

May 2, 2007

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 2007 published in the Burlington County Times on December 27, 2006

b. Posting written notice on the official bulletin board on January 3, 2007

**Representative (Khara Ford) from the Burlington County Economic Development Regional Planning Department to address Council.** Ms. Ford, Principal Planner reported that she would be coordinating with the River Route Communities, implementing and updating the River Route Regional Strategic Plan. Ms. Ford provided an overview of the services afforded by the Department of Economic Development and Regional Planning. Ms. Ford also provided a comprehensive overview of ways Burlington County can assist municipalities with economic development and regional planning.

**Ed Gilmore 103 Main Street** informed Council that when the Cinnaminson Home closed a couple of years ago, the Borough had purchased a settee circa 1850 and an old glass enclosed display case for possible placement in a new municipal building. To date, these items are being stored in his garage. Mr. Gilmore stated that the library is interested in having the display case. Regarding the settee, Mr. Gilmore did not know if there would be room for it in our present building. After a discussion, it was the consensus of Council that the Public Works Department pick up these items and place them in storage until it is determined where they should go.

**Request from the Riverton Improvement Association to be included under the Borough's insurance umbrella for their May 11<sup>th</sup> gala**

Mr. Gunn reported that there is precedence for doing this. Council previously did this for the Farmer's Market. Mr. Gunn stated that Council would have to make the Riverton Improvement Association (RIA) a sub-committee of a Council committee to qualify for this. Paul Grena of the RIA would like the Association included under the Borough's insurance umbrella long term in consideration of other functions the Association decides to hold. However, Mr. Gunn stated that if the Association sponsors any other events, Council would have to do a formal resolution sponsoring it. Mr. Grena commented also that the RIA has non-profit status with a tax id number that was pre-existing when he took over the association's functions. Mr. Gunn stated that Council can approve this request –long term; we might want to check to make sure there is no prohibition because of the association's non-profit status. Mr. Grena has no problem requesting a resolution be passed for each event the association might hold.

**RESOLUTION 40-07**

**A RESOLUTION TO ESTABLISH THE RIVERTON IMPROVEMENT ASSOCIATION AS A SUBCOMMITTEE OF THE PLANNING COMMITTEE OF THE RIVERTON BOROUGH COUNCIL AND TO SPONSOR A GALA ON MAY 11, 2007 TO BENEFIT THE RIVERTON WAR MEMORIAL (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 aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**Streets, Roads, Sewer & Riverwall Issues:**

**Request from Christ Church to install a separate water meter in the water line that services their sprinkler system.** Copies of this request were distributed to Council for their review. Mr. Cesaretti asked if we have ever done this for anybody else. The Clerk responded that to the best of her knowledge, we have never had a similar request. Mr. Kinzler stated that this would be precedence setting. Mr. Gunn asked that this issue be deferred until Council's meeting next week so he can thoroughly review this request and make a recommendation to Council. Council concurred with Mr. Gunn's suggestion.

**Update Re: Present garbage/trash contract which ends 12/31/07-possible shared service with Palmyra** Mr. Smyth reported that he is still trying to meet with Palmyra representative to discuss bidding this contract jointly. Public Works Manger Scott Reed commented that he doesn't know how we can get a better rate jointly when the same service is doing both towns. Dr. Daniel asked if a possible shared service with Cinnaminson would be a better fit. Mr. Reed commented that Cinnaminson's contract is not over the same time as ours. Dr. Daniel suggested doing a temporary contract until Cinnaminson is available. Mr. Reed reiterated his position that we can get a better deal going by ourselves. Mr. Reed stated that the tipping fees are the biggest factor and that is set by the County. A discussion ensued over the pros and cons of having a shared service as opposed to stand alone. With our contract expiring at this end of this year, it was noted that a decision needs to be reached by the end of the summer so we can allow for the proper amount of time to bid this contract. This issue was taken under advisement by Council.

**Sewer erosion at Bank & Thomas** Mr. Reed reported that T&M Associates, Consulting Engineers for the Borough, would be writing a letter to New Jersey Department of Environmental Protection (NJDEP), Land Use Management and Compliance, Bureau of Tidelands requesting that they permit the owners of 109 Bank Avenue to re-construct their damaged portion of the seawall on the historic alignment, in line with the adjacent, intact, portions of the seawall. The letter will explain that the reason for this request is that the Borough's sanitary sewer line is located approximately 35 feet behind and runs parallel to the existing seawall at the subject property. Mr. Reed further stated that if the NJDEP does not grant this request and if this portion of the riverwall has to be moved by 4', then we will be unable to work on the sewer pipe at all.

