

May 10, 2006

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

**PRESENT:** Council member Brown, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti and Solicitor Bruce M. Gunn

**ABSENT:** Council member Daniel

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 March 27, April 5, April 12 and closed session minutes from March 27 and April 12 were then presented. Dr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler abstained and Mr. Cesaretti aye.

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

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

**CANCELLATION OF OLD OUTSTANDING CHECKS**

Mr. Kinzler questioned the rule whereby these checks are cancelled. Mr. Kinzler stated that in business these are turned over to the state. As a municipality are we subject to the same rules? Mr. Stewart responded yes, but it is not enforced by the State.

**RESOLUTION 65-06**

**A RESOLUTION AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING CHECKS**

**(IN FULL IN RESOLUTION BOOK)**

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

**PUBLIC HEARING ON 2006 MUNICIPAL BUDGET**

Mayor Martin announced that there were some issues that Council needs to discuss in closed session tonight that might impact the budget. The Auditor advised Council to proceed with this public hearing at this time.

**Muriel Alls-Moffatt, 202 Fulton Street** asked if the flexibility of the CAP was working. Mr. Kinzler responded yes, we are within the CAP.

**Michael Heine, 206 Carriage House Lane,** asked if the Auditor could give specific information regarding the net revenue impact on the Municipal Court being relocated to Cinnaminson Township. Mr. Stewart responded that he would need to research that information. Mr. Heine believes that multi-family property owners should be strongly encouraged to maintain their properties. Mr. Heine then brought up the Commercial Property Maintenance Code, which he had previously drafted. He believes this should be considered again. This issue was taken under advisement by Council.

**Scott Reed, Public Works Manager,** questioned the fact that the Streets & Roads OE line item reflects \$30,000.00. Mr. Reed stated that he thought \$5,000.00 had been taken from this line item and placed in the vehicle maintenance line item. Mr. Kinzler stated that that was the case.

**REVIEW OF 2005 AUDIT REPORT**

Borough Auditor, Robert Stewart provided Council with a detailed overview regarding this report. Mr. Stewart reported that there was only one recommendation written. Mr. Stewart stated that the Construction Department needs to deposit their funds no later than 48 hours

from the date they are received. Mr. Stewart also commended the Clerk and Treasurer for all of the work that they do.

**RESOLUTION 66-06**  
**A RESOLUTION PERTAINING TO THE 2005 AUDIT REPORT**  
**(IN FULL IN RESOLUTION BOOK)**

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

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Mr. Cesaretti read a report for the month of April that was submitted by Chief Norcross. Vehicle Mileage 2753, Gas Used 335.5, Juvenile Arrests 0, Adult Arrests 7 (Criminal Warrants 0, Criminal Summons 0, Traffic Warrants 7, DWI 0 another 0), Motor Vehicle Crashes 2, Motor Vehicle Stops 70, Motor Vehicle Warnings 10, Motor Vehicle Summons 71, Burglar Alarms 16, Asst. to other Police Departments 20, Animal Complaints 8, Fire Calls 9, Ambulance Calls (Riverton) 16, Unattended Deaths 0, Criminal Cases 18, Domestic 0, Thefts 0, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 26, Miscellaneous Calls 461 and Total Calls 737.

**STREETS, ROADS & SEWER-Dr. Smyth**

Dr. Smyth reported that we received written notification that the Federal Highway Administration authorized the additional funding amount of \$55,892.75, for a total of \$364,093.00 for the Broad Street Enhancement Grant. Dr. Smyth stated that his committee would be meeting with the Borough's Engineer to make sure that all grant guidelines have been followed before Council awards this contract. Council will be kept apprised of this issue.

**PLANNING, REDEVELOPMENT & ECONOMIC DEVELOPMENT-Mr. Smyth**

Mr. Smyth reported that the Planning Board would be hearing two major site plan applications at their May 16<sup>th</sup> meeting. One pertains to an expansion of Zena's Bakery and the other is from T-Mobile for the placement of a telecommunications tower at the sewer plant. Mr. Smyth stated that representatives from T-Mobile requested a letter from the Borough giving them status, in case we don't have an agreement with them. Mr. Gunn stated that he thought this was probably superfluous because the agreements are scheduled to be executed shortly. However, Mr. Gunn commented that it would be okay to do this letter.

Regarding redevelopment, Mr. Smyth stated that the site specific plan for the Nuway and Sitzler tracts is scheduled to be introduced later on tonight.

Regarding Economic Development, Mr. Smyth announced that the Riverton Business Association was able to put something together regarding the joint marketing effort by the County. They put together a summary of Riverton and a write-up on the shops in town.

**ZONING, CODE ENFORCEMENT & PARK-Mr. Brown** Mr. Brown announced that the Zoning Board would be meeting next week. Mr. Cesaretti stated that he has received calls questioning why the girls' high school softball team is still playing on Riverton's field. Mr. Brown stated that he would look into this.

