

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
2004 REORGANIZATION MEETING  
JANUARY 7, 2004**

**7:00PM RIVERTON PUBLIC SCHOOL MEDIA CENTER**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Outgoing Mayor Bruce M. Gunn
4. Invocation: The Rev. Dr. Frank K. Jago
5. Oath of Office administered to Robert Martin as Mayor of the Borough of Riverton
6. Oath of Office administered to Laurie Villari as a member of the Borough of Council of the Borough of Riverton
7. Oath of Office administered to Joseph Daniel as a member of the Borough Council of the Borough of Riverton
8. Nominations for President of Council
9. 2004 Borough Council Committee Appointments-Mayor Martin
10. Presentations to the following outgoing members of the Governing Body:
  - Bruce M. Gunn
  - Christine Nociti
  - Clara Ruvolo

**NEW BUSINESS**

**CONSENT AGENDA-Mayor Martin**

- Res. 1-04 Temporary Appropriations for the year 2004
- Res. 2-04 Authorizing the Award of Contracts for Professional Services
- Res. 3-04 Authorizing Official Depositories for the Borough
- Res. 4-04 Authorizing an Official Newspaper
- Res. 5-04 Fixing the rate of interest to be charged on Delinquent Taxes and Sewer for 2004
- Res. 6-04 2004 Borough Appointment List
- Res. 7-04 Appointing an Animal Control Officer
- Res. 8-04 Designating an employee to serve as the Public Agency Compliance Officer
- Res. 9-04 Establishing certain fees to be charged to a person obtaining a Street Opening Permit
- Res. 10-04 Setting fees for copies of Public Records pertaining to the Borough of Riverton
- Res. 11-04 Appointing an Insurance Agent for 2004
- Res. 12-04 Authorizing a Cash Management Plan
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Res. 13-04 Setting the days and times for the 2004 Council meetings

Meeting open to the public

Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
JANUARY 14, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from December 3, December 10 and closed session minutes from December 3 and December 10
5. Treasurer's & Finance Committee Reports
6. **PUBLIC HEARING ON 2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT –INSTALLATION OF HANDICAPPED RAMPS (STREETS AND ROAD ENGINEER WILL BE PRESENT)**  
Res.14-04 Authorizing the submission of the Borough's application for the 2004 Community Development Block Grant Project
7. Committee Reports
  - a. Public Safety
  - b. Park, Recreation, Recycling & Environmental Commission
  - c. Public Works/Sewer
  - d. Planning Zoning, Code Enforcement
  - e. Shade Tree
8. Old Business
9. New Business
  - Res. 15-04 Transfer Resolution
  - Res. 16-04 Authorizing the Solicitor to file tax appeals
  - Res. 17-04 Authorizing the Mayor to sign the solid waste services agreement with the County to provide recycling and solid waste disposal services for calendar year 2004
  - Res. 18-04 Authorizing the Mayor to sign a lease agreement with the Riverton Fire Company
  - Setting the days and times for 2004 Budget work sessions
  - Shared Services Summit (attendance by representatives of Council)
10. Correspondence
11. Meeting open to the public
12. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
WORK SESSION  
FEBRUARY 4, 2004  
7:00pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Notice Statement-Mayor Martin
4. **Meeting open to the public. Council has imposed a 15 minute time limit for all public comment. Please register with the Clerk if you want to address Council**
5. Request from Lauren Lewonski, 515 Howard Street, for a parking space in front of her home.
6. Amending Bond Ordinance 4-02 to amend the description of one of the projects listed
7. Discussion: New storm water regulations
8. Burlington County Local Open Space Program meeting (Council representation requested)
9. Update Re: The Borough's Livable Communities Grant Program Application
10. Review of redevelopment schedule submitted by Mr. Gilmore
11. Request from Mr. Gilmore to do an inspection of the Borough owned portions of the riverwall
12. Preliminary agenda for February 11  
Transfer Resolution  
Proclamation-Read Access America-NJ
13. Res. To go into closed session (Personnel)-Mr. Cesaretti
14. Return to public session
15. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
FEBRUARY 11, 2004  
7:00pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Statement-Mayor Martin
4. Minutes from January 7, January 14 and closed session minutes from January 14
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Recycling & Environmental Commission-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement and Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree, Board of Health and Human Services-Dr. Daniel
7. Old Business
8. New Business
  - Res. 25-04 Transfer Resolution-Mr. Smyth
  - Proclamation-Read Across America-Mayor Martin

Setting days and times for 2004 Budget work sessions.

9. Correspondence
10. Meeting open to the public
11. Update Re: New Stormwater Regulations (Engineer will be present)
12. Adjournment

**BOROUGH OF RIVERTON  
SPECIAL MEETING FOR THE 2004 MUNICIPAL BUDGET  
MONDAY, MARCH 1, 2004  
6:00pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
- 4. Meeting open to the public. Council has imposed a 15 minute time limit for all public comment. Please register with the Clerk if you would like to address Council**
5. Discussion: 2004 Municipal Budget and “CAP” Ordinance-Borough Auditor will  
be present
6. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
WORK SESSION  
MARCH 3, 2004  
7:00pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. **Meeting open to the public. Council has imposed a 15 minute time limit for all public comment. Please register with the Clerk if you would like to address council**
5. Request from Cynthia Park, 503 Main Street for a designated handicapped parking space in front of her home.
6. Discussion: Recommendation from Board of Health Re: possible adoption of a Food Manager Training Ordinance
7. Required Resolution for Shade Tree Commission's receipt of a \$2,000 Green Community Grant Award
8. Required Resolution Re: Burlington County Cooperative Pricing System for Electric Generation Service
9. Request from County Mosquito Control Re: Agreement forms to conduct Aerial Larval Mosquito Control Activities
10. Discussion: Engineering Services for new Stormwater Regulations Program
11. Route 130/Delaware Riverton Corridor Advisory Committee-State Plan Cross-Acceptance Representative
12. Preliminary agenda for March 11  
Ord 1-04 Amending Bond Ord. 4-02-second reading and public hearing  
Transfer Resolution
13. Res. To go into closed session-Litigation
14. Return to public session
15. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
MARCH 10, 2004  
7:00pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from February 4, February 11 and closed session minutes from February 4 and February 11
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, recycling & Environmental Commission-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement & Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree, Board of Health & Human Services-Dr. Daniel
7. Old Business
8. New Business

**Second reading & Public Hearing on the following Ordinance**

Ord. 1-04 Amending Bond Ordinance 4-02 to amend the description of one of  
The projects listed-Mr. Smyth

**First reading on the following Ordinances**

Ord. 3-04 Amending Chapter 123 to create a designated handicapped  
Parking space at 503 Main Street-Mr. Cesaretti

Ord. 4-04 Amending Chapter 123 repealing a designated handicapped  
Parking space on Fifth Street-Mr. Cesaretti

**Consent Agenda-Mayor Martin**

Res. 30-04 Shade Tree Commission's receipt of \$2,000 from the Green  
Community Grant Award

Res. 31-04 Authorizing participation in the County's Energy Aggregation  
Program for electric generation service

Res. 32-04 Municipal Agreement forms/Authorization to Conduct Aerial Larval  
Mosquito Control Activities

Res. 33-04 Transfer Resolution

9. Correspondence
10. Meeting open to the public
11. Res. 34-04 To go into closed Session-Personnel & Negotiations-Mr. Smyth
12. Return to public session
13. Adjournment

**BOROUGH OF RIVERTON  
BUDGET WORK SESSION  
MARCH 15, 2004  
6:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Meeting open to the public. Council has imposed a 15 minute time limit for all public comment. Please register with the Clerk if you want to address Council
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. 2004 Budget discussion-Auditor will be present
7. Adjournment



**BOROUGH OF RIVERTON  
WORK SESSION  
PRELIMINARY AGENDA  
APRIL 7, 2004  
6:00pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. 2004 Budget Discussion-Borough Auditor will be present
5. Meeting open to the public. Council has imposed a 15 minute time limit for all public comment. Please register with the Clerk if you want to address Council
6. Request from Lauren Lewonski, 515 Howard Street, for a parking space in front of her home.
7. Resolution authorizing participation in the Burlington County Shared Services Program
8. Resolution Re: Authorizing the Borough to enter into a Cooperative Pricing Agreement with the County of Burlington for Electric Generation Service
9. Resolution Re: Supporting Noise Mitigation Measures at the Southern New Jersey Light Rail Transit System Grade Crossings in the Borough of Riverton
10. Resolution authorizing submission of Recycling Tonnage Grant Application
11. Resolution authorizing grant agreement Re: \$6,000.00 Community Forestry Management Grant Award
12. Update from Solicitor Re: appointments to various boards and commissions
13. Discussion: Possible expansion of the Environmental Commission
14. Proposed Ordinance Re: Food Manager Training
15. Update from Parking Committee
16. Discussion: Farmer's Market
17. Discussion: Smart Growth Grant
18. Preliminary agenda for April 14  
Second reading and public hearing on the following Ordinances  
2-04 "CAP" Ordinance  
3-04 Designating a handicapped parking spot at 503 Main Street  
Proclamation-Shade Tree Commission Day  
Res. Certifying receipt and review of 2003 Audit Report
19. Res. To go into closed session (Litigation)-Smyth
20. Return to public session
21. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
APRIL 14, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Minutes from March 1, March 3, March 10, March 15 and closed session  
Minutes from March 3, March 10 & March 15
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. Proposed School Budget: Richard Park, President of the Riverton Board of Education to provide information to Council
7. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Recycling & Environmental Commission-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Redevelopment &  
Code Enforcement-Mrs. Alls-Moffatt
  - e. Shade Tree-Dr. Daniel
8. Old Business
9. New Business
  - Second reading & Public Hearings on the following Ordinances:
    - 2-04 "CAP" Ordinance-Mr. Smyth
    - 3-04 Designating a handicapped parking spot at 503 Main Street-Mr. Cesaretti
  - First reading on the following Ordinances (Public Hearings on May 12)
    - 4-04 Bond Ordinance-Amending Bond Ordinance 4-02 to amend description of Projects and provide for a supplemental appropriation for the purchase of a Fire Truck-Mr. Smyth
    - 5-04 Salary Ordinance-Mr. Smyth
  - Res. Rescinding specific appointments to the Environmental Commission and Planning Board
  - Mayor's Appointments to the Environmental Commission and Planning Board
  - Res. Approving the proposal of Remington, Vernick & Arango  
Re: Stormwater Regulations
  - Proclamations-Mayor Martin
  - Shade Tree Commission Day
  - Fair Housing Month
10. Correspondence
11. Meeting open to the public
12. Adjournment

**BOROUGH OF RIVERTON  
WORK SESSION  
PRELIMINARY AGENDA  
MAY 5, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. **Meeting open to the public. Council has imposed a 15 minute time limit for all public comment. Please register with the Clerk if you want to address Council**
5. Discussion: Possible revaluation of all properties-Tax Assessor present
6. Updates on Streets/Roads/Rail Issues
  - a. Broad Street Enhancement Grant (Engineer to be present)
  - b. Community Development Block Grant Project
  - c. Road Program and applying for grant monies
  - d. Noise mitigation measures at grade crossings.
7. Update Re: Farmers' Market
8. Discussion: Required corrective action measures Re: 2003 Audit report
9. Review of checklist for site plan and sub division applications
10. Update Re: Smart Growth Grant
11. Redevelopment Suggestions-Mrs. Alls-Moffatt and Mr. Gilmore
12. Requirement by the State of a dog and cat census
13. Update and recommendations from the Parking Committee
14. Preliminary Agenda for May 12
  - Review of 2003 Audit Report-Auditor will be present
  - Res. Acknowledging review of 2003 audit
  - 2<sup>nd</sup> reading & Public Hearing on 2004 Municipal Budget-Auditor will be present
  - 2<sup>nd</sup> reading & Public Hearing on Bond Ordinance 4-04
  - 2<sup>nd</sup> reading & Public Hearing on 2004 Salary Ordinance
15. Res. To go into closed session (Personnel & Litigation)-Smyth
16. Return to public session
17. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
MAY 12, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Minutes from April 7, April 14 and closed session minutes from April 7 and April 14
5. Treasurer's and Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Recycling & Environmental Commission-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement & Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree-Dr. Daniel
7. Old Business  
Farmers' Market
8. New Business  
Public Hearing on the 2004 Municipal Budget (Auditor present)  
Res. To adopt the 2004 Municipal Budget-Mr. Smyth  
Res. Certification of Chief Financial Officer regarding 2004 Municipal Budget  
Review of 2003 Audit Report (Auditor Present)  
Res. Pertaining to the 2003 Audit Report-Mr. Smyth

**Second reading & Public Hearings on the following Ordinances**

- Ord. 4-04 Amending Bond Ordinance 4-02-Mr. Smyth  
Ord. 5-04 2004 Salary Ordinance-Mr. Smyth

**Consent Agenda-Mayor Martin**

- Res. Authorizing Corrective Action report for 2003 Audit  
Res. Authorizing Remington, Vernick & Arango to apply for a road grant  
Res. Requesting the Bridge Commission to approve plans submitted by  
Richard A. Alaimo, Associates for parking on Broad Street

9. Correspondence
10. Meeting open to the public
11. Res. To go into Closed Session-(Personnel)-Mr. Cesaretti
12. Return to public session
13. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
WORK SESSION  
JUNE 2, 2004**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Update Re: Possible acquisition of the Post Office
5. Discussion: suggested redevelopment plan submitted by Mr. Gilmore and  
And Mrs. Alls-Moffatt
7. Update Re: Farmers' Market
8. Review of bids received for the Fire Ladder Truck
9. Discussion: possibly authorizing Dante Guzzi, Associates to advertise for bids for  
work to be done on Homewood Drive, Second Street and Cinnaminson Street
10. Discussion: Possible amendments to Chapter 123 of the Borough Code  
Pertaining to Vehicles and Traffic
11. Discussion: Municipal Cross-acceptance representatives and required resolution
12. Discussion: Possible application to the Municipal Aid Program for Local Bikeway  
And Safe Street to School Programs
13. Discussion: The Domestic Partnership Act which becomes law on July 10
14. Discussion: Registration and room reservations for the League Conference in  
In Atlantic City on November 16, 17, 18 & 19
15. Summer personnel for Park Programs
16. Preliminary agenda for June 9  
Short presentation made by Gary Dean of the New Jersey American Water Co.
17. Meeting open to the public-(5 minute time limit per person)
18. Res. To go into Closed Session-Negotiations-Mr. Smyth
19. Return to public session
20. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
JUNE 9, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Notice Statement-Mayor Martin
4. Minutes from May 5 and May 12
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Recycling & Environmental Commission-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement and Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree/Human Services-Dr. Daniel
7. Old Business
8. New Business
  - First Reading on the following Ordinances—Public Hearings on July 14**
  - Ord. 6-04 Amending Chapter 26, Article 10 regarding fees to be charged for Public records-Mr. Smyth
  - Ord. 7-04 Amending Chapter 123, Article VIII, Schedule IV to add additional parking limitations and to repeal the restrictions on other locations-Mr. Cesaretti
  - Ord. 8-04 Amending Chapter 123, Section 27.1 to add an additional location within the Borough for disabled parking and to repeal an existing location for disabled parking-Mr. Cesaretti
  - Res. 66-04 Hiring park personnel for the 2004 summer programs-Mr. Gilmore
  - Res. 67-04 Appointing officials to serve as Cross-Acceptance representatives-Mr. Smyth
9. Correspondence
10. Redevelopment Discussion-Tom Coleman, Redevelopment Solicitor and David Gerkens, Planner will be present
11. Meeting open to the public (Five minute limit per person)
12. Res. 68-04 To go into closed session-(Personnel &Contract Neg.) Mr. Cesaretti
13. Return to public session
14. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
WORK SESSION  
JULY 7, 2004**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Presentation from Gary Dean of New Jersey American Water Company
5. Review of bids received for Homewood Drive, Second Street and Cinnaminson Street
6. Renewal of Memorandum of Understanding with the County's Housing Rehabilitation Program
7. Borough Notary Issues-Recommendation from the Solicitor
8. Possible Resolutions: (a) Supporting Local Authority to Protect Public Health Through Regulation of Smoking, (b) Supporting Statewide Smoke free Air Legislation that Preserves Local Authority to Protect Public Health
9. Purchase Order Discussion
10. Redevelopment sub-committee report-Mr. Gilmore
11. Commercial Property Maintenance Code Discussion-Mrs. Alls-Moffatt
12. Review of draft Ordinance Re: Check list requirements for site plan and Sub-division applications
13. Preliminary agenda for July 14  
Second reading and public hearings on the following Ordinances  
Amending Chapter 26 Re: Schedule of fees  
Amending Chapter 123 Re: Additional parking limitations and to repeal Restrictions on other locations  
Amending Chapter 123 Re: To add an additional location for disabled Persons parking and to repeal an existing location for disabled Persons parking
14. Meeting open to the public (five minute limit per person)
15. Res. To go into closed session-Personnel & Litigation-Mr. Smyth
16. Return to public session
17. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
JULY 14, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from June 2, June 9 and closed session minutes from May 5, & May 12,
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Environmental Commission, Recycling  
And Municipal Court-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement,  
Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree & Human Services-Dr. Daniel
7. Old Business
8. New Business
  - Second reading & Public hearings on the following Ordinances:**
  - 6-04 Amending Chapter 26 Re:Schedule of Fees-Mr. Smyth
  - 7-04 Amending and repealing Chapter 123, Article VIII, ScheduleVII  
To add additional parking limitations and to repeal the restrictions  
On other locations-Mr. Cesaretti
  - 8-04 Amending and repealing portions of Chapter 123 Section 17.1 Schedule  
VA to add an additional location within the Borough for disabled persons  
Parking and to repeal an existing locations for disabled persons  
Parking-Mr. Cesaretti
  - Consent Agenda-Mayor Martin**
  - Res. 75-04 Limiting the notarization of documents by Borough Office Personnel
  - Res. 76-04 Supporting Statewide Smoke Free Air Legislation that Preserves  
Local Authority to Protect Public Health
9. Correspondence
10. Meeting open to the public (five minute limit per person)
11. Res. 77-04 To go into closed session-Contract Negotiations-Mr. Smyth
12. Return to public session
13. Adjournment



**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
WORK SESSION  
AUGUST 4, 2004**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Financial Issues:
  - a. approval & execution of required certificates  
Re: renewal of Bond Anticipation Note
  - b. Tax Bills-extending the grace period for August payments
5. Update Re: 2004 Community Development Block Grant Program
6. Review of the following draft Ordinances:  
Checklist requirements for site plan and sub-division applications  
Making required appointments to the Environmental Commission consistent  
With state statutes
7. Announcement that Borough Code book has been placed online:  
**[www.generalcode.com](http://www.generalcode.com)**
8. Review of correspondence from Congressman Rob Andrews Re: Riverton  
resident's complaint of the horn blowing at the grade crossings
9. Discussion: COAH liaison
10. Redevelopment sub-committee report-Mr. Gilmore
11. Discussion: Possible application for the Statewide Livable Communities Grant  
Municipal Capital Improvement Projects
12. Preliminary agenda for August 11
13. Meeting open to the public (five minute limit per person)
14. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
AUGUST 11, 2004**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Minutes from July 7, July 14 and closed session minutes from June 2, June 9,  
July 7 and July 14
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Recycling, Environmental Commission and  
Municipal Court-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement and  
Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree/Human Services-Dr. Daniel
7. Old Business
8. New Business
  - First reading on the following Ordinances: Public Hearings on September 8**
  - Ord. 9-04** Amending Chapter 22, Article 1 of the Riverton Code creating a  
uniform checklist for submission requirements for various applications to the  
Planning Board-Mrs. Alls- Moffatt
  - Ord. 10-04** Amending Chapter 12 of the Riverton Code to provide for the  
Mayoral appointment of members of the Riverton Environmental Commission  
and designation of its chairman-Mr. Gilmore

Mayoral appointment to the Architectural Review Committee (filling an  
unexpired term)
9. Correspondence
10. Meeting open to the public (five minute limit per person)
11. Redevelopment Discussion-Tom Coleman, Redevelopment Solicitor present
12. Res. To go into closed session (Litigation) Mr. Smyth
13. Return to public session
14. Adjournment

**BOROUGH OF RIVERTON  
PRELIMINARY AGENDA  
WORK SESSION  
SEPTEMBER 1, 2004**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Streets & Roads Issues:
  - a. Update Re: Livable Communities Grant Application
  - b. Required Resolution to include Municipal Stormwater Grant (\$6882.00) in 2004 Municipal Budget
  - c. Correspondence from Alaimo Associates Re: Broad Street Parking Proposal
5. Recommendation from Finance Committee Re: Purchase Order System
6. Update Re: Cross Acceptance Meeting
7. Smart Growth Grant: Review of draft letter requesting permission from the State to utilize these funds for redevelopment purposes
8. Resolution authorizing unused zoning escrow refund for Mr. & Mrs. Walch
9. Possible Resolution urging the NJ Legislature to strengthen the balanced budget Provision of the State Constitution
10. Preliminary agenda for September 8
  - Second reading and public hearings on the following ordinances
  - 9-04 creating a uniform checklist for applications to the Planning Board
  - 10-04 providing for the Mayoral appointment of the members of the Environmental Commission and designation of its chairman
11. Meeting open to the public (five minute limitation per person)
12. Adjournment

**BOROUGH OF RIVERTON**  
**AGENDA**  
**SEPTEMBER 8, 2004**  
**7:00PM**

1. Meeting called to order
2. Salute to the Flag and a moment of silence in memory of Anna May Whitelock,  
former Municipal Clerk for the Borough of Riverton
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from August 4, August 11 and Closed Session Minutes from  
August 4 and August 11
5. Treasurer's and Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Environmental Commission, Recycling  
and Municipal Court-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement and  
Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree/Human Services-Dr. Daniel
7. Old Business  
Smart Growth Grant: Review of Draft letter requesting permission from the State  
to utilize these funds for redevelopment purposes
8. New Business  
**Second reading and public hearings on the following ordinances**  
9-04 Creating a uniform checklist for applications to the Municipal  
Planning Board-Mrs. Alls-Moffatt  
10-04 Providing for the Mayoral appointment of the members of the  
Environmental Commission and designation of its chairman-Mr. Gilmore  
  
Res. 88-04 Urging the NJ Legislature to strengthen the balanced budget provision  
of the State Constitution-Mr. Smyth
9. Correspondence
10. Meeting open to the public (five minute limitation per person)
11. Res. 89-04 To go into closed session (Personnel & Litigation)
12. Return to public session
13. Adjournment

**BOROUGH OF RIVERTON  
AGENDA  
WORK SESSION  
OCTOBER 6, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Notice Statement-Mayor Martin
4. Discussion: review of specifications for a Shade Tree Contractor (current contract Expires on December 31, 2004)
5. Res. 90-04 Requesting the approval of the Director of the Division of Local Government Services for the insertion of a special item of revenue in the 2004 Municipal Budget Re: Assistance to Firefighters Grant
6. Update: Contractual payments for the new fire truck
7. Motion to approve Sacred Heart Church's request to hold raffles
8. Discussion: Proposed & Revised Development Fee Ordinance (drafted by Planner)
9. Discussion: Redevelopment
10. Update Re: Cross Acceptance Meeting
11. Discussion: Possible Noise Ordinance (with pre-approved language for the State of New Jersey)
12. Update: Newsletter
13. Preliminary agenda for October 13<sup>th</sup>
14. Meeting open to the public (five minute limit per person)
15. Res. To go into Closed Session (Contract Negotiations & Litigation)-Villari
16. Return to public session
17. Adjournment

**BOROUGH OF RIVERTON**  
**AGENDA**  
**OCTOBER 13, 2004**  
**7:00pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from September 1, September 8 and closed session minutes from September 8
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Environmental Commission, Recycling & Municipal Court-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement, Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree/Human Services-Dr. Daniel
7. Old Business
8. New Business
  - Res. Approving the Shade Tree specifications and authorizing the advertisement for the receipt of bids for a Shade Tree Contractor for 2005 & 2006-Dr. Daniel
9. Correspondence
10. Meeting Open to the public (five minute limit per person)
11. Redevelopment discussion (Tom Coleman, Esquire will be present)
12. Res. To go into closed session (Litigation & Contract Negotiations)
13. Return to public session
14. Adjournment

**BOROUGH OF RIVERTON  
AGENDA  
WORK SESSION  
NOVEMBER 3, 2004  
6:30PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Public comment regarding the Broad Street Enhancement Grant (from Lippincott to Cinnaminson Street) Dante Guzzi, Engineer will be present
5. Resolution 97-04: Change Order No.1 Re: 2004 Road Program-Villari
6. Discussion: Possible reassessment of all properties in Riverton (County Tax Administrator, Lawrence Vituscka and Borough Tax Assessor, Tom Davis will be present
7. Discussion: Planner's proposed revisions to Development Fee Ordinance and recommendation from Planning Board
8. Mayoral appointment to the Planning Board
9. Discussion: Possible Attendance Policy for Boards and Commissions
10. Discussion: Giving the Finance/Admin. Committee permission to review and recommend proposed capital expenditures prior to Council's final approval
11. Update Re: Possible Noise Ordinance
12. Discussion: Possible Stream Corridor Protection Ordinance
13. Meeting open to the public (five minute limit per person)
14. Preliminary agenda for November 10th  
Review of Draft Redevelopment Plan-Tom Coleman, Esq. will be present
15. Res.98-04 To go into closed session (Contract Negotiations & Personnel)
16. Return to public session
17. Adjournment

**BOROUGH OF RIVERTON**  
**AGENDA**  
**NOVEMBER 10, 2004**  
**7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from October 6 and October 13
5. Treasurer's & Finance Committee Reports-Mr. Smyth
6. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Park, Recreation, Recycling Environmental Commission  
and Municipal Court-Mr. Gilmore
  - c. Public Works/Sewer-Mrs. Villari
  - d. Zoning, Planning, Code Enforcement & Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree & Board of Health-Dr. Daniel
7. Old Business
  - Recommendation from Planner Re: Possible establishment of a Stream  
Corridor Ordinance
8. New Business
  - First reading on the following Ordinance (Public Hearing 12/8/04)**  
11-04 Amending Chapter 128 of the Borough Code regarding Development  
Fees-Mrs. Alls-Moffatt
  - Res. 100-04 Setting forth an attendance policy for Boards and  
Commissions-Mrs. Villari
9. Correspondence
10. Review of "Draft" Redevelopment Plan-Tom Coleman, Esq. present
11. Adjournment



**BOROUGH OF RIVERTON  
WORK SESSION PRELIMINARY AGENDA  
DECEMBER 1, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Recommendation from Solicitor and Shade Tree Commission Re: Shade Tree Contractor for 2005 & 2006
5. Update Re: Broad Street Enhancement Grant
6. Discussion: Proposed attendance policy for members of Boards and Commissions
7. Setting day and time for 2005 reorganization meeting
8. Setting days and times for 2005 Council meetings
9. Professional Service Appointments for 2005
11. Setting Holiday luncheon date and holiday schedule
12. Discussion: To review and update current employee handbook
13. Request from Councilwoman Alls-Moffatt to send a letter to all residents
14. Preliminary agenda for December 8  
Second reading & public hearing on development fee revision ordinance  
Transfer Resolution
- 15 Meeting open to the public (five minute limit per person)
16. Res. To go into closed session (Personnel)
17. Return to public session
18. Adjournment

**BOROUGH OF RIVERTON  
AGENDA  
DECEMBER 8, 2004  
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Publicly recognizing Mark C. Zagunis for the masonry restoration work done at the War Memorial
5. Minutes from November 3, November 10 and closed session minutes from October 6, October 13 and November 3
6. Treasurer's & Finance Committee Reports-Mr. Smyth
7. Committee Reports
  - a. Public Safety-Mr. Cesaretti
  - b. Parks, Recreation, Recycling, Environmental Commission and Municipal Court-Mr. Gilmore
  - c. Public Works/Sewer
  - d. Zoning, Planning, Code Enforcement & Redevelopment-Mrs. Alls-Moffatt
  - e. Shade Tree/Board of Health & Local Assistance-Dr. Daniel
8. Old Business
  - a. Recommendation from Shade Tree Commission & Solicitor Re: Shade Tree Contractor for 2005 & 2006
  - b. Draft Resolution expressing opposition to the Routing of the Heritage Trail in Riverton's Residential Neighborhood
9. New Business

**Second reading and public hearing on the following ordinance:**  
11-04 Development fee revisions-Mrs. Alls-Moffatt

Res. 108-04 Transfer Resolution-Mr. Smyth  
Res. 109-04 Setting forth an attendance policy for Boards & Commissions-Mrs. Villari
10. Correspondence
11. Meeting open to the public (five minute limit per person)
12. Res. 110-04 To go in closed session (Litigation)-Mrs. Alls-Moffatt
13. Return to public session
14. Adjournment

January 7, 2004

The 2004 Reorganization Meeting of the Riverton Borough Council was held on the above date. Outgoing Mayor Bruce M. Gunn called the meeting to order.

**PRESENT:** Councilmembers Smyth, Gilmore Cesaretti, Alls-Moffatt, Mayor-Elect Robert Martin, Councilmember-Elect Laurie Villari and Councilmember-Elect Joseph N. Daniel

Outgoing Mayor Gunn read the following statement:

The Municipal Clerk has given public notice of this meeting, pursuant to the Open Public Meetings Act in the following manner:

(a) Having written notice published in the Burlington County Times on December 28, 2003

(b) Posting written notice on the official bulletin board on December 19, 2003

Outgoing Mayor Bruce Gunn introduced the Rev. Dr. Frank K. Jago who gave the invocation.

Bruce M. Gunn, Esquire administered the Oath of Office to Robert Martin as Mayor of the Borough of Riverton. Mayor Martin gave a short thank you speech.

Bruce M. Gunn, Esquire administered the Oath of Office to Laurie Villari as a member of Borough Council. Mrs. Villari gave a short thank you speech.

Katy O'Connor, Esquire administered the Oath of Office to Dr. Joseph N. Daniel as a member of Borough Council. Dr. Daniel gave a short thank you speech.

At this time Mayor Martin asked for nominations for President of Council. Mr. Cesaretti nominated Mr. Smyth. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore nay, Mr. Cesaretti aye and Mrs. Alls-Moffatt nay.

The 2004 Borough Council Committee Appointments was deferred until next week's Council meeting.

At this time presentations and proclamations were presented to outgoing Mayor Bruce M. Gunn, outgoing Council member Clara Ruvolo and outgoing Council member Christine Nociti (who was unable to attend this meeting). Both Mr. Gunn and Mrs. Ruvolo gave short thank-you speeches.

#### **NEW BUSINESS**

#### **CONSENT AGENDA-Mayor Martin**

#### **RESOLUTION 1-04**

#### **TEMPORARY BUDGET APPROPRIATIONS FOR THE YEAR 2004**

#### **(IN FULL IN RESOLUTION BOOK)**

#### **RESOLUTION 2-04**

#### **A RESOLUTION AUTHORIZING THE AWARDING OF CONTRACTS FOR PROFESSIONAL SERVICES**

#### **(IN FULL IN RESOLUTION BOOK)**

The following Professional Service appointments for the year 2004 were read by Mayor Martin:

Solicitor

Bruce M. Gunn, Esquire

Alternate Solicitor

Tom Coleman, Esquire

and Redevelopment Solicitor

Auditor

Inverso & Stewart

Special Counsel

(Dolecky/Horner Litigation)

William Wilkins, Esquire

Special Counsel (Police Matters)

Stephen Raymond, Esquire

Bond Counsel

Ron Ianoale, Esquire

Streets & Roads Engineer

Dante Guzzi, Associates

Wastewater Treatment Facility Engineer

James C. Anderson, Associates

Prosecutor

Mark Tarantino, Esquire

Substitute Prosecutor

Michael Mouber, Esquire

Public Defender

James Fattorini, Esquire

At this time Mr. Gilmore asked Council to consider the appointment of Remington, Vernick and Arango as the Borough's Consulting Engineer. Mr. Cesaretti concurred with Mr. Gilmore. Mayor Martin asked for a consensus from Council, who agreed with Mr. Gilmore's recommendation. The Consulting Engineer's appointment was added to Resolution 2-04.

**RESOLUTION 3-04**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY CONCERNING THE DESIGNATION OF DEPOSITORIES FOR BOROUGH ACCOUNTS**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 4-04**

**A RESOLUTION APPOINTING AN OFFICIAL NEWSPAPER OF THE BOROUGH OF RIVERTON**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 5-04**

**A RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES AND DELINQUENT SEWER**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 6-04**

**2004 BOROUGH APPOINTMENTS**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 7-04**

**A RESOLUTION APPOINTING AN ANIMAL CONTROL OFFICER FOR 2004**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 8-04**

**A RESOLUTION OF THE BOROUGH OF RIVERTON DESIGNATING AN EMPLOYEE TO SERVE AS THE PUBLIC AGENCY COMPLIANCE OFFICER FOR THE BOROUGH OF RIVERTON PURSUANT TO THE REQUIREMENTS OF P.L. C.127**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 9-04**

**A RESOLUTION ESTABLISHING CERTAIN FEES TO BE CHARGED PERSONS OBTAINING A STREET OPENING PERMIT**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 10-04**

**A RESOLUTION SETTING FEES FOR COPIES OF PUBLIC RECORDS PERTAINING TO THE BOROUGH OF RIVERTON**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 11-04**

**A RESOLUTION OF THE BOROUGH OF RIVERTON APPOINTING JOHN S. LATIMER OF THE WALTER S. BARCLAY AGENCY AS AGENT FOR THE SELECTIVE INSURANCE COMPANY FOR THE BOROUGH OF RIVERTON**

**FOR THE YEAR 2004**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 12-04**

**A RESOLUTION AUTHORIZING THE ADOPTION OF A CASH MANAGEMENT PLAN**

**(IN FULL IN RESOLUTION BOOK)**

Mr. Smyth moved that the above Consent Agenda be adopted. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 13-04**

**A RESOLUTION AUTHORIZING THE DAYS AND TIMES OF ALL COUNCIL MEETINGS FOR 2004**

**(IN FULL IN RESOLUTION BOOK)**

After a short discussion, it was the consensus of Council that the Council work sessions for 2004 be held on the 1<sup>st</sup> Wednesday of each month in the Municipal Building at 7:00pm. It was also the consensus that all Council regular meetings for 2004 be held on the 2<sup>nd</sup> Wednesday of each month in the Municipal Building at 7:00pm. The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Meeting open to the public-**There was no public comment at this time.

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

Mary Longbottom, RMC  
Municipal Clerk

January 14, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth, Gilmore, Cesaretti, Alls-Moffatt and Solicitor Bruce M. Gunn

Mayor Martin read the following statement:

The Municipal Clerk has given public notice of this meeting, pursuant to the Open Public meetings act, in the following manner:

(a) Having written notification of this meeting published in the Burlington County Times on January 9, 2004

(b) Posting written notice on the official bulletin board on January 6, 2004

The minutes from December 3, December 10 and closed session minutes from December 3 and December 10 were then presented. Mayor Martin asked for a motion to approve these minutes. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel abstained, Mrs. Villari abstained, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**TREASURER'S AND FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's and Finance Committee reports for the month of December 2003 be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye, and Mrs. Alls-Moffatt aye.

**PUBLIC HEARING ON 2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT-INSTALLATION OF HANDICAPPED RAMPS (DAN GUZZI, STREETS AND ROADS ENGINEER PRESENT) NOTICE OF THIS PUBLIC HEARING WAS PUBLISHED IN THE BURLINGTON COUNTY TIMES ON DECEMBER 28, 2003 AND WRITTEN NOTICE WAS POSTED ON THE OFFICIAL BULLETIN BOARD ON DECEMBER 22, 2003.**

Mrs. Villari provided an overview of what the Community Development Block Grant Program is. Mrs. Villari stated that the Borough's project would be the removal of architectural barriers and the installation of accessible sidewalk ramps at forty-one (41) locations throughout the Borough of Riverton. Council reviewed pictures of the proposed sites for this project. Mr. Guzzi reported that we estimate receiving approximately \$80,000.00 in funding for this project. Mr. Guzzi further stated that the Borough would have until September 30, 2005 to spend the grant money. Mr. Cesaretti asked why some of our cutouts do not meet the required guidelines. Mr. Guzzi provided detailed information as to what the new guidelines are. Mr. Cesaretti asked if the ramps to be installed at 4<sup>th</sup> and Cinnaminson and 4<sup>th</sup> and Linden were being done because of flooding issues. Mr. Guzzi responded that there is some ponding at these locations that represents a safety issue that needs to be addressed. Mr. Cesaretti asked if the grant included the drainage costs or just cutting out the curbs. Mr. Guzzi responded that it covers cutting out the curbs, doing asphalt repair, doing the sidewalk work and the barrier free ramp behind the curb. Mr. Cesaretti asked if this project would make the Borough officially ADA compliant. Mr. Guzzi responded that we are limited by what we can utilize this grant money for. This project represents basically the one area where we can apply for funding. **Bob Smyth, 1 Bank Avenue** asked if we could use this grant money to maintain the area at Bank and Linden Avenues. Mr. Smyth stated that this area is a disaster. Mr. Guzzi responded that because of Riverton's socio-economic makeup, the only thing we are permitted to use this money for is barrier free accessibility type of improvements. Dr. Daniel asked if the grant would include public sidewalks that are in disrepair. Mr. Guzzi responded that that is not considered an architectural barrier.

There being no further comment on this project, Mayor Martin closed the public hearing.

**RESOLUTION 14-04**  
**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF**  
**RIVERTON AUTHORIZING THE SUBMISSION OF ITS 2004 COMMUNITY**  
**DEVELOPMENT BLOCK GRANT APPLICATION**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read in full by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Chief Norcross did not submit a police report for the month of December 2003.

The Court Administrator submitted the following report for the month of December. There were 32 traffic tickets issued-1 for parking, 28 traffic other and 3 DWI. There was 1 criminal charge filed, 0 summons, 1 warrant and 0 Local Ord. The total receipts for the month amounted to \$8886.00. The total disbursed to Riverton amounted to \$4869.60.

The Animal Control Officer submitted the following report for the month of December 2003. The town was canvassed throughout the month, and two stray animals were removed.

**PARK, RECREATION, RECYCLING &**

**ENVIRONMENTAL COMMISSION-Mr. Gilmore**

Mr. Gilmore reported that he has received a proposal from Automatic Lawn Systems for the placement of an irrigation system on the little league field. The estimated costs are between \$1,500.00 to \$2,000.000. Mr. Gilmore is not sure whether this would come out of the Parks and Recreation budget or if it should be capitalized. Mr. Gilmore will be checking with our auditor on this issue. Mr. Gilmore further stated that he is interested in finding out what it would cost to install a watering system along the tracks from our rail station to Palmyra. Mr. Gilmore estimates it might cost around \$15,000.00. Mr. Gilmore would also like to secure drawings and discuss this issue further during the budget process. Mr. Gilmore would also like to look into the possibility of obtaining a grant in the future to continue the promenade from Main to Cedar Streets.

**PUBLIC WORKS/SEWER-Mrs. Villari**

Mrs. Villari reported that she met with Consulting Engineer Rick Arango to discuss a future road program. Mrs. Villari reviewed a list of streets that need to be addressed that was provided by Public Works Manager, Scott Reed. Mrs. Villari reported that we would attempt to obtain grant money for this program. Mr. Arango indicated that the grants from the Department of Transportation are coming in at approximately \$100,000.00 to \$200,000.00. Mrs. Villari requested that Council authorize Mr. Arango to move forward and provide cost estimates on the streets to be overlaid and/or reconstructed. After a short discussion, it was the consensus of Council to agree to this suggestion.

**RESOLUTION 19-04**  
**A RESOLUTION AUTHORIZING THE ENGINEERING FIRM OF**  
**REMINGTON, VERNICK AND ARANGO TO PREPARE COST ESTIMATES**  
**FOR A PROPOSED ROAD PROGRAM FOR THE BOROUGH OF RIVERTON**  
**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**PLANNING, ZONING AND CODE ENFORCEMENT-Mr. Smyth**

Mr. Smyth reported that the Planning Board will be holding a public hearing on the proposed Commercial Property Maintenance Code on January 20<sup>th</sup> at the Riverton

Public School Media Center. The Board's meeting will start at 7:30pm. Mr. Smyth reported that, to date, we do not have a replacement for the Code Enforcement/Zoning Officer. .

**SHADE TREE-No report**

**HUMAN SERVICES-Mr. Smyth**

Mr. Smyth read a report submitted by Welfare Director Florence Klein. There were two clients on the rolls. Mrs. Klein continues to take various seminars and training sessions.

**OLD BUSINESS**

**HERITAGE TRAIL ISSUE**

Mrs. Alls-Moffatt asked that Council consider rescinding the previous resolutions supporting the Heritage Trail. Mr. Gilmore stated that presently the trail is not under any government agency. Mr. Gilmore stated that if Council does not wish the Heritage Trail to go along the river, then a Resolution should be done that spells out what Council's intentions are. Mr. Gilmore stated that we should inform the proper people that we would accept a trail along Broad Street. Mr. Gilmore reiterated his position that he does not feel we should rescind the previous Heritage Resolutions. Council should merely be selective of where it goes. Mrs. Alls-Moffatt was of the opinion that Council should rescind the two previous Heritage Trail Resolutions. Mrs. Alls-Moffatt stated that Council could then consider doing a new resolution which would specifically state where we want the trail to go.

**RESOLUTION 20-04**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
RIVERTON RESCINDING PRIOR HERITAGE TRAIL RESOLUTIONS  
NUMBERS 36-98 AND 39-00**

**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Alls-Moffatt, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore nay, Mr. Cesaretti nay and Mrs. Alls-Moffatt aye.