**Borough owned riverwall repairs** Mr. Reed reported that we spent approximately \$5,000.00 to make repairs to the Borough owned portions of the riverwall at Howard, Fulton and Morgan Avenues. Mr. Reed also reported that we had to buy \$900.00 worth of rocks.

**Tax Maps issue as it pertains to the revaluation process:** Mr. Cesaretti questioned the fact that we received notice that the State has not approved our Tax Maps. Mr. Cesaretti asked if this would hold up the revaluation process. Mr. Kinzler reported that our Engineer (Remington, Vernick & Arango) submitted a proposal to council today. Their proposal spells out the work that the State is requiring to be done as part of the revaluation process. Their costs for doing this work amount to \$23,000.00. Mr. Kinzler stated that we need to thoroughly review our Engineer's proposal and possibly have other Engineering firms submit quotes before Council makes a final decision.

**Meeting open to the public**

**Josh Cooper, 513 Main Street**, addressed Council regarding a letter that was placed on his truck from the Police Department. This letter informed him that the police would be enforcing the parking codes (2 hour limit) at that location. Mr. Cooper explained that he doesn't have a driveway. He believes the people who live here and pay taxes should be offered parking permits so they can park in front of their own houses. Other towns do this type of thing. Mr. Cesaretti stated that this issue had been discussed a number of years ago. Mr. Cesaretti remembers that we were going to let people get used to it but an enforcement timetable was never established. The Chief commented that up till today this issue was only dealt with if a complaint was lodged. The tires would then be marked. The Chief stated he has received numerous calls since these notices were placed on the cars. The Chief stated that the two hour parking issue was raised at a recent meeting of the Economic Development Committee/Business & Civic Association. Mayor Martin commented that the area discussed at that meeting was from the municipal parking lot on Main to Broad Street. Mr. Smyth asked who directed the Chief to place these notices on the vehicles. Mr. Brown responded that he did at the request of the Mayor during the Economic Development Committee meeting. As Director of Public Safety, Mr. Cesaretti stated that they can't tell the police what to do. This request should have gone through him and then he would have met with the Chief to discuss it. A discussion then ensued with the consensus being that no enforcement action should be taken regarding this issue at this time. Mr. Brown stated that he believes there was a miscommunication between him and the Mayor during the Economic Development meeting and apologized.

#### **RESOLUTION 41-07**

#### **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'S BUDGET FOR THE YEAR 2007 (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 aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

#### **Updates Re: Grants, Shared Services & Economic Development-Mr. Smyth**

Mr. Smyth reported that the Centers of Place project has commenced. Mr. Smyth reported that the Borough would be submitting a new Centers of Place application to seek additional funding for sidewalk replacement. We will be asking the Bridge Commission to assist us in this regard. Mr. Smyth explained that they do not charge to prepare the application. Mr. Smyth announced that potential funding for the Safe Routes to School grant should be awarded in another month. Mr. Smyth announced that a kick-off meeting was held today for the Borough's Bicycle and Pedestrian grant. Mr. Smyth announced that the new CVS will be holding their grand opening on Saturday, May 19<sup>th</sup>.

#### **RESOLUTION 42-07**

#### **RECYCLING TONNAGE GRANT APPLICATION (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.

#### **Peace Pole Issue**

Mayor Martin commented that the Peace Pole's committee would like the peace pole placed at the sign at the entrance to the park. Mr. Smyth stated that the VFW doesn't

want the peace pole placed in front of the sign on the other side of the flag and memorial stone. Mr. Smyth stated that he would not support the pole being placed at that location either.

Mr. Brown understands that Mr. Cesaretti previously objected to placing the pole in the park in the back near the trees and the little monuments and he agrees with him. Mr. Brown asked if Mr. Cesaretti would object to the corner of 8<sup>th</sup> & Cedar Streets for the placement of the pole. Mr. Cesaretti stated that he would have objections to placing the pole anywhere in the park. However, if the complete Council decided that would be the best case scenario, he would not stand in the way. Mr. Brown feels that since this issue has been discussed for months, he wanted to make a motion to place the pole at this location. Mr. Cesaretti reported that a resident has indicated that he will file an immediate lawsuit if the pole is placed anywhere on Borough property. Mr. Brown moved that based on all the information received from all groups and people concerned about this situation, that we approve placing the peace pole on the corner of 8<sup>th</sup> & Cedar Streets. No second was made to this motion. Mr. Cesaretti reminded Council to bear in mind that even if it is a baseball field, tennis or basketball court, or a jungle gym, it is still a memorial park for those who gave the ultimate sacrifice.

