

November 1, 2006

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

**PRESENT:** Council members Daniel (left meeting at 7:50pm), Brown, Dr. Smyth, Mr. Smyth, Kinzler (arrived at 7:45pm), Cesaretti and Solicitor Bruce M. Gunn

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

**Review of Shade Tree Specifications-Authorization to go out to bid for tree services for 2007 & 2008-**Dr. Daniel Mr. Gunn reported that the specifications have been reviewed and completed. After a short discussion, it was the consensus of Council to go out to bid for tree services.

**RESOLUTION 104-06**

**A RESOLUTION APPROVING THE SEPARATE SHADE TREE SPECIFICATIONS FOR THE REMOVAL OF TREES AND STUMPS AND FOR THE CARE AND MAINTENANCE OF TREES AND AUTHORIZING THE ADVERTISEMENT FOR THE RECEIPT OF SEPARATE BIDS**

**FOR THIS WORK**

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

**Budgetary Updates and Transfer Resolution-Mr. Kinzler** is trying to size up how much the Shade Tree Commission needs to get priority work done this year. Dr. Daniel responded that while there are 30 trees that need to be removed from a safety standpoint, there are 6 that are expiring and need to be addressed as soon as possible. Dr. Daniel will speak with Mr. Emens to review and clarify these issues. Dr. Daniel believes part of the problem is that our present tree contractor is not available to come into the Borough to do this work—it appears to be a scheduling problem for them—they service other municipalities. Mr. Emens feels that it is a problem because our tree contractor is not local. Mr. Smyth asked if it would benefit the Borough by possibly utilizing Palmyra's tree contractor. Mr. Reed commented that he thinks Palmyra does not use a certified tree expert.

Mr. Kinzler reported that the Clerk distributed requests to all Department Heads to submit their 2007 Budget requests by December 1<sup>st</sup>. Mr. Kinzler stated that we will also have to determine what type of capital projects to include in next year's budget. Public Works Manager, Scott Reed, reminded Council that we had applied to the New Jersey Department of Transportation for their 2007 Municipal Aid Program for possible grant money for the

reconstruction of 7<sup>th</sup> Street. We should here sometime this month whether we got the grant or not.

Mr. Kinzler reported that police overtime costs came in higher than previous months. Chief Norcross reported that it will also be a high month for his Department's operating budget.

Mr. Reed asked who would be paying for the two lights to be placed at the plaza. Mr. Smyth responded that these lights were not in the scope of work for the enhancement project, but Mr. Reed was told to go ahead and order them. Mr. Smyth asked if anyone has stepped forward to donate the lights. Mr. Smyth stressed the urgency aspect of this. Mr. Brown responded that nothing can be done until early next year. Paul Grena, who will be taking over the Riverton Improvement Association, won't be available to start the fund raising process until that time. Mr. Smyth asked how we would be paying for these lights. Public Works Manager, Scott Reed, suggested that we go back to the Department of Transportation and ask for additional funding for the lamps under the Borough's Broad Street Enhancement Grant. After a short discussion, it was the consensus to do this.

**Possible amendments for Borough Code: Chapter 106-38 Sewer**

**Connection Fees**-Mr. Gunn reported that this issue was discussed last month in connection with the request from Brandenberger/Sheridan, Inc. for sewer charge waivers during their construction work at the former Nuway and former Ruff property (Thomas Avenue). Based on the Borough's present ordinance, we can only charge \$750.00 for a sewer connection fee. Mr. Cesaretti suggested having two separate fees—one for commercial properties and one for residential. After discussing the issue, it was the consensus that our Sewer Engineer be asked to submit his recommendations regarding the sewer connection fee. Mr. Smyth volunteered to contact Mr. Arango about this issue. Council will be kept apprised of this issue.

**Review and approval of application form for sewer connection.** Mr. Gunn reported that the Borough had no application form for a sewer connection. After conferring with the Borough's Sewer Engineer and Construction Official, Mr. Gunn asked Council to review and approve this form. Mr. Gunn stated that the fee would be calculated either by the Engineer or our Plumbing Inspector. After a short discussion, it was the consensus to approve the new application for a sewer connection.

