

October 8, 2008

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

PRESENT: Council members Brown, Cairns Wells, Smyth, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council members Daniel and Kinzler

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 notice of all meetings to be held in 2008 published in the Burlington County Times on December 30, 2007
- (b) Posting written notice on the official bulletin board on January 4, 2008

The minutes from September 3 and September 10 were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Cesaretti aye.

DEDICATION OF THE PEACE POLE

Michael Robinson, 6 2nd Street announced that Bruce Gunn is the first recipient of the annual Riverton peace prize. Mr. Robinson presented Mr. Gunn with an award.

Anne Creter, 9 Laurel Road thanked Mr. Smyth for attending the dedication of the peace pole on September 21st (the International Day of Peace). Mrs. Creter reported that the event received press stories in the Burlington County Times, Newsweekly and the Town News. A proclamation was also received from Congressman Rob Andrews.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

A police report was not submitted for the month of September.

Mr. Cesaretti read a report for the month of September that was submitted by Deputy Fire Chief Robert Yearly. There were 14 fire calls for the month, 7 in town and 7 out of town, and there were 3 drills.

REVIEW OF PROPOSED COMMERCIAL/RESIDENTIAL ALARM

REGULATION. Mr. Cesaretti stated that Mr. Kinzler had previously asked how many calls are received on average each month. Mr. Cesaretti stated that we had 17 alarms calls last month and 7 fire calls. Mr. Cesaretti stated that we have been trending right around that amount for awhile.

Mr. Cesaretti stated that the object of the Ordinance is not to penalize people. It's to allow us to have the emergency information on hand to address the situation when an alarm goes off and no one is at home to deactivate it. Ms. Cairns Wells asked how people will know that they have to register with the Police Department. The Clerk stated the Ordinance can be posted on the website. Other suggestions were to include a notice of this Ordinance with our tax bills or with our Borough Directory.

Mr. Gunn reported that the Chief asked that Medical Alert Systems also be included in this ordinance. The Chief provided an overview of the process with these Medical Alert Systems. Mr. Gunn stated that normally those people having these devices are not required to notify the Police Department and register. It is done voluntarily. Ms. Cairns Wells stated that while the registration requirement is okay, she doesn't want to

see people with these types of devices fined for this. The Chief stated that they do get a lot of false alarms for these devices. Mr. Gunn stated that it might be a good thing to require the registration but not have any penalties associated with this particular alarm system. After additional discussion, it was the consensus of Council to move forward and introduce this Ordinance. The Solicitor was directed to incorporate language into the Ordinance that clearly defines what a Medical Alert System is and that fines would not be imposed. Council will review the re-drafted Ordinance at next month's work session.

ORDINANCE 5-08

AN ORDINANCE TO AMEND CHAPTER 26, OF THE RIVERTON BOROUGH CODE TO PROVIDE STANDARDS AND REGULATIONS FOR EMERGENCY ALARM DEVICES

The above Ordinance was read by title only for the first time by Mr. Cesaretti, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for November 12.

RESOLUTION 81-08

A RESOLUTION AUTHORIZING A CURFEW FOR OCTOBER 28, OCTOBER 29, OCTOBER 30 AND OCTOBER 31 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. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

DISCUSSION: PROPOSED 2 HR. PARKING MONDAY THROUGH FRIDAY ON HARRISON STREET. Mr. Cesaretti reported that he received a call from the owner of the Learning Impact Center on Main Street requesting that Council consider instituting a 2 hour parking limitation on Harrison Street. Mr. Cesaretti explained that more people who are utilizing the Riverline are parking all day on Harrison Street. This prevents people from being able to park and patronize the businesses at this location. Mr. Cesaretti has also spoken to the other business owners, who concur with the 2 hour parking restriction. After some discussion, it was the consensus to defer any decision until Council's next meeting. Mr. Cesaretti will review this issue with the parking committee to get their input.

