

April 2, 2014

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

**PRESENT:** Council members Bianchini, Creighton (arrived at 7:55pm), Cairns Wells, Kinzler, Corbi and Solicitor Bruce M. Gunn

**ABSENT:** Council member Azelby

The following statement was read by Mayor Brown:

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 2014 published in the Burlington County Times on December 27, 2013
- (b) Forwarding written notification of the 2014 meeting schedule to the Courier Post for informational purposes only on January 2, 2014
- (c) Posting written notice on the official bulletin board on January 2, 2014

**RESOLUTION 34-2014**

**A RESOLUTION INTRODUCING THE 2014 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. Mr. Bianchini aye, Mr. Creighton absent, Ms. Cairns Wells aye, Ms. Azelby absent, Mr. Kinzler aye and Mr. Corbi aye. It should be noted that a summary of the 2014 Municipal budget will be published in the Burlington County Times on April 27, 2014. A public hearing on the 2014 municipal budget will take place on May 14, 2014. A full copy of the budget will also be placed on the Borough's website.

**MEETING OPEN TO THE PUBLIC**

**Don Deitz 304 7<sup>th</sup> Street** congratulated Council on the completion of the new grandstand. Mr. Deitz suggested to Council that the grandstand be named the Fran Cole memorial stadium. Mr. Deitz provided Council with an overview of Mr. Cole's background. Council took this suggestion under advisement.

**Gene Bandine** wants the police to address the drivers that don't put their lights on in the rain. Chief Shaw responded that this is a state law and that he would place something on the Department's Facebook page to remind people of this. Mr. Bandine raised concern that the noise level from vehicles in town also needs to be addressed.

**ORDINANCE 2-2014**

**AN ORDINANCE TO AMEND CHAPTER 128, ARTICLE XVI, SECTION 68 OF  
THE RIVERTON ZONING CODE TO ALLOW HISTORICAL MARKERS ON  
HISTORICALLY SIGNIFICANT PROPERTIES IN RESIDENTIAL DISTRICTS  
(IN FULL IN ORDINANCE BOOK)**

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

**RESOLUTION 35-2014**  
**RECYCLING TONNAGE GRANT APPLICATION AND TAX**  
**IDENTIFICATION STATEMENT**  
**(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. Corbi. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton absent, Ms. Cairns Wells aye, Ms. Azelby absent, Mr. Kinzler aye and Mr. Corbi aye.

**RESOLUTION 36-2014**  
**A RESOLUTION APPROVING AN APPLICATION REQUEST FROM THE**  
**PORCH CLUB OF RIVERTON, NEW JERSEY TO HOLD A RAFFLE EVENT**  
**ON MAY 17, 2014**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Bianchini, who moved for its adoption. This was seconded by Mr. Kinzler. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton absent, Ms. Cairns Wells aye, Ms. Azelby absent, Mr. Kinzler aye and Mr. Corbi aye.

**RESOLUTION 37-2014**  
**A RESOLUTION AUTHORIZING THE BOROUGH OF RIVERTON TO**  
**EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR**  
**COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT**  
**ACT OF 1974**  
**(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 Ms. Cairns Wells. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton absent, Ms. Cairns Wells aye, Ms. Azelby absent, Mr. Kinzler aye and Mr. Corbi aye.

**RESOLUTION 38-2014**  
**A RESOLUTION AUTHORIZING THE MAYOR OF THE BOROUGH OF**  
**RIVERTON TO EXECUTE AN ESCROW AGREEMENT FOR THE HOUSING**  
**TRUST FUND WITH FIRST COLONIAL COMMUNITY BANK**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Corbi, who moved for its adoption. This was seconded by Mr. Kinzler. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton abstained, Ms. Cairns Wells aye, Ms. Azelby absent, Mr. Kinzler aye and Mr. Corbi aye.

**DISCUSSION ITEMS:**

**AMENDING OUR PARK ORDINANCE (CHAPTER 92) TO SET FEES FOR GROUPS UTILIZING OUR FIELDS**

In an effort to help us defray the costs for the maintenance of our fields, Mr. Creighton requested that Council consider amending this Ordinance to set specific fees for groups that utilize our fields. After a short discussion, it was the consensus of Council to agree to this.

### **ORDINANCE 3-2014**

#### **AN ORDINANCE TO AMEND CHAPTER 92-5 TO REQUIRE PERMISSION FOR THE USE OF SOCCER FIELDS AND TO ESTABLISH A SCHEDULE OF FEES FOR THE USAGE BY ORGANIZATIONS OF BASEBALL AND SOCCER FIELDS AT RIVERTON MEMORIAL PARK**

The above Ordinance was read by title only for the first time by Mr. Creighton, who moved for its adoption. This was seconded by Mr. Bianchini. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby absent, Mr. Kinzler aye and Mr. Corbi aye. Second reading and a public hearing on this Ordinance is scheduled for May 14<sup>th</sup>.

#### **AMENDING CHAPTER 128-12 TO AMEND THE DEFINITION OF A FRONT YARD TO INCLUDE HOMES ABUTTING THE DELAWARE**

Mr. Bianchini stated that this suggested amendment is based on the latest interpretation/hearing that was heard before the Planning Board. Mr. Bianchini reported that the Planning Board is requesting that Council expand the present definition of a front yard to include those yards of any home abutting the Delaware River. It was the consensus of Council to agree to this request.

