

July 8, 2009

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

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

At this time Mayor Martin read the attached letter from Ron Cesaretti informing Council that he resigned from Borough Council effective July 1, 2009. Mr. Brown made a motion to accept Mr. Cesaretti's resignation. 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, and Mr. Kinzler absent. Mayor Martin thanked Mr. Cesaretti for his nine years of service as a member of Borough Council. Mayor Martin stated that Mr. Cesaretti would be publicly recognized at Council's August 12<sup>th</sup> meeting.

Mayor Martin then read the attached letter from the Riverton Republican Committee. This letter nominates the following candidates for Council's consideration as a replacement for Mr. Cesaretti. The names submitted are: Jeff Myers, Fred DeVece and Joe Katella. A discussion then ensued regarding the candidates. Solicitor Gunn informed Council that this appointment would only be until the end of this year. Mr. Gunn explained that because the vacancy occurred before September, the rest of Mr. Cesaretti's unexpired term (December 31, 2010) must be filled at the next general election.

#### **RESOLUTION 47-09**

### **A RESOLUTION TO APPOINT JEFF MYERS TO FILL THE BOROUGH COUNCIL VACANCY CREATED BY THE RESIGNATION OF RON CESARETTI (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 aye, Mr. Smyth aye, and Mr. Kinzler absent.

The Oath of Office was then administered to Jeff Myers as a member of the Borough Council by Solicitor Bruce M. Gunn

#### **COUNCIL COMMITTEE RE-ASSIGNMENTS**

Mayor Martin submitted the following suggested changes for the rest of the year: Under Public Safety, Mr. Brown becomes the Chair and Director of Public Safety. Mr. Smyth will now serve on this committee, under Public Works/Sewer, Mr. Myers will now serve on this committee, Park & Recreation will now be a separate committee with Mr. Myers serving as the Chair, Zoning & Code Enforcement will now become a separate committee with Mr. Myers serving on it. Ms. Cairns Wells will take Mr. Brown's place as the Liaison to the 4<sup>th</sup> of July Committee.

Ms. Cairns Wells moved that these committee re-assignments be approved. This was seconded by Mr. Brown, with all present voting in the affirmative.

Ms. Cairns Wells moved that the open and closed session minutes from July 8<sup>th</sup> 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 absent and Mr. Myers aye.

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

**Downtown Revitalization Grant Study-Larry Waetzman of the Waetzman Group and Jim Prost of Basile, Bauman, Prost, Cole & Associates present**

Mr. Waetzman stated that a “draft” report was prepared by his firm and distributed to Council and the grant’s study team in June. Mr. Waetzman also distributed a handout on the suggested strategies to improve Riverton. Mr. Waetzman commented that Riverton had received grant money for this study from the Delaware Valley Regional Planning Commission (DVRPC).

Mr. Waetzman commented that Riverton is a wonderful community. The DVRPC has named Riverton a Classic Town. Mr. Waetzman stated that the downtown location, which was the study area, consists of the Neighborhood Business and the General Business districts. Both of these districts are almost fully developed, with the exception of the National Casein open parcel. If redeveloped, Mr. Waetzman urged Council to maintain the character of the Borough.

Mr. Waetzman stated that the problem is that the Borough is geographically isolated, from a marketing standpoint, because it is wedged between the river and Route 130. Even though a number of successful events have been held in the Borough (Victorian Day, Treasure Day and the Regatta) that bring many people into town, most people don’t know that Riverton is here. Mr. Waetzman explained that there aren’t a lot of retail activities to bring people here on a continual basis. Mr. Waetzman understands that these activities require a lot volunteerism and people do get burnt out. However, Mr. Waetzman stated that the Borough has developed a reputation as a place for interesting restaurant options.

Mr. Waetzman reported that Riverton’s population is so small that we would not qualify for the New Jersey Main Street program (requires a population of at least 4,000.). If we were qualified, professionals could be hired to do some of this leg work for us. Mr. Waetzman commented that Riverton is a dry community, which presents both pros and cons. A national chain restaurant would not be interested in coming here without a liquor license. On the other hand many restaurants have been successful with the BYOB concept.

Mr. Waetzman commented that there are many interesting buildings in the Borough that are either on the market or will be soon. These include the Beneficial Bank building on Main Street and the Post Office. The Post Office is a big open space and could be utilized as a restaurant or possibly as an architect’s studio. Both of these buildings have great parking. However, Mr. Waetzman commented that despite perceptions to the contrary, there really is no need for additional parking downtown. All he really thinks is necessary is better signage and identification.

