

February 13, 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, Kinzler (left meeting at 10:35pm), Cesaretti and Solicitor Bruce M. Gunn

**ABSENT:** Council member Daniel

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 January 2, January 9 and closed session minutes from December 5, December 12 and January 9 were then presented. Mr. Smyth moved that these minutes be approved as submitted. 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 aye and Mr. Cesaretti.

**PUBLIC SAFETY**-Mr. Cesaretti

Mr. Cesaretti read a report for the month of January that was submitted by Chief Norcross. Vehicle mileage 2981, Gas Used 538.70, Juvenile Arrests 0, Adult arrests 12, (Criminal Warrants 2, Criminal Summons 1, Traffic Warrants 8, DWI 1 and Other 0), Motor Vehicle Accidents 1, Motor Vehicle Stops 163, Motor Vehicle Warnings 30, Motor Vehicle Summonses 109 (Riverton Officer 109, NJ Transit N/A, Others N/A), Burglar Alarms 5, Assists to Other Police Departments 29, Animal Complaints 4, Fire Calls 5, Arson 0, Ambulance Calls (Riverton) 26, Unattended Deaths 1, Criminal Cases 27, Incidents 186, Domestic 1, Thefts 4, Burglaries 2, (From Residences 2, From Vehicles 0), Assaults 3 (Police Officers 0, Firefighters?EMT 0, Civilian 3), Sexual Assaults 0, Criminal Mischief 4, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 1, Miscellaneous Calls 510, and Total Calls 1,214.

Mr. Cesaretti read a report for the month of January that was submitted by Deputy Fire Chief, Robert Yearly. Fire Calls for Month 13, Drills 3, Calls in Town 7, Calls Out Of Town 6 and Man Hours for Month 183.8.

Mr. Cesaretti read a report for the month of January that was submitted by Animal Control Officer M&R Wildlife, Inc. Three stray dogs were taken to the shelter.

**DISCUSSION: POSSIBLE ELIMINATION OF THE SERGEANT'S POSITION**

Mr. Cesaretti stated that this issue was brought up in cost discussions pertaining to the Police Department. The Solicitor has prepared a draft Ordinance for Council's review. Mr. Cesaretti did some comparisons with other towns—no set standards based on our size. Council would have to make a decision whether to eliminate this position or not.

Mr. Smyth stated that he thinks the operation of the department has been going fine the past year and a half without a Sergeant's position. Maybe we can figure out another way of doing it without that position. Mr. Cesaretti stated that the Department has been without this position since Sgt. Furrer retired. Members of Police Department have been asking for a Sergeant (2<sup>nd</sup> in command). Mr. Cesaretti stated that there might be other options to consider if we eliminate this position, such as having a Corporal or an

officer in charge. Mr. Cesaretti stated that even if Council decides not to move someone up to the Sergeant's position, he doesn't know whether it would be a bad idea, from a flexibility standpoint, to keep that position on the books. Mr. Kinzler thought that might be a good way to approach this issue. By doing that, it gives us more opportunity to study it and maybe change our mind. Mr. Kinzler asked if we choose not to fill the Sergeant's position, do we still have to do an ordinance that removes this position from our books. Mr. Gunn stated that the statutes give the Governing Body the discretion whether or not to have that position. Mr. Smyth asked if we do not authorize this ordinance are we obligated to fill this position by a certain time. Mr. Gunn stated that they would not be obligated.

Mr. Brown stated that there has been no indication in the past year and a half that the officers are in need of any closer supervision that what they have. They are well trained, certified and do a good job. This is a small department with five officers plus the Chief. Mr. Brown personally does not see the need for an additional supervisor. Mr. Brown believes there would be cost savings by not having this position. Last year police overtime costs (after receiving a grant) was \$47,270.47. If we have a Sergeant, who starts out at a high salary with overtime and benefits, the costs could run into six figures as it has in the past. We are looking for ways to cut back.

Mr. Kinzler stated that there is a question, operationally, as to whether we need the Sergeant's position. No security issues have occurred during the last 18 months.

Ms. Cairns Wells asked if the Sergeant's position requires that that person do patrols. The response was yes. Mr. Cesaretti stated that the Police Department believes they need a Sergeant.