Dr. Daniel stated that he personally feels that the pole should be placed at the Riverton Public School. Dr. Daniel stated that when this issue was originally brought up it was for children to help them deal with conflict resolution. Now it seems to have mired down to other things. However, Dr. Daniel personally sees no conflict in putting the pole in a memorial park. Mr. Cesaretti stated that he would support Dr. Daniel's school suggestion. Mr. Smyth stated that he can deal with the pole being at the other end of the park but not at a location close to the memorial flag and stone. Mr. Brown stated that he is trying to reach a compromise here to get this issue resolved. Mr. Gunn stated that if the pole is placed on public property, the group has to donate it to us and it has to be accepted by Council. Mr. Gunn cautioned that due to the Borough's Historic Register status, he was unsure whether we would have to get permission from the State's Historic Commission before proceeding. We had to do this regarding the installation of the clock and bricks. Discussion resumed.

#### **RESOLUTION 43-07**

#### **A RESOLUTION RESCINDING RESOLUTION 18-07 RECOMMENDING THE PLACEMENT OF THE RIVERTON COMMUNITY PEACE POLE ON THE PROPERTY OF RIVERTON SQUARE LL.C, BLOCK 901, LOT 2 AND RECOMMENDING THE PLACEMENT OF THE PEACE POLE ON THE GROUNDS OF THE RIVERTON PUBLIC SCHOOL (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. Cesaretti. Mayor Martin stated that he feels that we won't get anywhere with this. The peace pole committee will be upset with this. Mayor Martin would be for the location Mr. Brown suggested. Mr. Cesaretti wants to let the school review this. Maybe they can come up with a better solution. Dr. Daniel believes it make sense for the pole to be placed at the school. Mr. Kinzler stated that at the last meeting that the peace pole issue was discussed the peace pole committee members were leaving it in Council's hands to find a place for this pole. Mr. Kinzler stated that if this resolution is adopted tonight we are going to have to speak to the logic of the decision so that the conversation can end. After additional discussion 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.

**Partnership for drug-free New Jersey questionnaire.** The Clerk reported that we have been asked to fill out a state wide survey that evaluates whether or not local municipalities have adopted P.L. 2000, Chapter 33. This ordinance prohibits possession or consumption of alcoholic beverages on private property by persons under legal drinking age. Mr. Gunn commented that our present ordinance regulates alcoholic beverages on public property. After a short discussion, it was the consensus that Council needed some more time to review the information submitted. This issue will be placed on next week's agenda for further consideration. The Chief of Police was also asked to review this information and make a recommendation.

**Preliminary agenda for May 9.** The Clerk reviewed this with the governing body.  
**2<sup>nd</sup> & Howard Street Water issue.** Mr. Reed asked that this issue be followed up with the Water Company. This pertains to the problem the Borough has had with ponding water which resulted from New Jersey American Water Company's placement of a water line at 2<sup>nd</sup> & Howard Streets a couple of years ago. Mr. Gunn commented that since he had previously send correspondence to the water company concerning this issue, he would follow-up with them. Council will be kept informed.

**Parking issues at the bend along 600 Lippincott Avenue** Both Mr. Reed and the Chief reported that they have been working parking problems at this location caused by the river line users parking their vehicles there. Mr. Reed reported that trucks can barely make it down that portion of Lippincott Avenue. It is a hazardous situation. Some options would be to consider the placement of temporary no parking signs on the Palmyra side of Lippincott Avenue and also to legally mark the available parking spaces right on around Harrison Street.

**Speeding Machine** Mr. Kinzler asked the Chief how this was working out. The Chief responded that it is being moved every two days, two days up, one day down for charging.

**Riverton Drive 25 Update:** Mayor Martin reported that the Board of Chosen Freeholders presented this committee with a Proclamation in recognition of all their efforts.

**Turning left from Cedar to Broad.** Mr. Kinzler reported that when you leave the park and try to make a left off of Cedar to Broad, the bushes at that location are creating a blind spot, causing a potentially hazardous situation. Mr. Reed stated that this is not the first time we have had concerns about these bushes. They have been trimmed down.

**Getting the light at Broad & Cedar Streets operational since CVS opened.** Both Mr. Reed and Chief Norcross would like to get this light operating. With the opening of the CVS, Mr. Reed and the Chief are concerned about safety issues, in particular children crossing Broad Street to access the CVS. After some discussion, it was the consensus that this issue be referred to the Public Safety Committee for their review and recommendation.

#### **RESOLUTION 44-07**

### **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 Mr. Cesaretti, 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 aye. It should be noted that personnel matters would be discussed. Dr. Daniel left the meeting at this time.

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 absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**RESOLUTION 45-07**

**A RESOLUTION APPOINTING BRIAN JOHNSON AS A REGULAR  
POLICE OFFICER 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. Kinzler. 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