,000.00. The Clerk reported that our Chief Financial Officer, Marianne E. Hulme has been serving as the Borough's Qualified Purchasing agent at no additional cost to the Borough. After a short discussion, it was the consensus of Council to increase the bid threshold to \$29,000.00 and appoint Mrs. Hulme, once again, as the Borough's Qualified Purchasing Agent.

**RESOLUTION 88-05**

**A RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT, PURSUANT TO N.J.S.A.40a:11-3(a) AND N.J.A.C. 5:34 ET SEQ.  
(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. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Update Re: Certificate of Determination and award Re: Bond Anticipation Note.**

The Treasurer reported that we renewed our Bond Anticipation note. The total principal amount of \$1,052,000 was renewed on July 14, 2004 at an interest rate per annum of 4.00%. The maturity date for this note is July 14, 2006. The Treasurer reported that this procedure was handled by our Bond Counsel, Ronald Ianoale. Mr. Smyth moved that Council approve this renewal. 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 aye and Mrs. Alls-Moffatt aye.

**Discussion: Eagle at the Train Station.** Mr. Gilmore stated that all of the eagles at the light rail stations will be auctioned off in October. Mr. Gilmore believes it is a wonderful idea if Riverton could keep the eagle presently at our station. Mr. Gilmore would like to contact people in town to find out if they would be willing to participate in this program by

donating funds to help defray the costs involved. Council took this suggestion under advisement

**Discussion: Vacating Mattis Lane.** Mrs. Alls-Moffatt stated that this issue came up at a Zoning Board meeting in conjunction with the Brandenberger application to develop the Sitzler property on Main Street. Mrs. Alls-Moffatt stated that this meeting was quite contentious with disruptions from certain members of the public. Mrs. Alls-Moffatt stated that we will now have a police presence at the Board's meeting next month.

Mrs. Alls-Moffatt stated that Mr. Brandenberger's development of this property has been delayed by a number of months while an extensive title search is done on Mattis Lane.

**William Harris, 502 Cinnaminson Street** commented that he brought a member of the Mattis family to extrapolate on Mattis lane. Mr. Harris stated that Mattis Lane was named for a prior post master. Mr. Harris stated that Mattis Lane is a dedicated street. He does not feel that any consideration should be given to vacating this street without doing a title search of the property. Mr. Harris believes Mattis Lane is part of our historical heritage. Mr. Harris introduced Cindy Mattis Cammarata. Ms. Cammarata stated that there was a street sign denoting Mattis Lane on the old gas lamps. She stated to Council that she has never heard that Mattis Lane was ever vacated. Mr. Gilmore stated that Mattis Lane is a 5' wide path that runs from Main Street (at Freddie's Shoe Shop) to Cinnaminson Street. It is asphalt now but in poor condition.

**Planning Board Issues:** Mrs. Alls-Moffatt stated that this Board has gone through some very disruptive meetings. Since conferring with the Planning Board Chair, Mrs. Alls-Moffatt would like to see some police presence at the Planning Board meetings. Mrs. Alls-Moffatt stated that this will cost the Borough money in police overtime costs. Mrs. Alls-Moffatt stated that she and the other board members are not comfortable at the meetings anymore unless there is a police presence. Mr. Cesaretti asked if the Planning Board could offset the costs for overtime from their budget. Mrs. Alls-Moffatt responded no, she believes this is a matter of public safety at these meetings. Mrs. Alls-Moffatt also commented that when the panic button was pushed at the Planning Board meeting it took 15 minutes for an officer to show up. Chief Norcross stated that an investigation with the alarm company determined it was only a 5 and a half minute response time. Chief Norcross went over the procedures involved when the panic button is pressed.

**Frank Siefert, Planning Board Chair,** stated that he did not make a formal request at the last board meeting for police presence. Mr. Siefert stated that the meeting was very disruptive. His concern was at the time he was leaving the building. Mr. Siefert stated that he was stopped from exiting the building by a person from the audience who had attended the meeting and had a finger physically poked in his chest. He was told that he was acting against the law. Mr. Siefert stated that he was physically blocked from exiting the building. Mr. Siefert believes this situation was most embarrassing to Riverton. Mr. Gilmore asked if there was a way to press charges against these individuals who cause these problems. Mr. Gunn stated that it is a disorderly person's offense to physically interfere with the conduct of a public meeting. This can be enforced by the Police Department. Mr. Gunn stated that under Robert Rules of Order, it is the presiding officer's call as to whether someone should be removed from the meeting. Mrs. Villari was of the opinion that 911 should be called if an incident comes up. She doesn't think the police need to be present for these meetings. Mrs. Alls-Moffatt disagreed; she feels a police presence is necessary at these meetings. Chief Norcross stated that he believes it is also necessary for the police to be present at the Zoning and Planning Board meetings. Chief Norcross stated that if any member of the Boards or a particular resident gets stopped from leaving this building (considered false imprisonment) or gets a finger poked in their chest (considered assault and battery) should come to the Police Department and file a criminal complaint. Chief Norcross stated that a disorderly offense is defined under New Jersey Statutes 2C:33-8 (disrupting a meeting). Dr. Daniel asked Mr. Siefert if he was compensated to serve on the Planning Board. Mr. Siefert responded no, the Board members are all volunteers. Dr. Daniel is embarrassed about what happened at the last Planning Board meeting. Mr. Gunn commented that there is a notice