Special Officer Scott Reed believes the Sergeant's position should be retained and that the salary should be negotiated. Mr. Reed believes there should be a 2<sup>nd</sup> in command. Mr. Cesaretti stated that if you look at the organization of the Police Department, it does seem top heavy in management.

Mr. Smyth said that one of the things we are going to look at under shared services is a regional police force study. It's not been decided on but was talked about last year. In that study they will look at the organization and the costs of the Police Department. The study would be paid for by grants. Mr. Smyth thought we might want to defer any decision on the Sergeant's position until after the study is completed.

Ms. Cairns Wells stated that she would not be prepared to vote on this proposed ordinance tonight. She doesn't think we have enough information. Ms. Cairns Wells stated that it seems that things are going well without the position being filled.

Mr. Kinzler stated that we need to understand the roles and responsibility of the Sergeant's position when it was originally filled—is this position a nice to have or a need to have one.

Mr. Reed asked if a Police Department merger were to occur would there be a referendum to let the public decide the issue. Mr. Smyth explained the process of doing a shared services grant study for police services. An agreement would have to be reached between Riverton, Cinnaminson and Palmyra to apply for the grant. If granted an independent consultant would be brought in to do the study. Mr. Smyth stated that at the end of the study it would go out to a public vote.

Patrolman Willis asked at what point Council would make a decision about the Sergeant's position. Patrolman Willis stated that the department has been told over and

over again that once the police contract was signed that a Sergeant would be appointed. Patrolman Willis raised concern over this discussion tonight. Mr. Cesaretti commented that he had previously spoken to Patrolman Willis about the Sergeant's position. Mr. Cesaretti had indicated that once the contract was passed discussion would take place about the Sergeant's position based on costs. Mr. Cesaretti stated that the discussion tonight was the possible removal of the Sergeant's position from the Borough's code. Patrolman Willis stated that he doesn't expect to be a Patrolman for the rest of his career. If the Sergeant's position is eliminated where does that leave the members of the police force? Mr. Kinzler stated that there are a number of factors here. Career progression is one; however, do we need one person to then supervise four officers and the other ancillary personnel (crossing guards, special officers, etc.) that go along with that function. These questions need to be answered before a decision is reached.

Patrolman Merino asked how Council would determine whether we would need two supervisory positions or not. Mr. Kinzler stated that together we need to make this determination. Patrolman Merino asked how do we get together to discuss the reasons why we need the Sergeant's position. Mr. Cesaretti stated that meetings would be set up between the Public Safety Committee, the Chief and a representative from the officers to receive input on this issue.

Patrolman Merino stated that there is a rumor that Chief Dreby of Palmyra is putting together a proposal that we're merging with Palmyra in June. Patrolman Merino asked if this was true. Mr. Brown commented that he has never heard that. Chief Norcross stated that Chief Dreby and his director are preparing a proposal.

Mr. Kinzler stated that by unilaterally going out and filling the Sergeant's position without doing due diligence is not the right way to go. Mr. Brown believes it will all come down to needs and finances.

Patrolman Willis asked if Council was aware of all of the duties of the Sergeant's position. Patrolman Willis then distributed a list as prepared by the department.

**FINANCIAL ISSUES:** Mr. Kinzler

#### **TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

Mr. Kinzler moved that the attached reports for the month of January 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 aye and Mr. Cesaretti aye.

#### **ORDINANCE 1-08**

#### **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

The above Ordinance was introduced and read by title only by Mr. Kinzler, 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 aye and Mr. Cesaretti. It should be noted that second reading and a public hearing on this Ordinance is scheduled for March 12, 2008.