### **ORDINANCE 4-2014**

#### **AN ORDINANCE TO AMEND THE DEFINITION OF A FRONT YARD IN CHAPTER 128, SECTION 12 TO INCLUDE HOMES ABUTTING THE DELAWARE RIVER**

The above Ordinance was read by title only for the first time by Mr. Bianchini. This was seconded by Mr. Corbi. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby absent, Mr. Kinzler aye, and Mr. Corbi aye. Second reading and a public hearing on this Ordinance is scheduled for May 14. Mr. Gunn stated that a copy of this Ordinance should be sent to the Planning Board for their review and concurrence by Resolution.

#### **AMENDING BOROUGH ORDINANCES TO PROVIDE FOR REQUIRED ESCROW CHARGES WHEN AN APPLICANT REQUESTS THE PLANNING BOARD TO HEAR AN APPEAL OR RENDER AN INTERPRETATION.**

Mr. Bianchini reported that the Borough does not have anything in our Ordinances to require that escrow charges be imposed when an applicant requests the Planning Board to hear an appeal or to render an interpretation. Mr. Bianchini reported that the recent interpretation /appeal hearing has cost the Borough a lot of money in professional service fees. Mr. Gunn stated that the Planning Board should make an initial recommendation to Council for their review and consideration. Mr. Bianchini will bring this issue up at the next Planning Board meeting.

#### **AMENDING CHAPTER 64 OF THE BOROUGH CODE TO INCREASE CONSTRUCTION FEES TO THE STATE'S DCA RATES**

Ms. Cairns Wells reported that our Construction Official, Roger Fort, is recommending that our code be amended to reflect the State's DCA's rates. Council then reviewed what was submitted. Ms. Cairns Wells reported that she had received some additional changes (training fees) from Mr. Fort this afternoon, which are not reflected in the listing distributed to Council. She asked that this issue be deferred until next week's meeting. Council concurred.

## **GRANT NOTIFICATIONS RECEIVED FROM THE DEPARTMENT OF TRANSPORTATION (DOT)**

Mr. Bianchni reported that the Borough received notifications of a Safe Route to School Grant and a Transportation Alternative Program Grant from the Department of Transportation. Mr. Bianchini reported that he contacted the Manager of the Local Aide District Office in Cherry Hill to determine if the Safe Route to School Grant could offset the costs for the installation of pedestrian pushbuttons at the grade crossings in the Borough. He was informed this grant is funded through the Federal Highway Administration's Federal Aid Program grant and that the grant criteria, rules and regulations are unbelievable. Mr. Bianchini was informed that we might be able to get local or state aid to assist us. Mr. Bianchini reported that he will be meeting with representatives from the DOT to discuss this further. Council will be kept apprised of this issue.

## **PARKING ISSUE (PERTAINING TO VARIANCE APPLICATIONS)**

Mr. Bianchini reported that the Planning Board's Engineer informed him that some municipalities have an Ordinance in place regarding this issue. Mr. Bianchini explained that if an applicant for a variance has difficulty to provide the required amount of off street parking spaces, a Parking Trust Account can be created by the Borough. The applicant would contribute an annual fee for each space required but not installed onsite to this account. Mr. Bianchini thought we might want to consider doing this. After some discussion it was the consensus that Mr. Bianchini should review this with the Planning Board for their recommendation to Council.

## **DEDICATION OF THE GRANDSTAND**

Mr. Creighton reported that the opening day for the baseball season is April 12 and that the dedication would take place on that day around 9:30am at the grandstand location.

**PRELIMINARY AGENDA FOR APRIL 9.** The Clerk reviewed this with the Governing Body.

## **SHADE TREE PLANTING GRANT (20,000.00)**

Mr. Creighton reported that when this grant was initially described to us, we were informed that it would only cost the Borough \$4,500.00 to get 50 trees. In actuality we have to spend \$24,500.00 to get the trees. We would be reimbursed the \$20,000.00 at a later date, but we don't know how long that will be. Mr. Creighton stated that this is a three (3) year planting grant and that he thinks we can buy half the trees this year from our regular Shade Tree Budget. Ms. Cairns Wells raised concern that if we spend the money from this budget now for the trees, what happens if other tree emergencies come up during the rest of the year? How would we pay for those possible situations? Ms. Cairns Wells believes it is prudent to wait. Mr. Kinzler concurred with Ms. Cairns Wells' comments. Mr. Bianchini was of the opinion that the entire Shade Tree Board should come before Council to review Shade Tree Issues. Mr. Kinzler concurred and wants to make sure that there is no misinterpretation by the Shade Tree Board as to what the Council has determined to be the rules and regulations to be followed regarding the purchasing, planting, and maintenance of our Shade Trees. Mr. Creighton also reported that we had sent out letters to the nurseries informing them that all Shade Tree purchases for the Borough must be reviewed and approved by him prior to the commencement of any

work. Mr. Emens does not have authority to purchase trees. The Shade Tree Board will be asked to attend Council's May 14<sup>th</sup> meeting.

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



Mary Longbottom, RMC  
Municipal Clerk