**NEW BUSINESS**

**RESOLUTION 15-04**

**TRANSFER RESOLUTION**

**(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 Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 16-04**

**A RESOLUTION AUTHORIZING THE SOLICITOR OF THE BOROUGH OF  
RIVERTON TO FILE APPEALS, OMITTED AND ADDED ASSESSMENT  
APPEALS, AND ROLLBACK COMPLAINTS WITH THE BURLINGTON  
COUNTY BOARD OF APPEALS**

**(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. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 17-04**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SOLID  
WASTE CONTRACT WITH THE BURLINGTON COUNTY FREEHOLDERS  
FOR THE CONTINUATION OF RECYCLING AND SOLID WASTE DISPOSAL  
SERVICES FOR THE CALENDAR YEAR 2004**

**(IN FULL IN RESOLUTION BOOK)**



The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **RESOLUTION 18-04**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LEASE AGREEMENT WITH THE RIVERTON FIRE COMPANY, INC. FOR THE YEARS 2004 AND 2005 (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. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **SETTING THE DAYS AND TIMES FOR 2004 BUDGET WORK SESSIONS**

This matter was deferred until the Borough Council committee assignments are finalized.

#### **SHARED SERVICES SUMMIT (REQUESTED ATTENDANCE BY REPRESENTATIVES OF COUNCIL)**

Mr. Smyth provided an overview of the significant Shared Services contributions for Council's information. Mrs. Alls-Moffatt volunteered to attend this summit on Thursday, January 22, 2004 at the Burlington County Eco-Center in Mansfield Township.

#### **CORRESPONDENCE**

Mrs. Villari reviewed a recent letter from Pam Reid of Homewood Drive with Council. Ms. Reid is very concerned about drainage problems on Homewood which causes water to accumulate in the street and to back up into Mrs. Reid's driveway and yard. Mrs. Villari commented that our Public Works Manager has discussed this issue with Ms. Reid. This is one of the streets that might be considered in our proposed road program this year. Council will be kept informed.

#### **MEETING OPEN TO THE PUBLIC**

**Donna Tyson, 206 Carriage House Lane**, is thankful that the Heritage Trail Resolutions were rescinded. Ms. Tyson is concerned what the implications would be if we commit to the trail along Broad Street. She raised concern that this potential change in the route could possibly mean that the owners of the rail line might place a 6' fence along the tracks to prevent liability from the trail running along Broad Street.

Ms. Tyson inquired as to how the irrigation is done at the park fields. Mr. Gilmore responded to Ms. Tyson query. Ms. Tyson asked if we investigated the placement of a well at the park as an alternate to saving money. Mr. Gilmore responded that there is adequate water coming out of the irrigation system from public water. Regarding the possible installation of an irrigation system along the tracks, Ms. Tyson stated that she would be opposed to this for liability reasons. She does not believe the Borough should either install or maintain anything along the railroad right of way.

Ms. Tyson asked for an explanation on Resolution 17-04. Mr. Smyth responded that this contract was for the landfill and recycling fees.

**Gene Bandine, 522 Main Street**, raised concern about the maintenance of the railroad right-of way in terms of cutting the grass and the removal of snow along the promenade. Mrs. Alls-Moffatt asked if there is a schedule for plowing, mowing, etc. by the railroad. Chief Norcross commented that employees of the light rail do it every two weeks and then our Public Works Department comes in. The Solicitor stated that we should get some agreement with light rail if we want to extend the promenade. The Solicitor further stated that we should be very careful about doing anything on the railroad's property before discussing it with them. Dr. Daniel thinks we should hold the railroad responsible for maintaining the areas mentioned at a standard that we want our town to have. However, Mr. Bandine expressed concern that if you put pressure on light rail to maintain the grass, they will use a soil fertilizer that will adversely affect our trees. We should be

cautious about doing this. Mr. Gilmore and Alls-Moffatt stated that they would take the maintenance issue up with light rail to determine if a cutting schedule can be developed. Mr. Cesaretti stated that the right of way and the promenade are the private property of the rail line and there are limits as to what we can do. Mr. Cesaretti expressed concern that if we hound the rail people they will just come in and remove everything that was recently planted along the right of way. Mr. Cesaretti feels that if the Public Works Department can pick up the maintenance every other week, it is in the town's best interest to do so.

**Michael Heine, 206 Carriage House Lane**, stated that he believes serious mistakes have been made regarding improvements along the right of way; i.e. planting of trees and shrubs. Mr. Heine believes that the Borough needs guidance in this regard. This matter needs to be referred to our Solicitor so that he can identify what the light rail contractor's responsibility is regarding maintenance.

Mr. Heine stated that the present lighting at the rail station is a major problem. It is both a nuisance and obnoxious. Mr. Heine believes that the Borough should authorize our Engineer to measure lumens at that area. Chief Norcross stated that the present light bulbs on the large 20-foot poles would be changed to orange high-pressure sodium. This should reduce the lighting at the rail station. Chief Norcross reported that a safety net has been placed at the rail station. This was done to prevent any children from getting under the platform. Chief Norcross further reported that work is being done on the traffic lights, which should now be operated by two cameras on top of the poles.

Mrs. Alls-Moffatt asked the Solicitor if we had anything in writing from the rail people regarding the maintenance of the trees and shrubs that were planted. Mr. Gunn responded he didn't recall anything in writing. Mrs. Villari asked our Public Works Manager for his maintenance schedule regarding the plants and trees along the railroad right of way and also the promenade area. Mr. Reed reported that when the rail people don't maintain those areas, his Department does. Mr. Reed stated that he wants those areas to look nice. Mrs. Villari asked Mr. Reed if there was anything in writing about the maintenance. Mr. Reed responded that he did not think so. Mr. Reed stated that he has sent his staff to a safety seminar so that the areas in question could be cut once every two weeks. Mr. Reed further commented that he thought New Jersey Transit was going to maintain the areas in question once a month.

**Bernie O'Reilly, 200 Lippincott Avenue**, stated that the maintenance issue might be found in the contractor's bid specification package for the construction of the rail line.

Mrs. O'Reilly reminded those present that the Planning Board would be holding a public hearing on Tuesday, January 20 on the proposed Commercial Property Maintenance Code. The Board's meeting will be held at the Riverton Public School Media Center at 7:30pm. Copies of this proposed ordinance are available on the Borough's website as well as at Borough Hall.

Regarding the possibility of relocating the Heritage Trail route to Broad Street, Mrs. O'Reilly strongly urged no action be taken until this is investigated completely. We need to determine who will assume responsibility for any injuries. Mrs. O'Reilly stated that since Mrs. Villari works part-time for the Borough's insurance agency, did she know if there is wording in our policies that pertain to potential liability issues regarding the Heritage Trail and the maintenance issues along the rail property discussed tonight. Mrs. Villari responded that this would need to be checked out. Mrs. O'Reilly then asked why no safety report was read by Mr. Cesaretti. Mr. Cesaretti reported that the Chief did not submit the report this month. The Chief responded that it was half done. Mrs. O'Reilly believes this information should be available to the public. She would also like to see this information placed on our website report this week.

**Joan Novatasky, Cinnaminson Township Resident**, expressed concern, once again, that the owners of the restaurant on Howard Street have not complied with certain conditions listed in their approved Site Plan application Resolution. Ms. Novatasky has spoken on numerous occasions with the Code Enforcement Officer/ Zoning Officer as

well as his assistant, but the issues do not get addressed. Mrs. Alls-Moffatt commented that she would take this matter up with the Borough officials to determine why the issues raised by Ms. Novastaky have not been addressed and enforced.

Ms. Novatasky asked what is being done about Robert Stelling's property at 519 Howard Street. Chief Norcross reported that Mr. Stelling recently appeared in court and was ordered to clean up his property by the next court date (February 10<sup>th</sup>).

**Bernard Swiderek, 305 Carriage House Lane**, inquired as to the status of the riverwall issue and what was being done. Mayor Martin commented that since this was a litigation matter, that Council would be discussing this in closed session tonight.

**Tom McAvenia, 802 Main Street**, believes that the residents of our town should be afforded the opportunity to voice their opinions before any new re-routing of the Heritage Trail is considered. Mr. McAvenia believes it would be a benefit of this Council to determine just what the County's involvement is regarding the Heritage Trail.

**Michael Heine, 206 Carriage House Lane**, commended Council for rescinding the Heritage Trail Resolutions. Mr. Heine does not believe that Broad Street should be an alternate route for the trail. Mr. Heine believes that any new resolution on the trail should include wording to the County that informs them that Riverton is against the routing of this trail through our residential areas east and west of Broad Street. This should also be expressed to the Delaware Valley Regional Planning Commission.

Mr. Heine stated that there is an immediate threat of irreparable harm along Bank Avenue. The erosion of the Horner property is within 10 to 12 feet of the road. This must be addressed. Mr. Heine urged Council to empower the Solicitor to make application for appropriate injunctive relief that would compel that property owner to make necessary improvements. Mr. Heine further stated that if the property owner refuses, we should ask the Court that if Riverton makes those improvements, those expenses would get charged against that property.

Mr. Heine urged the public to come out to the public hearing on the Proposed Commercial Property Maintenance Code. Mr. Heine urged Council to endorse this Ordinance.

**Nancy Washington, 201 Main Street**, stated that there are polluted private wells in town. This problem needs to be addressed. She urged Council to be proactive regarding this issue.

**Bernie O'Reilly, 200 Lippincott Avenue**, inquired as to why formal action can be taken at work session. Mr. Smyth responded that Council is permitted to take action at any meetings, so long as that fact is duly advertised.

Regarding the Dolecky/Horner litigation, Mrs. O'Reilly believes that even though Judge Sweeney placed a moratorium on citing the two property owners, she is of the opinion we should continue to do so.

**Gene Bandine, 522 Main Street**, stated that there is no enforcement of the 2 hour parking limit at Broad & Main Street, that the traffic continually backs up at the Post Office and the length of time for the light to change at Broad and Main Street is too long. Chief Norcross stated that he would be contacting the County Engineer's Office regarding the parking issue.

**Donna Tyson, 206 Carriage House Lane**, asked if there is an override in place for emergency vehicles to cross over at the grade crossings. Chief Norcross responded no.

#### **RESOLUTION 21-04**

#### **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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel

aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that personnel and litigation will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **RESOLUTION 22-04**

#### **A RESOLUTION AUTHORIZING THE BOROUGH'S SPECIAL SOLICITOR TO ENGAGE IN MEDIATION OF THE DOLECKY-HORNER LITIGATION (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **2004 BOROUGH COMMITTEE ASSIGNMENTS**

Mayor Martin read the following committee assignments for 2004: **Finance & Administration** –Smyth, Alls-Moffatt & Daniel, **Park, Recreation, Environmental Commission and Recycling**-Gilmore, Daniel & Villari, **Public Safety, Fire Animal Control and Parking**-Cesaretti, Alls-Moffatt & Smyth, **Public Works & Wastewater Treatment Facility**-Villari, Gilmore & Cesaretti, **Shade Tree, Human Services and Board of Health**-Daniel, Cesaretti & Villari, **Zoning, Planning, Code Enforcement & Redevelopment**-Alls-Moffatt, Smyth & Gilmore, **Court Liaison**-Smyth and **July 4<sup>th</sup> Committee Liaison**-Villari. Mr. Smyth moved that these committee assignments for 2004 be approved. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **DISCUSSION: POSSIBLE APPOINTMENT OF ANOTHER CONSULTING ENGINEER**

Mrs. Villari reviewed information received from Alaimo Associates with Council. Mrs. Villari suggested that Council consider the appointment of Alaimo Associates as another Consulting Engineer. After a short discussion, it was the consensus of Council to agree to this.

#### **RESOLUTION 23-04**

#### **A RESOLUTION AUTHORIZING THE AWARDING OF A CONTRACT FOR PROFESSIONAL SERVICES TO RICHARD A. ALAIMO, ASSOCIATES AS AN ADDITIONAL CONSULTING ENGINEER FOR THE BOROUGH OF RIVERTON FOR THE YEAR 2004 (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

February 4, 2004

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

**PRESENT:** Council members Daniel, Villari, Gilmore (left the meeting at 8:45pm), Cesaretti, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council member Smyth

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

**Meeting open to the public**

**Glenn Smyth, 201 Howard Street**, raised concern, once again about an ongoing sewer problem at his home. Mr. Smyth previously brought this matter to Council's attention at their December 10 meeting. Mr. Smyth reported that a camera was sent down the line and major build up was found and roots were removed. Mr. Smyth stated that the Borough's sewer engineer was to review the tape. Mr. Smyth asked for an update regarding this problem. After a short discussion, Mrs. Villari stated that she would review this issue with our Public Works Manager and Sewer Engineer and report back to council next week.

Mr. Smyth raised concern regarding the handicapped ramp at the intersection of Howard and Second Street. Mr. Smyth stated that the Water Company recently did their paving at this location, causing this area to have poor drainage. Mrs. Villari commented that this ramp may be earmarked to be re-done as part of our Community Development project.

**Bernadette Wilmot, 207 Linden Avenue**, raised concern about the Planning Board's proposed Commercial Property Maintenance Code. Ms. Wilmot is adamantly opposed to it for various reasons. Ms. Wilmot also stated that she feels it is completely redundant to what is already on our books. She believes that the proposed new code would be open to anyone's interpretation, which would not be acceptable. Ms. Wilmot asked if Council had initiated the Board's work on this new code. Mr. Gilmore responded no.

**Fred DeVece, 700 Cedar Street**, agrees with Ms. Wilmot about this ordinance. Mr. DeVece commented that he was also under the impression that Council had asked the Planning Board to work on this ordinance.

**Request from Lauren Lewonski, 515 Howard Street, for a parking space in front of her home.** Mayor Martin reported that Ms. Lewonski was unable to make this meeting and that this issue would be reviewed at Council's March work session. Mr. Cesaretti stated that Council previously reviewed and discussed this issue and had denied Ms. Lewonski's request. Mr. Cesaretti stated that Ms. Lewonski is a resident who lives in the business district with a property that is landlocked with no way to get into the driveway onto her property. Ms. Lewonski lives between the Red Balloon and the restaurant on this street. Mr. Cesaretti further stated that the parking committee met and discussed this with the Chief of Police. The recommendation to Council at that time was not to give Ms. Lewonski a designated parking space on her street. Mr. Cesaretti stated that a precedent would be set by allowing this and that other residents would make similar requests of Council. Mr. Cesaretti reminded Council that Ms. Lewonski did purchase her home with no driveway in the business district. Mr. Cesaretti does not see how Council can offer her any relief based on the situation. Mr. Cesaretti also stated that the enforcement issue was another concern that was raised by the Chief of Police.

**Amending Bond Ordinance 4-02 to amend the description of one of the projects listed**, Mayor Martin reported that we would not be adding any additional monetary amounts to this ordinance. The only change would be under "Purpose (a) the words and

furnishings.” This will allow more things to be covered. The Treasurer commented that the Auditor and Bond Counsel made this recommendation. After a short discussion, it was the consensus of Council to agree to this.

#### **ORDINANCE 1-04**

### **BOND ORDINANCE AMENDING BOND ORDINANCE NO 4-02 OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED AUGUST 8, 2002, AS AMENDED BY BOND ORDINANCE NOS. 10-02, 7-03 AND 13-03 IN ORDER TO AMEND DESCRIPTION OF PROJECTS**

The above Ordinance was read for the first time by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for March 10 at 7:00pm.

**Discussion: New storm water regulations.** Mrs. Villari provided a detailed overview of the new Municipal Stormwater Regulations for Council’s information. Municipalities and other entities regulated under the Municipal Stormwater Regulation Program are required to apply for a permit within 30 days from the effective date of the rules. Mrs. Villari stated that these new regulations will require substantial planning and physical improvements to the Stormwater infrastructure. Mrs. Villari commented that grant money will be provided by the Department of Environmental Protection to Tier A (Riverton designation) municipalities for the implementation of certain activities required by the Tier A NJPDES Municipal Stormwater general Permit. Council will be kept informed of this important issue since it may impact our budget.

**Burlington County Local Space Program meeting (Council representation requested).** Mr. Gilmore reported that he would be attending this meeting and asked if anyone from Council was also interested in attending to let him know as soon as possible.

**Update Re: The Borough’s Livable Communities Grant Program Application.** Mr. Gilmore reported that he has been in contact with the people who are reviewing the applications for this grant funding and that a decision should be reached sometime in March. Council will be kept informed.

**Review of redevelopment schedule submitted by Mr. Gilmore.** Mr. Gilmore reviewed his suggested objectives regarding redevelopment. A copy of this is on file with the Municipal Clerk. One of Mr. Gilmore’s objectives is to include 423 Lippincott Avenue on the list of areas to be redeveloped. Mr. Gilmore explained that this property is in very poor condition and something needs to be done about it. Dr. Daniel asked if it was the intention to get the property condemned, should it be included as a redevelopment area. Mr. Gilmore said no. Mr. Gilmore would like Council to work with the owner to get his property fixed—not necessarily to have it condemned. Council will be kept apprised of this situation. Mr. Gilmore’s suggested objectives were taken under advisement.

**Request from Mr. Gilmore that an inspection of the Borough owned portions of the riverwall be done.** Mr. Gilmore raised this issue because he is concerned that some of our portions need to be repaired and or maintained. Mrs. Villari stated that when she last served on Council, an inspection was done of all the Borough owned portions of the riverwall. Mr. Gilmore believes there are portions that need to be inspected, in particular at Linden Avenue. Mrs. Villari commented that she would review the areas in question with Mr. Gilmore.

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

**Point person for rail issues.** Mrs. Villari volunteered to do this.

**Traffic Signaling.** Mrs. Villari reported that changes are being made regarding the traffic lights on Broad Street. The Main Street intersection is scheduled to be adjusted to allow for better traffic flow. The Elm Avenue signals have been set and are functioning well. Cedar and Thomas traffic signals should be functioning properly within the next two

weeks. New grade crossing predictors will be installed soon. The pedestrian hand signals have been removed and will be replaced with auxiliary traffic lights that are for pedestrian's only. Mrs. Villari also stated that the Main Street intersection gates have been remaining in the down position after a train passes for a prolonged period of time. This concern will also be addressed as soon as possible.

### **CHIEF NORCROSS TO BE INSTALLED AS PRESIDENT OF THE BURLINGTON COUNTY CHIEF'S ASSOCIATION ON FEBRUARY 21.**

Mayor Martin made this announcement to the public. Mayor Martin commented that the Chief has asked that Council place a full page ad in the booklet for this celebration at a cost of \$100.00. After a short discussion, Mr. Cesaretti moved that, in honor of the Chief's installment, that Council authorize the placement of an ad in this booklet. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Map on Wall.** Mr. Gilmore reported that we acquired a map from 1860 of Camden and Vicinity (Riverton is listed) from the Fire Chief in Delran. Mr. Gilmore would like to have a small metal plaque hung in recognition of the donation of this map.

**Light at Tony's restaurant on Howard Street.** Mrs. Alls-Moffatt reported that she is working on this problem and hopefully it will be resolved as soon as possible. An update will be presented at next week's council meeting.

**Rail update:** Mrs. Villari reported that she has been informed by rail representatives that the gates are breakable and in case of an emergency you are to plow through them if you are stuck on the tracks.

### **Meeting open to the public**

**Michael Heine, 206 Carriage House Lane,** urged that information be set up with our Solicitor to determine what statutory requirements remain regarding redevelopment. Mr. Heine doesn't feel Mr. Gilmore properly presented the redevelopment procedures. Mr. Heine commented that the law looks unfavorably when adding spot redevelopment. This pertains to Mr. Gilmore's recommendation that 423 Lippincott Avenue be included as a redevelopment area.

Mr. Heine stated that he recently wrote a letter to Council regarding the serious erosion issues at the Horner riverwall on Bank Avenue. Mr. Heine urged Council to get an engineering evaluation done immediately. Mrs. Villari asked when the last time our engineer reviewed the construction of specific property owners' riverwalls. Mr. Heine responded that he thought Dante Guzzi, Associates did this a couple of years ago. However, he stressed the importance of Council obtaining another evaluation of the areas immediately.

**Bernie O'Reilly, 200 Lippincott Avenue,** asked if anyone had spoken to the owners of 423 Lippincott about their property's appearance. Ms. O'Reilly also asked if the Council had a responsibility to inform these owners that their property may be considered part of our redevelopment area(s). Ms. O'Reilly asked why something is not being done about this house. She would like to see our codes enforced regarding this issue. A discussion then ensued. Mr. Gilmore commented that our Construction Official has indicated that there is nothing he can do about this property. Mr. Gilmore further stated that there is no property maintenance code in this town. Mrs. Alls-Moffatt stated that we are doing all we can to fill the Zoning Officer/Code Enforcement Officer's position.

**Joseph DellaPenna, 402 Linden Avenue,** commented that everything should be done to fill the present vacancy for the zoning/code enforcement officer's position.

**Frank Cioci, 408 Lippincott Avenue,** asked if the owners of 423 Lippincott Avenue have any idea that their property may be designated as an area in need of redevelopment. Gilmore stated no, he is just initiating a suggestion that the Planning Board consider doing this. Out of respect for the property owner, Mrs. Villari feels some notification should have been sent to them before Mr. Gilmore brought up this issue tonight. Mayor Martin asked the Solicitor if we were crossing the legal line when an individual property

could be included in the redevelopment area. Mr. Gunn commented that Tom Coleman is the Borough's Redevelopment Solicitor. However, Mr. Gunn stated that generally you cannot spot zone; however, there maybe reasons to talk to Mr. Coleman about this issue. Mr. Gunn further commented that when the Planning Board did the initial work on the proposed redevelopment areas, they gave notice via letters to those that would be impacted by this determination. Recommendations were then given to Council to review and approve by Ordinance. Mr. Gunn further stated that Council does have the power to add an area; however, we should consult with our Redevelopment Solicitor first.

**Michael Heine, 206 Carriage House Lane**, commented that there are two possible remedies regarding 423 Lippincott Avenue. One is a public remedy whereby we obtain an injunction of what constitutes a public nuisance. This would be exercised by the municipality. The other remedy could be brought by the adjoining property owners who have the right to enjoin or compel certain activity that gives rise to a private nuisance.

**Bernie O'Reilly, 200 Lippincott Avenue**, commented that, in addition to pursuing remedies available to us by law, maybe we could offer some other solutions. Perhaps there are programs available to help the property owners. A suggestion was made to check with our Welfare Director, Florence Klein for any potential suggestions.

#### **RESOLUTION 24-04**

#### **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. Cesaretti, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that a personnel and litigation matter will be discussed.

At this time Mr. Cesaretti moved that we return to public session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk



February 11, 2004

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

**PRESENT:** Council members Daniel (arrived at 7:03pm), Villari, Smyth, Gilmore, Cesaretti, Alls-Moffat and Solicitor Bruce 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 notice of all meetings to be held in 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from January 7, January 14 and the closed session minutes from January 14 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's & Finance Committee Reports for the month of January be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Mr. Cesaretti read a report for the month of January that was submitted by Chief Robert Norcross. Vehicle Mileage 2,865, Gas Used 492.2, Juvenile Arrests 2, Assaults 1 Court, Miscellaneous 1 HWD, Adult Arrests 16, Criminal Warrant 1, Criminal Summons 2, Traffic Warrants 11, DWI 2, Motor Vehicle Crashes 4, Motor Vehicle Stops 51, Motor Vehicle Warnings 7, Motor Vehicle Summons 60, Burglar Alarms 10, Asst. to other Police Departments 37, Animal Complaints 1, Fire Calls 21, Riverton 5, Out of Town 20, Ambulance Calls (Riverton) 20, Unattended Deaths 0, Criminal Case 29, Domestic 2, Thefts 1, Burglaries 0, Assaults 2, Criminal Mischief 4, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 23, Miscellaneous Calls 535.

Mr. Cesaretti read a report for the month of January that was submitted by Court Administrator, Laura Frick. There were 41 traffic tickets issued, 2 for parking, 38 traffic other and 1 DWI. There were 3 criminal charges filed, 1 summons 1 warrant and 0 local ordinance. The total receipts for the month amounted to \$5903.00. The total disbursed to Riverton amounted to \$3677.76.

Mr. Cesaretti read a report for the month of January that was submitted by Animal Control Officer, M&R Wildlife. The town was canvassed during the month, two stray cats were removed and the Animal Control Officer spent two hours in court regarding specific animal violations.

**PARK, RECREATION, RECYCLING &**

**ENVIRONMENTAL COMMISSION-Mr. Gilmore (No Report)**

**UPDATE RE: HERITAGE TRAIL**

Mayor Martin reported that a recent meeting was held with County representatives and Matthew J. Johnson, County Open Space Program Coordinator regarding this issue. Council representatives were the Mayor, Mrs. Alls-Moffatt and Mr. Gilmore. Borough officials informed those who attended about the Resolution recently adopted rescinding Council's previous support for the Heritage Trail going along our back streets. Mayor Martin commented that while we might support a trail along Broad

Street, nothing was set in stone. Mayor Martin stated that another public meeting on this issue would be held in the next couple of months. We are trying to keep Palmyra informed of our decisions.

**PUBLIC WORKS/SEWER-Mrs. Villari**

Mrs. Villari reported that we are waiting for approval from the Community Development Block Grant Office regarding our proposed project. We should hear by July or August of this year.

Regarding the problems raised last week by Glenn Smyth about sewer problems at his home at 2<sup>nd</sup> & Howard Streets, Mrs. Villari reported that our Sewer Engineer stated that no underground study is being done. A video camera was sent down the line and major build up was found and roots were removed. Mrs. Villari considers this issue resolved.

Regarding the erosion on the Borough's portions of the riverwall, Mrs. Villari stated that the areas in question were reviewed with our Public Works Manager and a contractor from Adamo Construction. It was determined to hold off because of the present issues (litigation) regarding the riverwall. Council will be kept informed.

Regarding the traffic signals at Broad & Main Streets, Mrs. Villari reported that the traffic signaling at Broad & Main continues to be a part of the problem so far as consistency in the traffic patterns at the other intersections. Mrs. Villari stated that the traffic signaling at Elm, Thomas and Cedar have been completed with the proper traffic clearance. Mrs. Villari commented that problems at Broad & Main should be resolved as soon as possible.

Mrs. Villari reported that 4<sup>th</sup> of July committee recently met. The 4<sup>th</sup> of July parade for 2004 will be held on Saturday, July 3<sup>rd</sup>.

**ZONING, PLANNING, CODE ENFORCEMENT &**

**REDEVELOPMENT-Mrs. Alls-Moffat**

Mrs. Alls-Moffat reported that there were nine applicants for the Zoning/Code Enforcement Official position. Her committee is recommending the hiring of Anthony Dydek of Delanco, NJ. Mrs. Alls-Moffatt stated that Mr. Dydek has previous experience in this area because he served as Delanco's Zoning Officer. Mrs. Alls-Moffatt stated that he will be taking courses towards obtaining a state certification. With Council's approval, Mr. Dydek can start work on Wednesday, February 18, 2004. After a short discussion, it was the consensus of Council to agree with Mrs. Alls-Moffatt's committee's recommendation.

**RESOLUTION 26-04**

**A RESOLUTION APPOINTING ANTHONY DYDEK AS ZONING  
OFFICER/CODE ENFORCEMENT OFFICIAL AND AFFORDABLE HOUSING  
OFFICER FOR THE BOROUGH OF RIVERTON FOR THE  
REMAINDER OF 2004  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Alls-Moffat, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye

The Zoning Board held their Reorganization meeting in January 21. The Board held a lengthy discussion regarding the potential construction of townhouses on Cedar Street. Mr. Flamimi, who is the owner of the Cedar Lane Manor Apartments, had asked for an informal conversation with the Board on this issue; however, this was rejected by the Board. A formal application would have to be made.

The Planning Board held their reorganization meeting on January 20<sup>th</sup>. Mr. Heine made presentation on the Proposed Commercial Property Maintenance Code. Concern was raised by members of the public regarding this ordinance as to why we needed to have more codes when we already have codes on the books. Mrs. Alls-Moffatt commented that she is withholding her position on this code until the whole thing has

been discussed in public. Mrs. Alls-Moffatt stated that she is diametrically opposed to a private residential property maintenance code. Mrs. Alls-Moffatt does not remember this Council specifically asking the Planning Board to work on a commercial property maintenance code. Our Solicitor commented that he thought this issue was initiated by the Board sometime in 1998.

#### **SHADE TREE, BOARD OF HEALTH AND HUMAN SERVICES**

Dr. Daniel shared the Shade Tree report from 2003 with Council. 75 complaints were received, 31 new street and park trees were planted this past year. New Jersey Transit donated trees to the Borough for the right of way areas. Arbor Day is scheduled for April 17, 2004 at the Riverton Public School. The Riverton computerized tree inventory continues to be updated. Dr. Daniel stated that presently 2,580 trees line our streets with 138 different species. Dr. Daniel further stated that bacterial leaf scorch disease continues to threaten our oak trees.

Dr. Daniel met with Board on Health on February. The Board reviewed information mandating that individuals involved in overseeing those handling food attend a training course either in person or online. Dr. Daniel reported that, currently, there are twelve areas in town that serve food. Dr. Daniel stated that Council would be reviewing sample ordinances regarding this issue at our next work session.

Dr. Daniel read a report for the month of January that was submitted by Welfare Director, Florence Klein. There were two clients on the rolls. Mrs. Klein attended training seminars and meetings throughout the month.

#### **OLD BUSINESS-LIGHT COMPLAINT AT THE NOVATASKY PROPERTY ON THE 500 BLOCK OF CINNAMINSON STREET**

Regarding this ongoing complaint, Mrs. Alls-Moffatt checked to determine if the restaurant in question was in compliance with all of our codes. She was informed by respective Borough officials that they were. Mrs. Alls-Moffatt looked at the light problem herself and has determined that the shade over the light is too big. The shade is reflecting against the siding on the back of Tony's restaurant and bouncing off into Mr. Novatasky's house. Mrs. Alls-Moffatt took photos of the light shade to share with Council. Mrs. Alls-Moffatt is not sure what the answer is to this problem. Mrs. Alls-Moffatt will take the new code enforcer to review this issue.

#### **NEW BUSINESS**

#### **RESOLUTION 25-04 TRANSFER RESOLUTION (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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **PROCLAMATION-READ ACROSS AMERICA (IN FULL IN RESOLUTION BOOK)**

The above Proclamation was read in full by Mayor Martin.

#### **SETTING DAYS AND TIMES FOR 2004 BUDGET WORK SESSIONS**

It was the consensus of Council to hold two 2004 budget work sessions on March 1 and March 15 at 6:00pm. The Clerk will advertise these meetings in the Burlington County Times.

**CORRESPONDENCE**-There was no correspondence presented at this time.

#### **UPDATE RE: NEW STORMWATER REGULATIONS (RICK ARANGO OF REMINGTON VERNICK AND ARANGO WAS PRESENT**

Mr. Arango stated that he had the required Tier A Municipal Stormwater General Permit Application (due March 3, 2004) and the Tier A Municipal Grant application for the Mayor to sign. After conferring with Mrs. Villari, it was determined that our Public Works Manager Scott Reed would serve as our Storm Water Program Coordinator.

Mr. Arango provided Council with a hard copy of his firm's power point presentation for the new regulations which came into effect this year. Council can arrange for Terry Vogt of his engineering firm to make a presentation, if they so choose. Mr. Arango further provided Council with a detailed engineering proposal to guide the Borough through the first year of these new regulations. All municipalities must come into compliance over a five year period. Mr. Arango stressed the fact that there is a lot of work to be done during the first 12 months. Mrs. Alls-Moffatt inquired as to whether the Department of Environmental Commission (DEP) works with the engineering firms on these new regulations. Mr. Arango responded that we work with them. Mayor Martin asked what goes on after the first year in terms of expenses. Mr. Arango reviewed his engineering firm's fees for years 2 through 5. Mr. Gilmore asked if the grant application included the engineering fees. Mr. Arango responded no. Mr. Arango stated that 6 million dollars in grant money should be available to be distributed to all of the municipalities. Mrs. Villari asked how much money the Borough should set aside for this purpose. Mr. Arango stated that his firm's fee is \$11,000.00. Mr. Arango informed Council that we need to demonstrate that less than one (1) square mile of land remains for development. Otherwise a Borough wide land use intensity analysis will be required as part of the Storm water plan. Mr. Arango stated that the DEP would be formulating an ordinance for municipalities to adopt. It is anticipated that this Ordinance would fit into Riverton's requirements. Mr. Cesaretti asked what the DEP is charging us for the permit. Mr. Arango indicated that the permit price has not been determined. Mr. Cesaretti asked if the DEP ever waives their fees. Mr. Arango responded that to the best of his knowledge, they don't. Mayor Martin asked if there could be a backlash from communities trying to fulfill these new requirements. Mr. Arango responded these new regulations will be good for the environment. It will make the stormwater cleaner. The regulations would have developers who build the developments have the water perk on site. Presently the water is collected in basins, putting it into streams and eventually the oceans. Mr. Arango provided an overview of what the DEP is trying to accomplish with these new regulations, i.e. a schedule for street sweeping, changing the grates on the hoods of the inlets, etc.. Mr. Arango stated that his proposal is not a one lump fee. If his firm is authorized to do the work, he will be working closely with Mrs. Villari, Chair of the Streets and Roads Committee, as well as our Public Works Manager. Mr. Arango stated that he is not looking for any authorization tonight from Council regarding his proposal. Mayor Martin asked how we know we are getting a good price for the services we are getting. Mr. Arango feels that his firm's prices are very competitive. Dr. Daniel asked if a specific timetable would be set up. Mr. Arango said eventually there would be a time schedule over the first 12 months. Mrs. Villari feels very comfortable with Mr. Arango handling this issue. Mr. Gilmore concurred with Mrs. Villari's comments.

#### **RESOLUTION 27-04**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE APPLICATION FOR THE TIER A MUNICIPAL STORMWATER GENERAL PERMIT AND THE TIER A MUNICIPAL GRANT APPLICATION FORM (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **PUBLIC COMMENT ON THE STORMWATER REGULATIONS PROGRAM**

**Gene Bandine, 522 Main Street**, asked if the price would go down for the more we do. Mr. Arango responded no. The DEP is requiring all municipalities to be in compliance with certain rules and regulations on how storm water is handled. The Engineer's role would be to assist the municipality in developing those procedures to put into place. The cost of rehabilitating the actual structures depends on what we have already.

**Bob Smyth 1 Bank Avenue**, asked if these regulations limit the upstream impact like pesticide runoff, oil and grease emulsions, and soaps used in car washes. Mr. Arango commented that it would.

**Michael Heine, 206 Carriage House Lane** feels that quotes should be obtained from other engineering firms for this work.

**Donna Tyson, 206 Carriage House Lane**, asked what the bid threshold was. She was informed that it is \$25,000.00.

**Bernie O'Reilly, 200 Lippincott Avenue**, would like to see uniformity when awarding all contracts. We shouldn't do anything under duress. Ms. O'Reilly feels it is the Solicitor's job to help with the articulation of specifications. Mrs. O'Reilly also commented that she thought The Geographical Information Systems was a wonderful tool.

**Michael Heine 206 Carriage House Lane**, 206 Carriage House Lane asked for a specific breakdown of Mr. Arango's proposal. Mayor Martin stated that we weren't going to discuss this. Mr. Heine reiterated his position that quotes be obtained.

#### **MEETING OPEN TO THE PUBLIC**

**Gene Bandine, 522 Main Street**, strongly suggested alternating parking on one side of the street(s) when cleaning the streets.

Mr. Bandine raised concern about the lights at the intersection of Broad & Main Streets and the length of time it takes for these lights to change. Mr. Bandine asked why the blinking lights now go red on Broad Street, causing the traffic to stop. Mrs. Villari stated because if there is a car stuck on the track and there is major congestion of Broad Street, the driver will not be able to get off the track in time, unless this is done. Mr. Bandine wants this problem fixed. Mrs. Villari stated that Main Street continues to be the cause of the problem with coordinating the traffic signals at Elm, Thomas and Cedar.

**James Moffatt, 202 Fulton Street**, feels that Council should reject the 15 time limit for the public to speak at a work session. Mr. Moffatt thinks the public should be allowed to speak as long as they want.

Regarding Lauren Lewonski's request for a designated parking space Mr. Moffatt believes Council should give her one. However, Mr. Moffatt acknowledged that Mr. Cesarettti had a good argument last week when he stated all the reasons why he thought Council should not do this.

Regarding the Robert Stelling issue, Mr. Moffatt asked for an update. Chief Norcross reported that due to the weather, the Judge gave Mr. Stelling an extension of one month to have his property cleared.

Mr. Moffatt stated that he believes a Police Office should be assigned to monitor the 500 block of Howard Street from 5:00pm-7:00pm everyday. He feels there is a real safety issue here and that an accident will happen near the Red Balloon Nursery School. Chief Norcross stated that he does not have manpower to this but he will have it checked out.

Mr. Gilmore asked if the Chief had formulated an opinion regarding the recent implementation of parking on both side of Howard Street. The Chief believes it should go back to parking on only one side. Mr. Gilmore strongly requested that the Chief follow through and have the no parking signs re-installed where they were on the 500 block of Howard Street.

**Bernie O'Reilly, 200 Lippincott Avenue**, asked if Council could consider making 5<sup>th</sup> street in front of the school be one way between 8 and 9 in the morning. There is a safety hazard at this location.

Mrs. O'Reilly asked Dr. Daniel if the Judi Rossi, Chair of our Board of Health would be taking the training course he mentioned earlier. Dr. Daniel responded that she is supposed to.

Mrs. O'Reilly asked if the public can attend budget meetings. The response was yes.

**MaryAnn Shea, 205 Bank Avenue**, reviewed the proposed Commercial Property Maintenance Code and is very much against it. A number of other people also feel the same way. Ms. Shea is of the opinion that we should do more to enforce our present codes.

**Michael Heine, 206 Carriage House Lane**, inquired as to whether the public right of way on Bank Avenue extended between Howard & Fulton Street. Mr. Cesaretti stated that a pocket park exists at the end of Fulton Street. You can walk right down Fulton Street to the river. This is Borough property.

Mr. Heine then questioned the gate at Bank & Howard Streets. Does the public have the right to access this area? Mr. Heine thinks there should be a review of this area and the signage to determine if the public should have accessibility. We need a legal statement. Mr. Heine also questioned the signage at Second and Fulton Streets that prohibits vehicles from accessing this area. Public Works Manager, Scott Reed stated that that sign was placed there to prevent cars from entering that location similar to what they do at Linden and Bank Avenues. Mr. Reed stated that that is Borough property. Mr. Heine believes our Solicitor needs to look at this and render a legal opinion.

Mr. Heine raised the following concerns: the need for Council to be vigilant in containing the Heritage Trail, the qualifications and references of the newly appointed Zoning Officer and the length of time it is taking to resolve Mr. Novatasky's complaint regarding the light problem.

**Robert Novatasky, Cinnaminson Street.**, spoke at length about the light emanating from the restaurant into his house. He doesn't understand why it is taking so long to resolve this issue.

**Donna Tyson, 206 Carriage House Lane**, would like to have a commitment in writing from all parties involved that Bank Avenue will not be used for the Heritage Trail. Mr. Cesaretti asked if anyone had spoken to the people who live along Broad Street to see how they feel about this road being used as a potential alternate route. The response was no. The Solicitor suggested that the recent resolution rescinding previous support for the Heritage Trail be sent to the County Freeholders and Matthew Johnson, Council Open Space Program Coordinator. Ms. Tyson would like to see our Council encourage Palmyra to eliminate the two blocks in their town (off of Bank Avenue) for the trail too. Ms. Tyson believes that the right of way issues along Broad Street need to be determined.

Ms. Tyson raised concern about the reappointment of Jose Talavera as an alternate to the Planning Board. He has missed a lot of meetings. He was given responsibility of being on the fence sub-committee of the board; however, showed up for any of those meetings. Ms. Tyson believes certain standards need to be set. Very surprised by this. There should be certain standards set.

**Bob Smyth, 1 Bank Avenue**, urged Council to determine who has the ultimate authority regarding the Heritage Trail. Mr. Smyth is very concerned that some type of eminent domain action could take place regarding this trail in the future.

**Bernie O'Reilly, 200 Lippincott Avenue**, asked if her concern about making 5<sup>th</sup> street in front of the school one way will be addressed. Mr. Smyth stated that the Chief would look into this concern.

Ms. O'Reilly feels that Riverton has one of the worst air qualities in Burlington County. Given the fact that many diesel engines idle along Main Street, she does not think it makes sense to create a town center in front of the bakery (pertains to the Broad Street Enhancement Grant), before a traffic study of the area is done.

**Michael Heine, 206 Carriage House Lane**, stated that there were outspoken comments made at the recent Planning Board public hearing on the proposed Commercial Property Maintenance Code. Mr. Heine believes most of the criticism was from those that would be impacted by this ordinance. Mr. Heine believes it was a very modest adverse reaction to the ordinance. Mr. Heine feels that Council should reserve their judgment when this ordinance comes before them. Mr. Heine stated that he would supply Council with substantive information that should assist Council during the review process.

**RESOLUTION 28-04**  
**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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye. It should be noted that contract negotiations will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mrs. Alls-Moffat, with all present voting in the affirmative

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

March 1, 2004

A special 2004 Budget work session meeting was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Daniel, Villari, Smyth, Cesaretti, Alls-Moffat and Borough Auditor Robert Stewart

**ABSENT:** Council member Gilmore

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 this meeting published in the Burlington County Times on February 18, 2004

(b) Posting written notice on the official bulletin board on February 25, 2004

Mr. Stewart distributed revenue and expenditure listings for Council to review.