that can be posted to remind the public as to what constitutes a disorderly offense. It was the consensus that this notice be posted.

**Update: Re: Utilization of Farmers & Mechanics Bank parking lot.** Council reviewed correspondence from the Department of Transportation (DOT) approving the Borough's request for Subtitle One of Title 39 with Various Traffic Regulations pertaining to parking at the Farmers & Mechanics Bank lot No. 2 on Harrison Street. Mr. Gunn commented that the state dictates the form of the required ordinance. Mr. Gunn stated that the DOT has indicated that all signs, posts or other necessary material should be installed and paid for by the applicant, which is the Bank. Mr. Gunn stated that that issue was never discussed with bank representatives during the negotiation process. Mr. Gunn stated that the Borough had indicated that we would pay for this. After a short discussion, it was the consensus that Mr. Gunn review this with the DOT before the required Ordinance is introduced. Council will be kept informed.

**Awards received from the Burlington County Times.** Mayor Martin stated that the Borough of Riverton has been chosen by the Times readers as the finest Community, Police Department, Local Park, Playground and Fire Department in Burlington County.

### **Committee Reports**

#### **Human Services & Municipal Court**

Dr. Daniel read the following reports for the months of June and July 2005 that were submitted by Welfare Director, Florence Klein. There were six clients on assistance in June. Mrs. Klein attended various State Association meetings during the month. There were five clients on assistance in July. Mrs. Klein received a training packet on Megan's Law.

Dr. Daniel read a report for the month of June that was submitted by Court Administrator, Laura Frick. There were 76 traffic tickets issued—6 for parking, 68 traffic other and 2 DWI. There were 36 criminal charges filed—4 summons, 10 warrants and 16 Local Ord. Receipts for the month totaled \$6,994.00. The total disbursed to Riverton amounted to \$4,403.47.

#### **Streets & Roads**

Mrs. Villari reported that we are in the final phase of the 2004 Community Development Block Grant Project (reconstructing handicapped ramps at various locations in the Borough) Mrs. Villari reported that the County was out to replace curbing in front of 104 Main Street. This curb had been damaged during prior work done by the water company. Mrs. Villari was pleased with the County's response time to remedy this situation.

Regarding street work that needs to be done on Morgan Avenue, Mrs. Villari reported that we are still waiting for Palmyra regarding this project. Mrs. Villari reminded Council that we had placed money in a previous Bond Ordinance to cover Riverton's share of this work; however, the costs are anticipated to be more than what was initially bonded for. Council will be kept apprised of this situation.

As the liaison to the 4<sup>th</sup> of July committee, Mrs. Villari announced that Jeanette Trotman was stepping down as the Chair of this committee. Mrs. Villari will let Council know when a replacement has been chosen.

**Park, Recreation, Recycling & Environmental Commission** reported that a recycling schedule insert was included with our tax bills. Mr. Gilmore reported that two benches were purchased for the park and they were installed this past week. Two dogwood trees were planted at the park.

#### **Public Safety**

Mr. Cesaretti read the following reports for the month of May, June and July 2005 that were submitted by Chief Norcross. For May: Vehicle Mileage 3,249., Gas Used 348.3, Juvenile Arrests 0, Adult Arrests 5 (Criminal Warrant 1, Criminal Summons 1, Traffic Warrant 2, DWI 1 and Other 0), Motor Vehicle Crashes 2, Motor Vehicle Stops 72, Motor Vehicle Warnings 7, Motor Vehicle Summons 88, Burglar Alarms 14, Asst. to other Police Departments 22, Animal Complaints 5, Fire Calls 14 (In-Town 6, Out Of Town 8),

Ambulance Calls (Riverton) 24, Unattended Deaths 1, Criminal Cases 25, Domestic 0, Thefts 8, Burglaries 1 (From Residents 1, From Vehicles 0), Assaults 2 (From Officers 0, Firefighters/EMT 0, Civilian 2), Sexual Assault 0, Criminal Mischief 2, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 12, Miscellaneous Calls 555, Riverton School Walk Through Security Check 23, Riverton School Teaching/School Trips 0, and Total Calls 882.

