

February 4, 2009

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

PRESENT: Council members Daniel (left meeting at 9:40pm), Brown, Cairns Wells (left meeting at 8:15pm), 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 2009 published in the Burlington County Times on December 29, 2008

(b) Posting written notice on the official bulletin board on January 2, 2009

Planning/Redevelopment Items: Ms. Suzanne Cairns Wells

Close out of Smart Growth Grant and reimbursement of funds to the Borough

Ms. Cairns Wells reported that the initial funding for this grant in 2001 was \$62,950.00. The State had given the Borough a \$30,000 advance. The final project was the development of an Environmental Resource Inventory, with the Corresponding Open Space and Recreation Plan and Environmental Protection Ordinances. Ms. Cairns Wells reported that the final project costs amounted to \$51,513.65. The State reimbursed the Borough \$21,513.65. Ms. Cairns Wells explained that the Office of Smart Growth is now requiring that the Borough execute final documentation that reduces the original grant award by \$11,436.35. It was the consensus of Council to agree to this.

RESOLUTION 18-09

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FINAL DOCUMENTS FOR THE SMART GROWTH GRANT (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 aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Review of draft Ordinance Re: Escrow Fees and required escrow agreement

Ms. Cairns Wells reported that there still was some additional work and language to be incorporated in this proposed ordinance. Both the Planning and Zoning Boards will be asked to review this proposed draft for their input before it is brought back to Council for consideration.

Review of Zoning Ordinance task force report and recommendations Ms. Cairns Wells reviewed this report with Council, which is on file with the Municipal Clerk. Ms. Cairns Wells stated that the task force was formed to review and make recommendations regarding the following areas: Density, Subdivisions, Zoning, Historic Preservation, Property Maintenance/Architectural preservation-strictly complaints, not a Council issue and Temporary Sign Usage. Ms. Cairns Wells reported that the Zoning Board Chair had also made recommendations regarding the demolition or moving of a structure, which was also reviewed. Ms. Cairns Wells reported that Tamara Lee, the Planning Board's Planner did a review of Chapter 128 in an effort to clean-up the definitions, delete unnecessary language and clarify ambiguity. Ms. Cairns Wells acknowledged that there was a lot for Council to review before any consideration is made to amend our

ordinances. It was the consensus that this report be forwarded to both the Planning Board and Zoning Board for their complete input before any decision is reached.

Discussion: funding to make the Borough's polling place for all three voting districts handicapped acceptable for all elections. Ms. Cairns Wells reported that we need to get the entrance to the school gym handicapped accessible. We have been informed numerous times by the County/State that we are not in compliance. Ms. Cairns Wells stated that while the school has a locked handicapped entrance on Cinnaminson Street, it is quite a distance from the gym and is therefore, not acceptable. It is also not safe to have people walk through the hallways of the school to access the gym on Election Day. Ms. Cairns Wells explained that there is a doorbell at the locked handicapped entrance. However this requires that voters have to wait until someone opens the door. This is not acceptable for the elections process.

The school board has asked resident architect Hank Croft to do to recommended drawings/plans for a handicapped ramp at the entrance to the school on 5th Street. We are working on obtaining estimates for what it would cost. Ms. Cairns Wells stated that we need to place money in our budget for this. Ms. Cairns Wells reported that the School Board is willing to split the cost with the Borough. Dr. Daniel asked how many times a year the elections are held. The Clerk responded at least three. Dr. Daniel asked why the school would not take on more responsibility for paying for this. The Clerk responded that the school believes they are in compliance. Mayor Martin asked if this was an unfunded mandate. Ms. Cairns Wells responded that you could look at it that way. Mr. Smyth reported that we had previously made an application through the State (Help America Vote Act) for possible funding to make the school entrance compliant. We asked our Construction Official to put together an estimate. No grant money was received. The Clerk stressed the fact that while we could consider applying for this again, it is a reimbursable grant.

Mr. Cesaretti asked what the name was of the grant we have done in the past to install accessible improvements for numerous curb cuts throughout town. The Clerk responded that it was the Community Development Block Grant (CDBG). **Joe Augustyn**, a resident and Engineer commented that he thought this proposed project would meet the CDGB criteria. The Clerk stated that she would contact their office about this. Mayor Martin asked if we have a consensus to move forward with a grant to do this work. While the consensus from Council was yes, Ms. Cairns Wells stressed the importance of placing money in the budget to go ahead with this project because these grants are reimbursable.