Mr. Stewart reported that presently we are looking at a proposed tax increase of 21.9 cents. This includes an additional 9,000.00 in state aid for this year.

Mr. Stewart explained that the substantial increase is due in part because of a loss of revenue, a decrease in interest rates, police salaries (contractual) and proposed projects to be capitalized (in particular the proposed purchase of a new fire ladder truck. Mr. Stewart reviewed how the bonding process works and what would be required statutorily.

Council then reviewed in detail all of the individual line items to determine where cuts could be made. One of the suggestions was for Council to decline their stipend.

Council queried Scott Reed, Public Works Manager and Fire Chief about his proposed budgets and Chief Norcross about his budget.

Council also discussed proposed across the board salary increases of either 2.12% or 4% for Borough employees not covered by a bargaining unit. Mrs. Villari informed Council that the Streets and Roads Manager was asking for a 5% salary increase for his department. Mr. Reed is also requesting that he be given overtime pay. Council also discussed specific salary (hourly) for the Tax Clerk and Police Secretary. A lengthy discussion then ensued, with no definitive decisions. Mr. Stewart reported that with some of the cuts made here tonight, the proposed tax increase was at 0.204. Council will hold another budget work session on March 15 to discuss and resolve the outstanding issue. The Borough's Auditor will be present at this meeting.

Mr. Stewart also recommended that Council adopt the "Cap Ordinance". Council agreed to this.

#### **ORDINANCE 2-04**

#### **"CAP" ORDINANCE OF THE BOROUGH OF RIVERTON TO EXCEED INDEX RATE: INDEX RATE LESS THAN 5% LIMITATION FOR THE YEAR 2004 (N.J.S. 40A4-45.14)**

The above Ordinance was read for the first time by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for April 14 at 7:00pm.

At this time Mr. Smyth moved that the meeting be adjourned. This was seconded by Mr. Cesaretti, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk



March 3, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council members Gilmore & Cesaretti

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 2004 published in the Burlington County Times on January 13, 2004 and

(b) Having written notice placed on the official bulletin board on January 13, 2004

**Meeting open to the public**

**Michael Heine, 206 Carriage House Lane**, reported that the Planning Board voted not to move the proposed Commercial Property Maintenance Ordinance forward until further research is completed and further work is done with Council and the Mayor. Mr. Heine strongly opposed the Board's decision and gave Council detailed reasons why he feels the Planning Board made the wrong decision. He believes the Planning Board caved into political pressure. Mr. Heine strongly urged Council to put the proposed ordinance on their agenda for first reading next week.

**Donna Tyson, 206 Carriage House Lane**, asked if there is a plan to replace trees that are taken down at various locations throughout town. Dr. Daniel responded that the Shade Tree Commission's budget anticipates planting approximately 30 new trees this year. They will replace those that have to be removed.

**Michael Heine, 206 Carriage House Lane**, believes there should be an ordinance in place preventing the destruction of trees in town. Mr. Heine commented that there are rumors that some members of the boards have not been properly appointed under statute and local ordinance. Our Solicitor should render a legal opinion. The Clerk was asked to research this issue.

**Request from Cynthia Park, 503 Main Street, for a designated handicapped parking space in front of her home.** Mrs. Park reviewed and discussed this request from Mrs. Park. It was noted that Mrs. Park received a handicapped parking placard from the State of New Jersey Division of Motor Vehicles due to a chronic and degenerative disc problems in her neck. It was the consensus of Council to agree to Mrs. Park's request. An Ordinance will be prepared by the Solicitor for first reading at next week's meeting.

**Discussion: Recommendations from Board of Health re: possible adoption of a Food Manager Training Ordinance.** Council reviewed sample Ordinances from other municipalities regarding this issue. After a short discussion, the Solicitor suggested that he and Dr. Daniel (Chair of Board of Health) review these documents and draft an ordinance to present to Council at their April work session. It was the consensus of Council to agree to this.

**Required resolution for Shade Tree Commission's receipt of a \$2,000.00 Green Community Grant Award.** The Clerk reported that our Shade Tree Commission has been informed that they will be receiving this grant award. No grant agreement can begin the approval process until the required Resolution is done. It was the consensus of Council that this Resolution be prepared and placed on next week's agenda.

**Required Resolution Re: Burlington County Cooperative Pricing System for Electric Generation Service.** Mr. Smyth reported that Council had previously agreed to participate in this program. Mr. Smyth further stated that we must now do another resolution that binds us to purchase all electric power needed for our use during the two-

year period of the contract. After Council reviewed the proposed Resolution, it was the consensus to place this Resolution on next week's agenda for action.

**Request from County Mosquito Control Re: Agreement forms to conduct Aerial Larval Mosquito Control Activities.** Council reviewed documentation from the County regarding this annual request. A formal resolution will be placed on next week's agenda for action.

**Discussion: Engineering Services for new Stormwater Regulations Program.** Mrs. Villari reported that in November 2003 Borough Council submitted a letter (based on the recommendation from our Environmental Commission) to the NJDEP in support of an application for a grant to create a Regional Stormwater Management Plan (RMSP) for the entire Pompeston Creek watershed. While this endorsement did not commit the Borough to carrying out the recommendations of the RSMP, it was hoped that the grant application would satisfy some of the requirement of the new Federal/State Phase II Stormwater Rule s. Mrs. Villari reported that we have received word that the New Jersey Department of Environmental Protection's Division of Watershed Management has recommended approval of this grant proposal. Mrs. Villari further stated that this would probably save the Borough some Engineering costs. She will discuss this with our Engineer to make sure that we do not duplicate any services. Council will be kept informed.

**Route 130/Delaware Riverton Corridor Advisory Committee-State Plan Cross Acceptance Representative.** The Clerk reported that presently, Mrs. Alls-Moffatt and Mr. Gilmore serve as our representatives on this committee. Our Solicitor has indicated that either one can serve as the State Plan Cross Acceptance Representative. Mrs. Alls-Moffatt suggested that Mr. Gilmore serve in this capacity and that she would be the alternate.

**Preliminary agenda for March 10.** The Clerk reviewed this with the Governing Body.

**Update on Litigation matter.** The Solicitor reported that Judge Sweeney scheduled a case management conference recently. Judge Sweeney has suggested that the Borough and plaintiff's mediate this case. Judge Sweeney has stayed this issue for another month to allow the parties to discuss the matter. If this is not successful, the Judge will do a formal case management conference.

**Parking issues at the school and throughout the town.** Chief Norcross would like to see these respective parking committees reinstituted and be more active. It was the general consensus of Council to agree to this. Chief Norcross reported that permitting parking on both sides of the 500 block of Howard Street did not work; therefore, no stopping or standing signs have been place along one side of Howard Street. Notices have been sent to all property owners along this area. Violators will be cited after a two week warning period.

**Michael Heine, 206 Carriage House Lane,** commented that he is disturbed by the Solicitor's update on the litigation issue at all levels. Mr. Heine believes there is a serious risk of irreparable harm along the riverbank locations in questions. Mr. Heine urged Council to authorize the Solicitor to make an immediate application for injunctive relief. Mr. Heine believes we would win this. Mr. Heine believes it will be a worse calamity should Bank Avenue collapse or if someone falls into the roadway when walking along this location.

#### **RESOLUTION 29-04**

#### **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. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye. It should be noted that litigation would be discussed.

At this time, Mr. Smyth moved that we return to public session. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

March 10, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth, Alls-Moffatt and  
Solicitor Bruce Gunn

**ABSENT:** Council members Gilmore and Cesaretti

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 2004 published in the Burlington  
County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from February 4, February 11 and closed session minutes from  
February 4 and February 11 were then presented. Mayor Martin asked for a motion to  
approve these minutes. Mr. Smyth moved that these minutes be approved as submitted.  
This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs.  
Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-  
Moffatt aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

The Treasurer reported that our computer server failed last Friday; therefore no  
reports could be generated. The reports will be presented at Council's March 15<sup>th</sup> budget  
session.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti.** In Mr. Cesaretti's absence, it was announced that  
these reports would be placed on file.

**PARK, RECREATION, RECYCLING &**

**ENVIRONMENTAL COMMISSION-Mr. Gilmore (No Report)**

**PUBLIC WORKS/SEWER-Mrs. Villari**

Mrs. Villari reported that the Streets and Roads Department are preparing for  
Spring clean-up. Leaves and brush are being picked-up. Mrs. Villari reported that she  
would be speaking to our Engineer regarding how the recent grant award might impact  
their proposal regarding the new stormwater regulations. Council will be kept apprised  
of the situation.

Regarding the Broad Street Enhancement, Mrs. Villari has received an update  
from the Borough's Engineer for this project, Dan Guzzi. Mrs. Villari read this letter,  
which is on file with the Municipal Clerk. Mrs. Villari reported that the Municipal Clerk  
also received correspondence from the Bureau of Environmental Program Resources  
regarding this project. They have requested additional information from Mr. Guzzi to  
complete and submit required documentation. Mrs. Villari will review what is required  
and keep Council informed on the progress.

**ZONING, PLANNING, CODE ENFORCEMENT**

**AND REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that the Zoning Board approved the appointment of  
Remington, Vernick and Arango as their Engineering firm for 2004.

Mrs. Alls-Moffatt reported that the Planning Board returned the proposed  
Commercial Property Maintenance Code to their sub-committee to be re-worked. Mrs.  
Alls-Moffatt reported that the Planning Board's Solicitor Tom Coleman had given the  
sub-committee a sample code from another municipality for their review. Mrs. Alls-  
Moffatt had suggested that the board review two or three sample codes from other  
municipalities before we do our own.

Regarding the Smart Growth Grant award to write a sustainable Zoning  
Ordinance, Mrs. Alls-Moffatt reported that the State has given the Borough an extension  
to complete this ordinance. However, the State has not responded to the Borough's

requests for them to approve the changes in the scope of work for this project. The Planning Board is now recommending that the Borough return the grant money.

Mrs. Alls-Moffatt reported that representatives from the rail line attended the recent Planning Board meeting to discuss rail issues, in particular the blinking lights along Broad Street.

Mrs. Alls-Moffatt reported that the Planning Board re-elected Christian Hochenberger to serve as their liaison to the Environmental Commission.

Mrs. Alls-Moffatt reported that a checklist for applications for site plans and/or sub-divisions has been completed and will be referred to Council for their review.

In appreciation for the volunteer efforts to weed certain areas near the rail line by our Girl Scout Troop, Mrs. Alls-Moffatt took them to tea at the New Leaf.

#### **SHADE TREE, BOARD OF HEALTH & HUMAN SERVICES**

Dr. Daniel reported that the Shade Tree Commission applied for and received a \$2,000.00 Community Forestry Grant. The matching requirements will be met by doing in kind services. A formal Resolution will be done later on this evening.

Dr. Daniel read a report for the month of February that was submitted by Welfare Director, Florence Klein. There were two clients on the rolls. Mrs. Klein attended various training seminars and meetings throughout the month.

**OLD BUSINESS**-There was no old business presented at this time

#### **NEW BUSINESS**

#### **ORDINANCE 1-04**

#### **BOND ORDINANCE AMENDING BOND ORDINANCE NO. 4-02 OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED AUGUST 8, 2002, AS AMENDED BY BOND ORDINANCE NOS. 10-02, 7-03 AND 13-03 IN ORDER TO AMEND**

#### **DESCRIPTION OF PROJECTS (IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. Since there was no public comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **ORDINANCE 3-04**

#### **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123, SECTION 27.1 SCHEDULE VA OF THE RIVERTON BOROUGH CODE TO ADD AN ADDITIONAL LOCATION WITHIN THE BOROUGH FOR DISABLED PERSONS PARKING**

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **ORDINANCE 4-04**

#### **AN ORDINANCE AMENDING CHAPTER 123 REPEALING A DESIGNATED HANDICAPPED PARKING SPACE ON FIFTH STREET.**

The Solicitor reported that there is a legitimate need to retain this handicapped parking space. The Solicitor further explained that we are required to have a designated handicapped space at our polling place (the Riverton Public school). It was the consensus with Council to agree with this. No action was therefore taken on this proposed Ordinance.

**CONSENT AGENDA**-Mayor Martin

Mayor Martin announced that the Transfer Resolution listed on the consent agenda would be removed. This is due to the fact that our computers were not operating this week.

**RESOLUTION 30-04**

**SHADE TREE COMMISSION'S RECEIPT OF \$2,000 FROM THE GREEN  
COMMUNITY GRANT AWARD  
(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 31-04**

**A RESOLUTION BINDING THE BOROUGH OF RIVERTON TO PURCHASE  
ELECTRIC GENERATION SERVICES PURSUANT TO A MULTI-  
GOVERNMENT ENERGY AGGREGATION CONTRACT AWARDED  
THROUGH THE BURLINGTON COUNTY COOPERATIVE PRICING  
SYSTEM #4BuCCP**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 32-04**

**A RESOLUTION AUTHORIZING AERIAL MOSQUITO CONTROL  
ACTIVITIES OVER THE BOROUGH OF RIVERTON DURING 2004  
(IN FULL IN RESOLUTION BOOK)**

Mr. Smyth moved that this Consent Agenda be adopted. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye.

**CORRESPONDENCE**-There was no correspondence presented at this time

**MEETING OPEN TO THE PUBLIC**

**Donna Tyson, 206 Carriage House Lane**, believes that there is difficulty with communications between the various Boards and Council. Ms. Tyson explained that the Environmental Commission is talking about recommending a setback or buffer around the Pompeston Creek regarding any development in that area. She stated that this issue was discussed at a recent Environmental Commission meeting. However, she doesn't believe this information was brought to Council's attention. She suggested that the Chair of each Board and/or Commission be asked to come to Council's regular meetings to make reports. This would be in lieu of a council member giving such a report. She believes we would have more access to information by doing this.

Ms. Tyson stated that it appears that the Planning Board is the contact for light rail issues. This was mentioned at the recent Planning Board meeting. She is not in favor of this. She believes it should be a member of council. Mrs. Villari stated that she is the light rail council liaison.

Ms. Tyson raised concern regarding the grant application made by Mr. Gilmore for a path around the park. Ms. Tyson does not feel comfortable moving forward with this. She has not seen a plan or any other information regarding this grant application. Ms. Tyson commented that she had asked Jerry Savidge of light rail if this path is to be part of the Heritage Trail. The answer was yes. Ms. Tyson would like Council to put a hold on this grant. Mrs. Alls-Moffatt believes Ed Gilmore should be here to give input before a decision is reached.

Ms. Tyson also raised concern about proper placement of people to serve on various boards and commissions. She also feels that some type of attendance policy should be instituted.

**Dennis Eversmeyer, 400 Fulton Street**, reported that there are potholes that need to be addressed along Fulton Street. Mr. Eversmeyer also raised concern that there is no light on the Flag at the park. Mr. Eversmeyer suggested contacting PSE&G to find out about a program that they offer that could assist the Borough with this. Mr. Eversmeyer also reported that the light at the memorial was out. Mrs. Villari commented that she would turn these concerns over to our Public Works Manager.

**William Harris, 502 Cinnaminson Street** urged Council to address the noise problems from the light rail line. Mr. Harris stated that he has contacted Randy Dickinson of the

Federal Railroad Administration (FRA), who is willing to come down and discuss this issue with Council. Mr. Harris further stated that Council would have to do a resolution requesting that Mr. Dickinson come before Council. This needs to be done by April 19, 2004. After a lengthy discussion, Mrs. Villari moved that we investigate whatever can be done to mitigate the noise problems regarding the rail line. This was seconded by Mr. Smyth, with all present voting in the affirmative. Mrs. Villari stated that as Council's rail liaison, she would be willing to discuss this issue further with Mr. Harris and report back to Council.

**Gene Bandine, 522 Main Street**, raised concern about the traffic lights on Broad Street and the back-up of traffic at the Broad & Main intersection

**Michael Heine, 206 Carriage House Lane**, believes that many of the rail issues discussed require professional input. He urged Council to authorize our Engineer to review the rail issues and make recommendations to the Governing Body.

**William Washington, 201 Main Street**, agrees that the representative from the FRA should be asked to come down to review the noise problems coming from the rail line before the deadline.

Mr. Washington raised concern about potential development of open space behind Cedar Street Apartments between 8<sup>th</sup> Street and 9<sup>th</sup> Street. Mr. Washington understands that new setback requirements are being recommended by the Planning Board.

**Michael Heine, 206 Carriage House Lane**, raised strong concern about the erosion problems at various riverwall locations along Bank Avenue. Mr. Heine urged Council to authorize our Engineer to assess these areas. Mr. Heine believes Bank Avenue is in jeopardy of washing out. Mr. Heine presented Council with a proposed Ordinance that would supplement our present code regarding Bulkhead maintenance for Council's consideration.

**Jim Gross, 203 Fulton Street**, urged Council to authorize a revaluation on all properties in the Borough. He understands that the last time this was done was in 1989. He believes this should be done as soon as possible. Council referred this request to our Finance Committee.

#### **RESOLUTION 33-04**

#### **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. Smyth, who moved for its adoption. This was seconded by Mrs. Villain. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye. It should be noted that personnel, contract negotiations and litigation would be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **RESOLUTION 34-04**

#### **A RESOLUTION REAFFIRMING THE BOROUGH'S PROPOSED COMMITMENT TO EXPLORE THE FEASIBILITY OF ACQUIRING THE U.S. POST OFFICE BUILDING IN RIVERTON (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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **RIVER LINE INAUGURAL CELEBRATION INFORMATION**

Mayor Martin asked if anyone from Council would be attending this celebration which is scheduled for Saturday, March 13. Since the response was negative, Mayor

Martin reported that Robert Smyth, who lives at 1 Bank Avenue, expressed an interest in attending. It was the consensus of Council to let Mr. Smyth attend this function.

**REQUEST FOR A FARMER'S MARKET IN RIVERTON**

Mayor Martin reported that a resident (Eric Goldstein) has indicated his interest in starting a Farmers' Market in town. The market would be located immediately adjacent to the new Riverton Light Rail Station. After a short discussion, it was the consensus of Council that the Clerk obtain information from other municipalities who have Farmers' Markets to determine what regulations, licenses, etc are required. The Clerk will contact Collingswood and Woodbury. Council will be kept informed.

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

Mary Longbottom, RMC  
Municipal Clerk



March 15, 2004

A special budget meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding.

**PRESENT:** Council members Daniel, Villari, Smyth, Cesaretti, Alls-Moffatt, Solicitor Bruce Gunn and Auditor Robert Stewart

**ABSENT:** Council member Gilmore

Mayor Martin read the following statement

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 this meeting published in the Burlington County Times on February 18, 2004 and

(b) Posting written notice on the official bulletin board on February 25, 2004

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth made a motion that the attached Treasurer's & Finance Committee Reports for the month of February be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **2004 BUDGET DISCUSSION**

Council reviewed the current revenue and expenditure listing for all of the line items in the budget. Mr. Stewart provided detailed information regarding the reasons why the proposed tax increase for 2004 is so high (20 cents). Mr. Stewart reminded Council that no decision had been reached regarding the capital portion of this year's budget. Mr. Stewart cautioned Council that they must reach a consensus about the budget very soon. If they don't, the State might step in and do the budget for them. Fire Chief Scott Reed gave a detailed explanation as to why the Borough needs to purchase a new fire truck. A lengthy discussion then ensued regarding the budget.

**Michael Heine, 206 Carriage House Lane**, raised budget concerns such as the contractual increase regarding police salaries, insurance costs, etc.

**Bernie O'Reilly, 200 Lippincott Avenue**, strongly believes that commercial properties are not paying enough in taxes. She believes Council should address this ongoing issue.

**Mary Ann Shea, 205 Bank Avenue**, believes that some homeowners fight to get their taxes reduced. Ms. Shea also stated that she believes the Borough has codes already on the books regarding property maintenance. She voiced her opposition to any proposed commercial property maintenance code.

**William Harris, 502 Cinnaminson Street**, believes Council should get our engineer to look at our present fire truck to determine if a new one is really needed. Mr. Harris voiced strong concern about the proposed tax increase this year.

**Michael Kinzler, 209 Lippincott Avenue**, who reviewed the Borough's 2002 Audit report, directed numerous questions concerning the budget to our auditor, who responded to Mr. Kinzler.

There being no definitive decision reached by the Council regarding the 2004 municipal budget, it was decided that the budget be discussed once again at Council's April 7<sup>th</sup> work session. The Auditor will be present at that meeting.

#### **RESOLUTION 35-04**

#### **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. Cesaretti, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye,

Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that a personnel matter will be discussed

At this time Mr. Smyth, moved that we return to public session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

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

Mary Longbottom, RMC  
Municipal Clerk

April 7, 2004

April 7, 2004

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

**PRESENT:** Council members Daniel (arrived at 6:05pm), Villari, Smyth, Gilmore, Cesaretti, Alls-Mofatt, Solicitor Bruce Gunn and Auditor Robert Stewart

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 this meeting published in the Burlington County Times on March 13, 2004

(b) Posting written notice on the official bulletin board on March 31, 2004

**2004 Budget Discussion-Borough Auditor present.** Mr. Stewart stated that as of Council's last budget work session, we were looking at a tax increase of just above 20 cents. (version 1) Mr. Stewart stated that this increase would not include any capital projects. Mr. Stewart further stated that by utilizing a portion of our surplus, he could bring the tax rate down to 10.3 cents. Mr. Stewart explained that with the exception of the purchase of a new fire truck, this version does not include any other additional capital projects.(version 2) However, Mr. Stewart stated that if Council would add 5 cents onto the tax rate, the down payment for all of the proposed capital projects they were considering (road repairs and/or repaving, rollover truck, police items) could be incorporated into the budget.(Version 3) A lengthy discussion. After much deliberation, it was the consensus of Council go with version 3. At this time it was decided that Council go into closed session to review some personnel issues that might impact this year's budget.

#### **RESOLUTION 36-04**

#### **A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT C.231P.L. 1975 (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 Mrs. Alls-Moffat. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt. It should be noted that personnel matters will be discussed as they may impact the 2004 Municipal Budget.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Mofatt aye. It was announced that the personnel issues discussed in closed session would not impact the 2004 budget.

#### **RESOLUTION 37-04**

#### **INTRODUCTION OF THE 2004 MUNICIPAL BUDGET (IN FULL IN MINUTE AND RESOLUTION BOOK)**

The above resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Mofatt aye. It was announced that the budget would be published in the Burlington County Times on April 25, 2004 and that a public hearing on the budget would take place on May 12, 2004 at 7:00pm in the Municipal Building.

**Request from Lauren Lewonski, 515 Howard Street, for a parking space in front of her home-Alan Ettenson, Ms. Lewonski's attorney addressed Council.** Mr. Ettenson reminded Council that this is not the first time this issue has been brought before Council.

He also reminded Council that when Ms. Lewonski purchased her home the present restaurant was not next door to her property. Mr. Ettenson explained that the Planning Board created a parking hardship for Ms. Lewonski when they approved the site plan for the operation of a restaurant at this location that also included a parking variance. Ms. Lewonski does not have a driveway and is unable to park in front of her home. Mr. Ettenson is requesting permit parking for Ms. Lewonski. Mr. Ettenson stated that this would pose no detriment to the overall zoning of this area. Mr. Cesaretti commented that this issue has been discussed numerous times. Mr. Cesaretti asked Ms. Lewonski if she had any designated place to park when she purchased her property. Mr. Ettenson responded that she did not; however, there was no restaurant next door at that time. Mr. Cesaretti stated that Ms. Lewonski is asking relief from a situation that she knew full well when she purchased her home. Mr. Cesaretti stated that Ms. Lewonski purchased a home that was landlocked, without the ability to install a driveway. Ms. Lewonski asked why a parking variance was granted to the restaurant rather than letting them also be restricted to the land that they had. She also asked why the Borough gives loading zones to other businesses that are landlocked similar to her situation. Mr. Cesaretti disagreed with Ms. Lewonski's statements. Mr. Cesaretti stated that nothing was taken away from Ms. Lewonski. Howard Street is a public street and anyone can park there. Mr. Ettenson disagreed with Mr. Cesaretti's comments. Mr. Ettenson stated that Ms. Lewonski didn't know the parking situation when she moved in. Mr. Ettenson further stated that it is once thing move next to a business that is not in operation. Mr. Ettenson stated that once the Planning Board allowed the variance, Ms Lewonski's parking spot was taken. Mr. Cesaretti stated again that Howard Street is a public road whereby anyone has a right to park. Regarding the loading zone issue, Mr. Cesaretti stated that for safety issues the Red Balloon Nursery School was given loading and unloading privileges. Ms. Lewonski stated that she is not asking for anything more than what has already been done for the Red Balloon. Mr. Cesaretti commented that you cannot compare the two. Mr. Ettenson then suggested some type of restricted parking for her and her next door neighbors (Mr. & Mrs. Hoffler) during evening hours. Mr. Ettenson stated that the Planning Board's approving Resolution indicated that Council should consider permitting parking at this location. Mr. Cesaretti believes it would be shortsighted of this Council to grant a parking space to Ms. Lewonski. Other people in the Borough would then be asking for the same privilege. Mr. Cesaretti explained that we do not have the manpower or police to enforce it. This was one of the main reasons why her previous requests have been denied. Mr. Ettenson stated that this is a unique situation, which he believes the town, in part, has created within the neighborhood business zone. Mr. Cesaretti stated that the parking committee can meet and review this issue once again. A previous suggestion was to possibly grant a designated spot for Ms. Lewonski on the Borough's parking lot on Main Street. Mr. Gilmore commented that a number of years ago residents from Cinnaminson came in to request permitting parking on their street. This was due to the problem with the school employees' taking up parking spaces on this block. Mr. Gilmore stated that Council turned them down. Mr. Cesaretti stated that we have just received information from our Engineer regarding the Borough's authorized parking study. After this is reviewed, we could get back to Ms. Lewonski with our findings. Mr. Ettenson asked for the time frame. Mr. Cesaretti estimated within the next two months.

#### **Meeting Open to the Public**

**Robert Smyth, 1 Bank Avenue**, believes that there are economic problems in town and that we are providing too many services for a small budget. Mr. Smyth believes the purchase of a fire truck is an expensive item and we should be looking into municipal sharing and/or a used truck. Mr. Smyth also suggested reducing waste collection to one day throughout the entire year. Mr. Smyth also stated that the Nuway situation (the owner not paying taxes on time) bothers him. He would like this addressed in some way.

**Michael Heine, 206 Carriage House Lane**, believes Council should reconsider and allow Ms. Lewonski a parking space in front of her property. Mr. Heine believes Council

must correct this hardship that occurred when the Planning Board granted a variance to the restaurant next door to Ms. Lewonski.

Regarding the 2004 municipal budget, Mr. Heine believes Council should adopt version one that was discussed tonight. Mr. Heine believes Council should consider regionalization of the Fire Company. We should get a consultant to review the costs pertaining to shared services regarding this issue. Mr. Heine raised concern about the heavy police contract. We should be reviewing the costs in this regard also to determine if shared services could be a viable alternative.

Regarding the possible acquisition of the Post Office, Mr. Heine does not believe this is the right time to do this. He does not believe this is the fiscally responsible thing to do.

**Greg Urban**, the owner of the Red Balloon, announced that he would be willing to sell his property to the Borough at fair market value. Perhaps Council would like to purchase it and turn it into a parking lot. It would possibly address some of the present parking problems. Mr. Urban would like to relocate somewhere else, preferably in Riverton. Council took this issue under advisement.

**Mary Ann Shea, 205 Bank Avenue** inquired as to when all properties in town would be reassessed. Mr. Smyth stated that this would be a costly budget item and one that Council would need to review and discuss thoroughly.

**Cate Wheelhouse**, thanked Council for the Resolution adopted tonight that supports the noise mitigation measures regarding the light rail. Ms. Wheelhouse would like to see quiet zones implemented at the grade crossings.

**Dave Renzi, Burlington City** stated that it has been a battle in his town to implement quiet zones at their grade crossing.

**Various Resolutions reviewed for consideration.** Council reviewed the following Resolutions and agreed that they should be considered for adoption tonight.

#### **RESOLUTION 38-04**

### **A RESOLUTION AUTHORIZING PARTICIPATION IN THE BURLINGTON COUNTY SHARED SERVICES FORUM (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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Mofatt aye.

#### **RESOLUTION 39-04**

### **A RESOLUTION AUTHORIZING THE BOROUGH OF RIVERTON TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE COUNTY OF BURLINGTON (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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Mofatt aye.

#### **RESOLUTION 40-04**

### **A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RIVERTON SUPPORTING NOISE MITIGATION MEASURES FOR THE SOUTHERN NEW JERSEY LIGHT RAIL TRANSIT GRADE CROSSINGS IN THE BOROUGH OF RIVERTON (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

#### **RESOLUTION 41-04**

**RECYCLING TONNAGE GRANT APPLICATION  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Mofatt aye.

**RESOLUTION 42-04**

**SHADE TREE COMMISSION'S RECEIPT OF \$6,000.00 FROM THE  
COMMUNITY FORESTRY MANAGEMENT PLAN GRANT AWARD  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Dr. Daniel, who moved for its adoption. This was seconded by Mrs. Alls-Mofatt. A poll vote was then taken. Dr Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Mofatt aye.

**Update from Solicitor Re: Appointments to various boards and commissions.**

Solicitor Gunn reported that the appointments of Jose Talavera to serve as an alternate on the Planning Board and Joe Runyon to serve as a regular member to the Environmental Commission made at Council's reorganization meeting should be rescinded. These appointments were made with the consent of Council which is not consistent with state statutes. Solicitor Gunn stated that the Mayor should solely make these appointments.

Solicitor Gunn reported that our local Environmental Commission Ordinance should be amended to be consistent with the state statutes. Solicitor Gunn reviewed in detail his written opinion regarding these issues. After a short discussion, it was the consensus that the Solicitor prepare the required Resolution rescinding these appointments for next week's meeting. Mayor Martin indicated that he would then appoint these people to serve on these boards.

**Discussion: Possible expansion of the Environmental Commission.** After discussion this issue, it was the consensus of Council to defer any action on this issue at this time. However, the Solicitor reminded Council that they would have to amend our local environmental ordinance to make it consistent with the state statutes regarding the appointments of the Board. This issue was also taken under advisement.

**Proposed Ordinance Re: Food Manager Training.** Dr. Daniel reported that after discussing this issue with our Solicitor, it is their recommendation that this Ordinance be placed on hold and that no action be considered. Solicitor Gunn explained that the County Board of Health has been asking all of the municipalities to pass an Ordinance requiring food training to help in the prevention of food borne illness outbreaks in retail food establishments. Solicitor Gunn stated that our Local Board of Health would have to be on board with this Ordinance because our code book reflects the fact that they would be the ones to introduce and pass this Ordinance. Solicitor Gunn further stated that Council could amend our Board of Health Ordinance and revert everything to Council. It was the consensus of Council to take this issue under advisement.

**Update from Parking Committee.** Mr. Cesaretti commented that we have received our engineer's parking study of various locations throughout town, in particular Broad Street. With this information in hand, the Parking Committee can reestablish itself and start meeting, once again. **Gary Ford, 311 Bank Avenue,** commented that he knows that certain people have not decided to open businesses in town because of the parking problems.

**Discussion: Farmer's Market.** Eric Goldstein, 404 Lippincott Avenue, informed Council that volunteers in the Borough plan to launch "The Historic Riverton Farmers' Market. Mr. Goldstein stated that the Borough's newly formed business association will host the market. Mr. Goldstein informed Council that the market would be located immediately adjacent to the new Riverton Light Rail station making it highly visible from the passenger train. Mr. Goldstein stated that he would be meeting with representatives from New Jersey Transit to obtain their approval to hold the market on their property.

Mr. Goldstein reviewed in detail the registration, required fees and rules and regulations for the prospective vendors for Council's information. A discussion then ensued. Some concerns voiced by Council pertained to parking issues (people parking on side streets to go to the market) and potential liability issues for the Borough if the market spills out onto Borough property. This issue was taken under advisement until more information is received, in particular, approval from New Jersey Transit.

**Discussion: Smart Growth Grant.** Mayor Martin reported that this issue was discussed at the last Planning Board meeting. Mayor Martin stated that despite repeated requests by our former Mayor and the Board's Planner, there still has not been any formal acknowledgement and approval by the State regarding the changed scope of the project covered by the grant. The only written response the Borough has received from the State is an extension of the time period to complete this project. Mayor Martin stated that the Board voted to cease work on the project and has requested that Council send a letter to the State informing them that we would like to rescind all grant monies previously received. After a short discussion, it was the general consensus that our Solicitor prepare a letter for the Mayor's signature. Council will be kept apprised of this situation.

**Preliminary agenda for April 14.** The Clerk reviewed this with the Governing Body.

**NOTICE RECEIVED FROM BURLINGTON COUNTY TIMES RE: BEST OF BURLINGTON COUNTY CONTEST**

Mayor Martin announced that the Borough of Riverton won in the following categories: Best Community, Best Fire Department, Best Local Park, Best Playground, Best Police Force and Best School System. All of the results from this contest will be published in the Burlington County Times later on in the month.

At this time Mr. Smyth moved that we return to closed session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that a litigation matter will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

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

April 14, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth, Gilmore, Cesaretti, Alls-Moffatt  
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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from March 1, March 3m, March 10, March 15 and closed session minutes from March 3, March 10 and March 15 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Cesaretti vote aye for the March 1 and March 15 minutes and abstained from the minutes of March 3 and March 10, Mr. Gilmore abstained from all of the minutes, and Mrs. Alls-Moffatt aye.

**PROPOSED SCHOOL BUDGET: RICHARD PARK, PRESIDENT OF THE RIVERTON BOARD OF EDUCATION TO PROVIDE INFORMATION**

Mr. Park provided Council with the attached information regarding the proposed school budget for their information. Mr. Park then reviewed the proposed budget increases with Council. Concern was raised that the repairs to the roof and the replacement of some windows on the first floor was being put before the voters as a separate question and not included in the general fund portion of the budget. There was concern voiced that the voters could possibly turn this question down. Mrs. Alls-Moffatt also questioned if any of the repairs to the roof would be covered by the school's insurance policies. Mr. Park responded that school officials were looking into that. The school budget goes before the voters on Tuesday, April 20<sup>th</sup>.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's and Finance Committee Reports for the month of March be approved as submitted. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Mr. Cesaretti read a report for the month of March that was submitted by Chief Norcross Vehicle Mileage 3,324, Gas Used 500.3, Juvenile Arrests 1, Assault 0, Miscellaneous 1, Adult Arrests 10, criminal Warrants 0, Criminal Summons 1, Traffic Warrant 8, DWI 1, Motor Vehicle Crashes 9, Motor Vehicle Stops 110, Motor Vehicle Warnings 15, Motor Vehicle Summons 111, Burglar Alarms 12, Asst. to other Police Departments 24, Animal Complaints 5, Fire Calls 16, (Riverton 3 Out of Town 13), Ambulance Calls (Riverton) 23, Unattended Deaths 0, Criminal Cases 33, Domestic 0, Thefts 1, Burglaries 2 (From Residents 1, From Vehicles 1), Assaults 1 (Police Officers 0, Firefighters/EMT 0, Civilian 1), Sexual Assault 2 (Juvenile 2, Adult 1), Criminal Mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 33, Miscellaneous Calls 609.

Mr. Cesaretti read a report for the month of March that was submitted by Court Administrator, Laura Frick. There were 113 traffic violations-13 parking, 99 traffic other and 1 DWI. There was 1 criminal charged filed (1 summons), 0 warrants and 0 Local Ord. The total receipts for the month were \$8168.00. The total amount disbursed to Riverton was \$4395.19.



Mr. Cesaretti read a report for the month of March that was submitted by M&R Wildlife, the Borough's Animal Control Officer. The town was canvassed during the month.

#### **PARK, RECREATION, RECYCLING AND**

##### **ENVIRONMENTAL COMMISSION-Mr. Gilmore**

Mr. Gilmore received a new playground safety handbook from the State of New Jersey. Mr. Gilmore reported that due to all the rain we have been experiencing, scheduled work and maintenance at the park has been delayed. We are continuing to fertilize and maintain the flowers, bushes and shrubs along the railroad tracks.

Mr. Gilmore reported that the Environmental Commission is recommending that Council consider establishing a Stream Corridor Protection Ordinance. The Commission provided Council with a sample Ordinance from Moorestown Township for their consideration. Mr. Gilmore stated that his committee would be meeting with the Environmental Commission to review this issue and make recommendations to Council.

##### **PUBLIC WORKS/SEWER-Mrs. Villari**

Mrs. Villari commented that the weather has impeded the ongoing work needed to be done around the town. Mrs. Villari is keeping in closed contact with our Engineers regarding our ongoing projects. Mrs. Villari reported that the Engineer has submitted estimated costs for a proposed road program. Hopefully, we will be able to apply for grant money. Council will be kept informed. Mr. Cesaretti commented that the bakery had placed seven (7) 55 gallon trash cans out for removal. Mr. Cesaretti asked if there was a limit to the amount of trash cans that a business can place curbside to be picked-up. After reviewing our Ordinance, our Solicitor commented that there is a limit of three (3) fifty pound receptacles per collection day from any business. This matter will be referred to the Code Enforcement Officer.

#### **ZONING, PLANNING, REDEVELOPMENT AND**

##### **CODE ENFORCEMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that the proposed Commercial Property Maintenance Code was discussed at the March Planning Board meeting. The Board approved a motion that Planning Board Solicitor, Tom Coleman, should review all the Borough Ordinances pertaining to housing. He would then compare those to the Proposed Maintenance Ordinance to note any overlaps, if any. The Planning Board Maintenance Code sub-committee will be advised of his findings. Mrs. Alls-Moffatt reported that a minor site plan application was approved for the placement of a photo studio at 523 Howard Street. Our Code Enforcement Office, Anthony Dydek was introduced to the Planning Board. The Board's fence committee is making good progress. The Board's representative to the Environmental Commission (Christian Hochenberger) reported that the Department of Environmental Protection would be funding \$250,000.00 as part of the new regional Stormwater Management Plan. Mr. Hochenburger hopes that there will be at least a 100 foot setback on the Pompeston Creek. Council will be kept informed.

Mrs. Alls-Moffatt reported that the Zoning Board did not meet last month. Mrs. Alls-Moffatt also attended a meeting of the Route 130 Corridor Advisory panel. The County Planner announced that the business vacancies along the corridor had fallen from 20% to 8%. The County Planner announced that the route for the Heritage Trail had been changed for our area. Mrs. Alls-Moffatt inquired where the trail would go in Palmyra. The County Planner did not know. Mrs. Alls-Moffatt commented that the trail would definitely go through the Taylor preserve up in Cinnaminson. Mrs. Alls-Moffatt reported that the Planner from Riverside reported that the former Zurbrugg Hospital would be converted into age restricted units and rooms for the visually impaired. **Jim Gross, 203 Fulton Street**, asked if there were still plans to have a footbridge that comes across National Casein. Mrs. Alls-Moffatt responded that as of today no, but this may be subject to change.

##### **SHADE TREE/HUMAN SERVICES-Dr. Daniel**

Dr. Daniel reported that ongoing maintenance of the Borough's Shade Trees continues to be done. Dr. Daniel announced that the Commission would be re-evaluating all of the public trees in Riverton in terms of age, size, variety, etc... Volunteers will be solicited for this effort. Arbor Day is set for April 29 at 1:30pm at the Riverton School.

Dr. Daniel read a report for the month of March that was submitted by Welfare Director, Florence Klein. There were three clients on assistance. Mrs. Klein attended various meetings and seminars throughout the month.

#### **OLD BUSINESS**

**Finance Administration Committee.** Mrs. Alls-Moffatt reported that both she and the Mayor believe it would be a good idea to have a Financial Administration Committee made up of three residents from town as well as the Borough's Finance Committee. Mrs. Alls-Moffatt commented that Michael Kinzler of Lippincott Avenue and Robert Smyth of Bank Avenue have volunteered. We are still seeking another volunteer from town to participate. Mrs. Alls-Moffatt stated that it is hoped that this committee could do the footwork for the Borough's Finance Committee in terms of investigating the best price for capital items, such as a police vehicle or copiers. Mr. Ceseratti asked if this committee would only be for the municipal end or would it also include the school. Mrs. Alls-Moffatt commented that she didn't know if we could include the school. Mr. Smyth asked our Solicitor for an opinion regarding the formation of this committee. Mr. Gunn stated that we can have an advisory committee that is established by Resolution, once you have all the names. **Bob Smyth, 1 Bank Avenue** asked if this committee would sit down with representatives from Council to review the scope of work. Mrs. Alls-Moffatt responded absolutely. Mr. Smyth asked if they would have a role in this year's budget. Mrs. Alls-Moffatt responded yes, in terms of expenditures and suggestions. However, Councilman Smyth stated that he did not think it would affect the current budget. The committee would assist in future financial discussions. Councilman believes there are a lot of capable people in the Borough we are trying to include and involve in the affairs of our town. **Michael Heine, 206 Carriage House Lane**, thinks this is a great idea and a good resource. However, he believes this committee should be asked to offer whatever suggestions and comments for this year's budget, which is scheduled to be adopted on May 12.

**Park Committee.** Mr. Cesaretti reported that the Chief will be meeting with this committee to review the parking study recently received from Alaimo Associates.

