

December 6, 2006

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

PRESENT: Council members Daniel, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council members Brown and 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 2006 published in the Burlington County Times on January 17, 2006

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

Shade Tree Issues: Dr. Daniel

Bids received for the Removal of Trees & Stumps for 2007. Three bids were received, opened and publicly read on November 28, 2006. The bids are as follows: **Eastern Environmental, LLC of Delran New Jersey \$18,675.00, Elite Tree Service of Manalapan, New Jersey \$25,075.00 and Paul May Tree Service of Delran, New Jersey \$24,000.00.** The Solicitor reported that he has reviewed these bids with the Shade Tree Commission. The recommendation is to award this contract to Eastern Environmental. After a short discussion, it was the consensus of Council to agree to this.

RESOLUTION 113-06

A RESOLUTION TO AWARD A CONTRACT TO EASTERN ENVIRONMENTAL LLC FOR THE REMOVAL OF TREES AND STUMPS FOR 2007

(IN FULL IN RESOLUTION BOOK)

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

Bids received for the Care & Maintenance of Trees for 2007 & 2008. Three bids were received, opened and publicly read on November 28, 2006. The bids are as follows: **Elite Tree Service of Manalapan, New Jersey, Eastern Environmental, LLC of Delran, New Jersey and Paul May Tree Service of Delran, New Jersey.** Copies of the detailed bids are attached. Mr. Gunn commented that being a Certified Tree expert was a requirement for this proposed contract. Mr. Gunn stated that while Eastern Environmental appears to be the lowest bidder, they have not included the required information pertaining to this. Mr. Gunn recommended holding off on awarding this contract until we receive a clarification on this issue and he can render an opinion to Council. It was the consensus of Council to agree to this.

Financial Issues: Mr. Kinzler

Mr. Kinzler provided a detailed budgetary update for Council's information. Mr. Kinzler stated that he would like to start working on the 2007 municipal budget by the end of December.

RESOLUTION 114-06
A RESOLUTION AUTHORIZING THE REFUND OF A PROPERTY TAX
OVERPAYMENT
(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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Transfer Resolution-Mr. Kinzler asked that this resolution be deferred until next week's meeting. Mr. Kinzler needs additional time for review before presenting this to Council for action.

RESOLUTION 115-06
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 2006
(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. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Light update at the plaza Mr. Smyth stated that he has placed a call to the Department of Transportation asking for a change order for the Broad Street Enhancement project for additional funding for the two lights that were placed at this location. These lights were not part of the original project; therefore the Borough paid for them. The total costs were approximately \$6,000.00. Council will be kept informed.

Rotary Club donation of two defibrillators. Mr. Smyth announced that he would be officially accepting the Rotary Club's check for \$5,000.00 for these items.

Updates Re: Shared Services, Grants, Economic Development and Projects- Mr. Smyth announced that he will be attending a shared services meeting tomorrow and would have updates for Council at next week's meeting. Mr. Smyth reported that we did receive the Bicycle and Pedestrian Safety Assistance Planning Grant. Mr. Smyth announced that the Burlington County Bridge Commission approved our Safe Routes to Schools grant application. Resident Dave Gerken will be assisting the Borough with this. Mr. Smyth reported that there was no status update regarding our Public Safety feasibility study application.

Our Economic Development Committee suggested changes to the ordinance regarding the placement of business signs on sidewalks. These suggestions will be forwarded to the Planning Board for their review and recommendation to Council. The Economic Development Committee will also be preparing the Borough Directory for 2007 and have asked for a \$600.00 donation for the Borough's contribution, which is the same as last year's.

The enhancement grant (downtown project) is now completed. There was a great turnout for the tree lighting and dedication of the plaza. The feedback has been excellent.

3rd Street drainage update at National Casein location. Public Works Manager, Scott Reed reported that we would probably look at installing French drains to remedy this problem. A perk test would need to be done. Council will have to review proposed costs before making a final decision.

Water issue in front of 441 Fulton Street. Mr. Reed reported that he has contacted our Streets and Roads Engineer to review the ponding issue at this location. Mrs. Costigan, who lives at this location, stated that water does not run off properly at her property. It can stay there for days. Mrs. Costigan reported that due to this problem she had a tremendous backflow into her crawl space. Mrs. Costigan stated that there is no corner on her portion of the street. There is also a small cement block which is not handicapped accessible on her side. Mrs. Costigan stated that if the Borough wanted to use that portion (on her property) for handicapped accessibility, she would have no problem with that. Council took this suggestion under advisement.

Meeting with Water Company Re: 2nd street and riverwall. Solicitor Bruce Gunn reported that we are trying to schedule a meeting with the Water Company representatives to discuss these issues.

