

September 13, 2006

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

**PRESENT:** Council members Daniel, Brown, Dr. Smyth, 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

The minutes from August 2 and the closed session minutes from August 2 were then presented. Dr. Smyth move that these minutes be approved as submitted. 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 abstained, and Mr. Cesaretti abstained. At this point of the meeting, Dr Smyth left the dais.

**TREASURER'S & FINANCE REPORTS AND BILL LIST FOR APPROVAL-Mr. Kinzler**

Mr. Kinzler moved that the attached reports for the month of August be approved as submitted. 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.

Mr. Kinzler then provided Council with a status concerning budgetary issues. Mr. Kinzler commented that a close watch is being done regarding all expenditures. Mr. Kinzler stated that we will need to start doing preliminary work on next year's budget very soon.

### **COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Mr. Cesaretti read a report for the month of August that was submitted by Chief Norcross. Vehicle Mileage 2,923, Gas Used (not reported), Juvenile Arrests 2-Assaults 0, Miscellaneous 2 (Theft of Bikes) Curfew 0, Adult Arrests 11-Criminal Warrant 0, Criminal Summons 1, Traffic Warrants 9, DWI 1 and Other 0, Motor Vehicle Crashes 04, Motor Vehicle Stops 98, Motor Vehicle Warnings 05, Motor Vehicle Summons 134-Riverton Officers 112, NJ Transit 22, Burglar Alarms 10, Asst. to other Police Departments 49, Animal Complaints 05, Fire Calls 5, Ambulance Calls (Riverton) 20, Unattended Deaths 0, Criminal Cases 22, Domestic 0, Thefts 5, Burglaries 0, Assaults 1-Police officers 0, Firefighters/EMT 0, Civilian 1, Sexual Assault 0, Criminal Mischief 1, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 10, Miscellaneous Calls 511 and Total Calls 888.

Mr. Cesaretti read a report for the month of August that was submitted by Fire Marshal Robert Yearly. Fire calls for the month 19, Drills 2, Calls in Town 12, Calls out of town 7, and man hours for the month 305.7

Mr. Cesaretti announced that Brian Johnson, who was sponsored by the Borough to attend the Police Academy, is graduating tonight.

Mr. Cesaretti announced that it was reported in the Philadelphia newspapers that a Riverton man had been charged with sexual assault and rape. That was a misprint. It was Riverside.

Mr. Cesaretti reported that there was an article in the Burlington County Times today about the Riverton Drive 25 Campaign.

Mr. Cesaretti reported that the Chief received a letter from the Business and Civic Association. They thanked the Police Department for all of their efforts during the first Victorian Day celebration in June. Mr. Cesaretti read a letter from the Mayor acknowledging the Chief efforts in assisting a resident with the recent birth of her child. Mr. Cesaretti read a letter from a resident for the Police Departments and Public Works Department thanking them for their help during recent storm when his windshield was damaged.

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

Dr. Smyth asked Mr. Smyth to provide an update regarding the Broad Street Enhancement Project. Mr. Smyth reported that the curbing issue should be resolved by early next week so that work can continue. Mr. Reed stated that we will have a construction schedule provided to assist us with this project.

Dr. Smyth reported that there will be a discussion regarding some personnel changes at the Wastewater Treatment Facility in closed session tonight.

**ZONING, PARK, CODE ENFORCEMENT & COURT-Mr. Brown**

Mr. Brown reported that the Zoning Board will meet on September 20. Mr. Brown will be having a Park & Recreation Commission meeting on September 26. Regarding the deterioration of the property at 622 Thomas Avenue, Mr. Brown reported that it has come to his attention that there have been reports of raccoons in this property. Both the Borough's Animal Control Officer and a representative from the communicable disease section of the County Board of Health are of the opinion that there doesn't appear to be an imminent health threat because of this. Mr. Brown stated that our Code Enforcement Officer will check this out. Mr. Cesaretti stated that he would also confer with our Animal Control Officer on this issue.

Mr. Kinzler asked what kind of condition the park was in since the soccer season commenced last weekend. Public Works Manager Scott Reed responded that it appears things are okay. Mr. Kinzler stressed the need to address the littering issues during the games. He would like every team and the coaches to bring trash bags to the games and make sure that all of the litter is picked up.

The following Municipal Court reports for the months of July and August were submitted by Court Administrator Jacqueline Gleason. In July there were 50 traffic tickets issued—2 for parking, 44 moving and 4 DWI. There were 2 criminal violations issued—1 summons 0 warrant and 1 local ordinance. The total receipts for the month of July amounted to \$5,094.00. The total disbursed to Riverton amount to \$2,427.68. In August there were 134 traffic tickets issued—42 for parking, 91 for moving and 1 DWI. There was 1 criminal violation—summons 0, warrant 0 and local ordinance 1. The total receipts for the month amounted to \$4,672.00. The total disbursed to Riverton amounted to \$2,141.24.