#### **NEW BUSINESS**

##### **ORDINANCE 2-04**

**"CAP" ORDINANCE OF THE BOROUGH OF RIVERTON TO EXCEED INDEX RATE: INDEX RATE LESS THAN 5% LIMITATION FOR THE YEAR 2004 (N.J.S. 40A4-45.14)**

**(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. At this time Mayor Martin opened this meeting to the public for any comment on this Ordinance. Since there was no public comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

##### **ORDINANCE 3-04**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123, SECTION 27.1 SCHEDULE VA OF THE RIVERTON BOROUGH CODE TO ADD AN ADDITIONAL LOCATION WITHIN THE BOROUGH OR DISABLED PERSONS PARKING**

**(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. Gilmore. At this time, Mayor

Martin opened this portion of the meeting to the public for any comment on this Ordinance. Since there was no public comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

#### **ORDINANCE 4-04**

#### **BOND ORDINANCE AMENDING BOND ORDINANCE 4-02 OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED AUGUST 8, 2002, AS AMENDED BY BOND ORDINANCE NOS. 10-02, 7-03, 13-03 AND 1-04 IN ORDER TO AMEND DESCRIPTION OF PROJECTS AND PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE PURCHASE OF A FIRE TRUCK, APPROPRIATING AN ADDITIONAL \$289,901 AND AUTHORIZING ADDITIONAL BONDS OR NOTES IN THE AMOUNT OF \$275,400.**

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Villari. **Bob Smyth, 1 Bank Avenue** inquired as what it takes to require a vote from the public on a Bond Ordinance. Our Solicitor stated this could occur after second reading of a bond ordinance. There is a 20 day waiting period before a Bond Ordinance goes into effect after the second reading. Our Solicitor commented that 10% of the registered voters would have to sign a petition opposing the ordinance before it could go to a referendum. Mrs. Alls-Moffatt asked if it would cost the Borough any money if a bond ordinance goes to referendum. Our Solicitor responded yes. A special election would be required and the Borough would have to pay all of the costs involved. Mrs. Alls-Moffatt inquired as to whether we had ever done that before. Our Solicitor responded yes. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye. Second reading and a public hearing on this Ordinance is scheduled for May 12, 2004 at 7:00pm

#### **ORDINANCE 5-04**

#### **AN ORDINANCE OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY TO PROVIDE FOR AND DETERMINE RATES OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF RIVERTON**

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye, and Mrs. Alls-Moffat aye. Second reading and a public hearing is scheduled for May 12, 2004 at 7:00pm.

#### **HIRING OF A COURT OFFICER**

Mr. Cesaretti reported that there is a legitimate need to hire another Court Officer. The Public Safety Committee and the Chief of Police is recommending the hiring of George Gasper. It was the consensus of Council to agree to this.

#### **RESOLUTION 43-04**

#### **A RESOLUTION AUTHORIZING THE HIRING OF GEORGE GASPER AS A COURT OFFICER FOR THE BOROUGH OF RIVERTON (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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

#### **RESOLUTION 44-04**

#### **A RESOLUTION RESCINDING THE COUNCIL APPOINTMENTS OF JOSEPH RUNYON AND JOSE TALAVERA IN RESOLUTION 6-04 (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 Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

**MAYOR'S APPOINTMENTS: ALTERNATE TO SERVE ON THE MUNICIPAL PLANNING BOARD AND A REGULAR MEMBER TO SERVE ON THE ENVIRONMENTAL COMMISSION**

Mayor Martin announced that he was appointing Jose Talavera to serve as an alternate member on the Municipal Planning Board. Mr. Talavera's term will expire on December 31, 2005. Mayor Martin also announced that he was appointing Joseph Runyon to serve as a regular member to serve on the Environmental Commission. Mr. Runyon's term will expire on December 31, 2006.

**RESOLUTION 45-04**

**A RESOLUTION AUTHORIZING REMINGTON VERNICK & ARANGO ENGINEERING TO PREPARE A MUNICIPAL POLLUTION PREVENTION PLAN AND MUNICIPAL STORMWATER MANAGEMENT PLAN (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

**PROCLAMATIONS-FAIR HOUSING MONTH AND SHADE TREE COMMISSION DAY (IN FULL IN RESOLUTION BOOK)**

The above Proclamations were read in full by Mayor Martin.

**CORRESPONDENCE** –There was no correspondence presented at this time.

At this time Mr. Gilmore announce that the Borough of Palmyra recently received a Tree City Award designation.

**MEETING OPEN TO THE PUBLIC**

**Margaret Wark, 406 Howard Street**, asked if the relocation of the court to Palmyra was because of a mandate from the County and/or State. Mr. Smyth responded that the County has continually cited us for inadequate court facilities. Mrs. Wark asked what would happen if we do not get the Post Office or a bigger space for municipal services. Mayor Martin commented that the court may remain in Palmyra for a longer period of time. Mayor Martin commented that our Court Administrator knows of a similar situation in Burlington City whereby the court was relocated to another facility for seven years. Mayor Martin further commented that perhaps shared services could be considered if we are unable to get the Post Office. Mrs. Wark asked if some type of study would be done to determine if the continued use of Palmyra facilities would be more beneficial to the tax payers than buying another property. Mayor Martin commented that all avenues would be considered.

**Jim Gross, 203 Fulton Street**, informed Council that he has seen commercial flyers placed on gas lamps and poles around town advertising a saloon in Riverside. Mr. Gross asked if there was an Ordinance on books that bars the placement of this type of flyer. Mr. Gunn responded that flyers are not permitted on telephone polls. This matter should be referred to the Police Department for enforcement. Dr. Daniel asked if some type of action can be taken against whatever organization is responsible for doing this. Our Solicitor commented that our Code Enforcement Officer would have to address this under our Zoning Ordinance.

**Michael Heine, 206 Carriage House Lane**, feels it is incumbent of Council to thoroughly review the budget. Mr. Heine strongly urged Council to assess our own Fire

Company costs to possibly consider shared services. Mr. Heine suggested that the present Fire Building may meet the Borough's needs for municipal services. Mr. Heine believes that Council needs to do a lot of homework before any decision is made regarding the acquisition of the post office. Mr. Heine urged Council to address the backyard light emanating from the restaurant on Howard Street into the home of Mr. Novatasky on Cinnaminson. Mr. Heine understands that our Code Enforcement Officer has determined that there is nothing else we can do to remedy this situation. Mr. Heine disagrees with that assessment and feels our Solicitor should render an opinion regarding this issue. Mr. Heine also raised concern over the proposed Farmers' Market. He is opposed to this.

**Jim Gross, 203 Fulton Street**, suggested that the owner of the restaurant use a shade to reduce the light problem.

**Scott Reed, Fire Chief**, informed Council that the rotary donated a defibrillator to the Fire Company. Mr. Reed informed Mr. Heine that the Fire building is not owned by the Borough, it is owned by the Fire Company. Mr. Reed also stated that he knows there is support from the townspeople regarding the purchase of a new fire truck.

**Keith Wenig, 200 Cinnaminson Street**, doesn't feel that any cuts should be made to the school budget. He suggests looking at ways to make cuts to the municipal budget.

#### **RESOLUTION 46-04**

#### **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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. It should be noted that a litigation matter will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffat aye.

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

Mary Longbottom, RMC  
Municipal Clerk

May 5, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth (arrived at 8:00pm), Gilmore, Cesaretti, Alls-Moffatt 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 notice of all meetings to be held in 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

**Updates on Broad Street Enhancement Grant (Dante Guzzi, Engineer present)** Mr.

Guzzi reported that he just received approval from the State for phase one of this project. Phase one is the design work and the plan and specifications preparation in anticipation of going out to bid. All of the design money is being funded through the grant at no cost to the Borough. Sometime this month we will finalizing the paperwork the State and moving forward and bidding the project in late summer or early Fall. Mr. Guzzi stated that this project goes hand in and with the County's plan to reconstruct Broad Street, which is scheduled to be done in the Spring of 2005. Mr. Gilmore stressed the importance of staying in touch with him regarding this project. Mr. Guzzi indicated that he would do that. Mr. Gilmore wants to make sure that nothing about this project has been changed. Mrs. Alls-Moffatt expressed concern about maintaining a time-frame. Mr. Guzzi stated that there is tremendous amount of bureaucracy and paperwork involved with this grant. This grant is particularly difficult due to all the state agencies required to review and give their approval prior to moving forward with the design phase. Mr. Guzzi commented that the work we are now proposing differs from the original plans. We have worked with Borough Officials, their citizens and various Borough Committee representatives to develop better use of this money. We had to go through the process of amending our initial approval. Mr. Guzzi stated that there is no timeframe from the State involved with this grant. However, once the construction phase starts, we will have more control. Mr. Guzzi reiterated that the project would start this summer. Mrs. Alls-Moffatt asked if it was safe for us to tell our business people that work would start this year. Mr. Guzzi responded yes. Mr. Gilmore asked if there was a chance that we could lose this grant money. Mr. Guzzi responded that the money has been approved. Mr. Gilmore asked if Mr. Guzzi had billed the Borough for his work. Mr. Guzzi stated that bills have been submitted with the understanding that no money can be expended until approval from the state agencies has been made. Mr. Gilmore stated that the Borough would not pay any additional designing costs other than what was agreed to in the original application. Mrs. Villari stated that there basically was a not to exceed amount originally agreed upon and that has not changed. Mr. Guzzi stated that the original amount is spelled out in the original grant application. Council will be kept apprised of this issue.

**Birnie O'Reilly, 200 Lippincott,** asked what changes were made regarding the design of this project. Mr. Guzzi reported that initially, the project involved fewer enhancements in a larger area; however through input from officials and citizens it was decided to concentrate the improvements to the Broad and Main intersection. Mrs. O'Reilly asked if any traffic studies were done. Mr. Guzzi stated that no traffic studies were done other than meetings with the County to discuss the Broad & Main intersection. Mrs. O'Reilly asked if we were wise to move forward with this project without traffic studies. Chief Norcross commented that the County Engineers are traffic engineers. Mrs. O'Reilly asked to see a copy of the plans for this project. Mr. Guzzi responded that that could be arranged. **(b)**

**Community Development Block Grant Project, Road Program.** Mr. Guzzi stated that we have made an application for grant money to install handicapped curb ramps at 41 locations throughout the Borough. Mr. Guzzi stated this is a federal program that is

administered by the County. Mr. Guzzi anticipates that we will receive approximately \$80,000.00 for this project. We are waiting for the grant application to be approved and the funds to be allocated.

**Quotes for roadwork needed to be done on Homewood Drive Second Street and Cinnaminson Street.** Mr. Guzzi stated that quotes were received for these roads. We had hoped to keep it below the bid threshold; however, the low bidder was just over the threshold. Mr. Guzzi stated that we are looking at the possibility of either going out to public bid for the project or scaling the project back to fall under the threshold. Mr. Guzzi stated that the low quote came in under \$32,249.00. The bidding threshold is \$25,000.00. Mr. Guzzi stated that this is typical of what we see with this type of construction. Mrs. Villari asked what would happen if we break up the prices. Could we use them as individual quotes. Mr. Guzzi said we might be able to do two of the streets now and do the other street later as a separate quote. Mr. Guzzi stated if we go out to public bid there are additional costs associated with that. If we were to go out to bid, we would see numbers significantly higher than what we have here under the quote system. Mrs. Alls-Moffatt asked if we can get a timeframe for the commencement and completion of this work. Mr. Guzzi stated that once the project is awarded, a timeframe can be established. Mrs. Villari stated that we could obtain separate quotes for the individual streets as opposed to putting them altogether in one bid package. Mrs. Villari asked for a clarification regarding the estimates received for these 3 streets. Mr. Guzzi explained that we are permitted to quote jobs as long as it's not over the \$25,000.00 bid threshold. If it is we then have to publicly bid the project. Since doing all 3 streets would be over the bid threshold, Mr. Guzzi suggested that Council could consider doing two streets now and save one for later. **Michael Heine, 206 Carriage House Lane.** Mr. Heine believes that is a gross violation of the local public contracts law. Mr. Heine provided an overview of this process. The Solicitor stated that he would review the statutes and then make a recommendation to Council.

#### **Meeting open to the public**

**Michael Heine, 206 Carriage House Lane,** expressed concern regarding the possible revaluation of properties in town. Mr. Heine believes we should seek a legal opinion when this should be done. Mr. Heine believes we should be looking at commercial properties in town that are under maintained. Mr. Heine expressed concern about the erosion problems at certain locations along the riverbank. Mr. Heine believes Mayor Martin should recuse himself from any discussions regarding the present riverbank litigation because he owns a home along Bank venue. Mr. Heine believes Council should reconsider the inclusion of a down payment for the purchase of the Post Office in the budget. Mr. Heine believes we should postpone the purchase of a new Fire ladder truck for a year. He believes there are grants available to support this purchase. Mr. Heine raised concern about the proposed Farmers' Market.

**Birnie O'Reilly, 200 Lippincott Avenue,** agrees with Mr. Heine regarding the riverbank litigation issue. She would like to see Mr. Heine asked to help with this process. Mrs. O'Reilly read a letter of support for Mr. Heine, in which she spelled out his credentials. **James Moffatt, 202 Fulton,** stated that the clock at Broad & Main is not working. Mrs. Villari stated that this issue would be looked into.

**Frank Cioci, 408 Lippincott Avenue,** feels it we can't get the clock to work properly that it should be disconnected. He believes it is an embarrassment to the town.

#### **Applying for grant monies for road improvements**

Mrs. Villari reviewed the process with Council and what it would cost for our engineers to take care of the application process. After a short discussion, it was the consensus of Council that we would make an application to reconstruct Fulton Street. A formal resolution will be placed on next week's agenda for action.

**Discussion: Possible revaluation of all properties-Tax Assessor present.** Mr. Davis reviewed correspondence from the Director of the Division of Taxation regarding this issue. Mr. Davis reported that the Director's Ratio in our municipality is 72.05 and the

Coefficient of Deviation is 18.97 (Coefficient is an index of assessment inequality or a coefficient of variation between property classes). Mr. Davis stated that this letter is intended to open a door of discussion and is not a revaluation order. However, the Director has indicated that time is of the essence due to the Borough's numbers. Mr. Davis then provided an overview of the revaluation process. A discussion then ensued. Concern was raised by members of Council as to the costs that would be involved. It is estimated that it could cost around \$100,000.00. Our auditor has indicated that while a revaluation is not considered a capital expenditure, an ordinance would need to be done and costs could be paid out over a period of time. After additional discussion, it was the consensus that more information is needed to be obtained and reviewed before a final decision is reached. It was suggested that the Director of Taxation be asked to attend a future council meeting to provide additional input. Council took this issue under advisement.

**Noise Mitigation measures at grade crossings.** Mrs. Villari reported that she attended an April 28 meeting with Randy Dickinson of the Federal Railroad Association. Mrs. Villari reported that it was a great disappointment. The new regulations would allow us to establish horn-free zones, but we would have to ensure at our own cost that the quiet zones met safety standards. Mrs. Villari further stated that before we could establish a quiet zone, we would have to run statistics on current and accident histories of each grade crossing through a federal formula. The costs involved could be astronomical. Mrs. Villari provided a detailed overview of all the requirements. William Harris, who also attended the meeting, commented that presently the light rail vehicles using the heavy freight line have a say as to whether or not to blow horns. As of December of this year, quiet zones will be eliminated because the incidences of accidents at intersections where there are grade crossing has increased 66%. Mr. Harris believes this percentage would be challenged. Mr. Harris believes the major problem here is that we don't have established separate rules for light rail which has never existed in this region. He has contacted Congressmen Rob Andrews and Jim Saxton for their assistance. Council will be kept apprised of this issue.

**Bernie O'Reilly, 200 Lippincott,** believes the horns are very loud, especially last weekend.

**Michael Heine, 206 Carriage House Lane.** believes that Council should place \$50,000.00 if the budget for legal fees to fight this issue. He recommends that we take action to enjoin New Jersey Transit from operating these trains with that noise level because it is a public nuisance.

**Update Re: Farmers Market,** Eric Goldstein, 404 Lippincott Avenue stated that they would like to launch the market on May 15 to coincide with Treasure Day. Mr. Goldstein stated that the Farmers' Market is being coordinated through the business community in Riverton. Flyers have been distributed to all business owners as well as those people who reside near the location designated for the Farmers' Market. Mr. Goldstein believes the market will be very positive and will help our struggling businesses. Mr. Goldstein stated that issues still needing to be addressed were liability, trash, cleanliness and police assistance. Mr. Goldstein commented that he runs similar markets elsewhere and has a lot of experience. Mr. Goldstein was hoping that the Riverton Renaissance (Business Association) could be the direct applicant to New Jersey Transit. However, they cannot because they have not been classified as a 501C3 from the State. Mr. Goldstein stated that either the business association can apply for this status or the Borough could be the applicant. Mr. Goldstein would like the Borough to be the applicant. Mrs. Villari asked if the Borough were the applicant, would we then incur the liability. Mr. Goldstein responded yes. Mr. Goldstein stated that New Jersey Transit is requiring three things before they will consider giving their approval for the Farmers' Market to be held on their property. They want to have a letter from the Mayor or the President of Council stating the Borough supports the market, a letter from Chief Norcross that the police are aware of the market at that they would provide routine patrol of the areas in question, and that a



certificate of insurance in the amount of \$2,000,000.00 naming New Jersey Transit and the State of New Jersey as additional insureds. Mr. Goldstein stated that NJT will not grant permission unless these three things are done. A lengthy discussion then ensued. Dr. Daniel asked if we could restrict the number of vendors, and whether we would be able to bail out of the market if it creates too much traffic or complaints. Dr. Daniel commented that he did not think it was appropriate for advertising signs to be posted and distributed when the Borough has not given their approval. The Solicitor commented that he would contact representatives from New Jersey Transit to negotiate some of the terms of their proposed agreement. He will provide Council with a report at next week's Council meeting.

**Michael Heine, 206 Carriage House Lane**, feels nothing formal has been done regarding the farmer's market such as a formal application, specific location, survey, indemnification requirements, cleanup issues, etc.

**Birnie O'Reilly, 200 Lippincott Avenue**, believes it was premature to advertise the Farmers' Market. Mrs. O'Reilly believes the Farmers' Market should have come before the Zoning Board. She stressed the importance that procedures should be in place for these types of things.

**Gary Ford, 311 Bank Avenue**, commented that the business community thought the market would be a good thing. However, because of all that is involved, he is not sure how he feels about it now.

**Jodie Goldstein, 404 Lippincott Avenue** provided an overview regarding the Farmers' Market process. She indicated that she would provide anybody with the packet of information that was distributed to the farmers. She reviewed the indemnification process that would be required of the farmers. She believes Council is not giving the support that is needed to get the market operational.

**Dolly Defreitas, 415 Thomas Avenue**, wanted to reassure Council that the posting of the Farmers' Market flyers was in no way an attempt to manipulate them. She apologized to Council.

**Frank Cioci, 408 Lippincott Avenue**, would like to see the Farmers' Market commence on May 15. Mr. Cioci asked if other business property owners took responsibility and permitted the market on their property, would there be anything else that would stop it. The Solicitor stated that we would have to check if the property were a permitted use.

**Discussion: Required corrective action measures Re: 2003 Audit report.** The Clerk reported that we received the 2003 Audit report. This report reflects the fact that the Borough Treasurer should maintain an analysis of the escrow account balance, and the analysis should be reconciled to the bank account on a monthly basis. This pertains to the Planning and Zoning escrow balances. The Clerk stated that we will be purchasing software to automate this process. A formal corrective action Resolution will be placed on next week's agenda for consideration.

**Review of checklist for site plan and sub-division applications.** The Clerk reported that based on recommendations from the Planning Board Solicitor, a checklist has been recommended to be used by respective applicants. The Clerk stated that portions of our present site plan and sub-division ordinance may need to be amended to reflect these changes. Our Solicitor will review the checklist and prepare a draft Ordinance for Council to review at their June work session.

**Update Re: Smart Growth Grant.** Mayor Martin reported that Mr. Gilmore, Mrs. Alls-Moffatt and himself had met with David Gerkens, a Riverton resident and a Planner regarding this grant. Mr. Gerkens informed them that the original grant money allocated to the Borough to be used to write a sustainable Zoning Ordinance could possibly be redirected and used for redevelopment purposes. This issue was taken under advisement by Council.

**Redevelopment suggestions-**Ms. Alls-Moffatt and Mr. Gilmore. This issue was deferred until Council's June work session.

**Requirement by State of a dog and cat census.** The Clerk reported that our Animal Control Officer, M&R. Wildlife would be conducting this census during the summer months. The Clerk stated that we are required by the State to do this.

**Update and recommendations from Parking Committee.** The following recommendations were made to Borough Council: a. The Borough Parking lot (Main Street) should be limited to 2-hour parking between the hours of 8:00am and 6:00pm, (b) The Borough should resume negotiations with Farmers & Mechanics Bank for long-term rental of the parking lot in the rear of the bank, (c) the Borough should approve the plans submitted by Richard Alaimo, Associates for parking on Broad Street. This would increase parking in the Borough by 56 spaces, (e) Parking on Howard Street and Main Street from Broad Street should be increased from 1 hour to 2 hour parking between the hours of 8:00am and 6:00pm, and (f) the Borough should request New Jersey Transit to abide by their agreement for time-limited spaces on the north side of the train station as this is negatively affecting our businesses. After a thorough review, it was the consensus of Council to agree to the Parking Committee's recommendations. A formal resolution will be placed on next week's authorizing that the Broad Street parking study be forwarded onto the Burlington County Bridge Commission for their review and consideration. All of the other parking recommendations will require amendments to our present traffic and vehicle Ordinances.

#### **RESOLUTION 47-04**

#### **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. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye. It should be noted that personnel and litigation will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **RESOLUTION 48-04**

#### **A RESOLUTION OF THE BOROUGH OF RIVERTON AUTHORIZING THE HIRING OF KELLY SPROLES AS A PART-TIME OFFICE HELPER, TAX CLERK AND ALTERNATE REGISTRAR OF VITAL STATISTICS (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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

May 12, 2004

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

**PRESENT:** Council members Daniel, Smyth, Gilmore, Cesaretti (arrived at 8:10pm),  
Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council member Villari

At this time Mayor Martin announced that there will be 5 minute time limit for each person who chooses to address Council during the entire meeting. Dr. Daniel volunteered to be the time keeper. Mayor Martin explained that concern was expressed about the amount of time people have been permitted to speak, thereby prolonging the council meetings.

Mayor Martin read the following statement:

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from April 7, April 14 and closed session minutes from April 7 and April 14 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye.

#### **TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's and Finance Committee Reports for the month of April be approved as submitted. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **COMMITTEE REPORTS**

##### **PUBLIC SAFETY-Mr. Cesaretti**

In Mr. Cesaretti's absence, Mrs. Alls-Moffatt read a report for the month of April that was submitted by Chief Norcross. Vehicle Mileage 3,297, Gas Used 367.5, Juvenile Arrests 9, (Assault 0, Miscellaneous 9), Adult Arrests 6 (Criminal Warrant 0, Criminal Summons 2, Traffic Warrants 2, DWI 2), Motor Vehicle Crashes 3, Motor Vehicle Stops 89, Motor Vehicle Warnings 10, Motor Vehicle Summons 105, Burglar Alarms 10, Asst. to Other Police Departments 39, Animal Complaints 3, Fire Calls 14 (Riverton 6, Out of Town 8), Ambulance calls (Riverton) 24, Unattended Deaths 0, Criminal cases 22, Domestic 1, Thefts 3, Burglaries 2, (From Residents 2, From Vehicles 0, Assaults 0 (Police Officers 0, Firefighters/EMT 0, Civilian 0, Sexual Assault 1, (Juvenile 1, Adult 0), Criminal Mischief 1, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous complaints 35, and Miscellaneous Calls 573.

Mrs. Alls-Moffatt read a report for the month of April that was submitted by Court Administrator Laura Frick. There were 101 Traffic tickets issued, 10 for parking, 89 traffic other and 2 DWI. There were 3 criminal charges filed, 1 summons, 1 warrant and 0 Local Ord. The total receipts for the month amounted to \$9978.50. The total disbursed to Riverton amounted to \$6083.20.

Mrs. Alls-Moffatt read a report for the month of April that was submitted by the Borough's Animal Control Officer, M&R Wildlife. The town was canvassed during the month, a dead possum was removed and various stray animals were removed.

#### **PARK, RECREATION, RECYCLING**

##### **AND ENVIRONMENTAL COMMISSION-Mr. Gilmore**

Mr. Gilmore reported that we would be replacing the roof on the railroad shed. New bases were installed on the large diamond. Mr. Gilmore also reported that the

Environmental Commission is working on a possible ordinance regarding setbacks off the creek.

As the new liaison to the Municipal Court, Mr. Gilmore reported that the relocation of the Court and the Court Administrator's Office to Palmyra is complete. The Court now meets the Second Tuesday of each month at 1:00pm. Mr. Gilmore reported that we need to appoint a new Part-Time Deputy Court Administrator Tracey McGill) tonight. The appointment will be considered under new business tonight.

**PUBLIC WORKS/SEWER-Mrs. Villari**

In Mrs. Villari's absence, Mr. Gilmore reported that we have received notice from the Community Development Block Grant Program that the Borough's 2004 Funding Allocation will be \$85,000.00. This grant money will be used to install handicapped curb ramps at 41 locations throughout the Borough.

Mr. Gilmore also reported that we have received a grant from the Department of Environmental Protection in the amount of \$6,822. This pertains to the requirements of the New Jersey Pollution Discharge Elimination System, Municipal Stormwater General Permit, Watershed Protection & Management Act of 1997 and Section 319 (h) of the Federal Clean Water Act. Mr. Gilmore stated that Council would need to do a Resolution authorizing the Mayor to execute this grant agreement later on under new business.

**ZONING, PLANNING, CODE ENFORCEMENT**

**& REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that she and Mr. Gilmore would be making a presentation to Council at their June work session regarding their suggested redevelopment plan.

Mrs. Alls-Moffatt reported that the Zoning Board heard an application for the placement of a Bed and Breakfast by Cindi Vee at 204 Broad Street. This application was continued until next month. Ms. Vee needs to present more detailed information regarding her application for a use variance and a complete site plan application. Parking was a concern that also needs to be addressed. Mrs. Alls-Moffatt reported that the Board heard a variance application submitted by Thomas Campbell for a side yard setback on his property on Cinnaminson Street.

Mrs. Alls-Moffatt reported that the Planning Board continued to wrestle with the proposed Commercial Property Maintenance Code at last month's meeting. Planning Board member Birnie O'Reilly asked that anyone with comments on the ordinance should get them to her by 5/2. Mrs. O'Reilly also made a motion at the Planning Board meeting to move this legislation onto Council. The motion failed for lack of a second. Dr. Marvin Gaskill spoke in opposition to this proposed code. Mr. Gaskill identified himself as the owner of the Biddle mansion.

Donna Tyson, who is heading the fence committee of the Planning Board reported that the committee was reviewing other sample fence ordinances. Ms. Tyson reported that the committee is mindful of the fact that we are a historic community and that the committee is taking their task very seriously. However, Mrs. Alls-Moffatt believes this process has gone on far too long.

Mrs. Alls-Moffatt reported that Christian Hochenberger, the Planning Board liaison to the Environmental Commission reported that a booklet pertaining to the Pompeston Creek was to have been completed by the end of April.

The Planning Board discussed whether Borough Council should require attendance policies for the participation on various boards and commissions. This discussion was prompted by the long absence of Jose Talavera from the Planning. Chairman Siefert reported that Mr. Talavera had been ill and had trouble remembering the times and dates of the meetings. Mr. Siefert reported that the Planning Board's agenda was placed on the Borough's website.

**SHADE TREE/HUMAN SERVICES-Dr. Daniel (No Report)**

**OLD BUSINESS**

**FARMERS' MARKET**

Mr. Gunn reported that in order to have the Farmers' Market on New Jersey Transit property (NJT), the Borough needs to execute a Transit Access Permit. This is on file with the Municipal Clerk. The Borough would then bear the responsibility including, but not limited to, liability insurance. Mr. Gunn reviewed this permit, and preliminarily spoke to and NJT representative. Among other things they are requiring that the Borough carry comprehensive general liability insurance naming NJ Transit and the State of New Jersey as additional insured providing for not less than two (2) million dollars combined single limit per occurrence and aggregate for bodily injury or death and property damage. Mr. Gunn believes that one (1) million dollars would be more appropriate. Other issues that would impact our Public Works Department are also outlined in this agreement and are a cause for concern. In order to have the Farmers' Market covered, they would have to be made a part of the Borough of Riverton. Mr. Gunn explained that Council would have to establish the Historic Farmers' Market as a sub-committee of the Borough Council. All funds must go directly to the Borough through our Treasurer. A Resolution would need to be done. Mr. Gunn stated that it must be a completely run Borough operation. Mr. Gunn understands that the new start date for the Farmers' Market would be the beginning of June (June 5<sup>th</sup>). Mr. Gunn believes everything else as far as the set up of the market appears to be in place. Mr. Gunn stated that we should have a specific timeframe to hold the market. Mr. Gunn stated that he thought the market would run from June 5 through November 6, 2004.

**Eric Goldstein, 404 Lippincott Avenue**, informed Council that efforts are in place to tighten the indemnification process with the farmers. Mr. Goldstein confirmed the fact that they would like to launch the market on June 5<sup>th</sup>. They would like to advertise this date at the town wide yard sale this Saturday. Mr. Goldstein stated that volunteers would be providing trash receptacles and bags in addition to what the farmers will be required to provide. Mr. Goldstein reported that Dr. Cherico would allow access to his bathrooms for the farmers to use.

**Michael Heine, 206 Carriage House Lane**, asked who is applying to the Borough to hold this farmers market. Mr. Smyth responded that it is the Historic Riverton Farmers' Market. Mr. Heine stated that the application should be clear as to whom the interested parties are and that they are recognized legal entities. Mr. Goldstein commented that it has already been established that the Borough is considering running the market. Mr. Goldstein feels that Mr. Heine's points are irrelevant. Mr. Heine asked if an engineered site plan for this activity had been delivered to the Borough, showing where this activity is exactly proposed. Mr. Heine asked if any professional has identified on the site plan what is transit property and what is Borough property. Mr. Gunn stated that no site plan was submitted. Mr. Heine believes that Mr. Gunn has to determine if any of this activity would be permitted under our Zoning Ordinance if the market is on Borough property. Mr. Gunn commented that our Zoning Ordinance is silent with respect to permission for a farmers' market. Mayor Martin commented that we need to be cautious regarding a specific start date because Mr. Gunn needs to make sure everything is in order before the market starts. Mr. Goldstein asked if the Borough could establish the Farmers' Market as a sub-committee of Council this evening. Mr. Gunn responded yes. Mayor Martin asked if there was too much liability for the Borough to take on. Mr. Gunn responded that the way the permit is now worded, the answer is yes. However Mr. Gunn stated that it can be negotiated.

**William Harris, 502 Cinnaminson Street**, does not know why the Borough of Riverton is getting into the produce business. While he is not opposed to the Farmers' Market, he does not feel it is the business of the Borough to do this. Mrs. Alls-Moffatt asked if the Riverton Business Association could be the applicant for the permit. Mr. Gunn responded that most entities that apply are non-profit organizations. They are then given a special designation from the State.

**Krista Pohl, 621 Lippincott Avenue**, commented that she is a degreed Civil Engineer and a Transportation Planner. She has worked for a railroad and has experience in

handling their agreements. She would be more than happy to help with any required indemnification process. She is very much aware of all of the indemnity clauses and insurance parameters, etc.

**Barbara Drumheiser, 712 Main Street**, and owner of the Victorian Thymes store in town, commented that 17 of the present businesses in town support the Farmers' Market. They hope it will draw extra business to the town.

Mr. Gilmore asked the Solicitor if the Farmers' Market is something we should get involved with this year. Mr. Gunn stated that he recommends doing this for a few months to see how it works out. However, Mr. Gunn also recommends that the Farmers' Market not be started until an agreement is reached with NJT.

Mrs. Alls-Moffatt asked if we can successfully negotiate with NJT, are we locked into a specific time period. Mr. Gunn recommended that we should have the right to terminate the agreement.

Dr. Daniel commented that he believes everybody on Council supports the Farmers' Market and that it is a good idea. We just have to make sure that all of the issues are resolved before it commences.

Mr. Gunn stated that the first thing that needs to be done is to adopt a Resolution tonight making the Farmers' Market a sub-committee of the Council and turn over the monies to the Borough. Mr. Gunn stated that he would draft a Resolution for Council's consideration under new business.

**Birnie O'Reilly, 200 Lippincott Avenue**, feels that an analysis of the procedures regarding this issue needs to be established.

## **NEW BUSINESS**

### **PUBLIC HEARING ON 2004 MUNICIPAL BUDGET**

**Michael Heine, 206 Carriage House Lane**, stated that at least 4.7 cents of the tax increase includes the down payment for the acquisition of the Post Office. Mr. Heine stated that the \$62,000.00 down payment is based on a 1.2 million dollar bond projected to buy and improve the Post Office. Mr. Heine asked if there was an agreement with the Post Office that describes the price and the amount that they want to take back in lease. Mr. Smyth responded no. Mr. Heine asked if a new appraisal was done on the property. Mr. Smyth responded no. The Borough's Auditor confirmed that approximately 4 cents of the tax increase can be attributed to the Post Office. Mr. Heine asked if a survey was done of the Post Office by engineers and architects. Mr. Smyth responded no. Mr. Heine asked if we have any estimates as to what it would cost to remediate the Post Office. Mr. Smyth responded no. Mr. Smyth stated that we are putting together a committee to address all of these issues. Mr. Heine believes the tax payers are being asked to take on a burden of taxes to create a slush fund for a speculative acquisition. Mr. Heine does not believe enough is known to come before the taxpayers in good faith. Mr. Heine asked Mayor Martin if he personally thought this was a wise tax increase. Mrs. Alls-Moffatt commented that she thought that was an inappropriate question. Mrs. Alls-Moffatt further stated that we are in negotiations with the Post Office. We need to have monies put aside if this comes to fruition. Mayor Martin queried the auditor about the raising of taxes to provide for a down payment on the post office. Mayor Martin asked what would happen if we did not utilize the funds earmarked for the Post Office. Mr. Stewart stated that State Law requires that you must place a down payment in the budget. The Audit further explained that the down payment is only used when Council passes an Ordinance to utilize the funds. Mayor Martin asked if we don't borrow any of the 1.2 million what happens to the down payment. Mr. Stewart responded that it could be used for other capital work or it can be brought back into the budget. Mr. Heine repeated his contention that a slush fund was being created. Mr. Gilmore and Mrs. Alls-Moffatt took exception to Mr. Heine's comments.

**Gary Dean, 100 Lippincott Avenue**, asked how much the costs would be on an individual homeowner. The Auditor provided an overview of the costs that could be incurred.

**Birnie O'Reilly, 200 Lippincott Avenue**, doesn't understand why we can't enter into some type of an agreement with the Post Office to buy the property, instead of putting a down payment in advance. Mr. Stewart responded that state law requires that you have a 5% down payment of your anticipated debt. Mrs. O'Reilly believes this issue should go to referendum. Mayor Martin believes more analysis is needed as to whether we buy the building.

**Frank Cioci, 408 Lippincott Avenue**, asked if there was no Post Office to be purchased would we still have the same tax increase. Mr. Stewart responded that our surplus is getting low and that is one of the reasons why the tax increase is at 15 cents. Another reason is that some property owners do not pay their taxes in a timely fashion, or not at all.

**Margaret Wark, 406 Howard Street**, asked if there will still be the opportunity for a referendum on whether or not to acquire the Post Office, even though the down payment has been included in the budget. The response was yes.

#### **RESOLUTION 49-04**

#### **A RESOLUTION ADOPTING THE 2004 MUNICIPAL BUDGET (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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **RESOLUTION 50-04**

#### **A CERTIFICATION OF THE CHIEF FINANCIAL OFFICER REGARDING THE 2004 MUNICIPAL BUDGET (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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **REVIEW OF 2003 AUDIT REPORT (AUDITOR PRESENT)**

Mr. Stewart reviewed the 2003 Audit Report with Council and commended the staff for all of their fantastic work.

#### **RESOLUTION 51-04**

#### **A RESOLUTION PERTAINING TO THE 2003 AUDIT REPORT (IN FULL IN RESOLUTION BOOK)**

The above Resolution as read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **ORDINANCE 4-04**

#### **BOND ORDINANCE AMENDING BOND ORDINANCE NO 4-02 OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED AUGUST 8, 2002, AS AMENDED BY BOND ORDINANCE NOS. 10-02, 7-03, 13-03 AND 1-04 IN ORDER TO AMEND DESCRIPTION OF PROJECTS AND PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE PURCHASE OF A FIRE TRUCK, APPROPRIATING AN ADDITIONAL \$289,901 AND AUTHORIZING ADDITIONAL BONDS OR NOTES IN THE AMOUNT OF \$275,400 (IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Gilmore. At this time Mayor

Martin opened this portion of the meeting to the public for any comment on this Ordinance. Since there was no comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**ORDINANCE 5-04**

**AN ORDINANCE OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY TO PROVIDE FOR AND DETERMINE RATES OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF RIVERTON  
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**CONSENT AGENDA  
RESOLUTION 52-04**

**A RESOLUTION PERTAINING TO THE CORRECTIVE ACTION PLAN FOR THE 2003 AUDIT REPORT  
(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 53-04**

**A RESOLUTION AUTHORIZING THE APPLICATION FOR GRANT MONIES FROM THE NJDOT TRUST FUND  
(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 54-04**

**A RESOLUTION FORWARDING THE AD HOC PARKING COMMITTEE'S RECOMMENDATION FOR PARKING ON BROAD STREET TO THE BURLINGTON COUNTY BRIDGE COMMISSION  
(IN FULL IN RESOLUTION BOOK)**

The above Consent Agenda was read by Mayor Martin. Mr. Gilmore moved that this Consent Agenda be adopted. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti voted aye for Resolutions 52-04 and 53-04. Mr. Cesaretti abstained from resolution 54-04 and Mrs. Alls-Moffatt aye.

**RESOLUTION 55-04**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF TRACEY MCGILL AS THE PART-TIME DEPUTY COURT ADMINISTRATOR FOR THE BOROUGH OF RIVERTON FOR THE REMAINDER OF 2004  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 56-04**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT PERTAINING TO THE STORMWATER REGULATIONS GRANT  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 57-04**



**A RESOLUTION ESTABLISHING THE HISTORIC RIVERTON FARMERS' MARKET AS A SUB-COMMITTEE OF THE BOROUGH'S PLANNING AND ZONING COMMITTEE OF THE BOROUGH COUNCIL OF THE BOROUGH OF RIVERTON**

**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read in full by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 58-04**

**A RESOLUTION TO RECEIVE BIDS FOR THE PURCHASE OF A CUSTOM 100 FOOT HEAVY DUTY MID-MOUNT AERIAL LADDER FIRE TRUCK**

**(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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**CORRESPONDENCE**-There was no correspondence presented at this time.

**MEETING OPEN TO THE PUBLIC**

**James Moffatt, 202 Fulton Street**, commended the Mayor for the openness at the Council meetings.

**William Harris, 502 Cinnaminson Street**, informed Council that he has received a letter from a New Jersey Transit representative. They are requesting that the Federal Railroad Association made an exception to change the rules regarding the use of horns at the grade crossings by the light rail cars. If the exception is not made a waiver will be sought to mitigate the horn blowing. Mayor Martin asked about the decibel level of the horns. Mr. Harris responded that presently they are at 92; however, they are scheduled to be increased to 120.

**Margaret Wark, 406 Howard Street**, personally does not object to the rail horns. She actually likes them.

**Jim Quinn, 629 Elm Terrace**, currently a part of the Palmyra/Riverton Baseball league, inquired when the work (roof, electrical, etc.) on the Historic Shed in the park would be completed. Mr. Gilmore responded as soon as possible.

**Bernard Swiderek, 305 Carriage House Lane** expressed concern, once again, regarding the deterioration of certain portions of the riverwall. Solicitor Gunn provided an overview of where we stand regarding the litigation issues.

**Michael Heine, 206 Carriage House Lane**, stated that the legal fees are too low in the budget to address important issues, especially the erosion of the riverwall at specific locations.

**Jo Malessa, 418 Linden Avenue**, stated that the freight horns are the nuisance as opposed to the light rail horns.

**RESOLUTION 59-04**

**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. Cesaretti, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Smyth aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that personnel matters will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 60-04**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON NEW JERSEY CONCERNING THE PERMANENT EMPLOYMENT STATUS OF POLICE OFFICER GREGORY WILLIS  
(IN FULL IN RESOLUTION BOOK)**

This above resolution was read by title only by Mr. Cesaretti, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 61-04**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON, NEW JERSEY, CONCERNING THE PERMANENT EMPLOYMENT STATUS OF POLICE OFFICER GREGORY WILLIS  
(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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**AUTHORIZING THE MAYOR TO PREPARE A LETTER TO BE SENT TO JOSE TALAVERA REGARDING HIS LACK OF ATTENDANCE AS AN ALTERNATE MEMBER OF THE MUNICIPAL PLANNING BOARD.**

Mr. Smyth moved that the Solicitor prepare this letter but that it not be sent until after the May Planning Board meeting. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

June 2, 2004

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

**PRESENT:** Council members Villari, Smyth, Gilmore, Cesaretti, Alls-Moffatt and Solicitor Bruce Gunn

**ABSENT:** Council member Daniel

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

**Update: Possible acquisition of the Post Office.** Mr. Smyth reported that David Eales, Asset Manager for the United States Postal Service signed the Memorandum of Understanding document on May 19, 2004. Mr. Smyth stated that this opens the door for us to commence negotiations for the possible acquisition of the Riverton Post Office for municipal purposes. Mr. Smyth stated that lead based paint, asbestos and roof problems are some of the areas of concern that will be reviewed and discussed during negotiations. Mr. Smyth further stated that the Post office subcommittee (Mayor, Solicitor, Mr. Gilmore, Mr. Smyth and resident Michael Sencindiver) would be meeting with some prospective architects to share some of the anticipated needs and some of the building problems. They will be asked to prepare some type of a statement indicating the nature and extent of the work that would need to be done to prepare that building for future uses. Council will be kept apprised of this issue.