**RESOLUTION 105-06**  
**A RESOLUTION TO APPROVE THE FORM OF A SEWER CONNECTION**  
**APPLICATION IN THE BOROUGH OF RIVERTON**  
**(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.

**Chapter 123-10 Vehicles & Traffic - parking space in front of 519 Howard Street-**Mr. Cesaretti stated that he feels that the owner or tenant at this location should make a request to Council. Mr. Cesaretti stated that Council has previously turned down other residents on the 5 hundred block of Howard Street who also wanted their own parking space. Mr. Smyth stated that this issue came up at the Planning Board's review of the owner's site plan application. This space would be for dropping off and loading only and to prevent double parking at the pizza shop to be operating at this location.

While Mr. Cesaretti understands the rationale for this, he doesn't agree with the premise of granting someone a personalized parking space on a public street. Mr. Cesaretti asked to defer further discussion on this issue until he meets with the parking committee.

**Update Re: E-Mail addresses for elected officials and department heads on Borough's website-**Mr. Cesaretti reported that our webmaster is still working on the details regarding this issue. Our webmaster is also working on a new webpage for park information, specifically usage of the fields). Council will be kept apprised of this issue.

**Tree lighting and dedication of plaza.** Mayor Martin announced that the tree lighting (placed in the gazebo) ceremony would be held on December 1, 2006 at 7:00pm. This ceremony will be held in conjunction with the dedication of the new plaza in front of Zena's Bakery.

**Holiday Luncheon.** Mayor Martin announced that this year's luncheon for Borough employees and officials would be held at his home on Thursday, December 21<sup>st</sup> from 12 noon until 2:00pm.

**Men's Basketball program** Mayor Martin stated that he has been asked by Robert Hoag, who is the Director, if this program could be placed under the Borough's Parks & Recreation umbrella for insurance purposes. Mayor Martin indicated that our insurance carrier states that there would not be an additional expense to the Borough's insurance policy. Both Mr. Brown and Mr. Kinzler expressed strong concern about the liability issue. This issue was taken under advisement.

#### **MEETING OPEN TO THE PUBLIC**

**Scott Reed, Public Works Manager,** reported that he has calculated the costs to run his Streets and Roads Department and has determined that it runs around \$275,000.00 per year (included salaries, benefits and services). This averages out to be \$285.00 per home for all of the services we provide. Mr. Reed doesn't know how we would save money by merging.

**Frank Cioci, Economic Development Committee member,** reported that due to safety concerns, candy was not to be distributed (thrown along the street for the children to retrieve) at the recent Halloween parade. However, Mr. Cioci reported that he saw a lot of shaving cans on the street after the parade and he feels this was more dangerous than throwing candy to the children on the streets. Chief Norcross stated that he has no control over this parade because it is run by the Borough of Palmyra.

Mr. Cioci asked if there has been any consideration to removing the parking ordinance in the neighborhood business zone on existing buildings. Mr. Cioci explained that this pertains to how many seats a restaurant or an office can have. Mr. Cioci stated that there is no parking in the Borough; therefore, why do we still have this Ordinance on the books? Mayor Martin commented that the Planning Board has discussed this issue. Mayor Martin stated that he believes the ordinance will stay—he doesn't believe it is a deterrent to businesses because variances have been granted. Mr. Cesaretti asked if any business has been denied a variance because of a parking or seating issue. Mayor Martin didn't believe so. Mr. Gunn stated that this issue must go to the Planning Board for review because any change could affect the master plan. Mr. Smyth suggested that this item be placed on the next Planning Board meeting for discussion.

