

October 4, 2006

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

**PRESENT:** Council members Daniel, Brown, Dr. Smyth (arrived at 7:40pm), Mr. Smyth, Kinzler, 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

**Financial Issues-Mr. Kinzler**

#### **ORDINANCE 10-06**

### **AN ORDINANCE OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING A SPECIAL APPROPRIATION FOR THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION PROGRAM IN THE BOROUGH OF RIVERTON (IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. At this time, Mayor Martin opened this portion of the meeting up to the public for any comment on this Ordinance. There being no comment from the public 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.

**Budgetary Updates.** Using the numbers as of August 31<sup>st</sup>, Mr. Kinzler reported that we still look to be in good shape. Mr. Kinzler reported that the engineering line item looks favorable. While we had budgeted for \$39,000.00, we have only spent \$142.00. Mr. Kinzler asked if there were going to be additional engineering costs by the end of the year. Mr. Gunn stated that we have not settled the engineering expenses pertaining to the design phase of the Broad Street Enhancement Grant. We have asked Mr. Guzzi to itemize his costs. Mr. Kinzler reviewed other line items that seem to be doing okay, such as police overtime and electricity costs. Based on discussions with Dr. Daniel, Mr. Kinzler stated that he layered in the cost assumptions for the shade tree work at \$75,000.00 to get us through this year. Mr. Kinzler stated that if things stay on trend, we should be able to absorb that amount. Mr. Kinzler stated that at the November meeting, he will give an update based on the September 30<sup>th</sup> figures. Dr. Daniel stated that he thought Mr. Kinzler's budgetary process was a sound one. Dr. Daniel commented that the number we came up with for shade tree work isn't a number that we are asking for on an annual basis. Dr. Daniel believes that we will use every bit of the \$75,000.00 to get us back on track to aggressively manage tree problems. Once that occurs, Dr. Daniel believes we can then go back to a very reasonable annual shade tree budget, with the understanding that if we get hit with some storms, that the Council would be flexible and understand that we are trying to keep things safe in the Borough. Mr. Kinzler stated that first Council needs to be comfortable with the \$75,000.00 figure. We would then have to transfer funds to offset this during the specified transfer period. Mr. Kinzler also reported that we have paid \$400,000.00 down in debt-this will help during next year's budget preparation.

**Streets, Roads & Sewer Issues-Dr. Smyth**

**Discussion: Pompeston Creek Regional Stormwater Management Plan**

Dr. Smyth reported that this regional plan is the ongoing study by Rutgers University. Dr. Smyth also reported that we have been attending at least some of their meetings and that Dr. Chris Obrupta is the lead. Dr. Smyth reported that Terry Vogt, the Borough's Engineer for Stormwater Management has approved the agreement. Mr. Vogt also indicates that the Borough will be subject o the recommendations of this plan when approved either way. Mr. Gunn stated that he has reviewed the agreement and has no problem with it. Dr. Smyth stated that Scott Reed would be Riverton's representative.

**RESOLUTION 92-06**

**A RESOLUTION TO PARTICIPATE IN THE POMPESTON CREEK  
REGIONAL STORMWATER MANAGEMENT PLAN  
(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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. **Request from James & Laura Kyle, the owners of 606 Linden Avenue for a reduction in their sewer charges.** Dr. Smyth stated that Mr. & Mrs. Kyle have requested a reduction in their sewer charges from two units to one unit. Council reviewed the September 20, 2006 written documentation from Construction Official, Edward Schaefer. Mr. Schafer did an inspection of 606 Linden Avenue and would declare this property as a single family home and that it is no longer being used as two properties. Council also reviewed Mr. & Mrs. Kyle's request for a credit for the excess sewer charges that were paid at closing. Their home was sold to them on August 29, 2005. After a discussion, it was the consensus that Council would agree to the reduction of the sewer charges from two to one effective the date of Mr. Schaefer's inspection. Council did not agree to give Mr. & Mrs. Kyle a credit for sewer service for this property from the period 8/29/05 to 12/31/05.

**RESOLUTION 93-06**

**A RESOLUTION AUTHORIZING THE REDUCTION IN SEWER CHARGES  
ON THE PROPERTY LOCATED AT 606 LINDEN AVENUE (BLOCK 1001,  
LOT 6) RIVERTON, NEW JERSEY  
(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 aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. At this time Dr. Daniel left the dais.