**Discussion: Suggested Redevelopment plan submitted by Mr. Gilmore and**

**Mrs. Alls-Moffatt** recapped what had been proposed by the prior Planning Board. Mrs. Alls-Moffatt and Mr. Gilmore are suggesting that we concentrate on the Nu-way and National Casein area. They are suggesting the placement of 16 homes on the NuWay property which would be listed for \$300,000.00 each (these properties would be approximately assessed at \$200,000.00 per unit). Riverton would see a revenue of \$128,000.00, which is more than double what we are getting in taxes for the Nuway property. Mrs. Alls-Moffatt stated that they thought maybe 40 more homes could be placed at the National Casein site at the same builder's costs. Mrs. Alls-Moffatt and Mr. Gilmore are also suggesting an extension to the Riverton Park from both sides of the Pompston Creek Bridge. Mrs. Alls-Moffatt and Mr. Gilmore asked Council to have our Engineer (Rick Arango of Remington & Vernick) prepare a plot plan of both Nuway and National Casein to come up with cost estimates. Mrs. Alls-Moffatt stated that the following questions would need to be answered: finding out if our sewer plant could handle it, the effect on our Police & Fire Departments, trash pick-up, streets and roads issues, park would need additional work, the impact to our school(s)-Riverton Public School and sending students to Palmyra High School. Mrs. Alls-Moffatt believes smaller but better redevelopment is the way to go. She also believes the public should be brought in all the way. She believes these suggestions do not create mass density in town. She believes age restricted housing could be a consideration at these locations. Mrs. Villari asked if any commercial uses would be included with their suggestions. Both Mrs. Alls-Moffatt and Mr. Gilmore responded no, given the track record of some of our businesses. Mr. Gilmore commented that if council decides on this plan it will be written into our redevelopment plan and zoned for this type of project. Mr. Gilmore further stated that we could then go out and offer this project to builders. Mrs. Villari raised concern about eliminating all commercial uses from that location. She thinks it would be nice to have some small businesses at that area. Mr. Cesaretti asked if this is something that a private developer would want to do; shouldn't we let them pay for the engineering fees? Mr. Gilmore stated we are only looking to determine the feasibility of this type of

redevelopment as to how many lots can be set into these two properties. Mr. Cesaretti stated that if it is feasible, a private developer will find it faster than us. That is their job. Mr. Cesaretti asked if the two properties we are speaking of are already part of our redevelopment plan. Mr. Gilmore responded yes. Mr. Gunn commented that the Borough does not have a redevelopment plan; we have designated the areas for redevelopment. The Solicitor stated that a redevelopment plan officially needs to be put in place. The draft plan currently on file does have commercial uses in it. Mr. Gunn recommended that the Borough's Redevelopment Solicitor, Tom Colman should be present to assist Council with the redevelopment process. Mayor Martin commented that Dave Gerkens, a local planner thought we could redirect the smart growth grant money for a sustainable zoning ordinance to redevelopment issues. Mayor Martin also believes more public comment is needed before any decision is made. Mr. Gilmore believes time is of the essence for decisions to be made regarding redevelopment. Mr. Cesaretti asked if we have an obligation to notify the owners of Nuway and National Casein of our possible intentions. Mrs. Villari stated that she also believes we need to adopt a solid redevelopment plan with different options before we go ask an engineer to do any plot plan and/or surveys. Mr. Gunn suggested that Mr. Coleman be asked to attend next week's meeting to assist Council. It was also suggested that David Gerkens also be asked to attend next week's meeting.

**Update Re: Farmers' Market.** The Solicitor provided Council with the status of his negotiations with New Jersey Transit (NJT) regarding their required access permit. The Solicitor stated that he was able to get NJT to reduce the certificate of insurance amount down to one million from two million. Mr. Gunn further stated that the Borough, as well as NJT, may terminate the access permit on five days notice. Mr. Gunn further stated that any vendor participating in the Farmers' Market shall be required to execute the release Indemnity and Hold Harmless Agreement and to provide a certificate of insurance acceptable to the Barclay Agency, the insurance broker for the Borough of Riverton, prior to his participation in the event. Eric Goldstein, 404 Lippincott Avenue, commented that he would take care of making sure that the proper paperwork is submitted to the Borough and the Barclay Agency by 4:00pm this Friday. Mr. Gunn prepared a Resolution for Council's consideration.

**Michael Heine 206 Carriage House Lane** asked if there was a document that identifies the Borough as the operator of the Farmers' Market. The Solicitor responded that there are two things: a resolution adopted last month which makes Farmers' Market a subcommittee of the Borough of Riverton and a letter of intent signed by the Mayor to sponsor the market. Mr. Heine expressed strong concern that a site plan had never been submitted.

#### **RESOLUTION 62-04**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A NEW JERSEY ACCESS PERMIT NUMBER 04-233 PERMITTING THE OPERATION OF THE HISTORIC RIVERTON FARMERS' MARKET ON NEW JERSEY TRANSIT PROPERTY**

#### **(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by Mrs. Alls-Moffatt, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye, and Mrs. Alls-Moffatt aye.

**Review of bids received for Fire Ladder Truck.** The Solicitor reported that one bid was received, opened and publicly read on May 27, 2004 at 10:00am. The bid received was from **Pierce Fire Apparatus of Appleton, Wisconsin and amounted to \$549,966.00. The Solicitor stated that this bid includes a trade-in value of \$25,000.00 on our 1990 Pierce Refurbed 100' Aerial.** The Solicitor further stated that if the Borough would like to pay the full amount of the bid at contract signing than an

addition 8,000.00 may be deducted. The Solicitor did not recommend that Council agree to this. After some discussion, it was the consensus that Council would authorize the Mayor to execute a contract with Pierce subject to the advice of the Borough Solicitor as to the form thereof.

#### **RESOLUTION 63-04**

#### **A RESOLUTION TO AWARD A CONTRACT FOR THE PURCHASE OF A CUSTOM 100 FOOT HEAVY DUTY MID-MOUNT AERIAL FIRE TRUCK TO PIERCE MANUFACTURING, INC. OF APPLETON, WISCONSIN (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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Discussion: Possibly authorizing Dante Guzzi, Associates to advertise for bids for work to be done on Homewood Drive, Second Street and Cinnaminson Street.** Mrs. Villari reviewed the initial quotes received for this work with Council. Mrs. Villari reported that it is the recommendation to bid the entire project. A discussion then ensued. Mr. Cesaretti raised concern about the engineer for this project. Mr. Cesaretti believes there has been a lack of responsiveness from this firm on past projects requested by the Borough. Mrs. Villari stated that this firm has not been given any new engineering projects; however, since they have done all the required work for project, they should finish it. Mrs. Villari stressed the point that these streets have needed to be addressed for some time now. After additional discussion, it was the consensus of Council to agree with Mrs. Villari.

#### **RESOLUTION 64-04**

#### **A RESOLUTION AUTHORIZING DANTE GUZZI, ASSOCIATES TO ADVERTISE FOR THE RECEIPT OF BIDS FOR ROAD WORK TO BE DONE ON HOMEWOOD DRIVE, SECOND STREET AND CINNAMINSON STREET IN THE BOROUGH OF RIVERTON (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Discussion: Possible amendments to Chapter 123 of the Borough Code Pertaining to Vehicles and Traffic.** Mr. Cesaretti stated that the following recommendations were unanimously approved by the Chief of Police and the Parking Committee. If Council concurs, our Ordinance would have to be amended to reflect the following time-limit parking on certain days: 123-26 Main Street Southwest from 8:00am to 6:00pm except Sundays for 120 minutes from North Broad Street to a point 400 feet west thereof, 123-26 Howard Street, Southwest from 8:00am to 6:00pm, except Sundays, for a maximum time of 120 minutes from North Broad Street to a point 400 feet west thereof and 123-25 Main Street, Southwest from 8:00am to 6:00pm, except Sundays for a maximum time of 120 minutes at the Riverton Borough Parking Lot. Mr. Cesaretti stated that it is also the recommendation to repeal the following time limit parking-123-26 Cinnaminson Street Southwest from 8:00am to 6:00pm, except Sundays for a maximum time of 60 minutes from a point 25 feet north of the north side of Broad Street to a point 80 feet north of the north side of Broad Street. After a thorough discussion, Council agreed to these recommendations.

Mr. Cesaretti then asked that Council amend Chapter 123-27.1 to include the following location for disabled persons parking in the area of the school: Cinnaminson Street South beginning at a point 152 feet from the southerly corner of Fourth and Cinnaminson Street extending thence 25 feet westward. Mr. Cesaretti asked that the

existing disabled person's location be repealed: Fifth Street, West, beginning at a point 40 feet from the southwesterly corner of the intersection of Fifth Street and Howard Street, extending thence 22 feet. After another thorough discussion, Council agreed to these recommendations. Ordinances will be prepared for first reading for next week's meeting.

Chief Norcross and Mr. Cesaretti asked that Council consider amending Chapter 123 to prohibit standing or stopping on Fifth Street, West during all hours between Howard Street and Cinnaminson St., to make the following streets one-way-Howard Street northwest between Fifth street and fourth street and Cinnaminson Street southeast between Fourth Street and Fifth Streets add the following loading zone at Howard Street, northeast, between Fifth Street and Fourth Street, Cinnaminson Street, Southeast between Fourth Street and Fifth Street. To repeal no stopping or standing limitation on Cinnaminson street, southwest all except 11:30 am to 11:45 am and 3:00pm, to 3:15pm from Fourth Street to Fifth Street and Howard Street, Northwest, all except 11:30am to 11:45am and 3:00pm to 3:15 pm from fifth street to the north line of Riverton school. These suggestions were made with the advice and consent of the Public Safety Committee with respect to traffic flow in the vicinity of the Riverton Public School- Police Chief has consulted with the Riverton public school with respect to these recommendations.

**Discussion: Municipal cross-acceptance representatives and required resolution.**

Council reviewed a request from the County's Department of Economic Development and Regional Planning asking that the appointments to the Route 130/Delaware Riverton Advisory Committee (Mrs. Alls-Moffatt and Mr. Gilmore) also serve as the official Cross-Acceptance representatives from our municipality. They would be assisting this Department in the development of Burlington County's Cross-Acceptance report, and official negotiations with the State Planning Commission. Both Mrs. Alls-Moffatt and Mr. Gilmore asked to defer their decision to serve until next week. They need additional information. Council agreed to their request.

**Discussion: Possible application to the Municipal Aid Program for Local Bikeway and Safe Streets to School Programs.** Council reviewed correspondence from the Department of Transportation regarding this program. After a short discussion, it was the consensus to hold off on making an application at this time.

**Discussion: The Domestic Partnership Act which becomes law on July 10.** Both the Clerk and the Solicitor provided Council with detailed information regarding this new law and the burdens it will create for the Registrar's Office. Information on this new law is on file with the Municipal Clerk. The Solicitor stated that the current fee schedule for vital records does not include domestic partnership certificates. Therefore, our Ordinance needs to be amended. The Clerk also reported that we are not collecting enough in current vital record fees to offset the costs for the State mandated safety paper. The Solicitor stated that procedures will need to be in place to efficiently handle this new law. The Solicitor further stated that Council can consider participation in the New Jersey State Health Benefits program Act of the State of New Jersey for Domestic Partnership Coverage in accordance with Chapter 246, P.L. 2003. It was the consensus of Council to refer this issue to our Finance Committee for their recommendation. It was also the consensus of Council that our fee schedule ordinance be amended to include domestic partnership certificates. The Solicitor stated that he would recommend charging the same fees for all vital records. It was the consensus that the fees should be \$20.00 for the first certified copy of any vital record and \$15.00 thereafter. The Solicitor will prepare the necessary ordinance for next week's meeting.

**Discussion: Registration and room reservations for the League Conference in Atlantic City on November 16, 17, 18 & 19.** After a short discussion, it was the consensus that 4 rooms for 2 nights be reserved for this conference. The Clerk will take care of getting the accommodations.

**Summer Park Personnel.** Mr. Gilmore reported that the following people would be working the summer programs this year. They are Emily Barth, Kady Iannacone, Kyle Holl, and Chris Rago. A formal Resolution will be prepared for next week's meeting.

**Preliminary agenda for June 9.** The Clerk reviewed this with the Governing Body.

**Meeting open to the public**

**Frank Cioci, 408 Lippincott Avenue,** asked who was on the redevelopment committee. Mr. Gilmore responded there are 3 members from councils. Mr. Cioci took exception to the fact that Mr. Gilmore feels the businesses do not do well in town. Mr. Cioci feels we need more commercial properties in town and we have to make it easier for businesses to start up in town.

**Mary Ann Shea, 205 Bank Avenue,** asked if we were required to have low income housing in the Borough. Mrs. Alls-Moffatt responded yes, with any redevelopment you are required to have a certain amount of low income units. It was noted that the Borough is presently in compliance with the Council for Affordable Housing. The Borough has obtained substantive certification.

**Michael Heine, 206 Carriage House Lane,** believes Mrs. Alls-Moffatt's comments on redevelopment breed confusion. Mr. Heine provided statutory information regarding redevelopment for Council's information. Mr. Heine raised concern about the Farmers' Market and where it will be located. Mr. Heine believes it may violate our zoning ordinance if it is held on our property as opposed to NJT'S. Regarding the possible acquisition of the Post Office, he volunteered to participate on this committee.

**Jim Rivard, 304 Shrewsbury Lane,** disputed the projected assessment figures presented by Mrs. Alls-Moffatt and Mr. Gilmore regarding redevelopment this evening. Mr. Rivard asked when we would have a reassessment in town. Mr. Gilmore responded hopefully next year but added that reassessment is very costly. Mr. Rivard did like the idea of placing higher priced homes at the Nu-Way/National Casein location. Mr. Rivard stated that the Borough has a very able attorney on staff. He doesn't feel we need another attorney questioning everything that goes on here.

**Mary Ann Shea, 205 Bank Avenue,** asked if Council would be rescinding their request of the Planning Board to formulate this maintenance code. The Solicitor commented that Council would need to go back to determine if a previous Council had directed the planning board to work on this code. Mayor Martin reported that the Board would be looking at a sample code from Delanco Township to assist us in possibly putting together a softer ordinance. Mayor Martin commented that at this time we are not directing the Planning Board to do anything. Council is still thinking this issue through. Mrs. Alls-Moffatt suggested that Council review this issue at our next work session.

**Bill Harris, 502 Cinnaminson Street,** reviewed parking concerns with Council, in particular the one-way street recommendations that were made tonight. Mr. Harris also raised concerns about the street and off street parking of commercial vehicles. Mr. Harris reported that he is working on a petition to submit to the Senate regarding noise mitigation measures at the grade crossings.

**Cathy Martin, 103 Bank Avenue,** asked if Council had additional information regarding engineering work scheduled for the proposed Delaware River Heritage Trail. Mr. Gilmore stated that he spoke to Matt Johnson, the Delaware River Heritage Trail Administrator, and let him know that the engineers should restrict their work to county streets and not Borough Streets.

**RESOLUTION 65-04**

**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. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel

absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that personnel and litigation will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk



June 9, 2004

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

**PRESENT:** Council members Daniel, Smyth, Gilmore, Cesaretti, Alls-Moffatt, Solicitor Bruce Gunn and Redevelopment Solicitor Tom Coleman

**ABSENT:** Council member Villari

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from May 5 and May 12 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti abstained from the May 5 minutes and voted aye for the May 12 minutes and Mrs. Alls-Moffatt aye.

**TREASURERS' & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's and Finance Committee Reports for the month of May be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Mr. Cesaretti read a report for the month of May that was submitted by Police Chief Robert Norcross. Vehicle Mileage 3,411, Gas Used 478.30, Juvenile Arrests 3 (Assaults 0, Miscellaneous 3), Adult Arrests 17 (Criminal Warrants 2, Criminal Summons 1, Traffic Warrant 14, DWI 0), Motor Vehicle Crashes 2, Motor Vehicle Stops 107, Motor Vehicle Warnings 15, Motor Vehicle Summons 134, Burglar alarms 14, Asst. to other Police Departments 33, Animal Complaints 6, Fire Calls 16 (Riverton 5, Out of Town 11), Ambulance calls (Riverton) 24, Unattended Deaths 0, Criminal Cases 32, Domestic 1, Thefts 3, Burglaries 1 (From Residents 1, From Vehicles 0), Assaults 0, Sexual Assault 0, Criminal Mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 36 Miscellaneous Calls 637 and total calls 1,048.

Mr. Cesaretti read a report for the month of May that was submitted by M&R Wildlife, the Borough's Animal Control Officer. The town was canvassed and stray dogs and cats were removed.

**PARK, RECREATION, RECYCLING, ENVIRONMENTAL COMMISSION & MUNICIPAL COURT-Mr. Gilmore**

Mr. Gilmore read a report for the month of May that was submitted by Court Administrator Laura Frick. There were 88 traffic tickets issued-13 for parking, 75 traffic other and 0 DWI. There were 12 criminal charges filed, 6 summons, 2 warrants and 0 local ordinance. The total receipts for the month amounted to \$8318.50. The total disbursed to the Borough amounted to \$4959.62.

The roof work on the historic shed in the park has been completed. Handicapped ramps will be addressed next. The Environmental commission is nearing completion of their booklet regarding the Pompeston Creek. We will try and replace water fountains at the park. We are looking to put back charcoal burners in the park at the picnic area. Other maintenance is also being done at the park.

**PUBLIC WORKS/SEWER-Mrs. Villari (No Report)**

**ZONING, PLANNING, CODE ENFORCEMENT AND REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that our Code Enforcement Officer has submitted seven recommended changes to specific ordinances such as setback requirements, sheds, temporary structures, awnings; possibly adjusting Chapter 59 to include a Certificate of Occupancy requirement for housing sales, consider changing the height for accessory buildings and the possible adoption of a new zoning permit application. These issues will be addressed and reviewed by the respective committees for recommendations to Borough Council.

The Planning Board discussed the lack of attendance for one of the alternate members of their board. This issue was previously discussed by Council. The proposed Commercial Property Maintenance code failed to be forwarded to Council for lack of a second to a board members motion.

#### **SHADE TREE/HUMAN SERVICES-Dr. Daniel**

Dr. Daniel reported that our Tree Contractor continues to maintain our Borough trees.

Dr. Daniel read a report for the month of May that was submitted by Welfare Director, Florence Klein. There were two clients on assistance. Mrs. Klein attended a conference of the Municipal Welfare Association of New Jersey on May 7, 2004 at the Barclay in Belmar, New Jersey.

#### **OLD BUSINESS**

##### **FARMERS' MARKET UPDATE**

Eric Goldstein reported that the Farmers' Market was launched this past Saturday. Mr. Goldstein informed Council that New Jersey Transit provided the Farmers' Market with an access permit. Mr. Goldstein is looking forward to the market being a success and to help our business community. Mr. Goldstein provided Council with information as to how the market would be advertised.

##### **AD HOC ADVISORY FINANCE COMMITTEE**

Mrs. Alls-Moffatt reminded Council that this ad hoc committee had been previously suggested. She stated that she would like Council to move forward with this. Mrs. Alls-Moffatt further stated that this committee would be created to advise the Governing Body through the Council's Finance Committee on budgetary matters involving the Borough. Mayor Martin commented that Michael Kinzler and Robert Smyth, both residents of the Borough, have volunteered to serve on this committee with Borough Officials. The Solicitor commented that a resolution would have to be done to create this committee. This will be considered later on in the meeting.

##### **PARKING COMMITTEE UPDATE**

Mr. Cesaretti reported that the Parking Committee recently met and discussed various parking issues, some of which will be considered under new business tonight. Regarding previous requests made by Lauren Lewonski (who was present) for a parking space in front of her home on Howard Street, the parking committee reached a consensus that they cannot offer her any other parking relief. Two of the ordinances scheduled to be introduced tonight might alleviate some of the parking issues not only in front of her home but in front of some other businesses as well. Mrs. Alls-Moffatt concurred with Mr. Cesaretti's comments. Mrs. Alls-Moffatt commented that a lot of hard work by the Parking Committee went into this decision.

#### **NEW BUSINESS**

At this time Mr. Gilmore acknowledged the passing of former President Ronald Reagan this week.

##### **ORDINANCE 6-04**

#### **AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING CHAPTER 26, ARTICLE X SCHEDULE OF FEES**

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye

and Mrs. Alls-Moffatt aye. Second reading and public hearing on this Ordinance will be held on July 14, 2004.

**ORDINANCE 7-04**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND REPEALING CHAPTER 123, ARTICLE VIII, SCHEDULE IV, TO ADD ADDITIONAL PARKING LIMITATIONS AND TO REPEAL THE RESTRICTIONS ON OTHER LOCATIONS**

The above Ordinance was read by title only by Mr. Cesaretti, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt aye. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. Second reading and a public hearing on this Ordinance will be held on July 14, 2004.

**ORDINANCE 8-04**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND REPEALING PORTIONS OF CHAPTER 123 SECTION 27.1 SCHEDULE VA OF THE RIVERTON BOROUGH CODE TO ADD AN ADDITIONAL LOCATION WITHIN THE BOROUGH FOR DISABLED PERSONS PARKING AND TO REPEAL AN EXISTING LOCATION FOR DISABLED PERSONS PARKING**

The above Ordinance was read by title only for the first time by Mr. Cesaretti, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. Second reading and a public hearing on this Ordinance will be held on July 14.

**RESOLUTION 66-04**

**A RESOLUTION AUTHORIZING THE HIRING OF PARK PERSONNEL FOR THE 2004 SUMMER PROGRAMS, AND SETTING FEES FOR THE PARK PROGRAM AND ARTS AND CRAFTS PROGRAM  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 67-04**

**A RESOLUTION AUTHORIZING PARTICIPATION OF THE BOROUGH OF RIVERTON, BURLINGTON COUNTY, NEW JERSEY IN THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN (STATE PLAN) CROSS-ACCEPTANCE PROCESS  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 68-04**

**A RESOLUTION TO APPOINT AN AD HOC FINANCE ADVISORY COMMITTEE  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti nay and Mrs. Alls-Moffatt aye.

**CORRESPONDENCE**-There was no correspondence presented at this time.

**REDEVELOPMENT DISCUSSION**-Tom Coleman, Redevelopment Solicitor, David Gerkens, Riverton resident and a Professional Planner and Grant Writer, along with Mr. Quigley of the Caplan Organization (doing the development of 911 units in Cinnaminson Township) were also present. Mayor Martin commented that he spoke with a representative from the Smart Growth Office about redirecting the grant money previously awarded for a sustainable zoning ordinance to redevelopment. A letter would have to be sent informing them of our intentions. Mr. Gunn commented that the Smart Growth Office would have to amend our present contract with them to redirect the funds to be used for redevelopment purposes. Dave Gerkens, addressed Council. Mr. Gerkens believes it would be beneficial to the Borough if the grant monies could be reallocated towards redevelopment. Mr. Gerkens would like to a series of public meetings held to determine what our residents needs are. Mr. Gerkens stated that with Council acting as the Redevelopment Agency, they would have the final say in what the redevelopment plan says. Mr. Gerkens stated that there could be a mix of things that reflect the different areas in the plan. Mr. Gerkens singled out the Nu-Way parcel as the most blighted to be addressed. Mr. Gerkens does not feel that this would mean eminent domain for this parcel. It could mean coming up with incentives for the current owner to redevelop his property. Mr. Gerkens commented that the redevelopment planning process gives the Borough a number of options as to what type of redevelopment we would want. Mr. Gerkens stated that it would allow the Borough to negotiate directly with a developer rather than have people come before the Zoning Board and Planning Board..

Procedurally, Tom Colman reported that the previous Planning Board completed its function of developing a redevelopment plan. Mr. Coleman stated if this plan needs to be amended, there are one or two options. Council can take that charge on themselves and if there are going to be substantial amendments to this plan, Council may consider more public input. However, if Council is comfortable with the present plan, it can be adopted. If the plan is adopted and a subsequent amendment comes along, Mr. Coleman would have Council send it back the Planning Board. Mr. Coleman commented that that in April of last year that Council, by Resolution 31-03 established an initial phase of the Borough's redevelopment plan and limited certain properties within the Borough to be included within the initial phase.

At this time Mr. Gilmore provided an overview of the redevelopment suggestions that he and Mrs. Alls-Moffatt discussed with Council last week. Discussion resumed. Mrs. Alls-Moffatt stated that there are no developers lurking in the background that would suggest density building from the Pompeston Creek to Palmyra's borders. Mrs. Alls-Moffatt stated that both she and Mr. Gilmore believe the redevelopment issue needs to be addressed. It was their plan of what they thought would give Riverton the most tax rateables at the Nu-way/National Casein location. Mayor Martin asked Mr. Gunn and Mr. Coleman what our next step should be. Mr. Coleman stated that a consensus needs to be reached as to whether the current plan is viable. If it is not and needs to be amended, does Council want to take on that task or send it back to the Planning Board. Discussion resumed. **Michael Heine, 206 Carriage House Lane** urged Council to engage professionals to give them the information by which they will have the tools to assess the best interests of the community regarding redevelopment. This is very important when developers come into the Borough.

Mr. Quigley commented that he was here at this time to do an informal introduction. The Caplan Organization does a lot of redevelopment in municipalities throughout New Jersey. They would become a partner with the respective town, work with the professionals, work with the Governing Body and the public to bring the

concepts and plans to the respective Planning Boards. Mr. Quigley commented that most of the work is done for free. However, Mr. Quigley stated that they might want to become the formal developer of the area(s) discussed tonight. Mr. Quigley stated that developers such as the Caplan Organization can step in to facilitate and help Council and the Planning Board to come up with a really great plan that everybody can benefit from. The Caplan Organization is not interested in developing something that would benefit them. They would work closely with the public and governing body. Mayor Martin stated that Mr. Smyth suggested setting up a sub-committee to analyze the redevelopment issue. The suggested members would be Tom Coleman, Mr. Gilmore, Mrs. Alls-Moffatt, Planning Board Chair Frank Siefert and David Gerkens. Dr. Daniel stated that we should be soliciting public comment as to what the majority of our residents really want in terms of redevelopment. Once we have the public's input, we could then solicit the opinion of the Caplan Group (or other developers) to come up with options for consideration. Mr. Cesaretti commented that he would not feel comfortable as a Councilman to approve or disapprove any redevelopment plan without, at least, the Planning Board's input. Mr. Gilmore stated that the idea that he and Mrs. Alls-Moffatt presented last week is one that they feel is desirable for this community. **Birnie O'Reilly, 200 Lippincott Avenue**, believes we need the guidelines to properly assess what the wishes of the community are. Mrs. O'Reilly informed Council that it was her understanding that if the redevelopment plan and our Zoning Ordinance are at odds with one another, the redevelopment plan would supersede the Zoning Ordinance. Mrs. O'Reilly believes that would be a way for potential developers to come in the back door. She believes we should be cautious and know the state guidelines before we would proceed with redirecting the grant money to redevelopment. Discussion resumed with the consensus being that a sub-committee be formed to make recommendations to Council regarding redevelopment. This sub-committee will report back to Council at their July 7 work session. It was also the consensus that the Mayor make a request to the State to utilize the Borough's Smart Growth Grant for redevelopment purposes.

#### **RESOLUTION 69-04**

#### **A RESOLUTION TO FORM A SPECIAL SUBCOMMITTEE TO MAKE RECOMMENDATIONS RELATIVE TO THE REDEVELOPMENT OF THE BOROUGH OF RIVERTON (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **RESOLUTION 70-04**

#### **A RESOLUTION TO REQUEST THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS TO UTILIZE THE BOROUGH'S SMART GROWTH GRANT FOR REDEVELOPMENT PLANNING (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. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **MEETING OPEN TO THE PUBLIC**

**James Moffatt, 202 Fulton Street**, congratulated Mr. Smyth on his primary victory. **Birnie O'Reilly, 200 Lippincott Avenue**, asked if the entire business community is aware of the parking committee's meetings so they can attend and voice their opinions. The response was no. Mrs. O'Reilly believes this should be done. Mr. Cesaretti commented that they would be notified when the next meeting is held.

Mrs. O'Reilly raised concern about New Jersey Transit's required access permit that permits the Farmers' Market to operate on their property at the rail station. She doesn't understand why it is a good idea this month and was a bad idea last month.

Mrs. O'Reilly asked if Council was aware that a private citizen was given permission by the Building Official to place a temporary structure on her property. However, this citizen was told by the court to remove this structure because it was illegal. It cost this private citizen a lot of time and money to do this, because the laws on our books were incorrectly applied. Mrs. O'Reilly believes an analysis needs to be done so that this type of thing does not happen in the future. Mr. Cesaretti asked for a clarification of what she was talking about. Mrs. Alls-Moffatt commented that Maryann Shea of 205 Bank Avenue placed a carport on her property. That is considered a permanent structure, for which Ms. Shea did not get approval from our Construction Official and Zoning/Code Enforcement Officer. Mrs. Alls-Moffatt stated that Mr. Heine, who is Ms. Shea's neighbor took her to court to have it removed. Ms. Shea was then cited by the proper Borough Officials. Ms. Shea will apply for the proper permits for a permanent structure.

Mrs. O'Reilly then asked how a vacancy on Borough Council would be filled... The Solicitor provided an overview of the statutory requirements.

**Aleta Hoeffler, 513 Howard Street**, reported that other people besides herself and her husband, are using the handicapped space in front of their property. She would like to have this spot designated for her use only. The Chief will follow through and obtain information as to whether this could be done. Mrs. Hoeffler also complained about all the trash placed curbside by the restaurant on her block. Most of the time the cans are not covered and the trash is put out a number of days in advance of the collection schedule. She would like this issue addressed. Mrs. Alls-Moffatt responded that she would inform our Code Enforcement Officer about this.

**Laurie Lewonski, 515 Howard Street**, raised concern about the proposed 2 hour parking limit for her block. She doesn't know how Council can do this knowing all of the parking problems at this location.

**William Harris, 502 Cinnaminson Street**, raised concern about the proposed ordinance designating one way streets on Howard between Fifth and Fourth and on Cinnaminson Street between Fourth and Fifth Street. He does not like this idea and doesn't think it will remedy any of the parking problems. Mr. Harris reminded Council that the owner of the Red Balloon previously offered to sell his property to the Borough. This property could possibly be used for parking. Regarding the restaurant trash he believes they are not in compliance with the initial approvals given. Since this is a commercial property, he does not feel that the Borough should be picking their trash up.

**Michael Heine, 206 Carriage House Lane**, asked if there was anything on our books which would prohibit Ms. Lewonski and Mrs. Hoeffler from parking on this parking lot. The Chief said it was on the books that this lot is for Borough business only. Regarding the Farmers' Market, Mr. Heine asked if any revenues were realized for that activity. Eric Goldstein commented that there is a weekly \$20.00 charge per vendor, which was waived for the first day. Mr. Heine asked if the Solicitor has been asked to quantify his costs regarding the market. Mr. Gunn responded no. Mr. Heine believes Council should obtain a legal opinion from the Solicitor as to whether that this market is not being conducted on Borough property.

**Frank Cioci, 408 Lippincott Avenue**, thinks a survey of what the public wants regarding redevelopment is a great idea.

#### **RESOLUTION 71-04**

#### **A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT C.231P.L. 1975 (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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that personnel, contract negotiations and litigation will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

July 7, 2004

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

**PRESENT:** Council members Villari, Smyth, Gilmore, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council members Daniel and Cesaretti

Mayor Martin read the following statement:

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

**Presentation from Gary Dean of New Jersey American Water Company.** Mr. Dean is a communications manager at New Jersey American Water Company and is Riverton's representative in the corporate office. Mr. Dean stated that American Water has been acquired by another company with a centralized office now located in Lawrenceville, New Jersey. Mr. Dean stated that the Borough would now be able to ask for the Water Company's assistance regarding problems outside of water, for example, sewer operations and storm water management. These services could be offered to the Borough at reduced savings from experts at the water company. Mr. Dean stated that water quality reports are required by law and are usually sent with customers bills. Mr. Dean stated that this year our water quality was excellent and met all regulations. Mr. Dean left literature for Council and the public to review.

**Review of bids received for Homewood Drive, Second Street and Cinnaminson Street.** Mrs. Villari reported that one bid was received, opened and publicly read today at 10:00am in the Municipal Building. The one bid was from **Paramount Enterprises, Inc. of Cherry Hill, New Jersey for the total bid price of \$37,675.00.** Mrs. Villari reported that 3 other companies had picked up the specifications from the Engineer's Office, but did not bid on this project. Mrs. Villari reported that the Engineer would be making a recommendation to Council whether to accept the bid or reject it and bid again. The Solicitor will also need to review the bid. Council will be kept informed.

**Renewal of Memorandum of Understanding with the County's Housing Rehabilitation Program.** Council reviewed information regarding this program which is renewable each year as funding permits. After a short discussion, it was the consensus of Council to authorize the renewal of this Memorandum of Understanding.

#### **RESOLUTION 72-04**

#### **A RESOLUTION AUTHORIZING THE RENEWAL OF THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH OF RIVERTON AND THE BURLINGTON COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**Borough Notary Issues-Recommendation from the Solicitor.** Mr. Gunn reported that the Clerk and Treasurer have informed him that it is becoming an administrative burden to continue to notarize documents from the public. Mr. Gunn explained that on numerous occasions requests for notarization of documents have also included a request for interpretation. Mr. Gunn recommended that the notarization of documents should be exclusively for Borough Council and Mayoral business. After a short discussion, it was the consensus of Council to agree to this recommendation. A formal Resolution will be prepared for next week's meeting.



**Possible Resolutions (a) Supporting Local Authority to Protect Public Health Through Regulation of Smoking, (b) Supporting Statewide Smoke free Air Legislation that Preserves Local Authority to Protect Public Health.**

Council reviewed these sample resolutions which were submitted by the New Jersey Group Against Smoking Pollution. After a short discussion, it was the consensus that these resolutions be reviewed by Council for consideration at next week's meeting.

**Purchase Order Discussion.** The Treasurer and the Mayor reported that the ad-hoc Finance Advisory Committee recently met. One area of concern discussed at that meeting was the lack of standard purchasing procedures for the Borough. Council reviewed sample procedures. After a short discussion, Mr. Smyth suggested that our Department heads be asked to attend the next ad hoc Finance Advisory meeting scheduled for July 26 to provide their input regarding this issue before a recommendation is made to Council. The Governing Body will be kept informed.

**Redevelopment sub-committee report-Mr. Gilmore.** Mr. Gilmore reported that this sub-committee recently met and started to review the "draft" redevelopment plan. This sub-committee will be meeting again during this month. Mr. Gilmore hopes to bring the committee's suggestions to the August work session for Council's consideration.

**Commercial Property Maintenance Code Discussion-Mrs. Alls-Moffatt** commented that she did not wish to discuss this issue at this time. Mrs. Alls-Moffatt then reviewed the attached proposed amendments to Chapter 128 and 59 of the Borough Code. These suggestions were submitted by our Zoning officer/Code Enforcement Officer Tony Dydek. After some discussion, it was the recommendation of our Solicitor that these suggestions be referred to the proper committees for their review and recommendations to Council. The Governing Body will be kept informed.

**Review of draft Ordinance Re: Check list requirements for site plan and sub-division applications.** The Solicitor reported that he was still working on the draft ordinance regarding this issue. He hopes to present this to Council for their consideration at the August work session.

**Preliminary agenda for July 14.** The Clerk reviewed this with the Governing Body.  
**Meeting open to the public**

**Michael Heine, 206 Carriage House Lane,** asked for a copy of the proposed amendments submitted by the Zoning Officer/Code Enforcement Officer. Mr. Heine is of the opinion that that these types of amendments need professional review.

**James Moffatt, 202 Fulton Street,** asked Mrs. Villari if she would be staying on Council. Mrs. Villari responded yes. Mr. Moffatt then inquired as to when the clock at the center of town would be operational. Mrs. Villari responded when Broad Street is completely re-paved.

**Michael Heine, 206 Carriage House Lane,** asked if any revenue from the Farmers' Market had been turned into the Borough. Mr. Smyth responded that he would find that out.

**Greg Urban, Red Balloon owner 509-11 Howard Street,** expressed strong opposition to the Ordinance introduced last month that would place parking time restrictions on his portion of Howard Street. Mr. Urban went into detail regarding all the reasons why he feels this Ordinance will not work. He asked Council to re-think this decision. Mr. Urban reminded Council that he has offered to sell his property to the Borough at fair market value. Perhaps this would help with the parking problems at this location.

**Mary Ann Shea, 205 Bank Avenue** expressed concern that she was sued by her neighbor, Michael Heine for the placement of a carport on her property. She believes he could have talked to her about his opposition to this carport instead of suing her.

**Michael Heine, 206 Carriage House Lane,** disagreed with Ms. Shea's comments.

**RESOLUTION 73-04**

**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. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffat aye. It should be noted that personnel issues would be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffat aye.

**RESOLUTION 74-04**

**A RESOLUTION APPOINTING THOMAS COLEMAN, ESQUIRE, OF  
RAYMOND AND COLEMAN, AS THE SPECIAL COUNSEL FOR THE  
BOROUGH IN THE MATTER OF DOLECKY, ET AL VERSUS  
BOROUGH OF RIVERTON**

**(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 Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

July 14, 2004

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

**PRESENT:** Council members Villari, Smyth, Gilmore, Cesaretti, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council member Daniel

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from June 2, June 9 and closed session minutes from May 5 & May 12 were then presented. Mr. Smyth made a motion that these minutes be approved as submitted. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's and Finance Committee Reports for the month of June be approved as submitted. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti.** Mr. Cesaretti reported that the police, fire and animal control reports were not submitted for the month of June.

**PARK, RECREATION, ENVIRONMENTAL COMMISSION, RECYCLING AND MUNICIPAL COURT-Mr. Gilmore**

Mr. Gilmore reported that additional shrubs and bushes were received from the light rail people and have been planted at various locations throughout town. Mr. Gilmore reported that a municipal court report was not submitted. Mr. Gilmore explained that court was held last night and the Court Administrator had not processed the paperwork.

**PUBLIC WORKS/SEWER-Mrs. Villari**

Mrs. Villari thanked the Public Works Department for all of the efforts in making the town look great for the 4<sup>th</sup> of July celebration.

Mrs. Villari reported that our Streets and Roads Engineer has recommended that Council accept the one bid received from Paramount Enterprises, Inc., of Cherry Hill, New Jersey for the road work to be done on Homewood Drive, Second Street and Cinnaminson Street. Our Solicitor commented that he was reviewed the bid received and everything appears to be in order. After a short discussion, it was the consensus of Council to agree to this recommendation.

**RESOLUTION 78-04**

**A RESOLUTION OF THE BOROUGH OF RIVERTON AUTHORIZING THE AWARD OF CONTRACT FOR THE 2004 ROAD PROGRAM (HOMWOOD DRIVE, SECOND STREET AND CINNAMINSON STREET) TO PARAMOUNT ENTERPRISES, INC. OF CHERRY HILL, NEW JERSEY (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**ZONING, PLANNING, CODE ENFORCEMENT AND REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that the Zoning Board was to have heard an application from James Brandenberger regarding the potential development of vacant land on the 600 hundred block of Main Street. However, this application was deferred until next month.

Regarding Cindy Vee's application for the placement of a Bed and Breakfast (River Line Inn) at 204 Broad Street, Ms. Vee was informed by the Board that she must show that this Inn is in conformance with the Borough's Master Plan and not harmful to the neighborhood. She was also informed that she would need a variance for parking and for her driveway. Mrs. Alls-Moffatt reported that the Board held a considerable discussion on whether Ms. Vee would need a fence or a 10' landscape barrier to separate her property from the adjacent one.

Regarding the Planning Board, Mrs. Alls-Moffatt reported that the long awaited Pompeston Creek Pamphlet would be available this month. Copies will be placed at the library. Mrs. Alls-Moffatt reported that Mr. Gilmore raised concern at the Planning Board meeting about the deterioration of the property at 423 Lippincott. He asked if some type of scattered site redevelopment could be used to save this historic house. The Planning Board Solicitor stated that Borough Council would have to initiate this. The Planning Board noted that Mr. Glenn Smyth is selling used furniture at 300 Broad Street. This business needs a minor site plan review. Concern was raised as to how this business was permitted to open without anyone's knowledge.

Regarding redevelopment, Mrs. Alls-Moffatt reported that the new sub-committee recently formed for this issue met and reviewed the draft redevelopment plan, making certain modifications. Council will be kept updated on this issue.

**SHADE TREE/HUMAN SERVICES-Dr. Daniel**

In Dr. Daniels' absence, Mrs. Villari read a report submitted by our Welfare Director for the month of June. There were two clients on assistance and Mrs. Klein attended two seminars during the month.

**OLD BUSINESS**

#### **BROAD STREET ENHANCEMENT GRANT**

Mr. Gilmore asked the Solicitor if he had prepared the required correspondence pertaining to our selection of an Engineer for this project. Mr. Gunn responded that this letter would be mailed out tomorrow and copied to Council.