Financial Items: Mr. Kinzler

RESOLUTION 19-09
TRANSFER RESOLUTION
(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, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Update Re: 2008 Budget. Mr. Kinzler distributed a draft 2008 budget expense detail report for Council's review. This is on file with the Municipal Clerk. Mr. Kinzler reported that 2008 was a good year. We ended 2008 \$115,000.00 (roughly) with

favorability to our budget. We have encumbered \$120,000.00. We will go into next year with \$235,000.00 to help with the fund balance.

Mr. Kinzler then reviewed certain line items of concern from last year such as: administrative and executive, computer hardware and software, tax maps, legal costs, engineering and development costs. Mr. Kinzler stated that both the Planning and Zoning Boards overspent on their professional services costs. Mr. Kinzler reported that we received a good audit regarding Workers' Compensation and we got a refund. Mr. Kinzler reported that the Police Department had favorability on salaries do to the open positions; however their overtime got hit very hard in December. Mr. Kinzler reported that the Public Works Department had favorability regarding overtime. We overspent regarding Public Buildings and Grounds. Gasoline costs went well and we had favorability in landfill costs.

2009 Budget discussion Mr. Kinzler distributed a first draft of the 2009 budget expense detail report for Council's review. This is also on file with the Municipal Clerk. Right now our budget is \$2,904,914.00, which is almost a \$71,000.00 reduction versus the 2008 budget. Mr. Kinzler stated that what we give in salary increases (if any) would have to be considered carefully just because of the environment. Mr. Kinzler suggested looking at only giving full-time employees a salary increase. Mr. Smyth thought we would be criticized if we gave any salary increases. Mr. Kinzler's personal opinion is that he believes we have performed very well budget wise for the second year in a row. He believes that the staff has done a tremendous job of controlling costs. He would like to see if we could give a salary increase to the full-time staff. Mr. Cesaretti concurred with Mr. Kinzler.

Mr. Kinzler highlighted some line items that should be addressed: the stipend for Mayor and Council, computer hardware/software costs for the Borough and the Police Department, budgeting legal fees at 35 and not 40 thousand this year and if possible the need to review insurance costs. Mr. Kinzler reviewed other line items with Council.

Mr. Kinzler reported that our Auditor believes the State is going to want us to defer our pension costs. We really don't want to do that because we will pay the piper later on. If the pension costs are deferred our State aid will be cut. If you don't defer, we will keep our State aid. Mr. Kinzler stated that we will debate all of the budget issues at our March 4th meeting when the Auditor will be present. Mr. Kinzler stated that if we can get the budget to where we want it to be and if we get the state aid (should be \$70,000.00) that we could be looking at a 3% tax reduction. Mayor Martin asked what it would be if we don't get the state aid and we make no changes to what Mr. Kinzler distributed tonight. Mr. Kinzler responded that he thinks it would be at 0% then. Mr. Kinzler reminded Council that we still need to discuss any capital projects to be done this year. That would also have an impact. Mr. Kinzler expressed concern that we may not be able to borrow any money to do a road project this year. However, our Auditor has indicated that we could borrow from ourselves. Further discussion on the 2009 budget will take place on March 4th.

Solicitor's report on 108 7th Street and 622 Thomas

Regarding 622 Thomas Avenue, Mr. Gunn reported that we filed an order to show cause before Judge Little. Mr. Gunn reported that he has reviewed an answer to the Order from the attorney's representing Financial Freedom. They are trying to work out the repair issues. Mr. Gunn reported that according to our Construction Official they

never got a permit for the work already done nor did they submit a structural engineering report. Mr. Gunn stated that Financial Freedom needs to satisfy to our Construction Official that the work was done and that the roof is structurally sound. Mr. Gunn believes all of this will be able to be worked out.

Regarding 108 7th Street, Mr. Gunn reported that Judge Baldwin signed an order compelling the owners to repair the unsafe structure. A copy of this order was served on the owner. The order provides that if the owner doesn't comply, the Borough can then come in and fix the structure with a lien then placed against the property. Thirty days notice must be given to the property owners before this would be done. Mr. Gunn explained that the next step would be to retain a structural engineer (construction official's recommendation) to determine what needs to be done. Mr. Gunn stated that he would ask our Construction Official for a structural engineering recommendation for next week's meeting.

Mr. Brown then provided an overview on the deterioration of the property located at 423 Lippincott Avenue. Mr. Brown reported that the Construction Official has issued violations to the owner. The owner has hired a contractor, gets the permit, but does not pay the contractor to do the work and just about nothing gets done. Mr. Brown believes we should take the owner to court as we have done with the two other properties. Mr. Gunn stated that he would confer with our Construction Official and report back to Council before proceeding.

