

November 12, 2008

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

**PRESENT:** Council members Daniel (Left meeting at 8:55pm), Brown, Cairns Wells, Smyth, Cesaretti and Solicitor Bruce M. Gunn

**ABSENT:** Council member 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 open and closed session minutes from October 1 and October 8 were then presented. Mr. Cesaretti moved that these minutes be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel abstained, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Cesaretti aye.

**Discussion: Safety issues at the riverwall located at 109 Bank Avenue, property owner Robert Horner present.** Mr. Smyth asked Mr. Horner if he had received and reviewed the inspection report that T&M Associates had done on his riverwall. Mr. Horner responded yes. Mr. Smyth asked Mr. Hortner what his current plan and schedule is. Mr. Horner commented that we did find the Borough's manhole at this location and that seems to be in fine shape. Public Works Manager, Scott Reed concurred with this. Mr. Horner reported that crushed Concrete is coming for the backfill behind the wall next week. The weekend of thanksgiving he will be having a group of people coming to set up the forms for the 1<sup>st</sup> 24 feet. They will then move the form to the next 24 feet. In the meantime more dirt will be filled in there. Mr. Horner stated that he has been tied up working on the riverwall because he has to satisfy the recent State Housing Inspection of his property. These are separate issues. Mayor Martin asked how many sections will the forms be for the riverwall. Mr. Horner responded that there are three 8 foot sections. The base is made out of plywood. Mr. Cesaretti asked if Mr. Horner would grade it that so that it is consistent with the other riverwalls on either side of him. Mr. Horner responded yes. Ms. Cairns Wells commented that she thought the process would take three or four weeks to do the wall. Mr. Smyth asked what we need to be doing from a safety protection aspect during the construction phase. Chief Norcross stated that he would meet with Mr. Horner to work all of this out. Council thanked Mr. Horner for coming in tonight and providing them with this important information.

**TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**-Mr. Smyth

In Mr. Kinzler's absence, Mr. Smyth moved that the attached reports for the month of October be approved as submitted. 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 absent and Mr. Cesaretti aye.

**PUBLIC SAFETY**-Mr. Cesaretti.

There was no police report submitted for the month of October.

Mr. Cesaretti read a report for the month of October that was submitted by Deputy Fire Chief, Robert Yearly. There were 14 calls for the month, 8 in town and 6 out of town and there were 3 drills for the month.

**ORDINANCE 5-08**  
**AN ORDINANCE TO AMEND CHAPTER 26 OF THE RIVERTON BOROUGH**  
**CODE TO PROVIDE STANDARDS AND REGULATIONS FOR EMERGENCY**  
**ALARM DEVICES**  
**(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Cesaretti, who moved for its adoption. This was seconded by Mr. Smyth. At this time Mayor Martin opened this portion of the meeting to the public for comment on this Ordinance. There being no comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

**ORDINANCE 6-08**  
**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF**  
**RIVERTON, COUNTY OF BURLINGTON STATE OF NEW JERSEY,**  
**AMENDING CHAPTER 123, ARTICLE VIII, SCHEDULE IV TO PROVIDE**  
**FOR TWO HOUR PARKING ON HARRISON STREET**

The above Ordinance was read by title only for the first time by Mr. Cesaretti, 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 absent, and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for December 10<sup>th</sup>.

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

Mr. Smyth reported that we have not heard anything regarding the Borough's grant applications for Centers of Place or Safe Routes to Schools. Mr. Smyth reported that he has not been advised whether an advertisement has been made for Request for Proposals for the Police Consolidation Study. The Clerk stated that she would contact Dave Gerkins about these issues.

Mr. Smyth reported that representatives from Land Engineering met with our Public Works Superintendent to come up with estimates regarding our 2009 road program (Linden Avenue).

Regarding the Downtown Revitalization Grant, Mr. Smyth reported that it is the recommendation of County Planner, Mark Remsa that the following people should be considered to serve on the Steering Committee for this project: two members of Council, the President of the Riverton Business and Civic Association (Gary Ford) a Planning Board member, Mr. Remsa (his office will be providing in kind services for the grant) and a civic minded person from our community.

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

Mr. Brown reported that the Zoning Board would be reviewing their proposed 2009 budget and escrow shortages at their next meeting.

Regarding Code Enforcement, Mr. Brown reported that repair work will be starting at 423 Lippincott Avenue. Mr. Brown reported that the property owner at 108 7<sup>th</sup> Street has paid the bill for the clean-up that was done at his property. Mr. Brown reported that our Code Enforcement Officer is checking with other municipalities to determine if there are any ordinances in place that prohibit the placement of heavy equipment on properties.

Mr. Brown read a Court report for the month of October that was submitted by Court Administrator Jackie Gleason. The total receipts for the month amounted to \$7,801.50. The total disbursed to Riverton amounted to \$4,374.70. Mr. Brown reported that Cinnaminson Court has received a proposal from Merchant Services to utilize credit cards in court. Mr. Brown provided an overview and indicated that their machines can accept payments for both Riverton and Cinnaminson. Mr. Brown stated that there would be two separate fees and two separate insurance fees. After a short discussion, it was the consensus of Council that more detailed information is needed before a decision is reached.

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

Ms Cairns Wells reported that the Board is reviewing the fees (including escrow charges) associated with an applicant going before the Planning Board. Ms. Cairns Wells stated that it is the policy of the Board not to hear an application if all of the escrow charges have not been paid. However, Ms. Cairns Wells stated that there have been two or three instances where this has not been the case. This has created problems trying to recoup these fees. The Board is trying to shore things up so we don't get into this situation again. Ms. Cairns Wells reported that the Planning Board's Solicitor has drafted an ordinance to address these issues; however, Ms. Cairn Wells believes more work needs to be done by the Board before a recommendation can be made to Council for their consideration to amend our ordinances. The Clerk commented that the same concerns are there for Zoning Board as well. Mr. Brown commented that he would take this matter up with the Zoning Board.