**NEW BUSINESS**

#### **ORDINANCE 6-04**

#### **AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING CHAPTER 26, ARTICLE X SCHEDULE OF FEES (IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. It should be noted that this Ordinance provides that the fees for all vital records (birth, death, marriage, and domestic partnership) be set at \$20.00 for the first copy and \$15.00 for every additional copy. Mr. Gilmore stated that our local funeral director has expressed concern at the proposed fees for death certificates. A discussion then ensued. The Solicitor stated that to prevent a substantive change to this Ordinance, Council could consider changing the fees charged for all vital records. However, only changing the fees charged for death certificates would be considered substantive. After a short discussion, it was the consensus to keep the fee schedule the way Council originally intended. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. Since there was no public comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **ORDINANCE 7-04**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING  
AND REPEALING CHAPTER 123, ARTICLE VIII, SCHEDULE IV, TO ADD  
ADDITIONAL PARKING LIMITATIONS AND TO REPEAL THE  
RESTRICTIONS ON OTHER LOCATIONS  
(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. Gilmore. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance.

**Greg Urban, 509-511 Howard Street**, reiterated his strong opposition to this Ordinance and the problems he believes will occur if Council adopts it. This Ordinance raises the parking limitation on this portion of Howard Street from one to two hours. It should be noted that Mr. Urban is the owner of the Red Balloon Nursery School at this location and the parking at this location is an ongoing problem. Mr. Urban does not believe the one hour parking limit was ever enforced.

**Michael Heine, 206 Carriage House Lane**, believes this Ordinance is not rationale nor enforceable. He believes a parking survey needs to be done by a professional planner before any decisions are reached.

**Laurene Lewonski, 515 Howard Street**, asked what year the original parking ordinance was passed. The Solicitor was asked to determine that information. Ms. Lewonski stated that presently there are no signs posted regarding parking restrictions on Howard Street. She stated that she would never have purchased her property if she had known there was a one hour parking restriction on her street. Ms. Lewonski expressed strong opposition to this ordinance and the new parking restrictions it will bring. Ms. Lewonski expressed her displeasure once again, with the fact that the Planning Board approved a site plan application a number of years ago for the placement of a restaurant next door to her property. Ms. Lewonski feels that she is unable to get a parking space in front of her home. She believes there are other parking options that could be explored. Ms. Lewonski stated that her property is in the neighborhood business district and not the business district. She wants parking relief in the way of a person parking space in front of her home. She has made this request on numerous occasions.

**Michael Heine, 206 Carriage House Lane**, reiterated his opinion that professionals need to review our parking problems.

**Greg Urban, 519 Howard Street**, read a letter offering to sell the Red Balloon Nursery School property to the Borough of Riverton for fair market value. Mr. Urban believes this may help the Borough with some of the parking problems. Council took this issue under advisement.

Council then discussed what was raised by the public regarding this Ordinance. Mr. Cesaretti, Mr. Gilmore and Mrs. Alls-Moffatt (members of the parking committee) provided detailed information as to how much time and effort was done by the parking committee to review various parking problems in town. It was only after all of this work had been completed that a recommendation to Council was made to consider the passage of this Ordinance. Mrs. Alls-Moffatt stated that if we find that this Ordinance does not work after six months, the issue can be revisited. Mr. Cesaretti commented that Alaimo, Associates had done a parking study for us. Mr. Cesaretti also reiterated his position that the Borough would be setting a precedent if they provided Ms. Lewonski with a designated parking space in front to her home. Mrs. Villari stated that while she acknowledges all the work the parking committee has done on this issue, she believes Council should not adopt this Ordinance at this time. Mrs. Villari then made a motion to table this Ordinance. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore nay, Mr. Cesaretti nay and Mrs. Alls-Moffatt nay.

At this time Mr. Gilmore called for a vote on this Ordinance. Dr. Daniel absent, Mrs. Villari nay, Mr. Smyth nay, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**ORDINANCE 8-04**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND REPEALING PORTIONS OF CHAPTER 123 SECTION 27.1 SCHEDULE VA OF THE RIVERTON BOROUGH CODE TO ADD AN ADDITIONAL LOCATION WITHIN THE BOROUGH FOR DISABLED PERSONS PARKING AND TO REPEAL AN EXISTING LOCATION FOR DISABLED PERSONS PARKING**

**(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 Mrs. Alls-Moffatt. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. Since there was no public comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**CONSENT AGENDA**

**RESOLUTION 75-04**

**A RESOLUTION LIMITING THE NOTARIZATION OF DOCUMENTS BY BOROUGH OFFICE PERSONNEL**

**(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 76-04**

**A RESOLUTION SUPPORTING STATEWIDE SMOKE FREE AIR LEGISLATION THAT PRESERVES LOCAL AUTHORITY TO PROTECT PUBLIC HEALTH**

**(IN FULL IN RESOLUTION BOOK)**

Mr. Gilmore moved that the above Consent Agenda be adopted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**CORRESPONDENCE**-There was no correspondence presented at this time

**PROPERTY TAX RELIEF**

At this time Mr. Smyth reported that we have received notification from the Department of Community Affairs that Riverton will receive \$25,000.00 of property tax relief as our share of the new \$32 million Municipal Homeland Security Police Assistance Aid Program. Since our budget has already been adopted, Mr. Smyth reported that the Department of Local Government Services would amend it for us by reducing the tax levy that is certified by the County Tax Board. Mr. Smyth stated that \$25,000.00 amounts to a reduction of almost 2 cents on our tax rate.

**MEETING OPEN TO THE PUBLIC**

**James Moffatt, 202 Fulton Street**, asked that Council consider revisiting the fee schedule issue in six months to determine if any modifications need to be made.

**Michael Heine, 206 Carriage House Lane** asked Mr. Cesaretti if he understood correctly that an engineer reviewed data and approved the parking plan that was passed tonight by Ordinance. Mr. Cesaretti responded yes, Alaimo Associates prepared the blueprints. Mr. Cesaretti stated that there will probably be other suggested parking changes presented for Council's review at next month's work session. Mr. Heine then stated that if he had known that the ordinance passed tonight reflected an engineering study, most of his comments tonight would not have been made. He apologized to Council. Mr. Cesaretti commented that the Ordinance adopted tonight was based on the Engineering study.

**Nancy Washington, 201 Main Street**, stated that a lot of the trains are only tooting their horns once. She wanted to thank whoever was responsible for this.

**RESOLUTION 77-04**

**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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that contract negotiations will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 79-04**

**A RESOLUTION APPOINTING DUCA/HUDER & KUMLIN, P.A. AS THE ARCHITECT FOR THE POTENTIAL CONVERSION OF THE USPS POSTAL FACILITY IN RIVERTON TO A BOROUGH MUNICIPAL BUILDING  
(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. Gilmore. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

August 4, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth, Gilmore, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council member Cesaretti

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 the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

**Financial Issues: a. approval & execution of required certificates Re: renewal of Bond Anticipation Note,** Council reviewed the three bids received for the renewal of our Bond Anticipation Note. They were as follows: 1st National Bank –A Bank of America Company 1.79%, Parker & Hunter 2.75% and Commerce Corp. 3%. Mr. Smyth reported that the Borough would accept the bid from 1<sup>st</sup> National Bank. Mr. Smyth further stated that this was a renewal of our Bond Anticipation Note plus additional funding for a fire truck. The Mayor is required to execute required certificates regarding this note. **b. Tax Bills-extending the grace period for August payments.** Mr. Smyth reported that the distribution of the Borough's tax bills were delayed by the County and State's failure to timely approve the Borough's 2004 Municipal budget. Mr. Smyth reported that the tax bills were mailed out to all residents on July 30<sup>th</sup>. The Treasurer reported that, by law, tax bills should be mailed at least 25 days before the due date (August 1) Mr. Smyth reported that it is the recommendation to extend the grace period for the August tax payments until August 31, 2004. After that date, the interest charges would revert back to August 1. After a short discussion, it was the consensus of Council to agree to this recommendation.

#### **RESOLUTION 80-04**

#### **A RESOLUTION AUTHORIZING THAT THE GRACE PERIOD FOR DELINQUENT 2004 3<sup>RD</sup> QUARTER TAXES BE EXTENDED TO AUGUST 31, 2004**

#### **(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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**Update Re: 2004 Community Development Block Grant Project.** Mrs. Villari reported that we have received notification that the Borough's approved allocation for this project amounts to \$85,000.00. Mrs. Villari explained that the Borough would be removing architectural barriers and installing handicapped curb ramps at 41 locations throughout the Borough. Mrs. Villari reported that we need to authorize the Mayor to sign the sub-grantee agreements required for this project.

#### **RESOLUTION 81-04**

#### **A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE SUB-GRANTEE AGREEMENT PERTAINING TO THE BOROUGH'S 2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT**

#### **(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye,



Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**Review of the following draft Ordinances: Checklist requirements for site plan and sub-division applications and making required appointments to the Environmental Commission consistent with state statutes.** Council reviewed both of these draft ordinances prepared by our Solicitor. It was the consensus that they be placed on the agenda for first reading at next week's Council meeting.

**Announcement of the completion of the Pompeston Creek Environmental Inventory Booklet.** Mr. Gilmore made this announcement and stated that this publication was produced under the NJDEP Environmental Services Program Matching Grant ES02-014. Five hundred copies of this booklet have been printed. This publication provides basic information about the geology, history, plants, animals and recreation value of the Creek.

**Announcement that the Borough Code book has been placed on the internet:**

[www.generalcode.com](http://www.generalcode.com) (The Borough's code codifiers). The Clerk made this announcement and informed Council that the Borough's webmaster would be creating a link from our website to the on-line Code so that the Code book will be accessible to the public. Council will be kept apprised of this issue.

**Review of correspondence from Congressman Rob Andrews Re: Riverton resident's complaint about the horn blowing at the grade crossings.** Council reviewed this correspondence and it was the consensus that the Mayor respond in writing. Council also explored other options that might be available to the Borough to alleviate the horn problem. One suggestion was for neighboring communities to band together and consider taking legal action against New Jersey Transit. Council asked our Solicitor to provide a legal opinion on this. The Solicitor also suggested contacting our congressional representatives who oversee the Federal Railroad Association for assistance.

**Discussion: Council on Affordable Housing (COAH) liaison.** Mrs. Alls-Moffatt reported that Planning Board member Christian Hochenberger has volunteered to serve in this capacity. Our Solicitor commented that the Borough is required to complete and submit annual COAH monitoring forms. This had previously been done by former COAH liaison and member of the Planning Board, Lyn Johnson. Mr. Gunn further commented that there are new COAH rules scheduled to be adopted by the State in January 2005, which may have an impact regarding our substantive COAH certification. Mr. Gunn stressed the importance of appointing a COAH liaison to assist Council with COAH issues. Dr. Daniel expressed concern that Mr. Hochenberger may not have the time to do the work that may be required. Discussion resumed. It was the general consensus that Mr. Hochenberger be appointed to serve as the COAH liaison for the remainder of 2004. Mr. Hochenberger will be working closely with Tamara Lee, Planner regarding COAH requirements.

#### **RESOLUTION 82-04**

#### **A RESOLUTION APPOINTING CHRISTIAN HOCHENBERGER TO SERVE AS THE BOROUGH'S COUNCIL ON AFFORDABLE HOUSING (COAH) LIAISON FOR THE REMAINDER OF 2004 (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel abstained, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**Redevelopment sub-committee report-**Mr. Gilmore reported that the sub-committee recently met, reviewed the present draft plan, and made some modifications to it. Copies of the new draft redevelopment plan, with the inclusion of the suggested modifications were distributed to Council. Mr. Gilmore asked that Council review this document for next week's meeting. He would like Council to move forward and approve this plan and then hold a public hearing on it. A discussion then ensued. It was the consensus of

Council that our Redevelopment Solicitor, Tom Coleman, be asked to attend next week's meeting to review these suggested modifications with the Governing Body. Mr. Coleman will also be asked to review the proper procedures regarding the adoption of a redevelopment plan.

**Discussion: Possible application for the Statewide Livable Communities Grant for Municipal Capital Improvement Projects.** Council reviewed information regarding this grant. The purpose of this grant is to assist municipalities with capital improvement projects for municipally-owned properties (excluding those specific to parks and recreation) to include; existing building and structures, roads, pipes, drains and other utilities infrastructure, acquisition of and rights-of way (excluding open space), equipment, and vehicles other than passenger cars and station wagons. Additional guidelines would also have to be met. It was the consensus that an application be made. Mrs. Villari will contact Rick Arango, the Borough's Consulting Engineer to move forward with the application process. Council will be kept informed.

**Preliminary agenda for August 11.** The Clerk reviewed this with the Governing Body.  
**Meeting open to the public**

**Michael Heine, 206 Carriage House Lane,** asked Mrs. Alls-Moffatt if she has had any formal discussions with potential developers. Mrs. Alls-Moffatt responded no, that she has only initiated informal discussions for informational purposes only.

Mr. Heine raised concern about an antique store being operated out of 300 Broad Street as well as the parking lot recently paved at this location. Mr. Heine asked if site plan applications had been submitted for approval. Mrs. Alls-Moffatt responded that we are aware of these two issues and they are being addressed by our Code Enforcement Officer. Council will be kept informed.

Mr. Heine suggested that Council ask our Solicitor for a legal opinion as to whether or not the Borough would have a cause of action against New Jersey Transit relative to the frequency and volume of the whistles which emit from the light rail trains. It was the consensus of Council that the Solicitor be asked to do this.

Mr. Heine asked when our website would be updated. The Clerk responded that our website is being worked on by the Borough's webmaster, Deborah Lengyel.

Mr. Heine stated that he believes there should be revenue accountability regarding the Farmers' Market.

Mr. Heine also questioned the new draft redevelopment plan and whether the people working on it were qualified to do so. He believes our Planner should have input regarding this plan.

**Debra Wenig, 200 Cinnaminson Street,** inquired as to whether the Borough would definitely be purchasing the Post Office. Mr. Smyth commented that the Borough has been exploring this issue and has appointed an architect to help us determine what the costs would be to renovate and remediate this site for municipal purposes. Mrs. Wenig expressed concern about the high taxes and believes this issue should go to a referendum. Mr. Smyth stated that the Borough first needs to find out what the costs would be before any decisions are reached. Mayor Martin commented that he would like this issue to be placed on a referendum. Mr. Gunn commented that it would be very costly for the Borough to hold a special election to put the question before the public as to whether we should acquire and renovate the post office. The best time to do this would be the placement of the question on the ballot for the general election. Mr. Gunn further stated that a referendum cannot be done during a primary election. Council took this entire issue under advisement.

**William Harris, 502 Cinnaminson Street,** asked if Council would be considering the offer made by the owner of the Red Balloon to sell his property to the Borough. Council has not made any decision regarding this offer.

**Nancy Washington, 201 Main Street,** stated that she finds the redevelopment process confusing. Mrs. Alls-Moffatt volunteered to provide Mrs. Washington with information regarding this process.

**Michael Heine, 206 Carriage House Lane**, asked if either Mr. Gilmore or Mrs. Alls-Moffatt would sign off on the draft redevelopment plan presently being considered. Mrs. Alls-Moffatt stated that she would sign the document.

**RESOLUTION 83-04**

**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. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye. It should be noted that a litigation matter will be discussed.

At this time Mrs. Alls-Moffatt moved that we return to public session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

There being no further business to discuss, Mrs. Alls-Moffatt moved that the meeting be adjourned. This was seconded by Mr. Gilmore, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk

August 11, 2004

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

**PRESENT:** Council members Daniel, Smyth, Gilmore, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council members Villari and Cesaretti

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from July 7, July 14 and closed session minutes from June 2, June 9, July 7 and July 14 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's and Finance Committee Reports for the month of July be approved as submitted. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

In Mr. Cesaretti's absence, Mrs. Alls-Moffatt read the police report for the month of June that was submitted by Chief Norcross. Vehicle Mileage 2972, Gas Used 407, Juvenile Arrests 3 (Assaults 0, Miscellaneous 3), Adult Arrests 11(criminal Warrants 3, Criminal Summons 1, Traffic Warrants 5, DWI 2), Motor Vehicle Crashes 2, Motor Vehicle Stops 94, Motor Vehicle Warnings 15, Motor Vehicle Summons 94, Burglar Alarms 10, Asst. to other Police Departments 31, Animal Complaints 3, Fire calls 12 (Riverton 2, Out of Town 10), Ambulance Calls-Riverton 32, Unattended Deaths 0, Criminal Cases 33, Domestic Violence 0, Thefts 4, Burglaries 2, Firefighters/EMT 0, Civilian 1), Sexual Assault 0, Criminal Mischief 7, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 37, Miscellaneous Calls 504, and Total Calls 973.

In Mr. Cesaretti's absence, Mrs. Alls-Moffatt read the police report for the month of July that was submitted by Chief Norcross. Vehicle mileage 3080, Gas Used 395.2, Juvenile Arrests 5 (assaults 0, Miscellaneous 5), Adult Arrests 12, (Criminal Warrant 3, criminal Summons 1, Traffic Warrant 6, DWI 2), Motor Vehicle crashes 3, Motor Vehicle Stops 56 Motor Vehicle Warnings 6, Motor Vehicle Summons 63, Burglar Alarms 1, Asst. to other Police Departments 53, Animal Complaints 5, Fire Calls 8, Ambulance calls (Riverton) 21, Unattended Deaths 1, Criminal Cases 41, Domestic Violence 1, Thefts 7, Burglaries 0, Assaults 2 (Police Officers 0, Firefighters/EMT 0 & Civilian 2, Sexual Assault 0, Criminal Mischief 6, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 38, Miscellaneous Calls 589 and Total Calls 929.

Mr. Gilmore asked the Chief about the blue Chevrolet on the municipal parking lot. Mr. Gilmore believes this vehicle has been abandoned and is not registered. Chief Norcross stated that Officer Kirk was taking care of that now. However, Mr. Gilmore stated that he did not see any indication that the police addressed this situation before tonight's meeting. Mr. Gilmore complained that this situation was previously brought to the Chief's attention and it has taken the department three weeks to address it. Mr. Gilmore doesn't know how we can enforce the new 2 hour parking ordinance when the police don't even check what goes on in our own municipal parking lot. Mr. Gilmore asked the Chief to think about this and get back to the Public Safety Committee. Mr.

Gilmore asked the Chief why the parking lot is not policed. The Chief responded that the officers do check the parking lot. Mr. Gilmore stated that the officers should be writing things down. Mrs. Alls-Moffatt then asked if the two hour parking signs were delivered. The Chief responded no, that they had not been ordered. The Chief also stated that the estimated cost for these signs and posts is six or seven hundred dollars. The Chief commented that the signs must be a height of seven feet. Mr. Gilmore asked if the Chief anticipates a problem for his department by putting these signs up. The Chief responded no, and that he had just ordered chalk sticks to mark the tires.

**PARK, RECREATION, RECYCLING, ENVIRONMENTAL COMMISSION AND MUNICIPAL COURT-Mr. Gilmore**

Mr. Gilmore reported that maintenance continues to be done at the park. Mr. Gilmore has contacted three fence companies to obtain quotes for fencing at the back of the stadium.

Mr. Gilmore read a report for the month of June that was submitted by Court Administrator Laura Frick. There were 158 traffic tickets issued—19 for parking, 139 traffic other and 2 DWI. There were 10 criminal charges filed—1 summons, 3 warrants and 0 local ordinance. The total receipts for the month amounted to \$10,498.50. The total disbursed to Riverton amounted to \$5605.65.

Mr. Gilmore read a report for the month of July that was submitted by Court Administrator Laura Frick. There were 66 traffic tickets issued—13 for parking 53 traffic other and 0 DWI. There were 13 criminal charges filed—1 summons, 3 warrants and 1 local ord. The total receipts for the month amounted to \$10,173.00. The total disbursed to Riverton amounted to \$5708.00

**PUBLIC WORKS/SEWER-Mrs. Villari**

In Mrs. Villari's absence, the Clerk reported that the road project on Homewood Drive, Cinnaminson Street and Second Street will commence on September 1, 2004. It is anticipated that the work will be completed by September 18. The contractor will be given an extension until the end of September if the weather does not cooperate.

**ZONING, PLANNING, CODE ENFORCEMENT AND REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that Christian Hochenberger, a member of the Planning Board was appointed by Council last week to serve as the Borough's COAH liaison. Mrs. Alls-Moffatt reported that the sub-committee is still working on rewriting our fence ordinance. Mrs. Alls-Moffatt reported that the Board reviewed a minor site plan application for the operation of an antique shop at 300 Lippincott Avenue. Glenn Smyth, the applicant was present at the Board meeting to review this application. Mr. Smyth informed the Board that he was initially told that all he needed was a mercantile license. He was later informed that he needed minor site plan approval. Mrs. Alls-Moffatt provided an overview of the Board's discussion on this issue. Detailed information can be obtained through the Planning Boards' secretary and minutes. Mrs. Alls-Moffatt raised concern that the general public may not be aware of the required procedures regarding permits and planning and zoning board applications. She recommends that a letter be sent to all residents informing them of the proper procedures.

The Zoning Board heard an application from James Brandenberger regarding a project that he would like to build on the six hundred block of Main Street. The plans are on file in Borough Hall. This application was continued until the Zoning Board's August meeting. There was also an application for a side yard setback by another resident which the Board approved. Mrs. Alls-Moffatt reported that resolutions were memorialized for Cindi Vee's application for a bed and breakfast and for Mr. Grahm's fence application.

**SHADE TREE/HUMAN SERVICES-Dr. Daniel**

Dr. Daniel stated that there was nothing to report regarding Shade Tree this month.

Dr. Daniel read a report for the month of July that was submitted by Welfare Director Florence Klein. There were two clients on assistance. Mrs. Klein attended various seminars and workshops throughout the month.

#### **OLD BUSINESS**

##### **UPDATE RE: RAIL MEETING**

Mr. Gilmore reported that he and Mrs. Alls-Moffatt recently met with representatives from Riverfront Associates for the New Jersey Transit Riverline Consulting Team. Mr. Gilmore stated that this meeting was to help identify and evaluate desirable municipal economic development that can be supported by the RiverLine in each of the communities that hosts a RiverLine station. Both Mr. Gilmore and Mrs. Alls-Moffatt reported that the meeting went well. Information was exchanged and concerns were raised. Mr. Gilmore stated that another meeting will be held sometime in the Fall. Council will be kept informed.

##### **ZONING/CODE ENFORCEMENT OFFICER ISSUES**

Mrs. Alls-Moffatt asked that Council address Mr. Dydek's suggested amendments to our Zoning Ordinance. These suggested were previously presented to Council for their consideration. A discussion then ensued. Our Solicitor recommended that the Zoning Board and their attorney be apprised of these suggestions for their review and input. This should be done prior to any action Council may decide to take.

##### **LEGAL OPINION RE: RAIL HORNS**

Council reviewed a legal opinion from our Solicitor as to whether the Borough would have a cause of action against New Jersey Transit relative to the frequency and volume of the whistles which emit from the light rail trains. This opinion is on file with the Municipal Clerk. Mr. Gunn stated that the Borough would have the right to present a petition attesting to the noise pollution issues created by the railroad. Mr. Gunn cautioned that the Surface Transportation Board would probably raise safety arguments in defending the practice blowing horns at the grade crossings. A discussion ensued with Council taking this issue under advisement.

#### **NEW BUSINESS**

##### **ORDINANCE 9-04**

##### **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 22 ARTICLE I OF THE RIVERTON BOROUGH CODE CREATING A UNIFORM CHECKLIST FOR SUBMISSION REQUIREMENTS FOR VARIOUS APPLICATIONS TO THE PLANNING BOARD**

The above Ordinance was read by title only for the first time by Mrs. Alls-Moffatt, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye. Second reading and a public hearing on the Ordinance is scheduled for September 8, 2004 at 7:00pm.

##### **ORDINANCE 10-04**

##### **AN ORDINANCE TO AMEND CHAPTER 13 OF THE RIVERTON CODE TO PROVIDE FOR THE MAYORAL APPOINTMENT OF MEMBERS OF THE RIVERTON BOROUGH ENVIRONMENTAL COMMISSION AND DESIGNATION OF ITS CHAIRMAN**

The above Ordinance was read by title only by Mr. Gilmore, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent

and Mrs. Alls-Moffatt aye. Second reading and a public hearing on this Ordinance is scheduled for September 8, 2004 at 7:00pm.

#### **MAYORAL APPOINTMENT TO THE ARCHITECTURAL REVIEW COMMITTEE**

Mayor Martin appointed Nancy Siefert to serve as a regular member of this committee. Mrs. Siefert will be filling the unexpired term of Dan Campbell, who moved out of town. Mrs. Siefert's term will expire on December 31, 2006.

**CORRESPONDENCE**-There was no correspondence presented at this time.

**Michael Heine, 106 Carriage House Lane**, asked what Nancy Siefert's qualifications were to serve on the Architectural Review Committee. Mrs. Alls-Moffatt listed all of Mrs. Siefert's qualifications for this appointment.

Mr. Heine believes that we should look into obtaining parking signs that are aesthetically pleasing. Concern was raised about the potential costs for such signs. Chief Norcross commented that he would find out from the State what specific requirements are necessary for these signs.

Mr. Heine asked that a legal opinion be obtained regarding the present Farmers' Market sign. It was the consensus that our Code Enforcement Officer determine whether this sign conforms to our ordinance requirements.

Mr. Heine believes that the updated draft redevelopment plan should be evaluated by Tamara Lee, the Planning Board's Planner. Mr. Gilmore disagreed with Mr. Heine.

Mr. Heine believes that the Zoning Officer's proposed amendments to our Zoning Code be sent to the Architectural Review Committee for their review and consideration.

**William Harris, 502 Cinnaminson Street**, raised concern that the bathrooms at the grandstand in the park have not been locked. A discussion ensued with the consensus being that the police would follow through on this issue.

**Michael Heine, 206 Carriage House Lane**, expressed concern that there might be a conflict of interest for Nancy Siefert to serve on the Architectural Review Committee. Because her husband is a member of our Planning Board, certain applications that could be before that Board may also require review by the Architectural Review Committee. The Solicitor commented that he would review this situation for potential problems.

#### **REDEVELOPMENT DISCUSSION-TOM COLEMAN, REDEVELOPMENT SOLICITOR PRESENT**

Mr. Gilmore and Mrs. Alls-Moffatt reported that the redevelopment sub-committee's modifications to the draft redevelopment plan were distributed to Council at last week's meeting. Mr. Gilmore had asked Council to relay any concerns or questions about the plan to him. Mr. Gilmore stated that he has not received any comment from the members of Council one way or the other. Both Mr. Gilmore and Mrs. Alls-Moffatt would like to move forward with the process of getting this plan adopted. Mr. Coleman commented that he was not sure that the sub-committee had finished all of their work on this draft plan. He recommended that another meeting be held. Mr. Coleman stressed the importance that the Mayor and Council be comfortable with the plan before it is considered for adoption. Mr. Coleman provided an overview of the process that would be required for the adoption of a redevelopment plan. After a short discussion, it was the consensus that the sub-committee meet on August 17 to review the draft plan. Council will be kept informed.

#### **RESOLUTION 83-04**

#### **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. Smyth, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye. It should be noted that a litigation matter will be discussed.

At this time Mr. Gilmore moved that we return to public session. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

#### **NEWSLETTER**

Dr. Daniel commented that we are seeking volunteers to assist us in the formulation of a Borough Council newsletter. The Clerk supplied him with samples of previous newsletters that we have done. Council will be kept informed.

#### **FARMERS' MARKET VOUCHERS**

The Treasurer reported that we have incurred almost a thousand dollars in legal fees pertaining to the Farmers' Market. After short discussion it was the consensus that revenue received from the market be used to offset these costs.

#### **RE-ASSESSMENT OF ALL PROPERTIES**

The Clerk reported that the County Tax Administrator would like to come to a Council meeting to discuss a possible revaluation. It was the consensus that the Clerk ask the County Tax Administrator to attend the next Council work session, if possible.

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

Mary Longbottom, RMC  
Municipal Clerk



September 1, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth, Gilmore, Cesaretti, Alls-Moffatt and William Martin, Esquire, filling in for 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 notice of all meetings to be held in 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

**Streets & Roads Issues: a. Update Re: Livable Communities Grant Application.**

Mrs. Villari reported that Engineer, Rick Arango has informed us that his firm's fee to prepare this application would not exceed \$500.00. Mrs. Villari stated that it is the recommendation of her committee and the Public Works Manager that any grant monies obtained be utilized to offset the costs associated with our recent purchase of a new fire truck as well as designated road work in the Borough. Mayor Martin asked if any potential grant monies could be used for the installation of stop signs at various locations throughout town. Mrs. Villari responded no; however she will talk to Mr. Arango to find out if any such grants exist. Mr. Cesaretti asked the Chief if there was a safe streets grant available for stop sign purposes. The Chief stated that he didn't know if there was such a grant available. The Chief further stated that the Highway, Traffic and Safety Department have many grants that we could look into. After a short discussion, it was the consensus of Council to agree with the recommendation of the Public Works Committee regarding this application. Mrs. Villari stated that the application needs to be submitted by September 30, 2004.

**RESOLUTION 84-04**

**A RESOLUTION AUTHORIZING THE ENGINEERING FIRM OF REMINGTON, VERNICK AND ARANGO TO SUBMIT AN APPLICATION FOR THE STATEWIDE LIVABLE COMMUNITIES GRANT (IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**B. Required resolution to include Municipal Stormwater Grant (\$6882.00) in 2004 Municipal Budget.** Mrs. Villari explained that this grant money was received after the budget had been adopted. Our Auditor has informed us that a formal Resolution needs to be done asking that the Director of Local Government Services approve this amount and to include it in our 2004 Municipal Budget.

**RESOLUTION 85-04**

**A RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BOROUGH BUDGET FOR THE YEAR 2004**

**(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**c. Correspondence from Alaimo Associates Re: Broad Street Parking Proposal.**

Mrs. Villari reported that we have received notification from Alaimo Associates that the approval of the New Jersey Department of Transportation (NJDOT) is not required for the

Broad Street Parking Proposal. Mrs. Villari commented that when we had previously submitted this proposal to the Burlington County Bridge Commission for their consideration, they had informed us that we needed NJDOT approval. Chief Norcross and Mr. Cesaretti commented that the Bridge Commission is in receipt of the recent correspondence from the NJDOT on this issue. Council will be kept informed.

**Recommendation from Finance Committee Re: Purchase Order System.** Mr. Smyth reported that the Finance Committee as well as the Ad Hoc Residents' Advisory Committee has determined there exists a legitimate need to implement standard purchasing procedures for the Borough of Riverton. Mr. Smyth reviewed these suggested procedures with Council and asked that they be approved.

#### **RESOLUTION 86-04**

#### **A RESOLUTION AUTHORIZING THE IMPLEMENTATION OF STANDARD PURCHASING PROCEDURES FOR THE BOROUGH OF RIVERTON (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 Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti abstained and Mrs. Alls-Moffatt aye.

**Update Re: Cross Acceptance Meeting.** Mr. Gilmore reported that this required meeting would be held on September 10 at 7:30pm in Borough Hall. Various County officials will be present. Mr. Gilmore reported that the following representatives from Riverton are scheduled to attend. They are Mr. Smyth, Mrs. Alls-Moffatt, Mr. Gilmore, Solicitor Bruce Gunn, Engineer, Rick Arango, and representatives from both the Planning and Zoning Boards. Planner Tamara Lee is unable to attend the meeting; however, she will lend whatever assistance is needed. Council will be kept apprised of this issue.

**Smart Growth Grant: Review of draft letter requesting permission from the State to utilize these funds for redevelopment purposes.** The Clerk reported that this draft letter, prepared by Planner Tamara Lee, was received yesterday. After a short discussion, it was the consensus of Council that more time was needed to review this letter before approval is given for its submission to the State. The Clerk was asked to place this issue under old business for next week's meeting.

**Resolution authorizing the unused zoning escrow refund for Mr. & Mrs. Walch.** Council reviewed a request form the Zoning Board of Adjustment asking the Governing Body to authorize this refund. After a short discussion, it was the consensus of Council to agree with this recommendation.

#### **RESOLUTION 87-04**

#### **A RESOLUTION AUTHORIZING THE REFUND OF AN UNUSED ZONING ESCROW BALANCE OF \$95.20 TO ROBERT AND JOANNA WALCH, 624 LIPPINCOTT AVENUE, RIVERTON, 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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Possible resolution urging the New Jersey Legislature to strengthen the balanced budget provision of the State Constitution.** The Clerk reported that this sample Resolution had previously been distributed to Council for their review. After a short discussion, it was the consensus of Council to place this Resolution on the agenda for consideration at next week's meeting.

**Preliminary agenda for September 8.** The Clerk reviewed this with the Governing Body.

**Meeting open to the public.** There was no public comment at this time.

**The property located at 519 Howard Street (owner Robert Stelling) and**

**Redevelopment.** Mr. Gilmore reported that this property has gone through the foreclosure process. Mr. Gilmore stated that he recently met with the new owners, who are working to clean up the property. Mr. Gilmore commented that the new owners would be willing to sell this property to the Borough for \$90,000.00. Mr. Gilmore asked that Council consider purchasing this property, keep the building, and then utilize the space for additional parking (around 5 spaces.). Mr. Gilmore stressed the importance of having a redevelopment plan on the books to give the Borough more control over potential developers. Mr. Gilmore cited the current application before the Zoning Board for the development of the Sitzler property on Main Street as an example of not having anything on the books to protect the Borough. Mayor Martin commented that at the last redevelopment sub-committee meeting both Tom Coleman, our Redevelopment Solicitor and Tamara Lee, Planner, both thought this proposed redevelopment plan should be reviewed thoroughly before proceeding. Mayor Martin feels that their professional guidance needs to be followed. Mrs. Alls-Moffatt commented that at the last Zoning Board meeting it was mentioned by Zoning Board Member, Edward Smyth, that the original variance that went with the Sitzler property a number of years ago, (which was for 16 townhouses) is null and void because it only has a life span of two years. Mrs. Alls-Moffatt would like to see the original variance application. The clerk reported that there may be documents on this issue in our archival facility. Mr. Gilmore reported that he has asked Tom Coleman to write up an addition to our redevelopment plan regarding the new affordable housing rules and regulations. To date this has not been done. Mr. Gilmore expressed concern over the fact that some of the Borough's professionals do not follow through. Mr. Cesaretti then asked if Mr. Stelling still lived at 519 Howard Street. The Chief of Police commented that the sheriff's office would begin the process of removing Mr. Stelling from this property. Mrs. Alls-Moffatt asked if we would be making arrangements to assist Mr. Stelling. The Chief responded that it is not the Borough's responsibility. The County court is handling this issue. Mrs. Alls-Moffatt asked if the court would appoint a social work to help Mr. Stelling. Chief Norcross did not know. A discussion ensued regarding this issue. Council will be kept apprised of this situation.

**Possible elimination of one Council meeting in August of each year.** Mrs. Alls-Moffatt asked Council to consider the elimination of one meeting in August from next year's meeting schedule. Mrs. Alls-Moffatt feels that many people take vacation during this time and are unable to attend. The Clerk stated that Council would at least need to meet once during the month of August to address any business that would require action by the Council and to approve the bills for payment. Mr. Smyth suggested that this issue be discussed further when the calendar is determined for next year's Council meetings.

**Update Re: Possible acquisition of the Riverton Post Office.** Mr. Smyth reported that representatives from Duca, Huder & Kumlin, the architectural firm appointed to complete the schematic phase of this project, recently met with various Department Heads from the Borough to determine what their office needs would be should the Borough acquire this building. Council will be kept informed.

**Update Re: Website.** The Clerk reported that our website is currently under construction. The Clerk also reported that the Borough's code book can now be accessed from our website at [www.riverton-nj.com](http://www.riverton-nj.com). Council will be kept informed of the website's progress.

**Update Re: Possible reassessment of all properties.** The Clerk reported that the County Tax Administrator was unable to attend tonight's meeting to discuss this issue with Council. The Clerk reported that he will be present for Council's October 6 work session. The Borough's Tax Assessor will also be present at this time.

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

Mary Longbottom, RMC  
Municipal Clerk

September 8, 2004

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

**PRESENT:** Council members Daniel, Smyth, Gilmore, Cesaretti, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council member Villari

At this time Mayor Martin announced the passing of former Municipal Clerk, Anna May Whitelock on September 2, 2004. Solicitor Bruce M. Gunn, who had served with Mrs. Whitelock while he was a member of Council, gave a eulogy for Mrs. Whitelock. Mayor Martin then asked for a moment of silence in memory of Mrs. Whitelock.

Mayor Martin read the following statement:

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from August 4, August 11 and Closed Session Minutes from August 4 and August 11 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti abstained and Mrs. Alls-Moffatt aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's & Finance Committee reports for the month of August be approved as submitted. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Mr. Cesaretti read a report for the month of August that was submitted by Chief Norcross. Vehicle Mileage 3010, Gas Used -pending, Juvenile Arrests-pending, Adult Arrests-Pending, Motor Vehicle Crashes 3, Motor Vehicle Stops 104, Motor Vehicle Warnings 22, Motor Vehicle Summons 114, Burglar Alarms 15, Asst. to other Police Departments 37, Animal Complaints 7, Fire Calls 16, Ambulance Calls (Riverton) 24, Unattended Deaths 0, Criminal Cases-pending, Domestic 0, Thefts 7, Burglaries-pending, Assaults 1 civilian, Sexual Assault 0, Criminal Mischief-pending, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 40, Miscellaneous Calls 583 and total calls-pending. Mr. Cesaretti also provided an overview of the types of miscellaneous calls the Department receives.

Mr. Cesaretti read a report for the month of August that was submitted by Animal Control Officer, M&R Wildlife Inc. Various stray animals were removed this month.

**PARK, RECREATION, RECYCLING, ENVIRONMENTAL COMMISSION  
AND MUNICIPAL COURT-Mr. Gilmore**

Mr. Gilmore asked the Chief if he followed up on making sure that the bathrooms at the park were locked after dark. The Chief responded that his department was making sure this was done.

Mr. Gilmore read a report for the month of August that was submitted by Court Administrator, Laura Frick. There were 90 traffic tickets issued, 5 for parking, 83 traffic other and 2 DWI. There were 12 criminal charges filed, 5 summons, 0 warrants and 6 local

ord. Total receipts for the month amounted to \$10718.00. The total amount disbursed to Riverton amounted to \$6283.55.

**PUBLIC WORKS/SEWER-Mrs. Villari**

In Mrs. Villari's absence, Mr. Gilmore reported that both Departments continue to work on maintaining the streets and wastewater treatment facility.

**ZONING, PLANNING, CODE ENFORCEMENT AND**

**REDEVELOPMENT-Mrs. Alls-Moffatt**

Regarding the Zoning Board, Mrs. Alls-Moffatt reported that the Brandenberger application to develop the Sitzler property on Main Street as well as the Flamini (Cedar Lane) application have been continued until next month. The proposed application by Omipoint (wireless cell tower) has been postponed indefinitely.

Regarding the Planning Board, Mrs. Alls-Moffatt reported that the site plan application for 300 Broad Street will be discussed at the Board's September 21<sup>st</sup> meeting. The owner of this property (Robert Moccia) is scheduled to appear. Mrs. Alls-Moffatt reported that two minor site plan applications were approved by the Board at their August meeting. Detailed information can be obtained from the Planning Board secretary.

**SHADE TREE/HUMAN SERVICES-Dr. Daniel**

Dr. Daniel stated that the Board and our Solicitor are reviewing the current Shade Tree Contractor specifications. Paul May's (the Borough's present Shade Tree Contractor) contract expires at the end of this year. Council will be kept informed.

Dr. Daniel read a report for the month of August that was submitted by Welfare Director, Florence Klein. There were two clients on the rolls. There were no state meetings or training in August.

**OLD BUSINESS**

**SMART GROWTH GRANT: REVIEW OF DRAFT LETTER REQUESTING  
PERMISSION FROM THE STATE TO UTILIZE THESE FUNDS FOR  
REDEVELOPMENT PURPOSES**

Council once again reviewed this draft letter which was prepared by Tamara Lee, Planner and distributed to Council at last week's meeting. Mr. Gilmore stated that he would like the proposed timeline listed in the letter to be reduced from 16 months to 12 months. It was the consensus of Council to agree to this. There being no further changes, Mr. Gilmore moved that this letter, with the timetable change, be sent to the State's Office of Smart Growth for their consideration. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**NEW BUSINESS**

**ORDINANCE 9-04**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING  
AND SUPPLEMENTING CHAPTER 22 ARTICLE 1 OF THE RIVERTON  
BOROUGH CODE CREATING A UNIFORM CHECKLIST FOR SUBMISSION  
REQUIREMENTS FOR VARIOUS APPLICATIONS TO THE PLANNING  
BOARD**

**(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Alls-Moffatt, who moved for its adoption. This was seconded by Mr. Gilmore. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. Since there was no public comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**ORDINANCE 10-04**

**AN ORDINANCE TO AMEND CHAPTER 13 OF THE RIVERTON CODE TO  
PROVIDE FOR THE MAYORAL APPOINTMENT OF THE MEMBERS OF THE  
RIVERTON BOROUGH ENVIRONMENTAL COMMISSION AND  
DESIGNATION OF ITS CHAIRMAN  
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Gilmore, 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 any comment on this Ordinance. Since there was no public comment on this Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 88-04**

**A RESOLUTION URGING THE NEW JERSEY LEGISLATURE TO  
STRENGTHEN THE BALANCED BUDGET PROVISION OF THE STATE  
CONSTITUTION  
(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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**CORRESPONDENCE**-There was no correspondence presented at this time.