**STREETS/SEWER/SHARED SERVICES/GRANTS/
ECONOMIC DEVELOPMENT.-Mr. Smyth**

UPDATE RE: POLICE CONSOLIDATION GRANT. Mr. Smyth reported that representatives from Riverton (Mr. Smyth, Mr. Cesaretti and Chief Norcross), Cinnaminson and Palmyra met on October 2 to review and discuss the parameters of the recently received grant. Mr. Smyth reported that representatives from Patriot Consulting, the preferred firm to do the study, were also in attendance. Mr. Smyth further reported that a consensus was reached at this meeting that Requests for Proposals or Quotes be sought before a selection of a consultant is made. Mr. Smyth reported that we will be receiving a draft RFP or RFQ to review and comment on. Council will be kept apprised of this issue.

UPDATE RE: SELECTION OF A CONSULTANT FOR THE DOWNTOWN REVITALIZATION GRANT. Mr. Smyth reported that the Consultant Selection Committee (Ms. Cairns Wells, Mary Longbottom, Municipal Clerk, Gary Ford, President of the Riverton Business & Civic Association, Mr. Smyth and Mark Remsa, Planner for the County) evaluated and reviewed the six proposals and reduced the number to 3 viable companies. Mr. Smyth reported that the committee held interviews with The Weitzman Planning Group Inc. of Bryn Mawr, Pa., Community Grants, Planning & Housing of East Windsor, NJ and CMX of Manalapan, NJ. After deliberation, it is the recommendation of the committee that Council appoint the Waetzman Group, Inc. Mr. Smyth commented that this firm showed strong marketing and economic development expertise. It was the consensus of Council to agree to this recommendation.

RESOLUTION 82-08

**A RESOLUTION OF THE BOROUGH OF RIVERTON TO APPOINT THE WAETZMAN PLANNING GROUP, INC. AS ITS PROJECT CONSULTANT FOR THE DOWNTOWN REVITALIZATION PLAN FOR THE BOROUGH OF RIVERTON
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye. Ms. Cairns Wells stated that we would be holding a pre-contract meeting with representatives of the Waetzman Group to outline their responsibilities.

REVIEW OF ESTIMATES FROM ENGINEER RE: SAFETY AND /OR STRUCTURAL ISSUES AT SPECIFIC RIVERWALLS. Mr. Smyth reported that T&M Associates submitted an estimated cost of \$2,000.00 to conduct an inspection of the seawalls located in front of 109 and 207 Bank Avenue. Mr. Smyth recommended that Council authorize this inspection to be done, with the caveat that T&M Associates not exceed their estimated amount, that the work should commence immediately to determine the extend of the erosion and to report any adverse effects on the stability of the Borough sewer line and/or Bank Avenue including the appropriate safety analysis. It was the consensus of Council to agree to Mr. Smyth's recommendation and directed the Solicitor to incorporate this wording in the authorizing Resolution.

RESOLUTION 83-08

**A RESOLUTION TO REQUEST T&M ASSOCIATES TO CONDUCT AN INSPECTION OF THE SEAWALL LOCATED IN FRONT OF 109 AND 207 BANK AVENUE 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 by Ms. Cairns Wells. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Cesaretti aye.

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

Mr. Brown read a report for the month of September that was submitted by Court Administrator Jackie Gleason. The total receipts for the month amounted to \$8,869.00 and the total disbursed to Riverton amounted to \$3,838.75.

Mr. Brown reported that the park's fields are in good shape and the door at the grandstand will be replaced.

Mr. Brown reported that the Zoning Board recently heard one minor application. Mr. Brown reported that a question has arisen as to whether an applicant going before the Board pays for the notices of decision in the newspaper from their escrow. Mr. Gunn stated that he agrees with the Zoning Board attorney that this fee should be taken out of the escrow. Mr. Brown also questioned why a Board would hear an application if the escrow fees have not been paid by the applicant. Ms. Cairns Wells stated that this issue has also been discussed at the Planning Board and recommendations will be made to remedy this ongoing situation. Council will be kept informed.

Regarding Code Enforcement issues, Mr. Brown reported that the outside of 108 7th Street has been cleaned by our Public Works Department. Mr. Reed will be turning in an invoice for the work done so that we can proceed in submitting a bill to the property owner for reimbursement. Mr. Brown also reported that the issues pertaining to 622 Thomas Avenue and 632 Linden Avenue are being addressed by our Code Enforcement Officer.

PLANNING/REDEVELOPMENT-Ms. Cairns Wells

Ms. Cairns Wells reported that the Zoning Ordinance Task Force met to finalize their recommendations. She hopes to present these to Council in November.