**Request from Brandenberger/Sheridan for a waiver of sewer charges during the construction process at the Nuway site**

Mr. Cesaretti stated that he had to recuse himself from this discussion. Mr. Kinzler asked how much money we were talking about. The Treasurer stated that they are basic bills (13) at \$175.00 per unit at that site. There are no consumption charges at that site. The Treasurer stated that sewer charges are billed twice a year (April & October). Questions were then asked about when the actual demolition took place at this location. Mr. Smyth asked if the sewer charges at this location were paid in April. The Treasurer responded yes. Mr. Smyth was of the opinion that this waiver should be given. After a short discussion, it was the consensus of council to agree to this.

**RESOLUTION 94-06**

**A RESOLUTION AUTHORIZING THE SUSPENSION OF SEWER CHARGES  
FOR THE SEWER CONNECTIONS ON BLOCK 1501, LOTS 20, 21, 22 AND 23  
(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. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye and Mr. Kinzler aye. It should be noted that Mr. Cesaretti reused himself from this vote.

At this time Dr. Daniel returned to the dais.

**Request from Brandenberger/Sheridan for a waiver of sewer charges during construction at 4 Thomas Avenue**

Dr. Smyth stated that Mr. Brandenberger is also asking Council to waive the sewer charges during construction at this site. The demolition took place a couple of weeks ago. Mr. Cesaretti stated that he was recusing himself. Mr. Kinzler stated that he thought all of these costs would have been taken into consideration by the developer when developed the project. Mr. Kinzler stated that the sewer charges are in place to maintain the plant. Mr. Smyth thinks that when you have a demolition and disconnect from the sewer that you shouldn't pay sewer charges. Dr. Daniel questioned why we would consider this waiver. Dr. Daniel would like to know what other communities do before we reach a decision. Mayor Martin suggested tabling this issue on both properties until next week. The Solicitor stated that Council would first have to rescind their Resolution suspending the sewer charges at the Nuway site .

**RESOLUTION 95-06**

**A RESOLUTION RESCINDING THE SUSPENSION OF SEWER CHARGES FOR THE SEWER CONNECTIONS ON BLOCK 1501, LOTS 20, 21, 22 AND 23 (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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth nay, Mr. Smyth aye and Mr. Kinzler aye. It should be noted that Mr. Cesaretti recused himself from this vote.

**Award received for the train station.** Mayor Martin announced that the Pennsylvania Horticultural Society has presented their 2006 Suburban Greening Award to the Riverton Train Station. Mayor Martin reported that their evaluators had visited over 32 nominated sites before choosing Riverton as the winner. There will be a reception on November 12 to receive either a plaque or certificate. Mayor Martin publicly thanked Pat Bruncker and all of the other volunteers who made this possible.

**Meeting open to the public**

**Bob Moccia, 304 Broad Street,** informed Council that the owners of Zena's Bakery are looking into purchasing this property from him (304 Broad Street) to expand their business. Mr. Smyth stated that he will be contacting the Planning Board Chair to discuss what process needs to be followed. It needs to be determined whether this would be a minor site plan application or whether it would require a major site plan review

**Gene Bandine, 522 Main Street,** expressed concern once again about the need for permanent trash cans to be placed outside of the ice cream parlor and at the gazebo. Public Works Manager, Scott Reed stated that if we want to place trash receptacles at the gazebo, a decision needs to be done promptly because of the work being done on this project. Mr. Smyth commented that he would confer with Mr. Reed on this issue.

Mr. Kinzler then asked how the trash situation was working out at the park. Mr. Reed stated that things are working out fine. His department has chained some trash cans to prevent theft. His department is up at the park every week to remove trash.

**Soccer Update.** Mr. Cesaretti reported that he followed up on the issue of the soccer leagues not being able to use any of the fields in Palmyra. Mr. Cesaretti spoke to a representative from the Palmyra Board of Education, who is in charge of this. Mr.

Cesaretti was informed that the soccer leagues are allowed to play on Palmyra's legion field, but the league doesn't like to play there because it is too dusty. Mr. Cesaretti believes there is a big difference in not being allowed to play as opposed to the field being too dusty. Mr. Cesaretti believes we should take this under consideration when giving permission for the leagues to use our park. Mr. Reed reported that he and Councilman Brown met with our Parks & Recreation Commission last week. For spring soccer, the games will be along the creek at our park. Mayor Martin feels we need to try and work everything out.

