

June 7, 2006

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

PRESENT: Council members Daniel (arrived at 7:40pm and left the meeting at 9:40pm), Brown, Mr. Smyth, Kinzler, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council member Dr. Smyth

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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from May 3, May 10 and closed session minutes from May 3 and May 10 were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler abstained from the May 3rd minutes and voted aye for the May 10th minutes and Mr. Cesaretti aye.

TREASURER'S, FINANCE COMMITTEE AND BILL LIST FOR APPROVAL-Mr. Kinzler

Mr. Kinzler provided an overview regarding the Borough's finances to date. Mr. Kinzler voiced concern regarding the budget line item for legal expenditures. The Treasurer reported that the Shade Tree budget line item is overexpended by \$9,112.98. The Treasurer also reported that the Shade Tree Commission did not receive anticipated grant monies to help defray costs to their budget this year. Mr. Kinzler stated that this is cause for concern and that he would be asking Dr. Daniel to review this with the Shade Tree Commission.

Mr. Kinzler moved that the attached reports and bill list be approved for the month of May. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent. Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

DISCUSSION: BROAD STREET ENHANCEMENT GRANT AND FUNDING FOR PROJECT

Mr. Gunn reported that we still have not received authorization from the New Jersey Department of Transportation (DOT) to award this contract. Mr. Gunn explained that there is a required checklist that needs to be completed by the Engineer and submitted to the DOT for their approval. Mr. Gunn further reported that Paramount Enterprises, Inc. the lowest bidder for this project, previously consented to hold this bid open for an additional sixty (60) days until June 21, 2006. Mr. Gunn stated that the bid of Paramount Enterprises, Inc. can be held for consideration no later than July 5, 2006. Mr. Gunn stated that this would be subject to the consent of Paramount Enterprises, Inc. Mr. Gunn further stated that he hopes that the DOT will provide the Borough with their approval to award this contract prior to Council's July 5 meeting. After a short discussion, it was the consensus of Council to agree to the Solicitor's recommendation.

RESOLUTION 70-06
A RESOLUTION EXTENDING THE TIME FOR AWARDING THE CONTRACT
FOR THE BROAD STREET ENHANCEMENT PROJECT UNTIL JULY 5, 2006
(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, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 6-06
AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO PROVIDE BY
REGULATION FOR THE CLOSING OF ANY STREET OR PORTION
THEREOF WHERE SUCH CLOSING IS NECESSARY FOR THE
PRESERVATION OF THE PUBLIC SAFETY, HEALTH OR WELFARE
(IN FULL IN ORDINANCE BOOK)

Mr. Gunn reported that he had initially thought that the Commissioner of Transportation needed to give his approval prior to the adoption of this Ordinance. However, Mr. Gunn has determined that this is not the case and that Council can now move forward with this Ordinance.

The above Ordinance was read by title only for the second time by Mr. Cesaretti, who moved for its adoption. This was seconded by Mr. Kinzler. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. **Gary Ford, 311 Bank Avenue**, asked if the Ordinance would impact County Roads. The response was no. There being no further comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 7-06
AN ORDINANCE OF THE BOROUGH OF RIVERTON ADOPTING A
REDEVELOPMENT PLAN PURSUANT TO THE PROVISIONS OF
N.J.S.A.40A:12A-7
(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 Mr. Cesaretti. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 8-06
AN ORDINANCE AMENDING CHAPTER 74, ARTICLE 1, TO INCREASE THE
PENALTIES FOR LITTERING
(IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Dr. Daniel. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. **Chuck Caruso, 500 Fulton Street**, supports this Ordinance. Mr. Caruso would like to see littering signs posted and more public trash cans placed at various locations. Mr. Caruso suggested that

a letter be sent home with every child attending our school to outline the reasons not to litter. There being no additional 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, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 9-06

AN ORDINANCE OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY TO PROVIDE FOR AND DETERMINE RATES OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF RIVERTON (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. Mr. Smyth stated that this Ordinance is only a guideline-it just lists the minimum and maximum salaries of the employees of the Borough. Anything related to the 3% salary increase proposed for the employees during the budget process is not on an across the board basis, but rather on an individual performance basis. Dr. Daniel questioned the salary range per annum for our Code Enforcement Official. Dr. Daniel commented that since it seems we cannot keep people in this position, he asked if there was a way of giving this person a bonus based on the number of citations that are issued. Mr. Gunn stated this could be made a merit based position. Mr. Gunn suggested that after a number of months, Council could review the individual's performance and decide at that time. Mr. Gunn further stated that by having the minimum and maximum thresholds, it provides Council with some leeway.

