

May 7, 2008

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

**PRESENT:** Council members Daniel, Brown, Cairns Wells, 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 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

**Representatives from the Riverton Improvement Association (RIA) present to review color choices for the gazebo**

Dolly DeFreitas, and Paul Grena of the RIA reported that the Pete Grey Painting Company has volunteered to paint the gazebo at no cost (including paint). Ms. DeFreitas reviewed the colors (3 shades of green and 2 other accent colors) that Mr. Grey has recommended for Council's review. After a short discussion, it was the consensus of Council to agree with the selection of colors. Ms. DeFreitas reported that Mr. Grey is scheduled to have the gazebo painted in time for the Porch Club's Garden Tour on May 31<sup>st</sup>.

**Announcement of Shade Tree Awards**

Mr. Smyth reported that both he and the Chair of the Shade Tree Commission, Barry Emens, attended an awards ceremony last week in East Brunswick, New Jersey. Riverton was awarded the 2008 Gold Leaf Award for Outstanding Arbor Day Activities and was also awarded the designation of Tree City, USA. for the 20<sup>th</sup> year.

**Review of "Draft" Stream Corridor Ordinance-Tamara Lee, Planner present**

Ms. Lee commented that this is part of the Smart Growth Grant Project. Ms. Lee commented that the only part of Pompeston Creek that this Ordinance really applies to is from the Broad Street Bridge down to the river. The rest of the Pompeston is covered under state regulations because it has been classified as a category one stream. This means that from Broad Street upstream there is a 300' state buffer. This Ordinance does not apply to that section of the creek unless the state regulations would be repealed. This local Ordinance is written to create a 100' buffer. This might be adjusted or increased depending upon the slope. The whole point of this buffer is to protect the water quality of the creek. Ms. Lee stated that the Ordinance outlines what is permitted within the 100' buffer and what is not. What are permitted are basically things that are environmentally sound and safe. What are not permitted are things like the storage of pesticides or the depositing of brush and debris. We don't want anything that would deteriorate that area adjacent to the stream. Any future site development that would occur requiring approval by the Zoning Board and Planning Board that would involve the stream buffer would need to be included with the application and plans. Ms. Cairns Wells questioned the brush and debris prohibition. Ms. Cairns Wells thought that was where the Borough deposits leaves. Public Works Manager, Scott Reed commented that if we can't deposit leaves at this location, where would we do so? Ms. Lee stated that the way this Ordinance is written there is no grandfathering clause. After a short discussion, it was decided to include verbiage that the disposal of brush, debris or solid or liquid waste is prohibited

unless otherwise permitted with State and Federal approval. Mr. Cesaretti asked if this Ordinance would affect our cell tower pad. Ms. Lee responded no, unless something new would be placed there. Council then reviewed both the Landscape Buffer requirements and Standards and the Stream Corridor Protection Buffer portions of this Ordinance.

#### **ORDINANCE 2-08**

### **AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 128, ARTICLE XV TO PROVIDE FOR A STREAM CORRIDOR PROTECTION BUFFER IN THE BOROUGH OF RIVERTON**

The above Ordinance was read by title only for the first time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for June 11, 2008.

#### **2008 Budget Discussion-Mr. Kinzler (Auditor Robert Stewart present)**

Mr. Kinzler distributed budgetary information based on the previous budget discussions for Council's review. Mr. Stewart reported that he has found out that there is a very strong possibility that we would be getting 50% of our state aid back. Mr. Stewart reported that he had calculated the tax rate without the \$146,000.00 loss in state aid we were looking at a 7 ½ cent tax increase for the local municipal purpose tax. Putting back 50% (\$73,000.00) gives us a 1.8 cent tax increase. To get us to a zero tax increase, we would need to cut \$24,000.00 out of the budget. Mr. Kinzler asked Mr. Stewart how much his debt payment assumption was in that calculation. Mr. Stewart responded that he still left that at \$180,000.00. Mr. Stewart stated that he didn't reduce any expenditures.

Ms. Cairns Wells asked how certain we are that we will get this percentage of the state aid restored. Mr. Stewart stated we won't know for certain until the Governor and the legislature agrees on their budget. Mr. Stewart stated that Council can introduce their budget tonight. If we don't know for sure about the restoration of the state aid by our June 11<sup>th</sup> meeting, we don't have to adopt the budget. However, if we adopt the budget and the state comes through with more state aid, the state will reduce our tax levy automatically. We will not have any say in this. If we don't adopt in June, we can still manipulate our budget anyway we want dependent upon which state aid number we get. Therefore if we do not get the \$73,000.00, we can go back to the previously proposed budget cuts if Council wants to do that.

A lengthy discussion then ensued with Council reviewing various line items. Council discussed 3% salary increases as opposed to 4% salary increases for Borough employees not covered by a bargaining unit, with the consensus being 4%. Council also discussed the stipends that they are now eligible to receive and whether they should go back to volunteering their service. A consensus was reached to leave the stipend as a personal choice of those who serve. Some members have declined to take the stipend. The following reductions were made: \$3,000.00 from Administration & Executive Salary and Wages for Mayor and Council, \$2,500.00 from Software/Hardware, \$3,500.00 from Police Salaries and Wages, \$2,000.00 from telephone, and \$8,000.00 from Shade Tree. Council raised the gas line item by \$5,000.00. Council agreed to pay down the debt by \$180,000.00, to place \$7,500.00 in our capital budget this year in anticipation of a 2009 road program and to eliminate the sewer improvements (tank repair \$10,000.00 and gate

replacement \$1,500.00). Mr. Stewart announced that we were now at a zero tax increase for this year with the assumption that we get 50% of our State Aid restored. If we only get 25% of our State Aid restored we are looking at a 3.2 cent increase.