SHADE TREE/BD OF HEALTH, RECYCLING & ENVIRON-Dr. Daniel

The Solicitor reported that he was working with the Shade Tree Commission on the specifications for tree removals and care and maintenance of the trees. As soon as they are finalized, they will be distributed to Council for their review.

MEETING OPEN TO THE PUBLIC

Gene Bandine complained to Council that something needs to be done about the train horn noise level. Mr. Smyth commented that we have heard nothing from the Federal Railroad Administration about our request for a bell zone waiver. Mr. Smyth stated that we had the support of New Jersey Transit on this issue. Mr. Smyth stated that he would contact representatives from NJT to find out what the status is and to ask for more support.

Mr. Bandine also expressed concern, once again about the skateboarding issues at various locations throughout town.

OLD BUSINESS

UPDATE RE: COAH REQUIREMENTS TO BE MET BY THE END OF THE YEAR

Ms. Cairns Wells reported that discussions concerning the third round COAH regulations have come up a couple of times at the Planning Board meetings this year. However, Ms. Cairns Wells stated that there was never anything placed in the Planning Board's budget to address Planner Tamara Lee's fees to complete this work by the end of this year. Ms. Cairns Wells reported that at the August Planning Board meeting, Municipal Housing Liaison, Muriel Alls Moffatt requested that Ms. Lee run the new COAH numbers for a presentation to be made to Council. At that same meeting Ms. Lee stressed the urgency of not neglecting the need to prepare the revised submission to meet the 12/31/08 deadline. The Board discussed that Ms. Lee be authorized to pull together the calculations and come before Council. Ms. Cairns Wells reported that Ms. Lee came before Council at the September 3rd meeting in September and said she had not had the time to pull together these calculations. Ms. Cairns Wells finds this to be disturbing.

Ms. Cairns Wells stated that Ms. Lee's proposal to do this work by the end of the year is between 8-10 thousand dollars. Ms. Cairns Wells stated that we have also be informed by the County that they were going to provide COAH planning services to all municipalities in Burlington County. This information was forwarded to Ms. Lee who was asked how this help from the County would affect her proposal costs. Ms. Lee reported back that her estimated costs would be reduced by only \$1,500.00. Ms. Cairns Wells believes her proposed costs still seem high. Ms. Cairns Wells stressed the fact that this illustrates a point for Council and those Boards who engage professionals that we need to tightened things up regarding proposals. We need to be pro active regarding these budgetary issues.

Mr. Smyth stated that the County would be providing a boiler plate submission—it will require us to fill in the numbers from our housing plan, etc. Mr. Smyth thought that the County's assistance would have reduced Ms. Lee's fees quite a bit. Mr. Smyth reported that we have also been informed that we can pay Ms. Lee's fees as well as any other required professional fees, such as the Planning Board of Borough Council Solicitor's fees, from our developmental fee fund. We need to do a resolution to submit to COAH stating that these costs will not exceed the 20% allowed for administrative costs. Mr. Smyth reiterated his opinion that he still feels that Ms. Lee's number is high. Ms. Cairns Wells stated that she will talk to Ms. Lee about the costs. She would like a not to exceed number from Ms. Lee. Ms. Cairns Wells will also ask that detailed itemized invoices be submitted for review before payment is made.

RESOLUTION 84-08

A RESOLUTION COMMITTING TO PETITION WITH A THIRD ROUND AFFORDABLE HOUSING PLAN AND TO EXPEND AFFORDABLE HOUSING TRUST FUND MONIES ON THE DEVELOPMENT OF A HOUSING ELEMENT (IN FULL IN RESOLUTION BOOK)

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

NEW BUSINESS

MOTION TO APPROVE A REQUEST FROM SACRED HEART CHURCH TO HOLD RAFFLES ON NOVEMBER 6 & 7

Mr. Brown moved that this request be approved. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti abstained.

TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL

In Mr. Kinzler's absence, Mr. Smyth moved that the attached reports for the month of September be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

CORRESPONDENCE

The Clerk announced that we received written approval for Riverton and Palmyra to form a Joint Emergency Management Council within the County of Burlington. The approval was sent from the Department of Law and Public Safety.

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

Mary Longbottom, RMC
Municipal Clerk