For June: Vehicle Mileage 3,281, Gas Used 400.80, Juvenile Arrests 0, Adult Arrests 18, (Criminal Warrants 10, Criminal Summons 4, Traffic Warrants 1, DWI 3, Other 22), Motor Vehicle Crashes 6, Motor Vehicle Stops 66, Motor Vehicle Warnings 8 Motor Vehicle Summons 76, Burglar Alarms 21, Asst. to other Police Departments 28, Animal Complaints 5, Fire Calls 32 (In-town 11, Out of Town 21), Ambulance calls (Riverton) 23, Unattended Deaths 0, Criminal Cases 40, Domestic 3, Thefts 5, Burglaries 6 (From Residents 4, From Vehicles 2), Assaults 1 (Police Officers 0, Firefighters/EMT 0, Civilian 1), Sexual Assault 0, Criminal Mischief 1, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous complaints 20, Miscellaneous Calls 628, Riverton School Walk Through Security Check 10, Riverton School Teaching/School Trips 3 and Total Calls 1,000.

For July: Vehicle Mileage 3,527, Gas Used 456.10, Juvenile Arrests 2 (Assault 0, Miscellaneous 2 and Curfew 0), Adult Arrests 11 (Criminal Warrants 3, Criminal Summons 1, Traffic Warrants 6, DWI 1 and Other 0), Motor Vehicle Crashes 6, Motor Vehicle Stops 66, Motor Vehicle Warnings 5, Motor Vehicle Summons 58, Burglar Alarms 21, Asst. to other Police Departments 24, Animal Complaints 4, Fire Calls 26 (In-town 13, Out of Town 13), Ambulance Calls (Riverton) 31, Unattended Deaths 0, Criminal Cases 28, Domestic 3, Thefts 3, Burglaries 1 (From Residents 1, From Vehicles 0, Assaults 1 (Police Officers 0, Firefighters/EMT 0, Civilian 1), Sexual Assault 0, Criminal Mischief 5, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 120, Miscellaneous Calls 470, Riverton School Walk Through Security Check 0, Riverton School Teaching/School Trips 0, and Total Calls 885).

Mr. Cesaretti read reports for the months of May, June and July 2005 that were submitted by Fire Marshal Robert Yearly. For May and June there were 32 calls, 5 drills, 19 calls in town, 13 calls out of town, and 363.1 man hours for the month. For July there were 22 fire calls for the month, 3 drills, 15 calls in town, 7 calls out of town and 184.2 man hours for the month.

### **PROCLAMATION**

#### **A PROCLAMATION SUPPORTING THE YOU DRINK AND DRIVE, YOU LOSE 2005 ENFORCEMENT PROJECT (IN FULL IN RESOLUTION BOOK)**

Mayor Martin read the above Proclamation in full. A copy will be forwarded to Chief Norcross.

**Planning & Zoning Board.** Mrs. Alls-Moffatt reported that work continues on the reexamination of the Master Plan. The Mater Plan sub-committee hopes to have two meetings a month to continue the pace on this work.

#### **Meeting open to the public**

**William Harris, 502 Cinnaminson Street,** asked if the disorderly persons notice includes the people on the Boards. The response was yes. Mr. Harris stated that he has attended various meetings and it is his opinion that the conduct at these meetings precipitated the problem. Mr. Harris is horrified at what goes on at the Board meetings.

Regarding the Mattis Lane issue, Mr. Harris believes it is the Borough's responsibility to search the title themselves. Mr. Harris stated that Mattis Lane was originally turned over to the Borough, is a dedicated thoroughfare and always has been for over a hundred years. Mr. Harris believes the proper research on this issue should be done before any decision on vacating Mattis Lane is even considered.

**Michael Heine, 206 Carriage House Lane,** stated that Mattis Lane extends from Main Street through Cinnaminson street in between what is known as the Sitzler property. Mr.

Heine suggested that the Solicitor prepare an opinion on the title report in the event it shows any interest the Borough has regarding Mattis Lane.