Questions were then raised as to why we have an Assistant Code Enforcement Officer, what his role is and whether this position was necessary. This issue was taken under advisement by Council. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. **Gary Ford, 311 Bank Avenue**, stated that he has dealt with many Code Enforcement Official's. Mr. Ford is of the opinion that this is a difficult job, with a lot of work that is never pleasant to do. Mr. Ford is of the opinion that people in this position go through a lot of grief when carrying out their duties. There being no further comment on the Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Kinzler aye and Mr. Cesaretti aye.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of May that was submitted by Chief Norcross. Vehicle Mileage 3310, Gas Used (not available), Juvenile Arrests 1 (Assaults 0, Miscellaneous 0, Curfew 1), Adult Arrests 10 (Criminal Warrant 2, Criminal Summons 0, Traffic Warrants 7, DWI 1 and Other 0), Motor Vehicle crashes 8, Motor Vehicle Stops 89, Motor Vehicle Warnings 6, Motor Vehicle summons 84, Burglar Alarms 17, Asst. to other Police Departments 34, Animal Complaints 7, Fire Calls 14, Ambulance Calls (Riverton) 29, Unattended Deaths 1, Criminal Case 22, Domestic 2, Thefts 3, Burglaries 0, Assaults 0, Sexual Assault 0, Criminal Mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 28, Miscellaneous Calls 546 and Total Calls 904.

Mr. Cesaretti read a report for the month of May that was submitted by Fire Marshal, Robert Yearly. Fire calls for the month 13, drills 3, calls in town 8, calls out of town 5 and man hours for the month 115.4.

Mr. Cesaretti read a report for the month of May that was submitted by Animal Control Officer, M&R Wildlife. One baby raccoon and a stray kitten were removed. A skunk that was thought to be sick turned out okay.

KEEP KIDS ALIVE-DRIVE 25 CAMPAIGN

Mr. Cesaretti stated that we have received correspondence from some residents in town regarding speeding vehicles in Riverton.

Renee Azelby, 706 Thomas Avenue, Katy Roussos, 708 Thomas Avenue, and Jennifer Waldhauser, 710 Thomas Avenue, reported that there is repeated speeding along their block and on other streets in the Borough. They are seriously concerned with the safety of their young children. They have initiated a grassroots effort in Riverton to raise awareness of this issue and to develop a permanent solution to the problem. They informed Council that their goal is to solicit support and involvement of the governing body, police, school, etc. They stated that their efforts dovetail from the National Not for Profit Organization called "Keep Kids Alive Drive 25". They further stated that they have already placed lawn signs on their respective properties to raise awareness of the speed limit. They intend to hold a community meeting on Wednesday, June 21 at 7:30pm at the Riverton Health & Fitness Club. Mayor Martin asked if they were looking at the placement of stop signs at designated locations as a possible solution. The response was that that was a possible option. Public Works Manager, Scott Reed stated that the Department of Transportation (DOT) will not allow us to use stop signs as a way to slow drivers down. Mr. Kinzler believes there is speeding on a lot of streets in Riverton. He has noticed that this happens on the street where he lives (Lippincott Avenue), especially near the Baptist Home. Mr. Cesaretti commented that the speeding issue comes up periodically. Mr. Cesaretti believes that what people interpret as speeding sometimes isn't. Mr. Reed responded that that is true. A discussion then ensued. Mr. Smyth commented that he has been getting complaints of speeding on a lot of streets. He recently attended a meeting in Haddonfield and found out that they have the same kind of problem. They put in these low barriers at certain locations and it slowed people down. Mr. Smyth commented that we might want to consider this. Mr. Reed stated that we looked into the placement of speed bumps along our alley's and the DOT would not approve them. Dr. Daniel asked if there is a time of day when people are speeding on Thomas Avenue. The response was all day long, in particular contractor's, who use Thomas Avenue as a cut-through to go to other locations. Dr. Daniel, who lives on Lippincott Avenue, stated that you can set your watch to when the Baptist Home changes shifts, because people speed up Lippincott Avenue. Discussion resumed. Mr. Kinzler stated that he believes we need a strategy as to how we will handle the speeding issue. Mr. Reed commented that Mr. Cesaretti can tell the Chief that we should not give warnings-just ticket the offenders. It was the general consensus of Council that the speeding issues raised here tonight are important and should be addressed. Mr. Cesaretti thinks it would be appropriate to put the June 21st meeting date on the Borough's website. The clerk will inform the webmaster to do this.