**RESOLUTION 45-08**

**INTRODUCTION OF THE 2008 MUNICIPAL BUDGET  
(IN FULL IN RESOLUTION AND MINUTE BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. A summary of the budget will be published in the Burlington County Times on May 25, 2008 and a public hearing will be held on the budget at Council's June 11, 2008 meeting.

**Streets/Roads, Sewer/Grants/Shared Services-Mr. Smyth**

**RESOLUTION 46-08**

**A RESOLUTION REQUESTING THE COUNTY OF BURLINGTON TO  
INSTALL PEDESTRIAN CROSSING CONTROLS ON BROAD STREET AT  
THE INTERSECTIONS OF CEDAR, THOMAS AND ELM  
(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. Kinzler. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**RESOLUTION 47-08**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT  
APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY  
AFFAIRS TO STUDY THE FEASIBILITY OF MERGING RIVERTON'S POLICE  
DEPARTMENT WITH THOSE OF PALMYRA BOROUGH AND  
CINNAMINSON TOWNSHIP  
(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. Brown. Mr. Cesaretti asked if the results are binding. Mr. Smyth responded no, it is a study and not binding. There would only be recommendations. Ms. Cairns Wells asked if this Resolution was only to authorize the grant to study this issue. Mr. Smyth responded yes. Mr. Gunn commented that a feasibility study is non-binding. Mr. Cesaretti asked if they could force us down the road to consolidate. Mr. Gunn responded not because of this study. However, the State could mandate this down the road. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**Review of bids received for the Morgan Avenue project with Palmyra Borough**

Mr. Smyth reported that six bids were received, opened and publicly read for this project at the Borough of Palmyra on May 2, 2008. It should be noted that the bid package included improvements to Palmyra's Public Works Parking Lot for which Riverton is not responsible. The bids were as follows: **Meredith Paving of Cinnaminson, New Jersey \$171,198.50, American Asphalt of West Collingswood, NJ \$196,098.50, SJA Construction, Inc. of Marlton, New Jersey \$196,275.00, DiMeglio Construction of Atco, New Jersey \$205,295.90, Command Company of Medford,**

**New Jersey \$211,205.00, Green Construction of South River, New Jersey \$259,535.00.** Mr. Gunn reported that Palmyra's Council did not meet Monday night due to a lack of quorum; therefore, they were unable to review and consider these bids. Mr. Gunn informed Council that Palmyra has received an objection by another bidder, American Asphalt, who alleges irregularities in the bidding documents of Meredith Paving of Cinnaminson, the lowest bidder. Mr. Gunn stated that he and Palmyra's Solicitor would be reviewing the objections to determine if there is any merit to them. Mr. Gunn requested that Council take no action on this issue until next week's meeting. Council concurred with Mr. Gunn's request.

**RESOLUTION 48-08**

**A RESOLUTION AUTHORIZING THE BOROUGH CLERK TO ADVERTISE FOR REQUESTS FOR PROPOSALS FOR THE DOWNTOWN REVITALIZATION PLAN FOR 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 Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**RESOLUTION 49-08**

**A RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO APPLY FOR A NEW JERSEY DOT GRANT FOR THE 2009 ROAD PROGRAM (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, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**Public Safety Items-Mr. Cesaretti**

**Update Re: Stop signs** Mr. Cesaretti reported that our Engineer put together an estimated construction cost of \$23,354.40 for new stop signs and cross walks at eleven intersections for our Safe Routes to Schools grant application. Included in this estimate is a fee of \$3,892.00 for construction contingencies.

**Update Re: Emergency Management Coordinator** Mr. Cesaretti reported that Chief Dreby of Palmyra, Scott Reed and himself met with Kevin Tuno of the County's Emergency Management Office to discuss the formation of a Joint Local Emergency Planning Council. There was a consensus in principle to have both Palmyra and Riverton do this. Mr. Cesaretti reported that he has sent a letter to Mayor Gural asking for their Council's support. Council will be kept informed about this issue.

**Meeting open to the public**

**Michael Heine, 206 Carriage House Lane**, questioned why the improvements to Palmyra's Public Works parking Lot were included with the scope of work for Morgan Avenue. Mr. Heine expressed his strong displeasure with this. He thinks it is a big mistake.

Mr. Heine raised concern over the feasibility study for police consolidation purposes. Mr. Heine wanted to know if there is any requirement in this grant that it goes to a referendum. Mr. Smyth did not know if a referendum is mandatory. Mr. Smyth believes we will be doing this in a very open fashion, including the public and the police.

Mr. Smyth believes most people are saying they would like to put the question of police consolidation on the ballot when the studies are done showing the costs. Mr. Smyth personally feels it should be a question on the ballot. Mr. Heine asked if this issue is something we want to risk a referendum on. He doesn't want to risk a chance that we might lose our local police department and we might have Palmyra police vehicles riding up and down Riverton Streets. He believes this would be the beginning of a loss of identity to Riverton. He is concerned that the public may vote their pocketbook as opposed to the bigger issue. Mr. Cesaretti stated that he has conferred with Stephen Raymond, the Borough's Solicitor for Police Matters. After Mr. Raymond's review, it was his opinion that a referendum was not mandatory.

**Mayoral appointment to the Planning Board**

Mayor Martin announced that he was appointing Armand Bianchini as Alternate No. 2 to the Planning Board. Mr. Bianchini fills the unexpired term of Don Tretola, who recently resigned from the Board. Mr. Bianchini's term expires on 12/31/09.

**Preliminary agenda for May 14.** The Clerk reviewed this with the Governing Body.

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