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

Dr. Daniel reported that notice to bidders for tree and stump removal and care and maintenance is scheduled to be advertised in the Burlington County Times on November 14th. Bidders can pick the specifications up after that date. Gene Bandine, a member of the Shade Tree Commission, reported that long time commission member, Nancy Washington has resigned and that a replacement is needed.

**MEETING OPEN TO THE PUBLIC**

**Gary Ford, 311 Bank Avenue** and President of the Riverton Business and Civic Association addressed Council. Mr. Ford has been talking to business and civic people in town about where we want to go and what we want to do, but seems to be hitting a brick wall. Mr. Ford stated that one suggestion would be for Council to do more advertising to get more traffic into town for the businesses. Another would be to hold other events in town, such as Victorian Day. Mr. Ford reported that the Economic Development Committee can't help the businesses very much. Mr. Ford stated that he is trying to get a meeting together in December that would include business owners, members of the Historical Society, the Porch Club, etc. to brainstorm and to find solutions.

Mr. Smyth commented that towns like Collingswood, Moorestown and Haddonfield have been successful in holding events. Mr. Ford stated that Collingswood held some 70 events throughout the year, some of which were heavily advertised. This effort is what keeps them in the spotlight. Mr. Ford noted, however, that Collingswood lost more than half the businesses that opened as stores in two years. They now have 14 restaurants. Collingswood is a restaurant place in the evenings. Mr. Ford stated that Moorestown basically has 3 or 4 events/activities throughout the year. However, they don't depend upon these events. Mr. Ford reported that Moorestown has gone

commercial with several restaurants and coffee shops. They are not retail oriented. Mr. Ford stated that 20 years ago, Haddonfield deliberately planned and set out to become a women's fashion town. They do not compete with the malls. Mr. Ford stated that Riverton is not a four sided community. We basically have 6 eating establishments with virtually no other retail shops. Mr. Ford stated that the present businesses do not have a lot of support from the local community. Mr. Ford spoke to the owners of Tony's Seafood restaurant and the New Leaf. Much of their business comes from out of town patrons. Mr. Ford doesn't think it will do us a lot of good to have many civic events going. It wouldn't be worth the costs involved. Mr. Ford is hoping that this December meeting will help and provide viable solutions.

**Gene Bandine** commented that there are gangs congregating at the plaza. He believes the police should be doing more about this. Mr. Bandine does not like to call the dispatcher when an incident arises. Mr. Cesaretti stressed the fact that when there is a complaint made, it is logged in.

Dr. Daniel believes the goal is to have a direction for the Borough to evolve in the future. Dr. Daniel believes people return to a small community such as Riverton if there is something unique. Ms. Cairns Wells commented that the downtown revitalization grant study will be addressing all of the issues raised by Mr. Ford. Ms. Cairns Wells thanked Mr. Ford for his efforts.

Dr. Daniel believes that part of the reason kids roam the streets is that they have nothing to do. He believes that part of the focus should be on what type of activities we can develop from a business model standpoint that will give these kids something to do.

Mr. Reed asked if any consideration would be given to getting a liquor license for a restaurant in Riverton. Mr. Smyth commented that it is not a Council decision to get a liquor license. Riverton is a dry town and this issue would require a public referendum. Strict procedures must be followed before a question can be placed on the ballot for consideration. Dr. Daniel is of the opinion that having a restaurant with a liquor license will not generate a lot of people coming to Riverton. He believes we have to offer something else.

Mayor Martin commented that he thinks the present restaurants fit in well here. Mayor Martin reported that the Moorestown Business Association puts out a calendar of events for the year, which is something we might want to consider. The businesses advertise in the calendar.

Mr. Ford believes that part of Council's responsibility is to help maintain the values of our town. Ms. Cairns Wells believes if we put more professional services in town, people would then patronize the businesses in town.

Mayor Martin questioned how much we would want to be a tourist attraction. Mayor Martin feels we do need to fill the empty business buildings with businesses. Mayor Martin commented that while he can see where a liquor license could be helpful, he feels it makes Riverton special without one.

**OLD BUSINESS**-There was old business presented at this time.

**NEW BUSINESS**-There was no new business presented at this time.

#### **CORRESPONDENCE**

Mr. Cesaretti reported that we received a letter today from John R. Parry, the new owner of the Red Balloon property next door to the Borough. Mr. Cesaretti stated that Mr. Parry had previously made a written request in August of this year for a right of way

to access his property from the rear of the municipal parking lot. Council deferred any action at that time. Mr. Cesaretti stated that Mr. Parry has submitted additional information regarding the proposed parking spaces on his property. After a cursory review of this proposed plan which raised concerns, Mr. Cesaretti stated that he wants the parking committee to thoroughly review this request so that a recommendation can be made for Council's consideration. It was the consensus of Council to agree to this. Mr. Cesaretti will inform Mr. Parry.

**RESOLUTION 92-08**

**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. Brown, 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 absent, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Cesaretti aye. It should be noted that personnel matters (police) will be discussed.

At this time Mr. Brown moved that we return to public session. 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.

**RESOLUTION 93-08**

**A RESOLUTION APPOINTING ALAN R. SCHMOLL AS SPECIAL POLICE COUNSEL FOR POLICE CONTRACT NEGOTIATIONS AND ARBITRATION PROCEEDINGS**

**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, 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.

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