Charles Caruso, 500 Fulton Street, would like a formal letter sent from Council to the Baptist Home about the need to counsel their employees about speeding issues.

Frank Cioci, 318 Amy Way, Cinnaminson supports these signs. He believes it will help people to be aware of their speeding. Mr. Cioci also believes that our children need to be protected.

Gary Ford, 311 Bank Avenue, commented that a number of years ago someone wrote down his license plate number and filed a complaint because he was driving too fast. While he didn't get fined, he did have to appear in court. It was very embarrassing to him.

STREETS, ROADS & SEWER-Dr. Smyth-No report

ZONING, CODE ENFORCEMENT & PARK-Mr. Brown

Mr. Brown reported that the Zoning Board meeting was canceled due to a lack of a quorum.

Regarding the park, Mr. Brown spoke to Stan Ozalis about the complaints concerning the holes in the fields where the Palmyra High School girls play softball. Mr. Ozalis indicated that the request to play on that field was over a year old. Mr. Ozalis indicated that next year, he will have them play on Palmyra's Legion Field to eliminate that problem. Mr. Brown reported that he and Mr. Reed walked the entire park. Both Mr. Reed and Mr. Brown reported that the soccer field is in bad shape. Various options were discussed including a possible moratorium. Mr. Brown reported that the area under the playground equipment is a safety issue. Mr. Reed is trying some options to remedy this problem. Mr. Reed reported that the astro turf in front of the basketball courts is worn down. Mr. Reed suggested the placement of asphalt at that area. Council agreed to this. Mr. Brown reported that a new fence was installed at the grandstand, the park was hydro seeded, the grass is being cut and trimmed and the hockey goals and nets were replaced.

PLANNING, ECONOMIC DEVELOPMENT & REDEVELOPMENT-Mr. Smyth

Mr. Smyth reported that the site plan application for the Nuway property was approved. The demolition will mostly likely take place sometime after the 4th of July celebration. Mr. Smyth reported that the Planning Board's June meeting has been changed to June 13th instead of the 20th. The Board is scheduled to hear a site plan application from T-Mobile regarding the placement of a telecommunications tower at the sewer plant. The Board will also consider a demolition application for the property at 2-4 Thomas Avenue. Mr. Smyth reported that the site plan application for Zena's bakery has been continued until the owners meet with County representatives to review their application.

Regarding the Smart Growth Grant, Mr. Smyth reported that he, the Mayor and Planner Tamara Lee will be meeting with representatives of the Office of Smart Growth on June 13th in Trenton. A change in the scope of work for this grant will be discussed at that time. Council will be kept informed.

Regarding Economic Development, Mr. Smyth reported that there was a great article on Riverton in the recent edition of South Jersey Magazine. Mr. Smyth attended a recent meeting at the Burlington County Bridge Commission with their improvement authority. Mr. Smyth reported that the improvement authority entered into an agreement with a preeminent grant writing firm in the State (Community Grants and Planning) David Gerkins, who is a Riverton resident is Vice President of this firm. The focus of this firm's work is to help local towns with potential grants which should be at zero costs. Mr. Smyth stated that this could be very beneficial to Riverton.

Mr. Smyth then provided an overview of some of the events scheduled for Victorian Day on June 17th. They are tree tours, vendors, two horse drawn carriages will give rides, an old time trolley will give approximately 7 tours of the historic districts. Mr. Smyth reported that the Mayor would now read a proclamation concerning Victorian day.