**Katy Roussos, 708 Thomas Street**, addressed Council about the bicycle and pedestrian grant. Mrs. Roussos reported that Governor Corzine has approved 75 million dollars to be allocated specifically to improve bike and pedestrian safety in towns. Mrs. Roussos would encourage Council to find out how to acquire some of that money in the future. Mrs. Roussos then thanked everybody for their help with Riverton's Drive 25 program at the school. Dr. Daniel asked Mrs. Roussos if she has noticed a difference regarding the speeding since the program's inception. She commented that she is not seeing a huge difference on Thomas Avenue. Dr. Daniel commented that on his street (200 block of Lippincott Avenue) he knows the exact times of day that cars speed (going more than 25 mph) along his street. Mr. Kinzler, who lives on the same street, concurred with Dr. Daniel's statement. Dr. Daniel believes they are drivers going and coming to the Baptist Home. Dr. Daniel believes that posting speed limit signs is not enough. People must be hit in their wallets. Mrs. Roussos stated that the Drive 25 campaign is twofold- the awareness campaign and the long term solutions. That's why the bike and pedestrian grant is so important. The Chief reported that the County Sheriff's Department will be having their people in town running radar on any street we request. They will not issue any warnings.

**Gene Bandine 522 Main Street** asked if four way stop signs could be placed at the locations of our churches in town and at Park and Thomas Avenues. The Chief reported that the regulations have changed whereby you don't need a traffic study to do this. However, the Chief reported that this cannot be done for speed enforcement. It can only be done for safety reasons. The Chief stated that he and Mr. Reed would contact representatives from the State to ask them to come down and go around town and make recommendations. Mr. Reed commented that if we ever re-pave the lower portion of Lippincott Avenue, the dip at 4<sup>th</sup> street needs to be removed. The Chief spoke to the County Engineer about speed bumps (around \$8,000.00 each), which are still illegal. The Chief stated that he sent a letter to the school informing them that his department would heavily be enforcing the Ordinance regarding the stop-no stopping in front of the school. The Chief reported that he will be sending a letter to the Baptist home Administrator advising her of what steps will be taken for the drivers speeding along Lippincott Avenue. No more warnings will be given to speeders along this street.

#### **Smart Growth, Shared Services & Consolidation Updates-Mr. Smyth**

**Review of scope of work for the Smart Growth Grant.** Mr. Smyth reported that both the Planning Board and Environmental Commission reviewed the revised scope of work for this project. This pertains to the Environmental Resource Inventory, with Corresponding Open Space and Recreation Plan and Environmental Protection Ordinances. Mr. Smyth is requesting that Council also approve this scope of work so that the project can move forward. After a short discussion, it was the consensus of Council to agree to this.

### **RESOLUTION 96-06**

#### **A RESOLUTION TO APPROVE A REVISED SCOPE OF WORK FOR THE SMART GROWTH GRANT IN THE BOROUGH OF RIVERTON (IN FULL IN RESOLUTION BOOK)**

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

**Proposed shared services request received from the Borough of Palmyra regarding Trash Collection and the Police Department**

Mr. Smyth, who is the shared services liaison from Council to the County, attended a September 26<sup>th</sup> meeting. The key topic of discussion was government consolidation and shared services. Mr. Smyth reported that the State is really pushing for shared services. Mr. Smyth reported that we received a letter from Mayor Gural of Palmyra asking us to consider looking into shared services for our Police Departments and trash collection. On trash collection, both Riverton and Palmyra's respective trash contracts expires on December 31, 2007. Mr. Smyth feels there maybe a benefit to look considering this.

Regarding the Police Department, Mr. Smyth has looked into and talked to representatives from the Department of Community Affairs about grants and/or feasibility studies for this. Since our Fire Department is voluntary, that would not be applicable to Riverton. Mr. Smyth reported that there are grants available for a feasibility study (with a consultant) for up to \$20,000.00, with a match of 10 percent of the requested grant amount. There could be supplemental funding if the study proves to be more costly. Planner Dave Gerkens (Riverton resident) has a contract with the Burlington County Bridge Commission. We may be able to get funding from the Bridge Commission that would help cover the match. Mr. Smyth is proposing that Council proceed with the feasibility study. Mr. Smyth suggested that we ask the Bridge Commission to help fill out the application to get the grant for three towns--Riverton, (being the lead agent) Palmyra and Cinnaminson. Mr. Kinzler asked how long the feasibility study would take. Mr. Smyth responded that he did not know. Mr. Cesaretti stressed the importance of including the school when we talk about shared services and consolidation. Dr. Daniel is not saying that the feasibility study is a bad idea, but how do you decide that we want to consolidate our Police Department. Dr. Daniel asked how this would financially benefit all parties involved. Dr. Daniel believes our townspeople will ask this. Dr. Daniel asked why we weren't considering other shared services options. Mr. Smyth stated that the Triboro towns already have mutual aid agreements with the other Police Departments; we normally share emergency medical services and fire services. Dr. Daniel believes our residents will ask why we decided to do the Police Department instead of combining other things. Mr. Smyth responded that we are going to consider combining other areas such as trash, public works functions, etc. However, Mr. Smyth reiterated that this particular feasibility study is for police and fire only. Mayor Martin likes the identity of Riverton and would like to keep it as much as possible. He would very much like to know what the average citizen thinks. Mr. Smyth stated that by doing the study it doesn't mean that a decision has been reached. Mr. Cesaretti stated that he is reserving comment until he sees the result of an impartial study. Mr. Kinzler stated that from a fiduciary standpoint we will be addressing the issue. It is due diligence. Mr. Smyth also stated that there are legislator's putting together a list of towns to be consolidated. Mr. Smyth does not support that. Mr. Smyth also stated that the State is looking into the consolidation of school districts. Mr. Smyth asked that Council consider doing the feasibility study.