Mr. Heine reminded Council that at last month's meeting, this room was packed with people concerned about our facilities, which are inadequate. Mr. Heine stated that we have lost our court because of this problem. Mr. Heine stated that both our police and Borough administrative employees have severe space constraints. Mr. Heine stated that something needs to be done about this. Mr. Heine believes the residents should have a factual analysis of this issue. Mr. Heine recommends that Council formally designate a committee to give a report at next month's meeting on their findings. Mr. Heine believes that the purchase of the church on Main Street is the way to go as opposed to the Post Office. Mr. Cesaretti stated that the person speaking can reap financial gain regarding the purchase of the church. Mr. Cesaretti stated that Mr. Heine cannot be objective regarding this issue if he can make money from this purchase. Mrs. Villari commented that at last month's meeting there were a few people that signed a list to volunteer to investigate the Borough's needs. They were to get back to her with their findings. Mrs. Villari stated that she does not have expertise in this area. Mrs. Villari stated that resident Frank Cioci advised her that there was a property for sale next to Erin Cleaners for approximately \$89,000.00. Mrs. Villari stated that this property could be utilized for parking to support our businesses. Mrs. Villari feels we need to assess the amount of space the Borough needs. That needs to be done before any purchase is considered. Mr. Heine asked how people can help. Mrs. Alls-Moffatt stated that the Post Office offers over 7,000 square feet with a lot of parking. Mrs. Alls-Moffatt stated that we have already spent \$10,000.00 to have an architect provide a schematic design phase of the Post Office for us. Mrs. Alls-Moffatt understands that the asking price for the Post Office is \$175,000.00. Mrs. Alls-Moffatt believes we should purchase the Post Office just to have it. If we don't decide to turn it into a municipal building we could sell it a profit. Mrs. Alls-Moffatt stated that she thought Councilman Smyth would be providing us with information on this issue tonight. Mrs. Alls-Moffatt reiterated her opposition to the purchase of the church on Main Street.

**Gary Ford, 311 Bank Avenue**, stated that we need to know what our needs are before we purchase anything. This was discussed at last month's meeting. Mr. Cesaretti asked if the architect interviewed our staff before doing his drawings. The response was yes. Mr. Cesaretti stated that he thought we were reinventing the wheel. Mrs. Villari asked if the architect inquired as to how much space people needed or how much space they wanted. The Clerk responded that both she and the Treasurer were asked what we needed. The Chief stated that he originally was asked what his department needed and then what they wanted. Mrs. Alls-Moffatt believes that the space constraint issue in this building is at the critical stage. A decision needs to be reached regarding the purchase of the Post Office or the church. Mrs. Villari stated that she would take a look at the architect's preliminary drawings. Mayor Martin believes we are starting with the most expensive thing, when we should be starting with the least expensive way to go. Mayor Martin believes that both the Post Office and the church are too much money.

**Frank Cioci, 408 Lippincott Avenue**, believes we are at the same place we were at last month's meeting. We need to know what square footage is needed so the people can go out and find out what is available. Mr. Cioci agreed with the Mayor in that he doesn't think we should be spending a million dollars. Mr. Cioci wants to know the Borough's needs. Mr. Cesaretti commented that 20 years ago the Borough could have purchased the Sitzler property on Main Street for \$117,500.00. The estimated cost of constructing a municipal building at that time was \$400,000.00. Mr. Gilmore stated that he thought that Mr. Smyth, who is the Finance Chair and also on the Post Office Committee would be making a motion tonight about the Post Office. Mr. Smyth had no comment.

**Robert E. Smyth, 1 Bank Avenue**, commented that he was glad that the meeting disruption issue is being nipped in the bud. While he doesn't necessarily like the fact that there will be a police presence at the Planning & Zoning Board meetings, he believes we should try it.

Mr. Smyth reported that he had received a County newsletter which shows the Heritage Trail running along Bank Avenue. He suggested sending a letter to the County that reaffirms Council's position regarding the trail. It was the consensus of Council to agree to this suggestion.

**Gary Ford, 311 Bank Avenue**, suggested that the Borough send out notices to all realtors about the awards received from the Burlington County Times.

Mr. Ford asked if someone does disrupt a meeting is it possible that they shouldn't be allowed to attend another meeting for a period of time. Mrs. Alls-Moffatt commented that she thought that would be a violation of a person's first amendment rights. Mr. Gunn stated that is why there is a criminal statute to handle issues such as this.

**Iris Gaughan, 401 Main Street**, inquired once again when the Broad Street Enhancement Grant project would be completed. Mr. Gilmore responded sometime in October. Mrs. Gaughan asked if she can count on that information so that the clock at the Broad & Main location would be working again. Mr. Gilmore commented yes.