Mr. Waetzman reported that a visioning session was held at the school in March to get public feedback on revitalization of the downtown area. About 18 people turned out. They found that people want some additional restaurants and services in town but by and large they are open to revitalization. They also found that people are generally pleased with the plaza at Broad & Main Street and equate it as a symbol of the Borough.

A strong affinity to the RiverLine was stressed, but most of people attending the visioning session do not use it. Mr. Waetzman noted that he has observed that most of the trains are full with riders.

Regarding Transportation Planning Issues, some suggestions would be to work with the County on Broad & Main Street issues, improve bicycle safety, maintain walkability throughout the Borough and control the use of key parking lots with time limits. Community consensus should be sought first and grants could possibly be obtained for these suggestions.

Strategies for the future include maintaining Riverton's character, to encourage mixed uses in the downtown, concentrate on "niche" businesses, (such as B&B's, artists studios, antique shops, more restaurants, etc.), coordinate marketing efforts with Palmyra and the East Riverton portion of Cinnaminson (Designated a Town Center in the State plan), advertise River Line link, provide more special events such as a Third Friday concept, adopt a family of way-finding signs, accent lighting and flowers to enhance the downtown, etc. The availability of grant funding for many improvements will be listed in their final report. Ms. Cairns Wells asked what a Designated Town Center means. Mr. Waetzman responded that the State has a Development and Redevelopment Plan. They have divided the State into areas, with Riverton being in Area Number 1, which is the metropolitan planning area. This means this is where the utilities are, this is where the infrastructure is. This is where the State would like to focus on new development because they want to avoid sprawl. The State has designated centers and the centers are areas of cohesive economic activity. Mr. Waetzman reported that Riverton's center designation will expire at the end of 2010.

Mr. Prost commented that his group does a lot of transit oriented development. He believes there is great opportunity here. Mr. Prost did acknowledge that a lot of it falls under the Main Street umbrella, such as signage, events, banners, etc. Mr. Prost thinks that Riverton is doing well in the restaurant area and fairly well in the service industries. Mr. Prost believes that Riverton needs to develop a specialty niche. Ms. Cairns Wells asked what the Main Street program is. Mr. Waetzman responded that the Main Street program (called Main Street New Jersey) operates out of the Department of Community Affairs. They have an arbitrary cut-off of a population of 4,000 to meet the qualifications. If qualified, this program would fund the person who would become the Main Street Manager. This person would go out and try to recruit businesses and organize events. Mr. Waetzman explained that they generally have a sliding scale whereby they would like you to take over the payment of that position over a period of three or four years.

Mr. Smyth commented that we work closely with the County's Economic Development Department. They have been forwarding information to us regarding potential business leads. We then forward that information onto key realtors and the President of the Riverton Business and Civic Association. We also sit on the River Route Advisory Committee, which includes 12 river towns. Information is given out and shared at these meetings. Mr. Smyth reported that the County Chamber of Commerce is scheduling a big event in September to showcase the municipalities in the County that have downtowns.

Mayor Martin commented that he is not sure we want to be a tourist destination. We do, however, want to fill our commercial space.

Ms. Cairns Wells commented that we don't want to be inundated with people on the weekends. We would like to have retail that the community will support.

Mr. Brown asked what type of incentives could be used to draw businesses into town. Mr. Waetzman responded that marketing is key to showcasing the opportunities here. Mr. Brown asked if a business tax rebate is something we should consider. Mr. Waetzman responded that Council would have to seek advice from their Solicitor on this issue.

Mayor Martin raised concern about the mixed use issue in the downtown area. His opinion is that we should get away from that. Mr. Prost commented that it becomes a quality issue and not a quantity issue. Mr. Prost believes that if there is quality development in a mixed use, he thinks this is fine. If it is cheap apartments above a store, it is a different element. Mr. Prost believes there is a strong interest to being near a transit station and being able to walk everywhere.

Mr. Waetzman asked if Council feels that if what has been submitted is basically on the right track, a final report will be made with comments included. Ms. Cairns Wells responded that she also wanted to confer with Gary Ford about any issues. Mr. Waetzman asked that any comments to be included in the final report be e-mailed to him as soon as possible.

**Gene Bandine** commented that he liked a lot of what was discussed here tonight. He feels the plaza area is dormant. He suggested having choirs perform or providing bicycle training at this location.

**Joe Augustyn** commented on the Town Center Designation issue. Mr. Augustyn stated that there is a large housing development directly across from the Cinnaminson train station on River Road. Mr. Augustyn suggested having a sidewalk installed (with grant money) that would extend from that location all the way down to Riverton. People from that housing development could either bike or walk down to the Borough and patronize our shops and restaurants.

**For Public Hearing on the Borough's Community Development Block Grant Application Re: ADA required access for elections at the Riverton Public School Gymnasium-Joe Augustyn of Alaimo Associates present**

It should be noted that notice of this public hearing was advertised in the Burlington County Times on June 28, 2009.

Mr. Augustyn reported that this proposed project is estimated to cost \$43,440.00. We will be installing a ramp at the entrance to the school's gymnasium, primarily for voter access to the Borough's only polling place. Mr. Augustyn stated that this is a requirement from the State and County Boards of Elections. Mr. Augustyn reported that Karen Trommelen of the Community Development Office has indicated that they would be trying to get this application in under the 2008 monies. Ms. Trommelen had informed Mr. Augustyn that the Borough would receive formal notification as to whether the Borough would receive the grant money by September. Mr. Augustyn reported that Ms. Trommelen asked if this project could be completed by the end of this year. Mr. Augustyn responded that he did not think this would be a good idea. He had raised concern about the possibility of pouring concrete during the colder months. Ms. Trommelen suggested that an extension could be made until May of 2010. Mr. Augustyn responded that that would be more reasonable.

Mr. Augustyn reviewed the submitted photos of this project with Council and the public. Ms. Cairns Wells reported that the school is on board with the project. Ms. Cairns Wells reported that while the school already has a handicapped entrance to their building on Cinnaminson Street, it is too far away from the polling place. The County Board of Elections has been citing the Borough over a number of years to rectify this situation and make the entrance to the Borough's polling place (gymnasium) handicapped accessible. Ms. Cairns Wells stated that the school board is aware that once this project is completed, all elections must be held in the gymnasium and not at another location in the school (media center).

**Scott Reed, Public Works Manager**, asked if we would get the grant monies in December. Mr. Augustyn responded no. An announcement will be made in September as to whether this project will be funded. We would then have until May of 2010 to complete this project.

**FINANCIAL ITEMS:** Mr. Smyth

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

In Mr. Kinzler's absence, Mr. Smyth moved that the attached reports for the month of June 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 absent and Mr. Myers aye.

**RESOLUTION 48-09**

**A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT OF A NEW PARK LAWNMOWER IN THE AMOUNT OF \$13,250.00 FROM CHERRY VALLEY TRACTOR EQUIPMENT OF EVESHAM, NEW JERSEY  
(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. Myers aye.

**RESOLUTION 49-09**

**A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT OF NEW CARPETING FOR THE BOROUGH OFFICES AND THE POLICE DEPARTMENT IN THE AMOUNT OF \$6,000.00 FROM CANNON CARPETS OF PALMYRA, NEW JERSEY  
(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. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**UPDATE: BOND ANTICIPATION NOTE-CERTIFICATE OF DETERMINATION AND AWARD** Treasurer, Betty Boyle announced that the interest rate per annum on this note is 2.5% and the Place of Payment is Beneficial Bank, Riverton, New Jersey.

**PUBLIC SAFETY-Mr. Brown**

Mr. Brown read a report for the month of June that was submitted by Patrolman Kirk. Vehicle Mileage 2082, Gas Used 353.8, Juvenile Arrests 1 (Theft 1) Adult Arrests 5 (Criminal Warrants 3, DWI 1 & Burglary 1), Motor Vehicle Accidents 6, Motor Vehicle Stops 39, Motor Vehicle Warnings 18, Motor Vehicle Summonses 42

(Riverton Officers 39 & BCSD 3), Burglar Alarms 20, Assists to Other Police Departments 34, Animal Complaints 15, Fire Calls 7, Arson 0, Ambulance Calls (Riverton) 18, Unattended Deaths 0, Criminal Cases 20, Incidents 232, Domestic 1, Thefts 7, Shoplifting 0, Burglaries 5 (From Vehicles 3, Other 2), Assaults 0, Sexual Assaults 0, Criminal Mischief 5, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Calls 449 and Total calls 362.

Mr. Brown read a report for the month of June that was submitted by Deputy Fire Chief Robert Yearly. There were 23 fire calls for the month, 3 drills, 10 calls in town and 13 calls out of town.

Mr. Brown read a report for the month of June that was submitted by Animal Control Officer, M&R Wildlife. A stray cat was taken to the shelter and a dead goose and a dead opossum was removed.

**REVIEW OF DRAFT ORDINANCE AMENDING CHAPTER 45 TO PROVIDE FOR ADDITIONAL DEFINITIONS OF AN OWNER IN ARTICLE II.** Mr. Gunn suggested tabling this Ordinance discussion once again until Council's August 12<sup>th</sup> meeting. Mr. Gunn explained that he is researching some other issues regarding this Chapter that might call for additional amendments. Council agreed to table this discussion until next month.