#### **RESOLUTION 97-06**

#### **A RESOLUTION AUTHORIZING A FEASIBILITY STUDY FOR THE SHARING OF PUBLIC SAFETY SERVICES WITH THE COMMUNITIES OF PALMYRA AND CINNAMINSON (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 Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti abstained because he works for the Bridge Commission.

**Update Re: Rotary Club.** Mr. Smyth reported that we have been asked to submit suggestions for possible donations from the Rotary Club. Previously Council considered asking the Rotary Club to assist Riverton with the purchase of an electric lamp to be placed at the Broad Street Enhancement locations. The Chief recommended that Council consider asking the Rotary Club to help with the purchase of defibrillators for the Borough. A discussion ensued, with the consensus being that the defibrillators being the better choice. Mr. Smyth will review this option with the Rotary Club and get back to Council.

**Victorian day.** Mr. Smyth announced that next year's Victorian day celebration is scheduled for June 2, 2007.

**Video and article on Riverton** Mr. Smyth reported that Freeholder Aubrey Fenton interviewed the Mayor, Gary Ford, Jim Brandenberger and himself regarding development and business issues pertaining to Riverton. Council will be able to review the video before it airs. Mr. Smyth also reported that the Burlington County Times will be running an article on Riverton in November.

**Review of proposed Shade Tree contract(s) specifications-**Dr. Daniel reported that the goal of having two contracts (one for care and maintenance and the other for the removal of trees and stumps) is to save money. Mr. Gunn reported that these specs would be bid out separately. Mr. Gunn explained that we took out the Certified Tree Expert requirement for the removal of trees and stumps. Dr. Daniel reviewed the specs and believes it would be prudent to get Barry Emens to approve them. Dr. Daniel thought there should be some changes in the wording of these specs; however, he wanted to confer with Mr. Emens first. Mr. Kinzler suggested the possibility of shared services for trees. Dr. Daniel thought that was a very good idea. He will review this suggestion with Mr. Emens. The shade tree specifications will be placed on Council's agenda for discussion at next week's meeting.

**Bicycle/Pedestrian Grant Application Resolution-Mr. Brown**

Mr. Brown reported that we are making application for Technical Assistance to conduct a comprehensive, community-wide pedestrian and bicycle circulation study in the Borough. Mr. Brown reported that a Resolution needs to be done to authorize the application.

**RESOLUTION 98-06**

**A RESOLUTION TO APPLY FOR GRANT FUNDING FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR LOCAL BICYCLE AND PEDESTRIAN PLANNING ASSISTANCE (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. 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.

**Preliminary agenda for October 11.** The Clerk reviewed this with the Governing Body.  
**Curfew Resolution Request.** Chief Norcross requested that Council authorize a curfew (9:00pm) for October 28, October 29, October 30 and October 31, 2006. This is something that Council has done the last two years. Chief Norcross commented that the Halloween parade will most likely commence this year from the school's playground.

**RESOLUTION 99-06**

**A RESOLUTION AUTHORIZING A CURFEW FOR OCTOBER 28,**

**OCTOBER 29, OCTOBER 30 AND OCTOBER 31, 2006 IN THE  
BOROUGH OF RIVERTON  
(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 aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye

**Meeting open to the public**

**Katy Roussos, 708 Thomas Avenue**, stressed the importance of the identity of Riverton. Council should think about the reasons why our homes are worth more than the houses in Palmyra and Cinnaminson.

**RESOLUTION 100-06**

**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 aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that personnel issues 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 aye, 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 we adjourn the meeting. This was seconded by Mr. Cesaretti, with all present voting in the affirmative

Mary Longbottom, RMC  
Municipal Clerk