**MEETING OPEN TO THE PUBLIC**

**Josh Cooper, 513 Main Street**, asked if the Borough has a contingency plan in place now that they have placed 2 hour parking limits on his portion of Main Street. Mr. Cooper raised concern over this because most houses at this location do not have driveways. Mr. Cooper asked Council to consider permitting parking. Mr. Cesaretti commented that the parking committee worked very diligently to come up with a parking solution for both the residents and business community. Mr. Cesaretti stated that the new Ordinance increased the amount of time permitted to park at these specific locations. Mr. Cesaretti stated that the original law on our books for the areas in question had limited parking to only 1 hour. However, Mr. Cesaretti stated that this law had not been enforced. Mr. Cooper expressed his displeasure with the 2 hour parking limit and asked where the tax paying residents are supposed to park.

**Cynthia Park, 503 Main Street**, also expressed her displeasure with the 2 hour parking limitation. She believed when she purchased her property that she would be able to park in front of or near her home. Mrs. Alls-Moffatt stated that the reason the parking limits were increased was to encourage customers shopping in our business districts to have a minimum of 2 hours to patronize our stores. Mrs. Alls-Moffatt commented that it was her understanding that there is unlimited parking at the areas in question after 6:00pm. The Chief responded that that was correct.

**Gene Bandine, 522 Main Street**, expressed his displeasure with this parking limit. He would like to see parking lines placed along Main Street. Mr. Bandine believes that Council should go to the people and get some input on parking issues. Mrs. Alls-Moffatt commented that the Borough cannot stripe Main Street because it is a County road.

**Rick Park, 503 Main Street**, appreciates the fact that Council placed a handicapped parking space in front of his home because his wife has problems with his neck. It should be noted that Mrs. Park received a handicapped designation from the State. Mr. Park was told that the County only owns Main Street up to Broad Street. He understands that the Borough owns the portion from Broad to the river. Mr. Park believes the Borough should have sought County approval before putting this ordinance in place and installing the parking signs. The Chief responded that that is not correct. The County owns Main Street in Riverton in its entirety. Although we cannot stripe Main Street, we do have legal authority to place parking signs along Main Street. The Chief stated that the parking committee has been working on parking issues for two years. Residents, business owners

and Borough officials have been involved in the process. Mr. Cesaretti commented that people were also taking advantage of the Borough's lot on Main Street. Boats, motor homes and campers were being parked there indefinitely. The parking committee decided that there were better uses for this lot and that a parking limitation was warranted.

**Josh Cooper, 513 Main Street**, believes Council gave the stores priority before the property owners who pay taxes. Mr. Cesaretti disagreed with Mr. Cooper. Mr. Cesaretti stressed the fact that the business owners were not a driving force. Mr. Cesaretti stated that the Borough cannot guarantee that any resident will have a parking space in front of their home. This ordinance is a work in progress and may change. Mrs. Alls-Moffatt commented that we are a very small Borough with no parking space.

**Rich Suter, 509 Main Street**, believes that the people should be involved with the process. Mr. Suter cited an example that if the hair salon and restaurant along Howard street had their employees park on their respective lots, it would free up street parking.

**Gary Ford, 311 Bank Avenue**, commented that wherever possible, businesses in town are trying to increase their parking capacities for customers and employees. Mr. Ford commented that he, as well as some other business owners, requested that we try and have around 10 parking spots in the center of town with a parking limitation of 2 hours. Business owners were not looking to create a huge parking problem.

**Margaret Wark, 406 Howard Street**, stated that the people who are impacted by the 2 hour parking limitation should have been notified in writing prior the passage of the ordinance.

Mayor Martin suggested that the parking committee take the information that has been presented here tonight for further review. Mr. Cesaretti commented that that would not be a problem. Mr. Smyth suggested that those present who have voice parking concerns should leave their names and addresses.

**Gary Ford, 311 Bank Avenue** stated that as a business owner, the issue is more than having a parking space in front of your home. In order to maintain viable businesses in town, parking must be available. Empty storefronts do not make the Borough look good. Business owners and residents must work together to come up with a plan.

**Michael Heine, 206 Carriage House Lane**, urged Council to pass a Resolution putting a moratorium on the enforcement of the 2 hour parking limit ordinance recently adopted. Mr. Heine believes the Borough should seek professionals to review the parking issues in town.

Mr. Heine stated that the Zoning Officer recently issued a notice of violation to the owner of 300 Broad Street. This pertains to the recent enlargement of the parking lot on his property. Mr. Heine stated that a Site plan application is required. Mr. Heine stated that the owner of this property should be fined in accordance with the penalties spelled out in our Zoning Ordinance. Mr. Heine does not understand why this owner has not been fined. Mr. Heine distributed sections of our Zoning Ordinance pertaining to the duties of the Zoning Officer and the penalties for particular zoning violations. Mr. Heine asked Council if they thought our Zoning Officer is satisfactorily enforcing our Zoning Ordinance. Mrs. Alls-Moffatt commented that based on discussions with the Mayor, our Zoning Officer and the Chair of the Planning Board, that the owner of this property would not be fined at this time. We are going to ask the owner (Robert Moccia) to appear before the Planning Board to review the required process. Mrs. Alls-Moffatt believes our Zoning Officer is handling this issue in the appropriate manner.

**Nancy Siefert, 304 Main Street**, agrees with Mrs. Alls-Moffatt that we should sit down with Mr. Moccia and try to obtain the end result we are attempting to achieve.

**Cynthia Park, 503 Main Street**, asked if permitting parking could possibly be considered for those locations on Main and Howard impacted by the 2 hour parking ordinance. The Chief stated that it is his personal opinion that permitting parking would be a disaster for the town. The Chief believes we can work something out.

**Tom Wheelhouse, 600 Main Street**, asked that Council not enforce the current ordinance until the issue is resolved.



**RESOLUTION 89-04**  
**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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that contract negotiations, litigation and personnel matters will be discussed.

At this time Mr. Smyth made a motion that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

October 6, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth, Gilmore, Cesaretti, Alls-Moffatt 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 notice of all meetings to be held in 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

**Discussion: review of specifications for a Shade Tree Contractor (current contract expires on December 31 2004).** Copies of the proposed specifications were distributed to Council for their review and comment. The Solicitor stated that he has reviewed these specifications, and made a few modifications after conferring with the Shade Tree Commission. Dr. Daniel asked that we defer action until next week so that Council has adequate time to thoroughly review them. It was the consensus of Council to agree to this. The Clerk will place this item on next week's agenda for consideration.

#### **RESOLUTION 90-04**

#### **A RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BOROUGH BUDGET FOR THE YEAR 2004**

#### **(IN FULL IN RESOLUTION BOOK)**

The Clerk reported that the Fire Company applied for and received an Assistance to Firefighters Grant in the amount of \$78,607.00. The Clerk further stated that this Resolution must be done so that this amount can be inserted as a special item of revenue in our 2004 municipal budget.

The above Resolution was read by title only by Mr. Cesaretti, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Update Re: Contractual payments for a new fire truck.** The Treasurer reported that two payments are due for the new fire truck. The dates are November 11<sup>th</sup> and the 26<sup>th</sup>. The Treasurer requested authorization from Council to release these checks prior to the final bill list being prepared for Council's approval. The payments are due about the 11<sup>th</sup> and 26<sup>th</sup> of November. It was the consensus of Council to agree to the Treasurer's request.

#### **Motion to approve Sacred Heart Church's request to hold raffles**

The Clerk reported that Sacred Heart Church has submitted the required paperwork and fees for the raffles they would like to hold in November. Mr. Gilmore moved that Sacred Heart Church be permitted to hold raffles during the month of November. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth abstained, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Discussion: Proposed & Revised Development Fee Ordinance (drafted by Planner).** Council reviewed this document. It was the recommendation from our Solicitor that the Planning Board review it before Council makes a final decision. It was the consensus of Council to agree to this. The Clerk will forward copies of this document to the members of the Planning Board. They will be asked to review it and make a recommendation to Council by their November 3 work session.

**Discussion: Redevelopment.** Mr. Gilmore stated that we had received a redevelopment handbook from the State which is very interesting and helpful. He suggested that Council may want to take a look at it. Mr. Gilmore stated that he was going to present a draft redevelopment plan tonight. However, Mr. Gilmore commented that our Redevelopment

Solicitor Tom Coleman had been asked to include language pertaining to affordable housing a couple of weeks ago. To date this has not been. Mr. Gilmore asked that this discussion be deferred until next week. Our Solicitor commented that he has spoken to Mr. Coleman about this issue and he has indicated that the affordable housing language has been forwarded to Tamara Lee, Planner for her review. It was the consensus of Council to agree to this. Mr. Coleman will be asked to attend next week's meeting.

**Update Re: Cross Acceptance Meeting.** Both Mrs. Alls-Moffatt and Mr. Gilmore provided an overview regarding the Cross Acceptance process. Council will be kept informed.

**Discussion: Possible Noise Ordinance (with pre-approved language for the State of New Jersey).** Mr. Cesaretti reported that we have received a variety of noise related complaints. Mr. Cesaretti stated that since the Borough does not have a specific noise ordinance on the books, there is very little we can do regarding enforcement. The Solicitor commented that many years ago the Borough adopted the Public Health Nuisance Code of New Jersey (1953) as a Nuisance Ordinance. Mr. Cesaretti stated that the Clerk provided a draft Noise Ordinance, with pre-approved language for the State of New Jersey. Mr. Cesaretti stated that this Ordinance was previously considered in 1998 but it was never adopted. Mr. Cesaretti would like Council to consider doing so now. The Clerk will contact the State to find out if any changes have been made to this suggested Ordinance. Council will be kept informed.

**Update Re: Newsletter.** The Clerk reported that resident Michelle Daniel, has volunteered to put together the format for a newsletter to serve the Borough of Riverton. After a short discussion, it was the consensus that this document should be a newsletter of the Mayor and Council. Therefore, it is important for the content to be reviewed by the Governing Body before their inclusion in the newsletter. One other suggestion was to post the newsletter on the Borough's website. It was the consensus of Council to agree to this. The Clerk asked the governing Body to submit articles regarding their departments for inclusion in the newsletter.

**Preliminary agenda for October 13.** The Clerk reviewed this with the Governing Body. **Attendance requirements when serving on boards and commissions.** Mrs. Villari stated that she believes Council should consider adopting a Resolution that sets forth an attendance policy for Boards and Committees. Mrs. Villari distributed a sample of such a Resolution that Moorestown Township has adopted. After a short discussion, it was the consensus that our Solicitor review the sample Resolution and make a recommendation to Council.

**Possible purchase of 500 Howard Street.** Mr. Gilmore suggested that the Borough consider purchasing this property (presently houses garages) and turning it over into additional parking spaces for the Borough. Mr. Gilmore would like Council to give him permission to ask our Engineer to view the site and prepare a sketch to show how many parking spaces we could get out of it. Mrs. Villari commented that she did not think it was wise to ask our Engineer to pursue this when we don't know if the owner would be willing to sell it. A discussion ensued. It was the consensus of Council that Mr. Gilmore approach the owner (Matera) to determine if he would consider selling it and what his asking price would be. Council will be kept informed.

**Parking lot in the back of the bank.** Mr. Gilmore stated that we have previously written to the President of Farmers' & Mechanics Bank (Craig Yates) asking for permission to utilize their parking lot in the back of the bank for additional parking for the Borough. Mr. Gilmore stated that Mr. Yates had responded that he wanted to wait until the light rail line started before considering the Borough's request. Mr. Gilmore asked that the Mayor send another letter to Mr. Yates asking that we meet with him to discuss this issue. It was the consensus of Council to agree to this.

**Horns blowing at grade crossings.** Mrs. Villari stated that resident William Harris is working on this issue and that he would provide Council with an update. **William Harris, 502 Cinnaminson Street,** reported that he would be sending a letter to the

Executive Director of New Jersey Transit asking him to show us the law which states that these horns have to be blown at grade crossings. Mr. Harris stated that this law does not exist. Mr. Harris intends to copy his letter to Dan Young, Chairman of the Committee (member of Congress) which has oversight with the Federal Railroad Administration. A copy will also be forwarded to the Governor's Office. Mr. Harris further stated that he has informed representatives from New Jersey Transit that if we don't get some relief from horns blowing, that the Borough would consider filing a class action suit regarding the excessive noise issue.

#### **Public Safety Issues**

Mr. Cesaretti reported that he would like Council to approve a Resolution tonight authorizing the purchase of a new police vehicle. Mr. Cesaretti provided an overview of the vehicle's specifications and also stated that the purchase of a new police vehicle (capital item) had been previously discussed and approved during the 2004 budget process.

#### **RESOLUTION 91-04**

#### **A RESOLUTION AUTHORIZING THE PURCHASE OF A 2004 FORD EXPEDITION VEHICLE FOR THE RIVERTON POLICE DEPARTMENT FROM WARNOCK FLEET AND LEASING OF EAST HANOVER, NEW JERSEY (NEW JERSEY STATE CONTRACT #15-B) (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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Mr. Cesaretti and the Chief of Police then recommended that Council adopt a Resolution authorizing a Halloween curfew for October 29, October 30 and October 31 of this year. Mr. Gilmore commented that he did not think this was necessary.

#### **RESOLUTION 92-04**

#### **A RESOLUTION AUTHORIZING A CURFEW FOR OCTOBER 29, OCTOBER 30 AND OCTOBER 31, 2004 IN THE BOROUGH OF RIVERTON (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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore nay, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Caplan development in Cinnaminson.** Mrs. Villari stated that she was unable to attend a recent Planning Board meeting in Cinnaminson Township when this issue was discussed. However, Riverton resident Donna Tyson, who attended, provided her with information on this issue. It should be noted that other Riverton residents also attended that meeting. Mrs. Villari stated that there is strong concern that traffic in Riverton will be impacted by this development, in particular to those residing on Main Street and Cedar Streets. Mrs. Villari stated that she understands that Riverton received no information regarding any traffic studies that were done as part of this proposed development. Mrs. Villari thought that as an adjoining town, Riverton would have been noticed. Mrs. Villari reported that she has received a revised copy of Cinnaminson's Traffic Engineer's Study (also Riverton's Engineer) regarding this development. Mrs. Villari is concerned that this study may have been accepted by Cinnaminson Township before light rail was up and running. Ms. Villari reported that Cinnaminson's Planning Board gave final approval at their last meeting. Mrs. Villari reported that the Borough's Engineer will keep Riverton abreast on any kind of change that would impact Riverton. Mrs. Alls-Moffatt commented that she also attended Cinnaminson's last Planning Board meeting. She asked for copies of traffic studies that they had done. Their Engineer was to forward them to us in three weeks.

#### **Meeting open to the public**

**Michael Heine, 206 Carriage House Lane,** expressed concern that deliveries are being made to the Baptist Home very early in the morning. This is in violation of their prior

zoning appeal. Mr. Heine raised concern about the proposed development scheduled to take place in the near future in Cinnaminson Township. Mr. Heine believes the traffic from this development will impact Riverton. Mr. Heine voiced concern that the directions to the proposed site that have been distributed to the public has traffic going through Riverton rather than Cinnaminson Township. Mr. Heine stated that he has useful suggestions to assist the Borough in this regard.

Regarding redevelopment, Mr. Heine believes that Council must be absolutely confident that any redevelopment plan is in the best interest of Riverton. Mr. Heine believes that the proposed draft plan is not consistent with the current Master Plan. It is also inconsistent with the present zoning. Mr. Heine urged Council to ask Redevelopment Solicitor Tom Colman what this draft redevelopment plan will do to encourage or permit the builders' remedy which will permit what the "Caplan" plan did in Cinnaminson to occur in Riverton.

Mr. Heine voiced his strong displeasure that the owner of 300 Broad Street, (Robert Moccia) was not fined for enlarging his parking lot at this location.

**Birnie O'Reilly, 200 Lippincott Avenue**, raised strong concern that the proposed revisions to our development fee ordinance be forwarded to the members of the Planning Board as soon as possible so that the document can be reviewed before it is discussed at the next Board meeting. The Clerk stated that she would make sure that the Board members received copies.

Regarding the Curfew Resolution approved tonight, Ms. O'Reilly believes the Police should station a foot patrolman at the rail station between 9:00pm and 10:00pm to discourage people under 18 years old from getting off the train. Chief Norcross responded that New Jersey Transit has already taken care of this.

Mrs. O'Reilly asked when Mr. Gilmore would share the State's Planning Handbook with the entire Planning Board. Mr. Gilmore responded that the Chair of the Planning Board received a copy. Mrs. O'Reilly voiced her concern that information is not being shared with the entire Board. Mrs. Alls-Moffatt stated that we only received ten copies of the handbook, which were shared between Council, the Planning Board and Zoning Board.

Mrs. O'Reilly asked that the draft redevelopment plan of 2002 be removed from the lobby.

**Frank Cioci, 408 Lippincott Avenue**, stated that he believes there is too much animosity occurring at the Council meetings. There does not appear to be any respect shown. He believes it is an embarrassment to our community.

**William Harris, 502 Cinnaminson Street**, feels that there should be interaction between Council and the public. Mr. Harris also believes that something should be done to address complaints that are voiced. Regarding the Moccia issue, Mr. Harris believes it was handled properly in spite of the penalties and so forth.

#### **RESOLUTION 93-04**

#### **A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETING ACT C.231 P.L. 1975 (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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that Contract Negotiations, Litigation and Personnel matters will be discussed.

At this time Mr. Smyth made a motion to return to public session. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **MOTION REGARDING SUSAN WOMPIERSKI, PART-TIME POLICE SECRETARY**

Mr. Cesaretti moved that his recently submitted letter to Susan Wompieriski indicating that the consensus of Council from 3 or 4 months ago regarding her request will not be changed. This was seconded by Mr. Gilmore. Mr. Smyth commented that this is a reaffirmation of what was previously conveyed. Mr. Cesaretti stated that a copy of his letter to Ms. Wompieriski was also given to the Chief of Police. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari nay, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

October 13, 2004

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

**PRESENT:** Council members Daniel, Smyth, Gilmore, Cesaretti, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council member Villari

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 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

The minutes from September 1, September 8 and closed session minutes from September 8 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Ms. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's & Finance Committee reports for the month of September be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Mr. Cesaretti reported that the Police Chief did not submit reports for the month of September. When they are submitted they will be reflected in the minutes.

**PARK, RECREATION, ENVIRONMENTAL COMMISSION AND**

**MUNICIPAL COURT-Mr. Gilmore**

Mr. Gilmore reported that the Borough's Tree contractor is removing some diseased trees. Mr. Gilmore reported that various plantings have been done by our Public Works Department along the railroad.

Mr. Gilmore read a Municipal Court report for the month of September that was submitted by Court Administrator, Laura Frick. There were 111 traffic tickets issued—4 for parking, 105 traffic other and 2 DWI. There were 12 criminal charges filed, 12 summons, 0 warrants and 0 local ordinance. The total receipts for the month amounted to \$17,04300. The total amount disbursed to Riverton amounted to \$9,866.17.

**PUBLIC WORKS/SEWER-Mrs. Villari**

In Mrs. Villari's absence, the Solicitor reported that we are required to take public comment regarding the Broad Street Enhancement Grant. Mr. Gunn suggested starting our November 3 work session at 6:30pm instead of 7:00pm to do this. Dan Guzzi, the Borough's Engineer for this project will be present and answer questions from the public. It was the consensus of Council to agree to this. The Clerk will take care of advertising the change in the meeting time in the Burlington County Times.

**ZONING, PLANNING, CODE ENFORCEMENT AND**

**REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that Mr. Flamini formally applied for a variance to build 16 age restricted homes adjacent to the Cedar Lane Manor Apartments. The application was continued until next month. Detailed information can be obtained from the Zoning Board secretary.

Regarding Bob Moccia's site plan application (300 Broad Street), the Planning Board determined that there were two issues to be addressed. They are whether Mr. Smyth

would be permitted to open his furniture store, and what could be done about the new 14 space parking lot at this location. Mrs. Alls-Moffatt reported that Mr. Moccia was of the opinion that he was just bringing his property up to code. He was advised by the Board that there are procedures to be followed. Mrs. Alls-Moffatt further stated that Mr. Moccia has submitted a site plan application to the Board. Detailed information can be obtained from the Planning Board Secretary.

Mrs. Alls-Moffatt reported that Mr. & Mrs. Miller submitted required paper work to open up an ice cream parlor on Main Street. This application is scheduled to be heard on October 19.

Mrs. Alls-Moffatt announced that Eric Goldstein and Christian Hochenberger have both resigned from the Planning Board. The Mayor will consider new appointments later on in the meeting.

#### **SHADE TREE/HUMAN SERVICES-Dr. Daniel**

Dr. Daniel reported that we would be doing a Resolution pertaining to going out to bid for a Shade Tree Contractor for the years 2005 & 2006 later in the evening.

Dr. Daniel read a report for the month of September that was submitted by Welfare Director, Florence Klein. There were two clients on assistance. Mrs. Klein attended various meetings and workshops during the month.

#### **OLD BUSINESS**

##### **POSSIBLE PURCHASE OF THE PROPERTY LOCATED AT 500 HOWARD ST.**

Mr. Gilmore reported that he has spoken to the owner about the possibility of the Borough purchasing this property. Mr. Gilmore stated that this issue would be discussed further in closed session tonight since it has to do with contract negotiations.

##### **UPDATE RE: POSSIBLE NOISE ORDINANCE**

The Clerk reported that there may be some modifications to the State's draft noise ordinance that was discussed last week. Council will be kept apprised of this issue.

#### **NEW BUSINESS**

##### **RESOLUTION 94-04**

##### **APPROVING THE SHADE TREE SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR THE RECEIPT OF BIDS FOR A SHADE TREE CONTRACTOR**

##### **(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read in full by Dr. Daniel, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **TAX SALE ANNOUNCEMENT**

Mr. Smyth announced that the tax sale is scheduled to take place on November 10 2004 at 10:00am in the municipal building.

#### **CORRESPONDENCE**

Mrs. Alls-Moffatt read a letter that resident William Harris wrote to George D. Warrington, Executive Director of New Jersey complaining about the horns blowing at the grade crossings. In his letter, Mr. Harris stated that he contacted the Chairman of the Committee of the United States Congress which has oversight on the Federal Railroad Administration. His name is Dan Young of the State of Alaska. Mr. Harris states that he was informed by Mr. Young's office that there is no rule, statute, or law that states that the horns have to blow at grade crossings. Mr. Harris challenged Mr. Warrington to produce the law or rule regarding this issue. Mr. Harris will continue to keep Council informed.

Mrs. Alls-Moffatt read a letter that was sent by 13 residents to our Code Enforcement Officer. Their concern is that Riverview Estates (Baptist Home) is taking commercial deliveries prior to 8:00 am in violation of their prior zoning appeal. Mrs. Alls-



Moffatt will forward this information onto our Code Enforcement Officer. A copy of the petition has been placed on file.

#### **MEETING OPEN TO THE PUBLIC**

**Dennis Eversmeyer, 400 Fulton Street**, raised concern about potholes on his street, that the Flag not being properly lit at the War Memorial or at the Yacht Club at night, that the plaques at the War Memorial are not lit and public access to the Yacht Club.

**Michael Heine, 206 Carriage House Lane, 206 Carriage House Lane**, stated that the sidewalk near 107 Lippincott is breaking down and should be addressed. Mr. Heine raised strong concern once again that our Zoning Officer violated his duties by not fining the property owner at 300 Broad for enlarging his parking lot at this location. Mr. Heine asked if the new “draft” redevelopment plan was sent to Tamara Lee, Planner. The response was yes. Mr. Heine asked if Redevelopment Solicitor Tom Coleman has submitted a written report regarding the draft plan and any builders’ remedy implications. The response was no. Mr. Heine also asked if an economist had reviewed this draft plan. The response was no.

**Jody Goldstein, 404 Lippincott Avenue**, announced that the Farmers’ Market would not be held this Saturday. It will resume next week and will run through Saturday, November 6.

**Iris Gaughan, 401 Main Street**, asked when the Town Clock would once again be operational. Mr. Gilmore provided an overview of why it is not working at this time. However, Mr. Gilmore reported that once the Broad Street Enhancement Grant project is complete it should be operational.

#### **MAYORAL APPOINTMENTS TO THE PLANNING BOARD**

Mayor Martin announced that he was appointing Donna Tyson as a regular member of the Planning Board. Ms. Tyson will fill the unexpired term of Eric Goldstein, who recently resigned. Ms. Tyson’s term will expire on December 31, 2005.

Mayor Martin announced that he was appointing Robert Smyth of Bank Avenue, to serve as an alternate member of the Planning Board. Mr. Smyth will fill the unexpired term of Donna Tyson. Mr. Smyth’s term will expire on December 31, 2004

#### **REDEVELOPMENT DISCUSSION (TOM COLEMAN, REDEVELOPMENT SOLICITOR WAS PRESENT)**

Mr. Gilmore distributed copies of the “draft” redevelopment plan and reviewed the suggested changes. Mr. Gilmore asked that Council consider introducing it tonight on first reading. Mr. Coleman provided an overview once again of the process that would be required for the adoption of the plan. A discussion ensued. Concern was raised that Council has not had enough time to review this document to make a final decision. Mr. Smyth moved that Council discuss this “draft” redevelopment plan at their November 10 council meeting. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore nay, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that Redevelopment Solicitor Tom Coleman will be present for the November 10 meeting.

#### **RESOLUTION 95-04**

#### **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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that litigation and contract negotiations will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**POSSIBLE POLICE DEPARTMENT MERGER OR ABSORPTION WITH  
ANOTHER MUNICIPALITY**

Mr. Cesaretti, Director of Public Safety, moved that we put on the record that preliminary fact finding discussions have been initiated with Cinnaminson Township regarding the possible merger or absorption of our Police Department. Mr. Cesaretti further moved that we would also initiate discussions with the Borough of Palmyra. Mr. Cesaretti stated that if written responses are received from these municipalities, he would report back to Council. Mr. Cesaretti stated that it is important for the Council to know what other monetary and policing options are available when the next police contract is negotiated. Mr. Gilmore seconded Mr. Cesaretti's motion. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 96-04**

**A RESOLUTION AUTHORIZING THE AWARDING OF A CONTRACT FOR  
PROFESSIONAL SERVICES TO DANTE GUZZI, ASSOCIATES AS  
ENGINEER FOR THE COMPLETION OF THE BROAD STREET  
ENHANCEMENT GRANT FOR THE BOROUGH OF RIVERTON AND  
AUTHORIZING THE MAYOR TO EXECUTE THE REQUIRED CONTRACT  
(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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

November 3, 2004

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

**PRESENT:** Council members Villari, Smyth (arrived at 7:30pm), Gilmore, Cesaretti, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council member Daniel

The following statement was read by Mayor Martin:

(a) Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(b) Having written notification of this meeting published in the Burlington County Times on October 22, 2004

Posting written notice on the official bulletin board on October 19, 2004

**Public Comment regarding the Broad Street Enhancement Grant (from Lippincott Avenue to Cinnaminson Street) Dante Guzzi, Engineer present.** Notices concerning the required public comment relative to this grant were placed in both the Courier Post and Burlington County Times newspapers. Copies of the proofs of publication are attached. It should also be noted that all property owners within 200' of the proposed project were sent written notification that public comment on this project would be taken at this meeting. Notices were also placed at various locations throughout the Borough

Mr. Guzzi stated that the Borough received a grant in the amount of \$335,000.00. The monies are to be utilized to enhance the Broad & Main intersection by creating a combination of traffic calming and beautification of this location. Mr. Guzzi stated that we are in the conceptual design phase and that tonight we are presenting it to the public for their comments on this project. Mr. Guzzi then reviewed a rendering of the proposed project. Mr. Guzzi stated that we would be realigning Broad Street that the intersection of Broad & Main Streets will be reconstructed to create a brick plaza with a gazebo, lights, fixtures, brick sidewalk and benches. Mr. Guzzi stated that the new brick sidewalk will be extended to Lippincott Avenue and would also be placed across from the stores on 600 Main Street. Crosswalks will also be installed. Mr. Gilmore also provided an overview of this project for those in attendance. Mr. Gilmore stated that the Borough must comply with all Federal, State, and County laws regarding this grant. Mr. Gilmore stated that the town clock will be operational once this project is completed.

**Judy Codella, 101 Thomas Avenue,** commented that the project sounds wonderful. She asked when the project would commence. Mr. Guzzi responded construction will start in early spring on this project.

**Fred DeVece 700 Cedar Street,** asked if what is being presented here tonight is basically what was discussed and reviewed two years ago. Mr. Gilmore responded yes.

**Nancy Washington, 201 Main Street,** asked if this project was covered 100% by this grant, or would we have to incur some costs. Mr. Guzzi responded that the grant is covering 100% of the construction costs and all the inspection and administration costs. Mr. Guzzi commented that a portion of the design work is not covered. Mrs. Washington questioned how people would drive out of the bakery once this project is complete. Mr. Gilmore commented that you won't be backing out of this parking lot anymore.

**Robert E. Smyth, 1 Bank Avenue,** asked if the scope of work is limited to the downtown area. Could any of this go towards improvement on the pocket parks at the riverbank? Mr. Guzzi stated that the grant is limited to the Broad Street corridor because it is a transportation enhancement grant.

Mrs. Alls-Moffatt asked Mr. Guzzi when he would be sending his designs into the state. Mr. Guzzi responded that the finalized design would be submitted within the next several weeks to the Department of Transportation, Department of Environmental Protection as well as the County. Mrs. Alls-Moffatt asked if the design would be submitted by the end of the month. Mr. Guzzi responded yes. Mr. Guzzi stated that we would then have to wait until the required reviews are done. Mr. Guzzi stated that we would probably

be going out to bid sometime after the 1<sup>st</sup> of the year with construction in early Spring. Mr. Cesaretti asked if there is an anticipated start date as to when the County will re-pave Broad Street. Mr. Guzzi responded that nothing has formally been set. The County has been waiting for this project as well as Palmyra's to be complete before starting.

**Thomas Wheelhouse, 600 Main Street** asked if the speed limit would be changed along Broad Street. Mr. Guzzi stated that there has been no discussion regarding this from our end or the County's.

**Joan Leslie, 502 Cinnaminson Street**, asked how large the gazebo would be. Would it be large enough to hold a 15 piece band? Mr. Gilmore commented that it is 12' in diameter.

**Cindy Vee, 403 Bank Avenue**, asked if we would be using bricks for the crosswalks or some type of simulation. Mr. Guzzi stated that the State's Historic Preservation Office who reviewed this project don't want or would approve any crosswalk type of treatment except for the regulatory required white stripes. Ms Vee asked if the corner near the bakery would be rounded instead of pointed. Mr. Guzzi commented that the corner would be softer to make it easier for people to make turns.

**William Harris, 502 Cinnaminson Street**, suggested that we rename Church Lane to Tin Cup Alley.

**Michael Heine, 206 Carriage House Lane** asked if our Architectural Review Committee has reviewed these drawings to make an assessment of proportions, scale suitability, visibility and the implications of the placement of a gazebo. Mr. Gilmore commented that the drawings were previously presented to that committee several months ago.

There was no further public comment on this project. Mayor Martin thanked everyone who attended.

#### **RESOLUTION 97-04**

#### **A RESOLUTION OF THE BOROUGH OF RIVERTON APPROVING CONTRACT CHANGE ORDER NO. 1 REGARDING THE 2004 ROAD PROGRAM (IN FULL IN RESOLUTION BOOK)**

Mrs. Villari announced that we are required to do a Change Order for this project. Mrs. Villari explained that this Change Order consists of quantity adjustments of contract items to reflect actual conditions encountered in the field. Mrs. Villari further explained that there will be a reduction of \$836.10 to the amount of the original contract. The original amount for this contract was \$37,675.00. The revised contract total will now be \$36,838.90.

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye

**Discussion: Possible revaluation of all properties in Riverton (County Tax Administrator, Lawrence Vituscka and Borough Tax Assessor, Tom Davis, present)**

Mr. Vituscka stated that he had previously written a letter to Council informing them that the Director of the Division of Taxation's ratio in Riverton is 72.05 and the Coefficient of Deviation is 18.97. (Coefficient is an index of assessment inequality or a coefficient of variation between property classes) It should be noted that these figures were as of April, 2004. As of June 2004 the figure dipped to 65%. Mr. Vituscka is approaching Council at this time to initiate a revaluation program. Mr. Vituscka is not looking forward to this process being completed by next year; however, the Board will work with the Borough to get this project going. Mr. Vituscka stated that the Tax Board does not like to issue a court order in this regard. Mr. Vituscka commented that on behalf of the Tax Board, they will lend us whatever assistance is necessary regarding the preparation of specifications that will be needed. Mr. Vituscka stated that the time line is flexible; however revaluation is long past due for Riverton. Mr. Cesaretti asked how long it has been since Riverton's last revaluation. The response was 1989. Mr. Vituscka commented that if a court order were

issued to Riverton to do a revaluation, specifications would need to be done quickly and the process completed within a 12 month time frame. Mr. Vituscka would rather see a good job done over the right amount of time. Mr. Cesaretti asked if everyone's taxes would go up when a revaluation is done or is it a total redistribution of the total tax amount? Mr. Vituscka stated that a revaluation brings all of the assessments up to market value. It will redistribute tax burdens based on the relationship of the current assessment of that property to its real market value. Property owners could either see an increase in taxes, a decrease in taxes or no change. Mr. Vituscka stated that a revaluation will not generate any additional money for the Borough. Mr. Vituscka commented that after a revaluation is done all real properties will be valued a 100 percent of market value. The benefits are that you're taxing people fairly, you're taxing their properties at market value, and the community gets a better share of county taxes. Mr. Gilmore asked what happens 5 years down the road if the ratio goes back down to around 60%? Is there a way that our Tax Assessor can raise the values up to a certain level? Mr. Vituscka suggested that as part of the revaluation process, the Borough should get a mechanized system for the Tax Assessor, so that he has the ability to increase or decrease neighborhoods as the market changes. Mr. Vituscka stated that there is a software package available to do this. Mr. Vituscka commented that an outside agency needs to do the revaluation. Mr. Vituscka commented that the average cost for a revaluation runs between 65 and 75 dollars per line item (number of parcels of properties). Mr. Vituscka commented that right now there are only 4 or 5 active firms that do this type of work. Mr. Cesaretti asked what a full revaluation entails. Mr. Vituscka stated that the firm selected would have to inspect all properties (making three valid attempts to gain access), measure each property, and take the lot sizes off of our tax maps. Mr. Vituscka stated that our tax maps would need to be approved by the State for revaluation purposes. Mr. Davis commented that Riverton has approximately 1000 line items. Mr. Davis anticipates that it would run 75 dollars per line item. Mr. Vituscka stated that an ongoing computer system should be incorporated with the revaluation project. Mr. Vituscka stated that the revaluation process could be bonded over a five year period. Council needs to make the decision regarding moving forward with the revaluation process. Mr. Vituscka's office will work with them. Mr. Vituscka stated that the longer Riverton waits, the more costly it becomes. Mrs. Alls-Moffatt asked what would happen if we don't address this issue. Mr. Vituscka stated that when the ratio gets below 65% the Tax Board will make a decision to issue a court order. Mr. Cesaretti asked if a court order were to be issued, does that take away Council's ability to choose who would do the revaluation? Mr. Vituscka commented no, but the Judge would issue a specific time frame for the work to be done. Mayor Martin asked what the costs would be to computerize the Assessor's portion. Mr. Davis commented that he didn't think it would be a huge cost but there would be an annual fee involved. Mr. Davis feels that if we are going to spend the money for the revaluation, we should have the ability to make changes down the road. Mr. Vituscka stated that once a full revaluation is completed, the State is allowing communities to do partial inspections during a 3-5 year window before a total revaluation needs to be done again. Some kind of reassessment should be done every five years. You don't want values to keep rising and assessments to sit still. Mr. Cesaretti and Mrs. Villari asked what steps should be taken to initiate a revaluation. Mr. Vituscka commented that the Solicitor should be involved as well as our Tax Assessor. The Auditor will also need to be brought in to guide Council through the financial end of this process. Mr. Vituscka stated that our bid for the revaluation should include a lot of public relations background. The more public relations the better it is to get the job done.

**William Harris, 502 Cinnaminson Street**, believes we are being led down the primrose path. He doesn't believe this will solve any problems. He feels it will create a lot of intrusion on people's private property. Mr. Harris doesn't see the need to spend this money at this time.

**Robert E. Smyth, 1 Bank Avenue**, commented that he thought we should determine how other towns have responded to this. Mr. Smyth thinks a court order might not be a bad idea.

Mr. Cesaretti doesn't see the reason to stall the revaluation process, since the last one was done in 1989. Mrs. Alls-Moffatt does not think we would benefit from anything by waiting for a court order. Our Solicitor commented that the public relations aspect of a revaluation is extremely important. Martin Martin suggested that we dovetail this issue with the Finance/Admin. Committee when we prepare next year's budget. Mr. Gilmore stated that this issue should be addressed by the Finance Committee of the Borough Council and not the ad hoc Finance/Admin. Committee. Mr. Vituscka thanked Council for giving him the opportunity to address them tonight.

**Discussion: Planner's proposed revisions to Development Fee Ordinance and recommendation from Planning Board.** Mrs. Alls-Moffatt read a memo from the Planning Board Secretary regarding this issue. Mr. Palmer stated that the Board reviewed and discussed these revisions, made a motion which was seconded and unanimously approved that the Planning Board recommends that Borough Council consider these revisions. It was the consensus that this proposed Ordinance be placed on next week's agenda for first reading.

**Mayoral Appointment to the Planning Board.** Mayor Martin announced that he was appointing Christopher Halt to serve as a regular member of the Municipal Planning Board. Mr. Halt fills the unexpired term of Christian Hochenberger, who recently resigned from the Board. Mr. Halt's term will expire on December 31, 2004.

**Discussion: Possible Attendance Policy for Boards and Commissions.** Council reviewed a draft resolution prepared by our Solicitor regarding this issue. Mrs. Villari stated that she believes this Resolution is important and asked Council to consider adopting it. A discussion then ensued. It was the consensus of Council to place this Resolution on next week's agenda for consideration.

**Discussion: Giving the Finance/Admin Committee permission to review and recommend proposed capital expenditures prior to Council's final approval.** It was the consensus of Council to table this discussion for now.

**Update Re: Possible Noise Ordinance.** Our Solicitor stated that this is a model State Ordinance which regulates noises in the community. Mr. Gunn stated that Council could adopt an option to the Ordinance regarding barking dogs. In speaking to the people who framed this ordinance, Mr. Gunn commented that some towns have the number of barks per minute measured. From an enforcement standpoint, Mr. Gunn stated that this ordinance requires someone certified that has training to operate a noise meter. If this Ordinance is adopted it has to be approved by the Department of Environmental Protection and we would have an obligation to enforce it. Penalties can be incurred if it is not enforced. We would have to make sure the Borough would have someone certified to measure the sounds. Mr. Cesaretti asked what was on the books right now. Mr. Gunn stated we have a Nuisance Code that is enforced by the County Board of Health. Mr. Gunn suggested that Council thoroughly read the ordinance and discuss it again. If we don't have the personnel to enforce it, we probably should not have it. Mr. Cesaretti asked the Chief for his opinion regarding enforcement aspect of this Ordinance. The Chief thought it would be too hard to enforce. The Chief commented that some towns have barking dog ordinances that we could review. He will obtain copies for Council's review. This issue was referred to the Public Safety Committee who will make recommendations to Council.

**Discussion: Possible Stream Corridor Protection Ordinance.** Michael Robinson of the Environmental Commission stated that his members have previously encouraged Council to establish a Stream Corridor Protection Ordinance. This Ordinance would basically prevent extensive development along the creek. It would only affect the area along National Casein from the sewer plant up to Broad Street, with 100' setbacks. Mr. Robinson stated that the only other location that might be impacted by this would be the proposed development behind the Cedar Lane Manor Apartments. Mr. Robinson stated that the

Environmental Commission will be opposing that proposed development in its present form. Mr. Robinson stated that homeowners should not be affected by this Ordinance. Mr. Robinson reviewed a recent memo sent to Council which suggests criteria for this Ordinance. This memo is on file with the Municipal Clerk. Mr. Robinson stated that the Commission members are not experts in this field and suggested that the Borough seek professional guidance. Mayor Martin asked if Council were to consider this ordinance, would it be a problem for the Cedar Lane application presently before the Zoning Board. Our Solicitor stated that first this memo should be reviewed by our Planner to make sure it is consistent with other portions of the Master Plan. Mr. Cesaretti asked if an application has already been submitted and we change the rules, does the applicant have to meet the criteria or do they only have to meet what was on the books when they made the application. The Solicitor needs to research that. However, Mr. Gunn thought they would have a good argument that they should be bound by what was on the books at the time of their application. Mr. Robinson stated that the Environmental Commission is not trying to get this through in order to stop the Cedar Lane Manor application. They would just like to see this Ordinance in place before any further development is considered. It was the consensus of Council to forward the Environmental Commission's memo to Tamara Lee, Planner for her review and recommendation.

**Fred DeVece, 500 Cedar Street**, expressed concern that this proposed Ordinance may effect the potential development of the Nuway property if it is adopted.