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

Mr. Smyth reported that the Planning Board is working on the following issues: hearing a site plan application regarding the property located at 519 Howard Street. Mr.

Smyth stated that the owners are requesting permission to open a pizza parlor on the first floor and an apartment on the second floor. Mr. Smyth reported that the Planning Board would be reviewing minor amendments to the Stormwater Management Plan. The Board continues to work on the re-examination of the Master Plan.

Mr. Smyth reported that the construction of the cell tower at the Wastewater Treatment Facility is scheduled to commence next week and should take 3-4 weeks to complete.

Mr. Smyth reported that Planner Tamara Lee, is preparing the new scope of work for the Smart Grown grant funds. The County may be of help to us with this preparation. It is hoped that Council would be reviewing this at their October 4<sup>th</sup> meeting.

Mr. Smyth reported that the Centers of Place grant has been amended and sent to the Department of Transportation for their review and approval.

Mr. Smyth reported that our Center Designation report is underway. Both he and the Clerk provided the County with the required information to complete the report.

#### **SHADE TREE & BOARD OF HEALTH-Dr. Daniel**

Dr. Daniel reported that he met with the Shade Tree Commission on Monday. Dr. Daniel stated that the water tank obtained from Moorestown Township was used on a number of occasions to water trees. Dr. Daniel reported that our Shade Tree Commission volunteers their time, averaging 30 hours per month. This is important to know regarding certain Shade Tree grants that require in kind services. Dr. Daniel reported that he would be sending a letter of thanks to the Cinnaminson's Public Works Department for utilizing their bucket truck for the removal of limbs from hazardous trees in the Borough. It has been determined that we would need two full days of our tree contractor's time to address the critical tree trimming in town. Another day will also be needed to then top the trees off. Dr. Daniel stated that the Borough trees with an orange dot on them are on the endangered species list. There are 34 of them in town. The tree work to be done in town does not include those trees. Dr. Daniel reported that the Shade Tree Commission would like to generate two contracts for tree services beginning next year- one as written now with the exception that removal and stump grinding will go to a non Certified Tree Expert group. Dr. Daniel reported that the Shade Tree Commission is looking at obtaining some grants to offset shade tree budgets issues. Dr. Daniel reported that the Shade Tree Commission would like to place a list of do's and don'ts on the website, which could be adjusted on a monthly basis.

#### **Discussion: Possible waiver of the inspection escrows for PSE&G for Street**

**Excavations.** Mr. Gunn reported that PSE&G has requested a waiver of the inspection escrow fees pursuant to Article 6, Chapter 111, Section 19B of the Riverton Borough Code. Mr. Gunn stated that PSE&G routinely inspects its road openings a minimum of three times per opening and the restoration work that is performed by PSE&G contractors is guaranteed for five years. Mr. Gunn further reported that the escrow fees, if paid by the utility would be passed onto Borough residents. Public Works Manager, Scott Reed reported that the Borough has not experienced any difficulty in the excavation repair by Public Service for these street openings. Mr. Gunn stated that the Borough Engineer, who has the responsibility for issuing written permits for these excavations, has agreed that this waiver is appropriate and that the inspections would be delegated to PSE&G. Mr. Gunn stated that should Council agree to this waiver, he would recommend that it would only become effective upon a signed agreement between the Borough and PSE&G

reflecting the terms of this Resolution. The form of which would be approved by Mr. Gunn. Mr. Gunn recommended that the agreement only be effective for two years subject to renewal at the conclusion thereof. Mr. Gunn informed Council that New Jersey American Water had not yet requested a waiver from these inspection fees. A discussion ensued.

#### **RESOLUTION 90-06**

#### **A RESOLUTION TO WAIVE THE INSPECTION ESCROWS FOR PUBLIC SERVICE ELECTRIC & GAS COMPANY FOR STREET ESCAVATIONS (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. Kinzler. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti nay.

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

**Michael Robinson, 6 Second Street**, recognized Scott Reed for all of his efforts.

**Gene Bandine, 522 Main Street**, addressed Council about the proposed development at Broad & Main, across from Farmer's and Mechanics Bank. Mr. Bandine asked if the owners of the proposed residential portion of this development could come back and asked for sound barriers to block the noise coming from the riverline. Mr. Gunn stated that nothing was concealed when the applicant went before the Zoning Board. Mr. Gunn also stated that presumably, you would purchase a property with your eyes open.

Mr. Bandine asked where we originally purchased the bricks from that were placed at the triangle area. The Clerk stated that she would check her files for this information. Mr. Smyth commented that we are looking into the possibility of having people donate funds for the placement of two lamps at the plaza (Broad Street Enhancement project).