Mrs. Gaughan requested again that the Borough consider having hanging flower baskets in the business district next year. Mrs. Gaughan acknowledged the fact the watering of the plants is an issue. She will talk to the porch club to get suggestions because they have a fabulous garden.

Mrs. Gaughan asked if the Post Office would maintain a presence in Riverton. Mrs. Alls-Moffatt thought they would but she was waiting for Mr. Smyth to bring us up to date on this issue. Ms. Gaughan asked if we would sell this building if we moved to the Post Office. Mrs. Alls-Moffatt stated that there would be options. Mrs. Villari commented that it has been mentioned that once Nuway is developed there would be space there for municipal offices.

**Deb Lengyel, 400 Linden Avenue**, stated that the Borough doesn't own our present municipal building property- the Fire Company does. William Harris stated that that is not so, the Borough owns this building.

**Frank Siefert, 304 Main Street**, stated that a number of years ago apartments were originally going to be placed on the Sitzler property and the Mattis Lane issue came up at that time. Mr. Siefert stated that he believes Mattis Lane is a dedicated piece of land. Mr. Siefert stated that as part of Mr. Sitzler's prior variance application, he was allowed to relocate Mattis Lane, as long as it still met the requirement of going through Main Street to Cinnaminson Street. Mr. Siefert stated that that was successfully accepted by the Zoning Board at that time. Mr. Siefert feels this is a very simple solution to the Mattis Lane issue.

**Ann McIlhenney, 604 Cedar Street** raised concern about the flagpole at the park that is illuminated at night. Mrs. McIlhenney stated that the first night it was operational, someone broke one of the lights. Mrs. McIlhenney stated that at 2 in the morning one night last week, there was a car parked at this location with a couple of dogs. She called the police dispatcher to report her concerns about this. Mrs. McIlhenney was asked questions by the person answering; however, there was no response to her concern and no police officer every came out to investigate. The chef asked her for more information. He will follow through and see what happened.

**Nancy Washington, 201 Main Street**, stated that at the last election people were assured that there would be town newspaper. Mrs. Washington stressed the importance of having one. Mr. Cesaretti stated that the Borough's website already provides a lot of important information.

Mrs. Washington then asked for an update on the Dolecky/Horner litigation. Mr. Gunn stated that a notice of appeal has been filed by Mr. Dolecky. Mr. Horner is not appealing. Mr. Gunn reported that Dolecky is appealing on the grounds of the constitutionality of the Borough's seawall ordinance as well as whether there is an easement for Bank Avenue. Mr. Gunn reported that this appeal does not stay the order of the lower court that Dolecky/Horner must repair their riverwalls. Mr. Gunn stated that on the order to repair, both Dolecky and Horner have already applied for the required permits from the Department of Environmental Protection and the Army Corps of Engineers. Once the

permit is approved, Dolecky and Horner will have 120 days to repair their walls. Mrs. Alls-Moffatt asked if our Code Enforcement Officer can go out and cite them now. Mr. Gunn stated that the Borough is subject to the Judge's order. We can take enforcement action after the 120 days passes and once the permits are approved.

**James Moffatt, 202 Fulton Street**, agrees with Mrs. Washington about a news letter. Mr. Moffatt commented that he thought that Cathy Martin and Michelle Daniel had volunteered to do a newsletter.

**Robert E. Smyth, 1 Bank Avenue**, thinks a quarterly newsletter is a good idea.

It should be noted that there were no volunteers to do the newsletter.

At this time Mr. Gilmore moved that we return to closed session. 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 aye and Mrs. Alls-Moffatt aye. It should be noted that personnel and contract negotiation issues will be discussed.

At this time, Mr. Smyth moved that we return to public session. This was seconded by Mrs. Alls-Moffatt, with all present voting in the affirmative.

#### **RESOLUTION 89-05**

### **A RESOLUTION TO REMOVE KELLY WELLS FROM PROBATIONARY STATUS**

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

#### **RESOLUTION 90-05**

### **A RESOLUTION TO APPROVE A NOTICE TO BE POSTED AT ALL PUBLIC MEETINGS IN THE BOROUGH OF RIVERTON CONCERNING DECORUM** **(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.

#### **RESOLUTION 91-05**

### **A RESOLUTION AUTHORIZING BOROUGH COUNCIL TO ENTER INTO NEGOTIATIONS WITH THE UNITED STATES POST OFFICE TO PURCHASE THE POST OFFICE BUILDING IN RIVERTON, NEW JERSEY FOR A SUM NOT TO EXCEED \$175,000.00** **(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 absent, Mrs. Villari nay, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk