

**RIVERTON BOROUGH PLANNING BOARD
MINUTES
December 15, 2009**

The Public Session of the Planning Board was called to order at 7:00 PM by Chairman Joseph Katella. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given in the following manner:

1. Posting notice on the official bulletin board in the Borough Office on January 21, 2009.
2. Required Service of notice and publication in the Burlington County Times on January 22, 2009.

PRESENT: Joseph Katella, Joseph Creighton, Muriel Alls-Moffat, Armand Bianchini, Mayor Robert Martin, Councilwoman Suzanne Wells, Mary Lodato, Joseph Threston (arrived 7:35PM), and Cheryl Progin.

Also Present: Solicitor Tom Coleman, Planner Tamara Lee, and Secretary Ken Palmer.

ABSENT: None.

MINUTES: A motion was made by Mary Lodato and seconded by Joseph Creighton to adopt the minutes of the November 17, 2009 regular meeting as distributed. The voice vote was unanimous.

CORRESPONDENCE/ANNOUNCEMENTS

1. 12/2/09, copy of FCC Declaratory Ruling for cell towers defining the time periods in which a local board must consider applications to either erect a tower or attach equipment to an existing tower.
2. 12/2/09, copy of Mayor's Fax Advisory from NJLM concerning the FCC wireless tower deadline ruling.
3. 12/2/09, copy of Mayor's Fax Advisory from NJLM concerning "Time of Decision" bills A-4280 & S-3045 which effectively remove the ability of a municipality to correct inaccuracies in its codes between when an application is submitted and a decision is made.
4. 3 vouchers/invoices as presented under New Business.

OLD BUSINESS

COAH Matters – Tamara reviewed developments and progress since the last meeting. Tamara reviewed the changes in the latest draft of the Housing Element with the board as well as suggested minor changes she has received. Tamara is continuing work on completing Workbook C, and has revised the Service List. She feels the revised submission will be sufficiently complete in order to submit it to meet the COAH deadline and to allow for the orderly follow up needed to address any issues raised by COAH. Tamara has prepared and will submit a draft of the revised Development Fee Ordinance with the submission as well as other required forms. The resolutions of the adoption by the board and endorsement by Council of the revised Housing Element and Fair Share Plan with Spending Plan will not be included in the submission because the hearing and adoption/endorsement process will not be completed by the submission date. She will not resubmit Workbook A and prior round certification documents because they have already been submitted or should be on file. Rehab compliance documents are being reviewed and will be submitted if COAH continues to approve them as they did under Round Two. The revised Affordable Housing Ordinance has not been completed because Tamara wants to wait until the Borough is more certain it has the agreements in hand. There was discussion on the funding language in the draft, since while supposedly any funding is not supposed to increase taxes; it appears COAH can compel the Borough to cover shortfalls in its funding plans. Suzanne Wells was satisfied when it was explained that the governing ordinance(s) have the official wording.

Muriel Alls-Moffat reviewed her conversations with Mrs. Drobit of Quality Management and that since Quality Management has already secured funding for the group home on Homewood Drive they wish to utilize the COAH funds for another group home they are attempting to purchase in Riverton. She feels that Mrs. Drobit is frustrated and unhappy with the way things have been handled by Tom Coleman. Muriel has also been in contact with COAH with less than successful results. As far as Muriel is aware, there is no signed agreement in hand with Quality Management and the Borough effectively has no credits to go towards satisfying COAH. She

understands Mrs. Drobit may not be prepared to sign any letter of intent with the Borough and is unhappy with the entire situation. Tom Coleman reviewed that he has reached out to Mrs. Drobit on multiple occasions, that he thought things were cordial between them, and felt he had addressed every issue with her. Tom stated that he had made every change to the draft agreement that Mrs. Drobit desired and as of the past Friday was waiting to hear back from Mrs. Drobit. Tom explained that Quality Management is not restricted to using any funds only on Homewood Drive and can use them as they best see fit as long as the funds are used to rehabilitate COAH qualified group housing within the Borough. The letter of intent confirms this. Tom is unaware of the concerns raised by Muriel and is concerned there may be a breakdown in the lines of communication among all parties working on the Quality Management issues. Discussion by the chair and mayor concluded that communication among the parties is a concern and recommended that all issues be coordinated through Tom. The chair recommended and the board concurred that Tom should continue to work on closing the deal, secure the letter of intent, and forward it Tamara for inclusion in the submission. Tom requested that since Muriel has a good rapport with Mrs. Drobit, perhaps Muriel could reach out to Mrs. Drobit and request she get back to Tom as soon as possible.

Tamara asked the board if it was prepared to move on to the next step of scheduling the hearing or if it needed to see the final draft and wait to decide next month. The board concluded that it was sufficiently familiar with the scope of the changes and they were satisfied that except for any possible minor changes, the board should move forward with scheduling the hearing. Tamara stated she would wait for the hoped for letter of intent from Tom, make suggested changes to the plan, and complete the submission by the 12/28 deadline. The chair asked the secretary to work with Tamara and Tom as needed to prepare and complete the official notification steps needed to conduct the hearing.

Council Matters of Importance to the Board – Suzanne reported that things are fine with the 2009 budget and asked that the 2010 budget request be submitted as soon as possible. She reported that at their last meeting Council had adopted the proposed zoning code revisions and they were now official. She feels the board should consider additional changes beginning in January and consider a few at time throughout the year. The chair asked that the topic be made a line item on the agenda. The mayor announced that the Borough luncheon will be on 12/21 and invited the members to attend. The mayor thanked Joe Katella for his work with the board and that Joe is leaving the board due to his election to Borough Council.

Environmental Commission – Joe Threston reviewed that the commission was pleased and thanked the board for its endorsement of the commission's recommended changes to the Borough's Stormwater Ordinance. He feels the commission will be pleased to hear that Council be considering the matter in January.

Minor Site Plan Applications – Mary Lodato reviewed the application by Yogawood to open a yoga studio at 531 Broad that she and the chair had approved. There were no other applications.

Delinquent Escrow Collections – The secretary reported that Mr. Parry has been advised of the new shortage in his account. There has still been no response from Mr. Recchiuti and Ken asked if there was anything else that can be done besides continuing to send letters. It was reviewed there is nothing else that can be done to compel Mr. Recchiuti to make up the shortage. Ken was asked to continue to send notices.

NEW BUSINESS

Invoices and vouchers:

1. 11/30/09, Tamara Lee Consulting, LLC, \$540.00, Planning work related to COAH during November. PAY FROM TRUST FUND DEVELOPMENT FEES
2. 12/03/09, Raymond & Coleman, \$370.00, general business advice and attend November meeting.
3. 12/03/09, Raymond & Coleman, \$252.00, for COAH related work during November including 204 Main Street issues. PAY FROM TRUST FUND DEVELOPMENT FEES

A motion was made by Joseph Threston, seconded by the mayor, and unanimously approved to pay the vouchers as presented. The secretary will have them signed and submitted for payment.

PUBLIC COMMENT – Joe Threston motioned and the mayor seconded to open the meeting to public comment. There was none and Joseph Threston motioned and Joseph Creighton seconded to close the meeting to public comment.

Meeting adjourned at 7:55 PM. (motion by Threston, second by Creighton)

**Next meeting is on 01/19/2010 at 7:00 pm in the Borough Hall.
Tape is on file.**

**Kenny C. Palmer, Jr., Secretary
RIVERTON PLANNING BOARD**