**Muriel Alls-Moffatt, 202 Fulton Street**, expressed concern, once again, about the clogging and flooding problems coming from the new drains on Fulton Street. Public Works Manager commented that the reason that they are not draining property is because the State came out with new Stormwater Runoff Regulation standards that must be followed. There is nothing his Department can do about it.

Mrs. Alls-Moffatt understands that the clock was hit by the contractor's working on the Broad Street Enhancement project. Mr. Reed stated that it will either be repaired or replaced by the Contractor.

**William Harris, 502 Cinnaminson**, complained about the noise coming from the equipment utilized by a contractor hired by the school to cut the grass. Mr. Harris asked if we could initiate a noise ordinance for these types of equipment (blower rakes).

Mr. Harris reported that he was ticketed recently by a member of Riverton's Police Department for not stopping at the end of Cinnaminson Street to enter onto Broad Street. Mr. Harris believes the police acted vengefully towards him.

**James Rivard, 304 Shrewsbury**, asked for an update regarding a revaluation of all properties in Riverton. Mr. Kinzler stated that at last week's meeting Council introduced an Ordinance that authorized this project. Mr. Kinzler further stated that an authorizing Resolution was also adopted by Council last week. Mr. Kinzler reported that work on this project would commence in 2007.

## **OLD BUSINESS**

**River Route Advisory Marketing Issues.** Mr. Smyth commented that he is serving on this committee, which was previously called the Route 130 Corridor Advisory Group. Videos about the communities along this route will be done and then televised. Representatives from Riverton will be asked to comment on economic development, Riverton's development successes, why Riverton is a great place to live, highlighting Riverton's history, etc. Freeholder Aubrey Fenton will be doing the interviewing. Mr. Smyth reported that the he and the Mayor would be making statements about Riverton. Gary Ford of our Business and Civic Association will speak about Riverton's businesses and James Brandenberger will speak about his development projects in the Borough.

**Request from Rotary Club.** Mr. Smyth suggested asking the Rotary to donate one of the following, a lamp to be placed at the plaza, a bench, something for our park or help with our shade trees. Mr. Smyth will run these suggestions by the club members and will let Council know how the rotary reacts to these suggestions. Dr. Daniel believes it is important to let the public know that we are seeking donations. It was suggested to place something on the Borough's website.

**Update Re: Placement of the Peace pole.** Dr. Smyth reported that we have a group here today that have been working for a number of months to raise funds to obtain a peace pole. Anne and Dennis Creter are heading this group. The other members of this group were then introduced. The peace pole was brought in to show Council. Mrs. Creter stated that the following languages were represented on the pole: 2 in English, Spanish, Portuguese, Serb Croatian, Arabic, German, Italian, Hebrew, Swahili, Vietnamese and Delaware Leni-Lenape. Mrs. Creter believes these languages are germane to Riverton. Dr. Smyth stated that we are now in the process of finding a location to place the pole.

**James Rivard 304 Shrewsbury** asked why the French language was not included on the pole. Dr. Smyth stated that these languages were a representation of our community. Mrs. Creter stated that the Riverton school children contributed to a third of the expense of the pole (their pennies for peace campaign). Mrs. Creter stated that the pole was damaged by Fed-Ex on delivery. There is big crack in it. It will be sent back and re-made. Mrs. Creter hopes that we will have the pole back in time for the State mandated School Violence Awareness week program at the school during the third week in October. Hopefully it will be back by that event.

## **NEW BUSINESS**

### **ORDINANCE 11-06**

#### **AN ORDINANCE TO ESTABLISH STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS FOR MAJOR DEVELOPMENT**

The above Ordinance was re-introduced and read by title only for the first time by Mr. Cesaretti, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent (left dais during this portion of the meeting), Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for October 11<sup>th</sup>.

**SHARED SERVICES UPDATE.** Mr. Smyth will be attending the next shared services meeting on September 26. State Assemblyman Joseph Malone, who sits on the

Government Consolidation Shared Services Committee will speak on this issue. Mr. Smyth will report back to Council at our meeting in October.

**MEETING OPEN TO THE PUBLIC**

**James Moffatt, 202 Fulton Street** asked who our Emergency Management Coordinator was. Scott Reed stated that he is filling in temporarily until the position is filled. Mr. Moffatt raised concern over the possibility of a pandemic flu epidemic.

**Muriel Alls-Moffatt, 202 Fulton Street** commented that one of the reasons former Emergency Management Coordinator Tom Schneider left his position was that he wanted to get paid for what he was doing. Would there be any money in the budget to pay a person to do this job? Mayor Martin feels that we are trying to fill that position on a volunteer basis.

**RESOLUTION 91-06**

**A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETINGS AT 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 and contract negotiations will be discussed.

At this time Dr. Smyth moved that we return to public session. 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.

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

Mary Longbottom, RMC  
Municipal Clerk