**PROCLAMATION-VICTORIAN DAY-JUNE 17TH, 2006
(IN FULL IN RESOLUTION BOOK)**

Mayor Martin read the proclamation in full.

SHADE TREE, HUMAN SERVICES & COURT-Dr. Daniel

Dr. Daniel reviewed the work the Shade Tree Commission and Tree Contractor are doing. Dr. Daniel acknowledged the Shade Tree budgetary over expenditures.

Dr. Daniel read a report for the month of May that was submitted by Welfare Director, Florence Klein. There were five clients on the rolls. Mrs. Klein attended the Annual Spring Conference in Middletown, New Jersey.

Dr. Daniel read a report for the month of April that was submitted by Court Administrator Jacqueline Gleason. There were 76 traffic tickets issued—25 for parking, 49 for moving and 2 DWI. There were 3 criminal violations issued—3 summons, 2 warrants and – Local Ordinance. The total receipts for the month amounted to \$8,075.00. The total amount disbursed to Riverton amounted to \$4,517.61.

MEETING OPEN TO THE PUBLIC

Renee Azelby, 706 Thomas Avenue, expressed concern over the vacant and neglected property located at 622 Thomas Avenue. Mrs. Azelby asked if anything could be done to address this issue. Council acknowledged that problems with this property were previously reviewed and addressed by former Code Enforcement Officer, Alan Adams. This issue will be brought to our present Code Enforcement Officer to address once again.

Frank Cioci, 318 Amy Way, Cinnaminson, New Jersey asked how long a property can remain vacant. Mr. Gunn responded that there is no time limit. Mr. Cioci commented that he thought our new Code Enforcement Officer, Mary Lodato was doing a very good job. Mr. Cioci stated that there are currently thirty (30) homes for sale in Riverton. Mr. Cioci commented that Council may want to review our present sign Ordinance.

RESOLUTION 71-06

**A RESOLUTION AUTHORIZING REMINGTON, VERNICK AND ARANGO TO
SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE FISCAL YEAR 2007 MUNICIPAL AID
PROGRAM**

(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 Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 72-06
A RESOLUTION AUTHORIZING THE HIRING OF PARK PERSONNEL FOR
THE 2006 SUMMER PROGRAMS, AND SETTING FEES FOR THE PARK
PROGRAM AND ARTS AND CRAFTS PROGRAM
(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 73-06
A RESOLUTION AUTHORIZING THE REFUND OF A PROPERTY TAX
OVERPAYMENT
(IN FULL IN RESOLUTION BOOK)

The above resolution was read by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ROOM RESERVATIONS AND REGISTRATIONS FOR THE 2006 LEAGUE
CONFERENCE

The Clerk reported that she needed to know who would be attending the conference and how many rooms would be required. Mr. Kinzler cautioned Council about our budgetary constraints. Mr. Cesaretti stated that he would like to attend this conference and asked that a room for two nights be reserved for him. No other Council members present indicated that they would be staying overnight at the conference.

DISCUSSION RE: RAIL ISSUES-HORN NOISE, VIBRATIONS, LANDSCAPING

Mr. Smyth reported that he received correspondence from Mr. Joe Burns of Burlington Township. Mr. Burns would like to form an environmental sub-committee regarding light rail issues such a, horn noise at the grade crossings, vibrations and landscaping in residential areas.

MEETING OPEN TO THE PUBLIC

Chuck Caruso, 500 Fulton Street, raised concern about the horn noise at the grade crossings. Mr. Caruso reported that he was informed by the County that we could report excessive use of the horns to the County Engineer's Office. Mr. Smyth commented that resident William Harris was trying to work with elected officials to see if the rail horns could be eliminated. It was suggested that both he and Mr. Caruso might want to assist Burlington Township in this endeavor also.

RESOLUTION 74-06
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 Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and M. Cesaretti aye. It should be noted that contract negotiations and personnel matters will be discussed.

At this time, Mr. Smyth moved that we return to public session. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

Mary Longbottom, RMC
Municipal Clerk