**SHADE TREE, HUMAN SERVICES & COURT-Dr. Daniel**

In Dr. Daniel's absence, Mr. Smyth reported that he attended a recent Shade Tree Commission meeting and Human Services Meeting. Mr. Smyth reported that Florence Klein, our Welfare Director has submitted a letter of retirement effective July 1, 2006. Mr. Smyth stated that a formal Resolution is required to request that the County assume responsibilities for this department.

**RESOLUTION 67-06**  
**A RESOLUTION REQUESTING THE COUNTY OF BURLINGTON TO ASSUME THE**  
**FUNCTION, POWERS AND DUTIES OF THE RIVERTON WELFARE DEPARTMENT**  
**(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 absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

A Municipal Court report for the month of March was submitted by Court Administrator Jacqueline Gleason. There were 56 Traffic tickets issued—6 for parking, 49

Moving and 1 DWI. There were seven criminal tickets issued—Summons 0, Warrants 0, and Local Ordinance 7. The total receipts for the month were \$7,140.00. The total disbursed to Riverton amounted to \$3,243.17.

**MEETING OPEN TO THE PUBLIC**

**Margaret Wark, 406 Howard Street**, read the attached letter which stated her opposition to Council's endorsement on May 3rd of a peace pole being planted in Riverton. Mrs. Wark believes Council made a mistake on this issue.

**Muriel Alls-Moffatt, 202 Fulton Street**, addressed Council about the peace pole issue. Mrs. Alls-Moffatt wanted to point out to Mr. Cesaretti that our President is giving tax payer's money to faith based organizations. Mrs. Alls-Moffatt believes Mr. Cesaretti's previous comments regarding the separation of church and state is not valid. Mrs. Alls-Moffatt asked what Mr. Cesaretti's point was for objecting to the placement of the peace pole on public property and not objecting to its placement on private property. Mrs. Alls-Moffatt feels that if you are for peace, and America is supposed to be for peace, it should be on public property.

**James Rivard, 304 Shrewsbury**, asked if there was anything in the 2006 budget for a revaluation/reassessment. Mr. Kinzler responded no, but informed Mr. Rivard that request for proposals have gone out and are schedule to be received on June 14<sup>th</sup>. Mr. Kinzler stated that if a bid is accepted by Council, the work would not start until 2007. It would be effective 2008. Mr. Rivard asked when the last revaluation was done. The response was 1989.

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

**NEW BUSINESS**

**ORDINANCE 7-06**

**AN ORDINANCE OF THE BOROUGH OF RIVERTON ADOPTING A REDEVLOPMENT PLAN PURSUANT TO THE PROVISIONS OF N.J.S.A.40A:12A-7**

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on the Ordinance is scheduled for June 7<sup>th</sup>.

**ORDINANCE 8-06**

**AN ORDINANCE AMENDING CHAPTER 74, ARTICLE 1, TO INCREASE THE PENALITES FOR LITTERING**

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on the Ordinance is scheduled for June 7<sup>th</sup>.

**ORDINANCE 9-96**

**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**

The above Ordinance was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for June 7<sup>th</sup>.

**RESOLUTION 67A-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 Dr. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that a personnel matter will be discussed.

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

**MOTION ABOUT FIRE ARM PURCHASE**

Mr. Cesaretti moved that Council approve the purchase of 10 new firearms for the Police Department at a total not to exceed \$3,104.00. The money will be found from one of the police budget line items and from the Police Forfeiture account. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**RESOLUTION 68-06**

**A RESOLUTION THAT THE AUDITOR AND CHIEF FINANCIAL OFFICER HAVE REVIEWED AND APPROVED THE 2006 MUNICIPAL BUDGET (IN FULL IN RESOLUTION BOOK)**

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

**RESOLUTION 69-06**

**ADOPTION OF THE 2006 MUNICIPAL BUDGET (IN FULL IN RESOLUTION BOOK)**

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

**MAYORAL APPOINTMENTS TO THE ZONING BOARD AND PARK & RECREATION COMMISSION**

Mayor Martin stated that he was appointing William Corbi to serve as an alternate member of the Zoning Board of Adjustment. Mr. Corbi's term will expire on December 31, 2006. Mr. Corbi fills the unexpired term of William C. Brown, Jr., who recently resigned from the Board

Mayor Martin stated that he was appointing Craig Greenwood to serve as a member of the Park & Recreation Commission. Mr. Greenwood's term will expire on December 31, 2008. Mr. Greenwood fills the unexpired term of William Corbi.

**CORRESPONDENCE**

Mr. Cesaretti announced that Patrolman John Shaw was recognized by Mothers Against Drunk Driving on May 8<sup>th</sup> for outstanding work in ending drunk driving during 2005.

Mr. Cesaretti read a letter from Erin Spinello-Scolow thanking Sgt. Furrer for all of his assistance when she was locked out of her car. Mr. Cesaretti announced that a letter of thanks regarding this issue was also received from Congressman Robert Andrews.

Merino awards

**MEETING OPEN TO THE PUBLIC** (There was no public comment at this time)

At this time Dr Smyth moved that we return to closed session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that a personnel matter will be discussed.

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

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

Mary Longbottom, RMC  
Municipal Clerk