One hundredth anniversary of the Riverton School in 2010. Mayor Martin announced that the school was in the initial stages of planning this proposed year long celebration to commemorate the school's 100th anniversary. We do not know what impact this would have on the Borough's budget (such as police overtime) Council will be kept apprised of this issue as more information is forthcoming.

Women's History Month Notice. Mayor Martin reported that notable women of Burlington County are the focus of a one-day self guided driving tour set for March 21. Mary Van Meter Grice, one of the founding members of the Porch Club of Riverton and the first elected president of the NJ State Congress of Mothers, which became the State PTA will be included on this tour. Both the Porch Club as well as the River Line Inn Bed & Breakfast where Van Meter Grice and her husband lived for 20 years will be open from 10:00am until 4:00pm. Mayor Martin asked the Clerk to have this information placed on our website.

Meeting open to the public

Gene Bandine wants to see recycling mandatory. Mr. Bandine then asked why we need 3 SUV's in the Police Department and why does the Chief have a monstrous car. Mr. Cesaretti responded that an SUV can be capitalized so that when you buy it you can extend the length of the payments. For some reason the State will not allow you to finance a non-four wheel drive vehicle for no longer than three years.

Michael Heine, 206 Carriage House Lane believes we should be looking at increasing the value and productivity of our commercial properties. Mr. Heine is of the opinion that we are subsidizing under improved, depressed commercial properties. Mr. Heine urged Council to put a Commercial Property Maintenance ordinance in place. He prepared one a couple of years ago which he would like Council to consider again. Mr. Heine urged Council to put a committee together to review this document. Mr. Cesaretti asked if it were possible to have a commercial property maintenance code without having a

residential one. Mr. Gunn responded that he believes you could make the distinction but he would have to research that issue. It was the consensus to place the issue of forming a committee to review this document on next week's agenda for discussion.

Linden Avenue Pocket Park upgrade. Mr. Smyth reported that both he and the Mayor met with the County's Economic Development Committee on January 22nd to review the final plans for this upgrade. The Chair of the Shade Tree Commission has approved the selection of the trees to be placed at this location. A required waterfront permit has been submitted.

River Line Bell Zone Waiver Request. Mr. Smyth reported that there has been concern that our request has not been reviewed by the Federal Railroad Administration. We are enlisting the help of Congressman Andrews in this regard. We have also contacted Joe North, the Operations Manager for New Jersey Transit, to assist us in determining when the FRA will review our request and make a decision.

Grants & Police Consolidation Study. Mr. Smyth announced that Riverton received a Centers of Place grant in the amount of \$90,000.00. We will be utilizing this grant money to finish a brick sidewalk from Main to Lippincott Avenues and up on Harrison Street. We will also be doing a linkage from Riverton Square to the park.

Mr. Cesaretti reported that 3 Requests for Proposals were received from interested companies to do this study. We are waiting for Palmyra (sponsoring municipality) to get back to us with dates for the three municipalities to meet, review these Requests for Proposals and make a decision.

Public Safety Items: Mr. Cesaretti

RESOLUTION 20-09

A RESOLUTION AUTHORIZING AERIAL LARVAL/ADULT MOSQUITO CONTROL ACTIVITIES OVER THE BOROUGH OF RIVERTON DURING 2009

(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 absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Participation in the Burlington County Mitigation Plan Mr. Cesaretti reported that every jurisdiction in Burlington County is required to have an All Natural Hazards Mitigation Plan. Mr. Cesaretti reported that the County has been working to develop a County-wide plan. Mr. Cesaretti reported that we have been offered to participate in this mitigation plan. Mr. Cesaretti recommended that we participate and he has informed the County that we would be participating. Council concurred with this.

Bridge commission upgrading their vehicles. Mr. Cesaretti reported that the Bridge Commission may want to dispose of their small dump snow plow with a stainless steel salt spreader. It is in great shape and the Borough might be able to utilize this. Mr. Cesaretti spoke to the Bridge Director who asked that Mayor send a letter expressing interest in this vehicle. It was the consensus of Council that the Mayor should do this but not commit to anything.

Preliminary agenda for February 11th. The Clerk reviewed this with the Governing Body.

New Police Contract Mr. Cesaretti reported that this document must be reviewed prior to Council's formal approval.

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

Mary Longbottom, RMC
Municipal Clerk