**TOWN WATCH UPDATE:** Mr. Brown announced that the formation of the new committee is progressing and that the statutes and rules are being reviewed. Council will be kept informed.

**UPDATE RE: FEASIBILITY POLICE CONSOLIDATION STUDY.** Mr. Brown reported that he would be meeting with a representative of the company (Patriot) contracted to do this study next Monday, July 13<sup>th</sup> at 7:30pm in Borough Hall to review the process involved.

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

Mr. Brown read a report for the month of June that was submitted by Court Administrator Jackie Gleason. The total receipts received amounted to \$8,175.24. The total disbursed to Riverton amounted to \$3,555.00.

Regarding Code Enforcement, Mr. Brown asked Mr. Gunn for an update on 108 7<sup>th</sup> Street and 622 Thomas Avenue. Mr. Gunn reported that another letter was hand delivered to the owner of 108 7<sup>th</sup> Street. This letter refers to the accumulated fines on this property assessed by our Construction Official for failure to comply with the prior order to repair the unsafe structure. The letter gives the property owner ten days to contact our Construction Official to avoid further legal action. Regarding 622 Thomas Avenue, Mr. Gunn reported that he is still working on getting the heirs to this estate to renunciate their rights as administrators in reference to this property. Five of the seven heirs have signed off. Once all have done this, we can appoint an administrator for the Estate.

Mr. Brown announced that he has heard that there might be a potential buyer for the deteriorating property located at 423 Lippincott, but nothing has been formalized.

**STREETS/SEWER/GRANTS/ECONOMIC DEVELOPMENT/**

**SHARED SERVICES-Mr. Smyth**

**UPDATE RE: CENTERS OF PLACE GRANT.** Mr. Smyth reported that we have written notification from the New Jersey Department of Transportation that we must

award a contract for this project no later than September 11, 2010. Mr. Smyth stated that given this information, Council will be able to place the engineering costs for this project (estimated at \$8,180.00) in next year's budget.

**RESOLUTION 50-09**

**A RESOLUTION AUTHORIZING LAND ENGINEERING TO PREPARE THE DESIGN SPECIFICATIONS, BID PACKAGE AND ADVERTISEMENT FOR THE 2009 ROAD PROGRAM (LINDEN AVENUE)  
(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. Myers aye.

**SHADE TREE/BD OF HEALTH/RECYCLING/**

**ENVIRONMENTAL**-Dr. Daniel-No Report

**MEETING OPEN TO THE PUBLIC**

**Gene Bandine** asked if Council knew when the Bridge Commission would be bidding the project to upgrade the Borough's pocket park at Bank & Linden. Mr. Smyth responded that we are still awaiting notification about this.

**Robert Norcross** publicly thanked everybody from the Borough who attended his recent retirement dinner. Mr. Norcross expressed his sincere appreciation.

**Betty Boyle Treasurer** reported that we are still in a holding pattern before we receive authorization to begin processing the new tax bills. She asked if Council wanted to include anything with the bills. Mr. Smyth suggested doing a letter to inform our property owners of the 5% reduction in the local municipal purpose tax. Mr. Smyth stated that he would prepare a draft letter for Council's review.

**Frank Cioci**, a realtor, commented that he is not aware that 423 Lippincott has been placed on the market for sale.

**Scott Reed, Public Works Manager**, asked if something could be done about the piles of dirt some riverbank owners have placed on the river wall side of Bank Avenue. Mr. Gunn stated that he would review Chapter 52 of the Borough Code with our Code Enforcement Officer to determine what action the Borough might be able to take.

**OLD BUSINESS**

**ORDINANCE 7-09**

**AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN A PORTION OF MAIN STREET BETWEEN THE NORTHERLY LINE OF BANK AVENUE AND THE RIVER WALL AT THE EDGE OF THE DELAWARE RIVER IN THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY  
(IN FULL IN ORDINANCE BOOK)**

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

**NEW BUSINESS-NONE PRESENTED**

**CORRESPONDENCE-NONE PRESENTED**

**RESOLUTION 51-09**

**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 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. Myers aye. It should be noted that personnel-police issues would be discussed.

At this time Mr. Brown moved that Council return to public session. 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. Myers aye.

**ORDINANCE 8-09**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 26-16 OF THE RIVERTON BOROUGH CODE TO DELINEATE DUTIES, RESPONSIBILITIES AND QUALIFICATIONS OF THE CHIEF OF POLICE**

The above Ordinance was read by title only for the first time by Mr. Brown, 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. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for August 12.

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

Mary Longbottom, RMC  
Municipal Clerk