#### **2008 BUDGET DISCUSSION (AUDITOR ROBERT STEWART, PRESENT)**

Mr. Kinzler distributed a draft 2008 budget expense report, a copy of which is on file with the Municipal Clerk. A detailed discussion took place regarding various line items, such as Legal Fees, Computer SW&HW for both the Borough and Police Department, Police salaries and wages, Police Overtime, Tax Assessment (state's

required revisions to our tax maps), Shade Tree, Recreation, Palmyra-Riverton Seniors, Celebration of Public Events, Salaries and Wages, Engineering and testing costs for the Wastewater Treatment Facility, Vehicle Maintenance, Landfill fees, etc. Council made additional adjustments where deemed necessary. Council also appropriated funds in the budget (outside CAP) to provide additional funding for the Morgan Avenue project (\$40,000.00) and sewer plant improvements (tank repair \$10,000.00 and a gate \$5,000.00). Council thoroughly reviewed our debt service, reserve for uncollected taxes, our surplus, a revenue analysis of the budget vs. actual, etc. Mr. Stewart reported that we were looking at a decrease in the tax rate of (0.072). The percentage increase would be - 5.23%. Mr. Stewart stated that this budget reflects the assumption that we will be receiving the same amount in state aid as last year. Mr. Stewart cautioned that the budget and tax rate are contingent upon our state aid figures. Mr. Stewart informed Council that they could consider introducing the budget at their March 12 meeting. Hopefully we will have state aid figures before then if any adjustments to the 2008 budget need to be done.

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

**Margaret Wark, 406 Howard Street**, asked what would happen if a police merger was considered with a civil service community. Mr. Smyth responded that he was not sure, but perhaps a waiver could be sought.

#### **COMMITTEE REPORTS**

##### **PUBLIC WORKS/SEWER/ECONOMIC DEVELOPMENT**

##### **RESOLUTION 27-08**

##### **A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE GRANT AGREEMENT FROM THE DELAWARE VALLEY REGIONAL PLANNING COMMISSION FOR THE TRANSPORTATION COMMUNITY DEVELOPMENT INITIATIVE (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 absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

##### **ZONING, CODE ENFORCEMENT, PARK & COURT-Brown**

Mr. Brown reported that the Zoning Board had their reorganization meeting on January 17<sup>th</sup>.

Regarding the Court receipts, Mr. Brown reported that the total receipts for the month of January amounted to \$15,987.00. The total disbursed to Riverton amounted to \$7,367.17. Mr. Brown reported that the Court Administrator is looking into the possibility of utilizing credit cards for the payment of fines. Mr. Brown will keep Council updated on this issue when more information becomes available. It was suggested that we look into this possibility for the collection of taxes. The Treasurer will obtain the information.

Regarding the park, Mr. Brown reported that the Riverton Improvement Association is looking into upgrading the gateway to the Park at 8<sup>th</sup> & Cedar Streets.

##### **PLANNING/REDEVELOPMENT-Ms. Cairns Wells**

Because Ms. Cairns Wells was unable to attend the last Planning Board meeting, Mayor Martin reported that the subdivision application for 101 Lippincott Avenue is scheduled to be heard at the Board's February 19<sup>th</sup> meeting. The application for 604

Broad Street was referred to the Zoning Board. The Board will be reviewing their goals for the year, will be looking at recommendations (when received) from the new Zoning Ordinance review task force and will also be reviewing the Historical Society's proposed changes to the Borough's Zoning Code.

**SHADE TREE/BD OF HEALTH/RECYCLING & ENVIRONMENTAL-Dr. Daniel  
RESOLUTION 28-08**

**A RESOLUTION REJECTING THE DEFECTIVE BID OF GREENSCAPE INC.  
AND AWARDING THE CONTRACT TO PAUL MAY TREE SERVICE INC.  
FOR THE CARE AND MAINTENANCE OF TREES FOR 2008  
(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, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

**OLD BUSINESS**

Mr. Cesaretti reported that he would be working with representatives of the Drive 25 Committee to set up a meeting to discuss the recommendations from the Bicycle Pedestrian Safety study.

**NEW BUSINESS**

**MOTION TO APPROVE REQUEST FROM SACRED HEART CHURCH TO  
HOLD RAFFLES IN MARCH**

Mr. Brown moved to grant the above request. 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 nay.

**PROCLAMATION-READ ACROSS AMERICA  
(IN FULL IN RESOLUTION BOOK)**

The above Proclamation was read in full by Mayor Martin.

**CORRESPONDENCE**

Mayor Martin reported that a History of The Riverton Fire Department has been compiled by James Wentworth (Fire Chief from 1/1/61-1/1/65) and edited by Bill Washington. A copy will be placed on file in the Municipal Building.

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

Mary Longbottom, RMC  
Municipal Clerk