**Katy Roussos, 708 Thomas Avenue**, reported that her car was destroyed by a Borough tree in front of her home. Mrs. Roussos has concerns about the Shade Tree Commission and how they address tree issues. Mrs. Roussos stated that Title 59, which protects municipalities, requires that when these types of incidences occur, negligence has to be proven on the part of the Borough. Mrs. Roussos reported that proof would also have to be shown that the Borough used the money that could have been spent on fixing the problem on something else that was less significant. Mrs. Roussos reported that back in 2002 a Shade Tree Commission member looked at the tree in question, and branches were trimmed off of it. Mrs. Roussos believes there should be a process by which an annual review should have been done on that tree. Mrs. Roussos wanted to know what the requirements are by which the Shade Tree Commission prioritizes trees for removal. Mrs. Roussos thinks that maybe the practices and procedures of the Shade Tree Commission can be streamlined better to have a continued and efficient method of reviewing the trees in town. Mrs. Roussos understands that the Shade Tree Commission has run out of money halfway through the year. This concerns her because then tree concerns cannot be addressed and therefore the Borough is probably not liable for any tree issues then. Mrs. Roussos believes that the list of trees scheduled for removal should be a public record and available at Borough Hall. A discussion then ensued. Public Works Manager, Scott Reed stressed the fact that unanticipated storms and damage also have an impact on the Shade Tree Commission's budget. Mayor Martin believes it is the consensus not to spend as much on planting and other maintenance until the trees scheduled for removal are taken down. Council took Mrs. Roussos concerns under advisement.

**Updates Re: Grants, Shared Services, Cell Tower and projects-Mr. Smyth**

Mr. Smyth reported that he understands the Borough will be getting the Bicycle/ Pedestrian Safety Grant. The application was submitted by Dave Gerken of the Community Grants Planning firm.

Mr. Smyth reported that there is a grant available from the Department of Transportation called Safe Routes to School Program. This potential grant can be used for such things as new construction of pedestrian facilities that promote school safety. It would also include construction or reconstruction of sidewalks, walkways, bikeways, crosswalks traffic signals, pedestrian signs, warning devices, traffic calming, and intersection improvements. Mr. Smyth stated that this grant could possibly offset the costs incurred from recommendations made from the Pedestrian and Bicycle Safety Grant study. Mr. Smyth asked that we authorize Mr. Gerkens to submit the application for this grant. Mr. Smyth stated that there would be no cost to the Borough to submit this application.

**RESOLUTION 106-06**  
**A RESOLUTION AUTHORIZING AN APPLICATION TO THE NJ DOT SAFE**  
**ROUTES TO SCHOOL PROGRAM**  
**(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. 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 abstained.

Mr. Smyth reported that we are still waiting to hear from the Department of Transportation regarding the submission of an amendment to our Centers of Place Grant.

Regarding Shared Services, Mr. Smyth reported that we received a municipal shared survey from the Department of Community Affairs, which will be reviewed and completed. We will be listing what we are doing now and what we are considering. Mr. Smyth reported that there is a State incentive plan proposed to give one million dollars to the first town in New Jersey that creates a joint Police Department and also a joint Fire Department. Mr. Smyth reported that we have applied for feasibility study funds from the New Jersey Department of Community Affairs to study a joint Police Department between Riverton, Cinnaminson and Palmyra. We want to do this before we may be directed from the State to do it. After the study is completed, we will share results with the public. Mr. Smyth commented that we might want to get this issue on the ballot by next November as a question to the voters. Mr. Cesaretti raised concern that the State may take the results of the feasibility study and mandate us to move forward. Mr. Smyth stated that they can't do that. Public Works Manager believes something needs to be done about how much it costs to run the schools. We shouldn't just focus on municipalities.

Mr. Smyth reported that the cell tower is now generating revenue. We are working with T-Mobile to look at other co-locators.

**Request from NJ American Water Company for a waiver from escrow and inspection fees for Street Opening Permits-** Mr. Gunn reported that he has received this request from the Water Company. Mr. Gunn stated that Council previously granted a similar waiver to PSE&G. After a short discussion, it was the consensus of Council to grant this waiver.

**RESOLUTION 107-06**

**A RESOLUTION TO WAIVE THE INSPECTION ESCROWS FOR NEW JERSEY  
AMERICAN WATER COMPANY FOR STREET EXCAVATIONS  
(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 absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**Preliminary agenda for November 8, 2006.** The Clerk reviewed this with the Governing Body.

**ROTARY CLUB DONATION** Mr. Smyth reported that the Rotary Club has generously agreed to donate two defibrillators to the Borough.

**RESOLUTION 108-06**

**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. 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 personnel, contract negotiations & litigation 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.

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