Main Street parking update and Visibility Issue at Broad & Cedar Mr. Reed reported that from the Borough's parking lot on Main Street and continuing up this block, both he and the Chief of Police made 7 parking spots. People will have to park in the areas designated. Mr. Reed explained that people were concerned about customers backing out of Zena's bakery onto Main Street. They took one spot away from her driveway for better visibility.

Mr. Reed indicated that complaints have been received about the rose bushes obstructing the view for drivers' entering Broad Street off of Cedar Avenue. Mr. Reed reported that former Councilman Ed Gilmore would be taking care of cutting back these bushes.

Announcement of horticultural award. Mayor Martin announced that the Pennsylvania Horticultural Society recognized the Riverton Train State for an outstanding public planting—improving the quality of life through horticulture.

Meeting open to the Public

Dennis Eversmyer, 400 Fulton Street, stated that his son had an Eagle Scout project that was previously approved to enhance the area surrounding the Riverton War Memorial. Mr. Eversmyer was shocked when he found out all of the work had been torn out during the recent development of the neighboring property. Even the tree that was planted was basically destroyed. Mr. Eversmyer was very disappointed over how this situation was handled. He and his family were never informed that this would happen. Mr. Eversmyer would have thought someone from the Borough would have known the property lines before giving his son permission to move forward with this project. Mr. Eversmyer doesn't know what the Borough's intentions are at this point. Mr. Eversmyer stated that this was a nationally registered Eagle Scout project. His son worked very hard on it and people had made donations towards this

project. **Keith Wenig, 206 Cinnaminson Street** and the Project Manager for the development of the neighboring property stated that he talked to former Councilman Ed Gilmore weeks in advance and asked who would address this before everything was removed. Mr. Wenig stated that he was told by Mr. Gilmore to remove the tree, and place the bricks in a pile. Mr. Eversmyer also reported that the night before his son was to start this project, Mr. Gilmore told them that since a handicapped ramp was going in at that location, they would have to move the project to where it was eventually placed and then removed. Mr. Reed commented that he feels that nothing intentional was done here. Mr. Eversmyer reiterated his position that Borough Official's should have known the property boundaries before giving his son the go ahead with this project.

Robert Fenton, 16 Morgan Avenue, commented that while he was all for this project, he believes it was placed at the wrong location. That's a memorial for veterans of foreign wars.

Dennis Eversmyer, 400 Fulton Street stated that Mr. Gilmore had promised approximately \$500.00 in donations towards this project. Mr. Eversmyer stated that Mr. Gilmore did not come through. Dr. Smyth stated that he would look into this whole situation and get in touch with Mr. Eversmyer. Mr. Smyth also volunteered to help out.

Robert Fenton 16 Morgan Avenue also stated that he is not against a peace pole; he just doesn't want it at the War Memorial.

Joanne Costigan 441 Fulton Street asked who owns the property where the veteran's war memorial is. Mr. Gunn stated that the Borough owns it but the Fire Company maintains it. Mrs. Costigan asked if the World War II memorial in the park is also owned by the Borough. The response was yes. Mrs.

Costigan wants to know how all the organizations like the Vietnam veteran's get to decide what all of the residents would like to have in the Borough. Mr. Fenton responded that he was stating his opinion, but he also knows other veterans are unhappy about a peace pole being placed at the war memorial.

James Moffatt, 202 Fulton Street commented that Mr. Gilmore is not present to respond to the criticisms that were made about him tonight. Mr. Moffatt believes he should be afforded this opportunity.

Setting day and time for 2007 Reorganization Meeting. Dr. Smyth suggested that Council hold their 2007 Reorganization meeting on Wednesday, January 3, 2007 at 7:30pm in Borough Hall. It was the consensus of Council to agree to this.

RESOLUTION 116-06

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RIVERTON AUTHORIZING THE DAY AND TIME FOR THE 2007 REORGANIZATION MEETING (IN FULL IN RESOLUTION BOOK)

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

Setting the days and times of all council meetings for 2007. After a short discussion, it was the consensus that all Council meetings for 2007 be held on

the 1st and 2nd Wednesday of each month at 7:30pm in the Municipal Building with the caveat that Council will meet once a month (2nd Wednesday) during the months of June, July and August of 2007.

RESOLUTION 117-06
A RESOLUTION AUTHORIZING THE DAYS AND TIMES OF ALL COUNCIL
MEETINGS FOR 2007
(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 Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

RESOLUTION 118-06
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 Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent. It should be noted that contract negotiations will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Kinzler. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent. **Review of potential professional service appointments and Council committee assignments for 2007.** Dr. Smyth distributed the current listing of our Professional Service Appointments. Dr. Smyth asked that Council review this list. A decision should be reached by Council's 2007 Reorganization meeting.

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

Mary Longbottom, RMC
Municipal Clerk