**Preliminary agenda for November 10.** The Clerk reviewed this with the Governing Body.

#### **Meeting open to the public**

**Michael Heine, 206 Carriage House Lane**, commented that he didn't feel that Mr. DeVece, as a member of the Zoning Board, should have participated in any discussion regarding the implications of these potential changes. Mr. Heine believes Mr. Robinson articulated the reasons why this ordinance should be considered. Mr. Heine believes Council should consider this ordinance for first reading next week. Mrs. Villari and Mrs. Alls-Moffatt stated that they support this Ordinance. Mayor Martin expressed concern that by adopting this Ordinance there maybe implications regarding the Cedar Lane application presently before the Zoning Board. Mr. Gunn stressed the importance of having our Planner review the Environmental Commission's memo and make a recommendation to Council for next week's meeting.

Mr. Heine applauded Mrs. Villari for moving the attendance policy. Mr. Heine then presented an overview of what standards he would like included in this policy.

**Brad Young, 907 Cedar Street**, believes we should go easy and be flexible with an attendance policy, because we have enough trouble trying to get volunteers to serve.

**James Moffatt, 202 Fulton Street**, stated that when people volunteer to serve on a Board they should attend in a reasonable fashion. Mr. Moffatt then asked if Council could review the fees charged for certified copies of vital records. He thinks they may be too high.

**William Harris, 502 Cinnaminson Street**, feels that Council has not properly addressed various concerns that have been previously discussed. He believes Council should pursue the possible purchase of the property on Howard Street owned by Mr. Matera (Garages). This area could then be used for additional parking.

Mr. Harris raised concern about cats that run a large as well as the barking dog issue. He believes something should be done about this.

Mr. Harris believes Council should be pressuring New Jersey Transit about the horns blowing at the grade crossings. It was the consensus of Council that the Mayor should sent a letter to the Executive Director of New Jersey Transit.

**Michael Heine, 206 Carriage House Lane**, asked what Council's intention are regarding the redevelopment discussion item on next week's agenda. Mr. Gilmore said it was a general discussion and a possible first reading. Mr. Gilmore stated that Council has to discuss the draft document first to determine if this is what they want.

**Lauren Lewonski, 515 Howard Street**, would like to see the noise ordinance encompass things like the restaurant next door to her. Ms. Lewonski stressed the fact that the restaurant owners still violate their hours of operation as specified in the site plan approval. Mrs. Alls-Moffatt commented that she would like to abstain on this issue because she really does not know what else we can do to accommodate Ms. Lewonski. Mrs. Villari believes the owner should be in compliance with the agreement. Mrs. Villari asked if the police should be involved. A discussion then ensued. Chief Norcross Chief suggested that Ms. Lewonski contact central (829-1211) when specific violations occur. That way an incident report will be written. Ms. Lewonski also expressed concern that she is unable to park in front of her property because of the restaurant business. Mr. Cesaretti commented that she will be informed when the next parking committee meeting takes place. Ms. Lewonski stated that everytime she comes before Council for a designated parking space in front of her property, she is denied. She feels the Borough favors the businesses and not the residential property owners.

**Chris Halt, 400 Linden Avenue**, asked if the Borough is allowed to own and operate business properties. The response was yes. Mr. Halt suggested that the Borough purchase the Nuway Shopping Center, put in a mix of age restricted housing, some commercial, and also place municipal offices at that location. That would increase our tax base.

**Robert E. Smyth, 1 Bank Avenue**, thinks Mr. Halt's idea is a great one. Mr. Smyth stated that Collingswood did something similar and that it might be a good idea if we contacted them to gather information.

**Aleta Hoeffler, 513 Howard Street**, also complained about the restaurant's hours of operation. She also believes that the restaurant has been given priority over the people who live near that establishment. Our Solicitor stated that the approving Planning Board Site Plan Resolution for the establishment in question should be reviewed

Mrs. Hoeffler stated that even though the Borough placed a handicapped parking sign in front of her home (her husband is handicapped), they are unable to park in front of their home because other people utilize this space. She spoke to someone at the State level who indicated that there are ways the municipality can designate a parking space for her and her husband at this location. Chief Norcross commented that he has spoken to a representative from Trenton and has been told that there is no statute to back this up. It would not be enforceable. Our Solicitor commented that he would research this.

#### **RESOLUTION 98-04**

#### **A RESOLUTION AUTHORIZING THE RIVERTON POLICE DEPARTMENT TO AUCTION 7 VEHICLES PREVIOUSLY IMPOUNDED (IN FULL IN RESOLUTION BOOK)**

The Solicitor reported that after reviewing this issue with the Chief of Police that he is recommending that Council approve this Resolution tonight.

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **RESOLUTION 99-04**

#### **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 1975 (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. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that contract negotiations and personnel will be discussed.



At this time Mr. Smyth moved that we return to public session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 100-04**

**A RESOLUTION AUTHORIZING OVERTIME FOR THE PUBLIC  
WORKS MANAGER FOR 2004  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

November 10, 2004

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

**PRESENT:** Council members Daniel, Villari, Gilmore, Alls-Moffatt and Solicitor Bruce M. Gunn

**ABSENT:** Council members Smyth and Cesaretti

The following statement was read by Mayor Martin:

(a) Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Municipal Clerk in the following manner:

(b) Having written notice of all meetings to be held in 2004 published in the Burlington County Times on January 13, 2004

Posting written notice on the official bulletin board on January 13, 2004

The minutes from October 6 and October 13 were then presented. Mr. Gilmore moved that these minutes be approved as submitted. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS**-Mrs. Alls-Moffatt

In Mr. Smyth's absence, Ms. Alls-Moffatt moved that the attached Treasurer's and Finance Committee reports for the month of October be approved as submitted. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY**-Mrs. Alls-Moffatt

In Mr. Cesaretti's absence, Mrs. Alls-Moffatt asked if there was a police report submitted. The Clerk responded no. Regarding the possible merger or absorption of the Riverton Police Department, Mrs. Alls-Moffatt reported that the Public Safety Committee has had only one meeting with a representative from Cinnaminson Township. Council will be kept informed

**PARK, RECREATION, RECYCLING, ENVIRONMENTAL COMMISSION AND MUNICIPAL COURT**-Mr. Gilmore

Mr. Gilmore announced that our annual Christmas Tree Lighting at the War Memorial will take place on Saturday, December 4, 2004 at 6:00pm.

Mr. Gilmore read a report for the month of October that was submitted by Court Administrator, Laura Frick. There were 110 traffic tickets issued—1 for parking, 107 traffic other and 2 DWI. There were 7 criminal charges filed—3 summons, 0 warrants and 3 local ord. The total receipts for the month amounted to \$11,167.50. The total disbursed to Riverton amounted to \$5,752.54.

**PUBLIC WORKS/SEWER**-Mrs. Villari

Mrs. Villari reported that the department is working on leaf removal with one man short. Mrs. Villari reported that we received a draft of the new Stormwater Regulations Plan from Engineer, Rick Arango. This Plan must be approved by our Planning Board and then filed with the County Planning Board by April 1, 2005. Mrs. Villari reported that we have been asked to provide names of project team members that will be included with the plan. Mrs. Villari reported that our Public Works Manager, Scott Reed attended a meeting on regarding these new regulations on October 28<sup>th</sup>. This meeting targeted communities along the river route region. An overview of the new Stormwater Regulations was done at this meeting.

Mrs. Villari reported that the recent road program (Homewood, Second and Cinnaminson Streets) is almost complete. There are just a few things that need to done.

Regarding our Community Development project, she is making sure that Dan Guzzi, the Engineer for this project, is guiding the Borough through the process. Mr. Guzzi needs to submit the required monthly progress reports to the county office.

Mrs. Villari reported that we still have not heard from the Department of Transportation Trust Funding Department regarding the possible funding for the reconstruction of Fulton Street. Mrs. Villari reported that we have also not received any notification regarding our municipal aid grant.

Regarding the concern raised by Dennis Eversmyer regarding flag illumination at the park, Yacht Club War Memorial and the base of Linden Avenue, Mrs. Villari contacted a representative from PSE&G's outdoor lighting department. This person will be providing the Borough with options. Council will be kept informed.

#### **ZONING, PLANNING, CODE ENFORCEMENT AND REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that James Brandenberger was granted a use variance by the Zoning Board to develop the 1.4 acres of property located at Broad & Main Streets. This use variance permits the construction of a maximum of ten (10) residential units of mixed types, conditioned on approval of a site plan application. Consideration of additional use and bulk variances are reserved for approval or disapproval during the site plan process. Mrs. Alls-Moffatt also reported that Nancy Gorman, 402 7<sup>th</sup> Street, was granted a variance on the side yard and rear yard setback requirements for an addition. Debbie Lengyel and Chris Halt, 400 Linden Avenue, were told by the Zoning Board that they did not need a variance to construct an addition with a garage.

Regarding the Planning Board, Mrs. Alls-Moffatt reported that the Moccia application was continued until next month and the Miller's site plan application for the placement of an ice cream parlor on Howard Street passed.

#### **SHADE TREE, HUMAN SERVICES & BOARD OF HEALTH-Dr. Daniel**

Dr. Daniel read a report for the month of October that was submitted by Welfare Director, Florence Klein. There were two clients on the rolls. Mrs. Klein attended various seminars and meetings throughout the month.

Dr. Daniel attended a meeting with Barry Emens and Nancy Washington of the Shade Tree Commission on October 29<sup>th</sup> in Cherry Hill.

Dr. Daniel reported that two bids were received, opened and publicly read on Friday, November 5, 2004 at 10:00pm for a Shade Tree Contractor for the years 2005 and 2006. **They were from the Paul May Tree Service of Delran, New Jersey and Elite Tree Service, Inc. of Manalapan, New Jersey. The bid (dollar amounts) were as follows: Removal and trimming of trees, including all necessary equipment, chipping of brush and removal of debris per hour per man-\$60.00 from Paul May and \$52.00 from Elite, stump removal to 6" below ground level, including operating personnel and towing vehicle-hourly rate \$95.00 from Paul May and \$65.00 from Elite, spraying, including two operators, excluding materials—rate per hours \$95.00 from Paul May and from Elite \$75.00, feeding, including operators and necessary equipment—rate per hour per man \$60.00 from Paul May and from Elite \$52.00, planting trees (men and equipment) rate per hour per man \$60.00 from Paul May and from Elite \$52.00 and watering trees men and equipment rate per hour per man \$60.00 from Paul May and from Elite \$52.00.** The Clerk reported that these bids have been turned over to the Solicitor and the Shade Tree Commission for their review and recommendation to Borough Council.

#### **OLD BUSINESS**

##### **RECOMMENDATION FROM PLANNER RE: POSSIBLE ESTABLISHMENT OF A STREAM CORRIDOR ORDINANCE**

Council reviewed a memo from Tamara Lee, Planner regarding this issue. Ms. Lee pointed out that there are some definitional issues to deal with such as deforestation. Once council comes to a consensus, the Solicitor feels that the Planning Board should review this and give Council their input. A discussion then ensued. Mr. Gilmore believes we really need some professional help regarding this issue. Our Solicitor suggested obtaining sample Ordinances from other municipalities to review. The Clerk will contact the League for assistance. Mrs. Villari raised concern that even if we review other ordinances, we are

comparing our creek and stream to somebody else's. No two are the same. Our Solicitor said the only reason to obtain sample Ordinances is to see how they define deforestation. **Michael Heine, 206 Carriage House Lane**, commented that the Department of Environmental Protection has a model ordinance available. He'll get copies for Council.

**NEW BUSINESS**

**ORDINANCE 11-04**

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS OF  
CHAPTER 128, ARTICLE XXV AFFORDABLE HOUSING DEVELOPMENT  
FEES**

The above Ordinance was read by title only for the first time by Mrs. Alls-Moffatt, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye. It should be noted that second reading and a public hearing on this Ordinance will be held December 8, 2004 at 7:00pm in the municipal building.

**RESOLUTION 101-04**

**A RESOLUTION SETTING FORTH AN ATTENDANCE POLICY FOR  
BOARDS AND COMMITTEES**

Mrs. Villari moved that this Resolution be tabled for now. She stated that there were some modifications that she wanted Council to consider. This motion was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**RESOLUTION 102-04**

**TRANSFER RESOLUTION  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Alls-Moffatt, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

**CORRESPONDENCE**

Mayor Martin read a letter from Mark C. Zagunis (Zagunis Caulking & Restoration, LLC). Mr. Zagunis has informed us that his company would be providing masonry restoration of the Veterans Memorial as a community service to our town. The completed repairs will honor those veterans who so bravely served our country. Mr. Gilmore suggested presenting Mr. Zagunis with a certificate of appreciation for his efforts. Council agreed to this suggestion.

**MEETING OPEN TO THE PUBLIC**

**William Harris, 502 Cinnaminson Street**, is concerned that Council has not followed through regarding the barking dog issue, sending a letter to New Jersey Transit regarding the horn blowing, parking issues (possible purchase of the Matera property on Howard Street (presently garages) to be utilized for parking.

**Review of "Draft" Redevelopment Plan-Tom Coleman, Redevelopment  
Solicitor present**

Mr. Gilmore provided an overview of this "draft" plan. Mr. Gilmore stated that we have also received a memo from Planner, Tamara Lee, regarding COAH and redevelopment. Mr. Coleman stated that after reviewing State statutes and conferring with Ms. Lee, he is advising that the Borough should not at this time finally adopt any form of a redevelopment plan which offers a potential redeveloper the right to construct residential housing units on certain lands identified in the redevelopment plan. However, Mr. Coleman stated that if the Council is comfortable with the draft plan before them tonight, (which includes a mixed use of commercial and residential housing on the Nu-way and National Casein locations) it would be okay to introduce. However, Mr. Coleman stressed the fact that we would need to submit an amended housing plan to COAH before final adoption of the redevelopment plan could take place. Ms. Villari stated that Council

has not come to a conclusion as to how the Nuway and National Casein land should be used. Mrs. Villari stated that she has received information regarding age restricted housing and some of the problems that that can bring into town e.g. resale. Mrs. Villari believes these issues should be looked into prior to adopting a plan. Both Mr. Gilmore and Mrs. Alls-Moffatt disagreed with Mrs. Villari. Mrs Alls-Moffatt stated that unless the Borough has guidelines in place a developer can come in and build whatever they want. Mrs. Alls-Moffatt commented that a lot of work went into this plan. Mrs. Villari stated that she doesn't know how Council feels about this plan. Mr. Gilmore asked her how she felt about it. Mrs. Villari has reservations regarding the affordable housing issues. Mrs. Villari thought we should consider commercial development as opposed to residential. By doing this Mrs. Villari thought that there may not be any COAH issues. Mr. Gilmore stated that while that is true, this plan provides the guidelines for a developer to utilize for a mixed use. Mr. Gilmore believes that if we do not have a redevelopment plan, we are costing the Borough a lot of money. Dr. Daniel commented that we are costing the Borough a lot of money if this plan is not thought through. Mrs. Alls-Moffatt asked Dr. Daniel if he has read the plan, in particular the standards and guidelines. He responded yes. Mrs. Alls-Moffatt stated that she doesn't know what else could be put in or taken out. Dr. Daniel asked how much energy has been expended to looking into developers coming into town to make the Nuway/National Casein locations developed for commercial use only. Mr. Gilmore responded that commercial property won't fly in Riverton based on developers he has spoken to. Mrs. Alls-Moffatt concurred with what Mr. Gilmore said. Mr. Gilmore stated that a lot of work has gone into this draft plan. Our redevelopment subcommittee has worked very hard on this. Mr. Gilmore stressed the fact that Council was given copies of this draft plan to review and to make comments. Mr. Gilmore stated that he has not received any feedback from Council one way or the other regarding this proposed document. Mayor Martin commented that because only three council members can serve on the redevelopment subcommittee, it is hard to get the other members thoughts, ideas and opinions. Mr. Gilmore strongly stated that the Mayor never gave his opinion while serving on the redevelopment committee, or for that matter while he serves on the Post Office subcommittee. Mr. Gilmore strongly stated that the Mayor never gives an opinion one way or the other on anything. Mayor Martin took exception to Mr. Gilmore's remarks. Mayor Martin stated that he was opposed to the acquisition of the Post Office. Mrs. Villari asked if new redevelopment occurs within the municipality will it generate an affordable housing obligation. If so, what is the obligation? Mr. Coleman provided an overview of the COAH obligations. Mrs. Alls-Moffatt would like to have a first reading on this plan tonight. Dr. Daniel Daniel stated that we have a plan in place. Mrs. Alls-Moffatt responded that we don't. Mr. Coleman stated that we presently have a COAH housing plan in place. Mrs. Alls-Moffatt asked Daniel if he was basing his opinion on COAH? Dr. Daniel stated that the town is protected at this time. Mr. Coleman stated that Mr. Gilmore would like to introduce this plan tonight, authorize the planner to get an amended housing plan, but not adopt this plan until COAH gives approval. At this time Mr. Gilmore withdrew his discussion about redevelopment. Mr. Gilmore stated that if redevelopment comes up again it will have to be initiated from someone else. Mrs. Villari stated that it is important to represent the town regarding redevelopment. She volunteered and asked for others from Council to do so. Mrs. Alls-Moffatt believes Council has had more than enough time to review this. Mrs. Alls-Moffatt believes that nothing has been accomplished and was very disappointed.

**Michael Heine, 206 Carriage House Lane,** urged Council not to pass any redevelopment plan that has a residential component in it.

At this time both Mr. Gilmore and Mrs. Alls-Moffatt left the meeting leaving no quorum of the Governing Body to continue.

Mary Longbottom, RMC  
Municipal Clerk

December 1, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth, Gilmore, Cesaretti, Alls-Moffatt 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 notice of all meetings to be held in 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

**Recommendation from Solicitor and Shade Tree Commission Re: Shade Tree Contractor for 2005 and 2006.** Dr. Daniel reminded Council that the Paul May Tree Service of Delran, New Jersey and Elite Tree Service of Manalapan, New Jersey bid for this contract. Dr. Daniel stated that while Elite Tree Service was the lower bidder, the Shade Tree Commission wanted to meet with their representatives and take a look at their operations. The Commission was concerned about where they are located and if the distance would pose any problems to them responding to our maintenance requirements. Our Solicitor commented that he thought it was a good idea for our Commission to review their concerns with these representatives. Council will be kept apprised of this situation before a final decision is made to award the contract.

**Update Re: Broad Street Enhancement Grant.** Mr. Gilmore reported that he would be reviewing the required documents that our Engineer (Dante Guzzi, Associates) will be submitting to the Department of Transportation by the end of this week. Mr. Gilmore is hopeful that our Engineer would have forwarded this documentation to the proper officials by next week. Council will be kept informed.

**Discussion: Proposed attendance policy for members of Board and Commissions.**

Mrs. Villari reported that the newly proposed draft Resolution regarding this issue was placed in Council's packets for this evening's meeting. Mrs. Villari asked that Council review this for possible consideration at next week's meeting. Mr. Gilmore stated that he believes Council should get their own house in order before we start telling other people how what they should do. Mrs. Alls-Moffatt concurred with Mr. Gilmore's comments. Mrs. Alls-Moffatt stated that she feels this attendance policy is directed to the Planning Board. Mrs. Alls-Moffatt stated that she recently spoke with Frank Siefert, Planning Board Chairman regarding this proposed attendance policy. Mr. Siefert believes that he is more than capable of handling his Board members himself. Mr. Siefert informed Mrs. Alls-Moffatt that since he has served as Chair of the Planning Board there has always been a quorum to conduct business. Mrs. Villari asked Mrs. Alls-Moffatt to read this proposed resolution. Mrs. Alls-Moffatt stated that she did read it and she has also read the first draft of this resolution. Mrs. Villari commented that she thought it was important to get all of the boards and commissions on the right track. Mrs. Villari stated that this Resolution does have extenuating circumstances that are considered if there are absences. Mr. Gilmore asked Mrs. Villari if she had any help putting this Resolution together. Mrs. Villari commented that a lot of people helped. Mr. Gilmore asked if anyone in particular helped. Mrs. Villari responded Michael Heine helped. Mrs. Villari also stated that she had obtained sample Resolutions from other municipalities regarding their attendance policies. A discussion then ensued. Mrs. Alls-Moffatt suggested that the individual Chair's of our Boards and Commissions be asked for their opinion regarding this proposed resolution prior to Council's action on it. Mrs. Villari believes it is up to the Governing Body to make these decisions. Mayor Martin stated that we are trying to find a way to increase the attendance of these boards and commissions. Mr. Gunn stated that this resolution addresses attendance problems that are concurrent. Mr. Gunn commented that this resolution does not apply to Boards or Commission who do not meet four times a year.

Mr. Gilmore stated that he feels this Resolution is mean spirited and he does not think it has any place in Riverton. Mr. Gilmore stated that he would not be in favor of this. However, Mrs. Villari asked that this resolution will be placed on next week's agenda for Council's consideration.

**Setting day and time for 2005 reorganization meeting.** Mr. Smyth suggested that Council hold the 2005 Reorganization meeting in the Municipal Building on Wednesday, January 5, 2005 at 7:00pm. It was the consensus of Council to agree to this.

**RESOLUTION 104-04**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RIVERTON AUTHORIZING THE DAY AND TIME FOR THE 2005 REORGANIZATION MEETING  
(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. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Setting days and times for 2005 Council meetings.** Mr. Smyth suggested keeping the 2005 Council meetings on the first and second Wednesday of each month during 2005. Mr. Smyth further suggested that the starting time for all 2005 Council meetings should be 7:00pm. It was the consensus of Council to agree to this.

**RESOLUTION 103-04**

**A RESOLUTION AUTHORIZING THE DAYS AND TIMES OF ALL COUNCIL MEETINGS FOR 2005  
(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. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Professional Service Appointments for 2005.** Mr. Smyth asked that this discussion take place in closed session later on tonight. It was consensus of Council to agree to this.

**Setting holiday luncheon date and holiday schedule.** The Mayor announced that the holiday luncheon for our Borough employees and officials would be held at his home on Tuesday, December 21<sup>st</sup> from noon until 2:00pm. Upon review of the guidelines set forth in the Borough's Employee handbook, Mr. Smyth suggested that Borough Offices close at noon on December 23<sup>rd</sup> and re-open on December 27<sup>th</sup>. Mr. Smyth further suggested that Borough Offices close at noon on December 30<sup>th</sup> and re-open on January 3, 2005. It was the consensus of Council to agree to this.

**RESOLUTION 105-04**

**A RESOLUTION SETTING THE HOLIDAY SCHEDULE FOR 2004  
(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 Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**Discussion: to review and update current employee handbook.** Mrs. Villari stated that the employee handbook should be reviewed and updated. She asked for representatives from Council to serve on this committee. Mrs. Alls-Moffatt and Mr. Cesaretti stated that they would serve. Mr. Smyth commented that he would be willing to serve as a substitute if needed. Laura Frick, Court Administrator, who was present in the audience, asked to participate on this committee. Mr. Gilmore stated his opposition to this. Mrs. Alls-Moffatt commented that she thought this would be inappropriate. Mrs. Villari stated that we are looking for input and ideas to look forward to a more positive working atmosphere. Mr. Gilmore believes it is Council's responsibility to handle this. Mrs. Alls-



Moffatt believes it is the employer's responsibility to do this. Mrs. Villari commented that she thought employees should be included. Dr. Daniel commented that he thought this was a good idea. Mr. Smyth stated that all reports and recommendations regarding the employee handbook should be referred back to Council for their consideration and review.

**Request from Councilwoman Alls-Moffatt to send a letter to all residents.** Mrs. Alls-Moffatt stated that she would like to send a letter to all Riverton property owners. Mrs. Alls-Moffatt would like to inform them about the progress or lack of progress regarding the implementation of a redevelopment plan. She would like to obtain mailing labels and have Council pay for the mailing of this letter. Dr. Daniel asked what the purpose was for this letter. Mrs. Alls-Moffatt responded that she wants to inform the public of what is and is not going on here. She is not happy with what has not been done by this council this year. This is her democratic point of view. Everybody is entitled to come and discuss it after she sends the letter. Mr. Smyth asked whose views are being represented. Mrs. Alls-Moffatt responded the democratic position on this Council, that being Mr. Gilmore and herself. Mr. Gilmore commented that both he and Mrs. Alls-Moffatt feel the need to speak up on this situation. Mrs. Villari commented that she thought everything Mr. Gilmore and Mrs. Alls-Moffatt have worked on has been conveyed to the public. Both Mr. Gilmore and Mrs. Alls-Moffatt disagreed with Mrs. Villari. Mr. Cesaretti commented that if this is a political issue, then perhaps the party that is doing the speaking along those lines, should send the letter out and pay for it. Mr. Gilmore commented that's what may have to be done if no cooperation is given from the rest of the Council. Mr. Gilmore commented that there was no communication either pro or con from the members of Council regarding the proposed redevelopment plan prepared by him and Mrs. Alls-Moffatt. Mr. Gilmore also expressed concern that nothing has been accomplished by this Council during the past 12 months. Mayor Martin stated we should re-form a redevelopment committee. Mrs. Villari concurred. She suggested it be rotating so that all members of Council can participate at different times.

**Preliminary agenda for December 8.** The Clerk reviewed this with the Governing Body.

**Update Re: Possible Noise Ordinance.** Mr. Cesaretti reported that the Public safety committee is still reviewing the State's suggested noise ordinance. Mr. Cesaretti stated that a recommendation may be made to merely amend our present animal ordinance to cover the ongoing barking dog issue. The committee will be reviewing sample ordinances from other municipalities regarding this issue. Council will be kept informed.

**Meeting open to the public (five minute limit per person)**

**Michael Heine, 206 Carriage House Lane.** Regarding the Heritage Trail, Mr. Heine reported that besides the primary route of Broad Street, an alternate route will be created down Fulton to either 2<sup>nd</sup> Street or Third Street. Mr. Heine understands that a pedestrian bridge will be constructed over the Pompeston Creek. Mr. Heine is strongly opposed to the routing of the Heritage Trail in Riverton's Residential Neighborhoods. Mr. Heine has provided Mrs. Villari with a draft resolution opposing this. Mr. Heine would like this Resolution placed on next week's agenda for action by the Council. Mr. Heine stated that his Resolution has a provision to take action in Superior Court if necessary. Mr. Heine urged Council to be proactive and adopt this resolution. Mayor Martin asked our Solicitor to review Mr. Heine's draft Resolution and render an opinion.

Mr. Heine stated that he believes there is great value in having an attendance policy for our Boards and Commissions. Mr. Heine stated that Zoning Board and Planning Boards are very important and it is necessary to make sure the people appointed to serve on them attend their respective meetings. Mr. Heine strongly urged Council to adopt the attendance resolution.

**Cathy Martin, 103 Bank Avenue** addressed Council regarding the Heritage Trail issue. Mrs. Martin reminded Council that a previous resolution adopted by Council stressed the fact that we didn't want the trail to go through our neighborhoods. Mrs. Martin commented that the possible construction of a pedestrian bridge over the Pompeston Creek is very abstract at this point.

**Bob E. Smyth, 1 Bank Avenue**, has spoken to Matt Johnson, County Open Space Coordinator regarding the Heritage Trail. Upon reviewing the Heritage Trail maps, Mr. Smyth asked Mr. Johnson if he had the proper authority to have taken out multiple segments of the trail from Morgan Avenue all the way down from Bank Avenue. Mr. Smyth commented that Mr. Johnson was vague in his response to this. Mr. Smyth stated that he is concerned about the issues of the construction bridge across the Pompeston Creek as well as the trail possibly going through residential neighborhoods. Mr. Smyth commented that these designations still appear on the Heritage Trail maps. Mr. Smyth believes Council should do a Resolution opposing the trail going through residential neighborhoods. Mr. Smyth is also of the opinion that we should also ask the Heritage Trail representatives for a legal document, which states that they have accepted the Borough's resolution.

Mrs. Alls-Moffatt asked how we can stop hikers or bikers from going down Bank Avenue. Dr. Daniel raised the same concern. Mr. Cesaretti asked why we would want to stop them anyway. Mayor Martin commented that the question is whether we want striping on Fulton, Third, Second, Howard and Bank and signage regarding the trail in the Borough. Mrs. Villari stated that she would distribute the draft resolution prepared by Michael Heine to Council and our Solicitor for review. Mr. Gunn commented that Council should be on record with whatever it is that they want to accomplish regarding the trail issue.

**Nancy Washington, 201 Main Street** does not believe the Heritage Trail people are being truthful. She is opposed to the trail and believes Council should do another Resolution indicating their opposition to the trail running through our residential neighborhoods.

**Cathy Martin, 103 Bank Avenue** commented that the trail issue has not been about the people coming through town. It's about the changes that would take place on our streets through residential areas that we objected to.

**Nancy Washington, 201 Main Street**, stated that Riverton is a historic district on the National Historic Register. No federal money can be spent to change the character of the historic district.

**Dennis Eversmeyer, 400 Fulton Street**, stated that he has been working with Councilwoman Villari to get the flag at the park illuminated at night. He has looked into several options with representatives from PSE&G. A discussion ensued. Mr. Smyth suggested the War Memorial location as a centralized location for the illumination of the flag. Mr. Gilmore concurred with Mr. Smyth. Mr. Gilmore commented that there would be costs involved to illuminate the flag at the park. There is presently no money in the budget for this. Mr. Gilmore feels that the flags at the other locations should be put up and taken down on special occasions and holidays. Discussion resumed. Martin Martin stated that the consensus here tonight is not to light the flag at the park. However, Mr. Eversmeyer volunteered to put up and take down the flag park location.

#### **RESOLUTION 107-04**

#### **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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that personnel, litigation and contract negotiations will be discussed.

At this time Mr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk

December 8, 2004

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

**PRESENT:** Council members Daniel, Villari, Smyth (arrived at 7:05pm), Gilmore, Cesaretti, Alls-Moffatt 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 notice of all meetings to be held in 2004 published in the Burlington County Times on January 13, 2004

(b) Posting written notice on the official bulletin board on January 13, 2004

At this time Mayor Martin introduced Mark Zagunis of Zagunis Caulking & Restoration, Inc. Mayor Martin publicly thanked Mr. Zagunis for performing the masonry repairs and restoration work at the War Memorial as a community service to our town. Mayor Martin presented Mr. Zagunis with a Certificate of Appreciation.

The minutes from November 3, November 10 and closed session minutes from October 6, October 13 and November 3 were then presented. Mr. Smyth moved that these minutes be approved as submitted. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti voted aye for the November 3 minutes and abstained from the November 10 minutes, and Mrs. Alls-Moffatt aye.

**TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth**

Mr. Smyth moved that the attached Treasurer's and Finance Committee Reports for the month of November be approved as submitted. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**COMMITTEE REPORTS**

**PUBLIC SAFETY-Mr. Cesaretti**

Mr. Cesaretti read a report for the month of November that was submitted by Police Chief Robert Norcross. Vehicle Mileage 2530, Gas Used 343.80, Juvenile Arrests 1 (Assaults 0, Miscellaneous 0 Curfew 1), Adult Arrests 9 (Criminal Warrants 2, Criminal Summons 0, Traffic Warrants 4, DWI 3, other 0), Motor Vehicle Crashes 4, Motor Vehicle Stops 88, Motor Vehicle Warnings 13, Motor Vehicle Summons 90, Burglar alarms 10, Asst. to other Police Departments 25, Animal Complaints 5, Fire Calls 8, (In-Town 2, Out of Town 6), Ambulance Calls- (Riverton) 18, Unattended Deaths 0, Criminal Case 23, Domestic 2, Thefts 1, Burglaries 0, Assaults 0, Sexual Assault 0, Criminal Mischief 0, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 28, Miscellaneous Calls 508, and Total Calls 831.

Mr. Cesaretti read a report for the month of November that was submitted by Animal Control Officer, M&R Wildlife. The town was canvassed and a dead squirrel was removed at the Police Department's request.

Mr. Cesaretti announced that the Animal Control Officer has finished the dog and cat census for this year. There are approximately 100 people who will be cited in Court for not obtaining the required dog and/or cat licenses. They will be scheduled to appear in court on January 11, 2005.

**PARKS, RECREATION, RECYCLING, ENVIRONMENTAL COMMISSION AND MUNICIPAL COURT-Mr. Gilmore**

Regarding the Environmental Commission, Mr. Gilmore reported that he and Mrs. Villari attended a meeting in Delran regarding the new regional stormwater regulations. Council will be kept apprised of this issue.

Mr. Gilmore read a report for the month of November that was submitted by Court Administrator, Laura Frick. There were 78 traffic tickets issued-6 for parking, 70 traffic

other and 2 DWI. There were 12 criminal charges filed-5 summons, 2 warrants and 1 local ord.

**PUBLIC WORKS/SEWER-Mrs. Villari**

Mrs. Villari reported that the 2004 leaf-pick up will be completed by December 17. We have received the 2005 Solid Waste contract from the County. This pertains to the continuation of recycling and solid waste disposal services. Mrs. Villari stated that she would like some time to review this document. She will ask Council to consider it at their January 12, 2005 meeting.

Regarding the request from New Jersey Transit, Mrs. Villari reported that a black 900 foot long, 4 foot high fence will be placed along the railroad tracks from the Pompeston Creek to Cedar Street. This is being done to prevent anyone from going on the tracks at this location. No trespassing signs will also be placed on the fence.

**ZONING, PLANNING, CODE ENFORCEMENT**

**AND REDEVELOPMENT-Mrs. Alls-Moffatt**

Mrs. Alls-Moffatt reported that our Code Enforcement Officer will be citing certain individuals for particular violations.

Regarding the Zoning Board, Mrs. Alls-Moffatt reported that the Cedar Lane Mews application has been continued until the December 15<sup>th</sup> meeting. Regarding the Broad and Main development (Sitzler property), a letter was received from the applicant's attorney stating that the applicant (Brandenberger) does intend to re-file a revised site plan application and that there is no continuance of the hearing.

Regarding the Planning Board, Mrs. Alls-Moffatt reported that the Board approved a site plan application for Mr. & Mrs. Miller to open an ice cream parlor at 519 Main Street. Mrs. Alls-Moffatt commented that she also understands that the owner's of Tony's Seafood restaurant on Howard Street will be filing an application with the Board to extend their hours.

**SHADE TREE/BOARD OF HEALTH & LOCAL ASSISTANCE-Dr. Daniel**

Dr. Daniel reported that the issue of a new Shade Tree Contractor would be discussed under old business.

Dr. Daniel read a report for the month of November that was submitted by Welfare Director, Florence Klein. Mrs. Klein attended various workshops during the month. Mrs. Klein is working with the Masons and Eastern Star regarding food baskets and gifts to be delivered to needy Riverton families for the holidays.

**OLD BUSINESS**

**RECOMMENDATION FROM SHADE TREE COMMISSION AND SOLICITOR  
RE: SHADE TREE CONTRACTOR FOR 2005 AND 2006**

Dr. Daniel reminded Council that two bids were received for this service. They were the Paul May Tree Service Company of Delran, New Jersey and Elite Tree Service of Manalapan, New Jersey. Dr. Daniel stated that the low bidder was Elite Tree Service. Mr. Gunn reported that members of our Shade Tree Commission met with representatives from Elite Tree Service in Manalapan to review the required specifications and their equipment. Mr. Gunn stated that the Shade Tree Commission is comfortable with this company. Mr. Gunn stated that Council can award the Shade Tree Contract tonight.

**RESOLUTION 106-04**

**A RESOLUTION OF THE BOROUGH OF RIVERTON AUTHORIZING THE  
AWARD OF A SHADE TREE SERVICE CONTRACT FOR THE YEARS 2005  
AND 2006 TO ELITE TREE SERVICE OF MANALAPAN, NEW JERSEY  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Dr. Daniel, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**DRAFT RESOLUTION EXPRESSING OPPOSITION TO THE ROUTING OF  
THE HERITAGE TRAIL IN RIVERTON'S RESIDENTIAL NEIGHBORHOODS  
AND ADOPTING AN ALTERNATE ROUTE**

Council reviewed the draft Resolution submitted by Solicitor Gunn. Mr. Gilmore reported that Council received correspondence and a map from Matthew Johnson, County Open Space Program Coordinator today regarding the Heritage Trail. A copy is on file with the Municipal Clerk. In his letter, Mr. Johnson stated that the "Riverview trail alignment along municipally-owned roadways in Riverton will not be identified and/or improved as part of the Delaware River Heritage Trail". Mr. Gilmore further stated that they are investigating having the trail route run along Broad Street. A discussion then ensued. Mr. Gilmore commented that given this information, he does not feel there is a need to do this Resolution. Both Mayor Martin and Mrs. Villari disagreed. Riverton should have this on the books in case things change down the road. Discussion resumed.

**RESOLUTION 107-04**

**A RESOLUTION ADOPTING AN ALTERNATE ROUTE FOR THE HERITAGE  
TRAIL IN THE BOROUGH OF RIVERTON  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt abstained.

At this time Mr. Gilmore distributed information to Council regarding "Trail Effects on Neighborhoods: Home Value, Safety, Quality of Life" for their review. Mr. Gilmore provided the public with an overview on this. Copies are on file with the Municipal Clerk

**NEW BUSINESS**

**ORDINANCE 11-04**

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS OF  
CHAPTER 128, ARTICLE XXV AFFORDABLE HOUSING DEVELOPMENT  
FEES**

At this time Mrs. Alls-Moffatt moved that this Ordinance be tabled until next year. This was seconded by Mr. Gilmore. Mrs. Alls-Moffatt explained that we received notification from the Deputy Attorney General for COAH indicating that the retroactive clause in this Ordinance is not permitted under COAH regulations. Our Planner will need to revise this Ordinance and Council can re-introduce the Ordinance next year. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 108-04**

**TRANSFER RESOLUTION  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by Mr. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 109-04**

**A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY TAX  
OVERPAYMENTS  
(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. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 110-04**

**A RESOLUTION SETTING FORTH AN ATTENDANCE POLICY FOR  
BOARDS AND COMMITTEES**

The above Resolution was read by title only by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. Mrs. Alls-Moffatt believes this Resolution should be tabled until we have given the people who Chair our Boards and Committees the opportunity to review and comment on the Resolution. Mrs. Alls-Moffatt stated that this Resolution is grossly inappropriate given the fact that members of this Council do not always show up for our meetings. We should get our own house in order first. Mrs. Alls-Moffatt believes the Committees should be afforded the courtesy of replying to this before this Council heavy handedly passes this obnoxious Resolution. Mrs. Villari stated that this is an attendance policy. It doesn't have anything to do with how the Board's run their meetings. It's about being responsible. Mrs. Alls-Moffatt's personal opinion is that this Resolution is directed to one particular Board. Mrs. Villari disagreed. Mr. Gilmore believes that if people have to come before Council to defend the fact that they have missed some meetings, they just won't serve. Mr. Gilmore believes this Resolution is mean spirited. Our Solicitor provided an overview of the content of this Resolution. A discussion then ensued. Dr. Daniel would not describe this Resolution as mean spirited. However, he thinks there could be an easier way of handling situations as they come up (through the Chair of the respective committee or Board) as opposed to having the person come before Council to give an explanation. Both Mr. Gilmore and Mrs. Alls-Moffatt agreed with Dr. Daniel's comments. Mr. Smyth asked if the Chair's of the Boards and Commissions were informed about this proposed Resolution. Mrs. Villari responded no. Mr. Smyth believes we should table this Resolution for at least a month to do that. Mrs. Villari disagreed with the comments made here tonight. She believes this Resolution is important. Mr. Cesaretti commented that he has difficulty holding people to a higher standard than what he holds himself to. Mr. Cesaretti acknowledged the fact that he has missed some Council meetings due to particular conflicts. He believes we are not holding ourselves to the same standard. Mr. Cesaretti stated that he doesn't think he can vote for this Resolution. Mrs. Villari then stated that she would talk to the committee chairs and ask Council to talk about it again in January.

At this time Mrs. Villari moved to table this Resolution. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

#### **2005 BOROUGH COUNCIL COMMITTEE ASSIGNMENTS**

Mr. Smyth asked that Council consider keeping these assignments the same for 2005. Council took this under advisement. A decision should be reached by Council's 2005 Reorganization meeting.

**CORRESPONDENCE**-There was no correspondence presented at this time.

#### **MEETING OPEN TO THE PUBLIC**

**Bill Washington, 201 Main Street**, publicly thanked the Mayor and Council for their efforts. Mr. Washington stated that his confidence has been restored since Mayor Martin took office.

Regarding the Broad Street Enhancement Grant Project, Mr. Washington asked if a traffic study was done to determine the impact of the elimination of the triangle in front of the bakery at Broad & Main. You will no longer be able to make a soft right hand turn at this location. If you want to make a right hand turn onto Broad Street, you will have to do so at the traffic light. Mr. Gilmore responded that traffic studies were not done because they weren't needed. Mr. Washington disagreed with Mr. Gilmore.

**James Moffatt, 202 Fulton Street**, commented that at last week's meeting, Mr. Gilmore provided information as to how many Council meetings respective members of the Governing Body missed during 2004. Mr. Moffatt wanted to go on record that Mrs. Alls-Moffatt has not missed one meeting this year.

**Bill Harris, 502 Cinnaminson Street**, asked for the status on a dog barking ordinance. Mr. Cesaretti stated that the Chief has obtained some sample Ordinances from other municipalities, which will be reviewed and considered by Council early next year.

**Michael Heine, 206 Carriage House Lane** commented about the attendance resolution. Mr. Heine stated that the people who Chair Boards and Commission have no legal authority to set an attendance policy. This is only reserved for the Council to implement. Mr. Heine believes an attendance policy is absolutely essential for the Boards. Mr. Heine asked that Mrs. Villari remove the Resolution from the table and vote on it tonight. Mrs. Alls-Moffatt feels Council has made their decision tonight regarding the attendance Resolution. Mrs. Villari made a motion to remove the attendance resolution from the table for action. There was no second to Mrs. Villari's motion.

**RESOLUTION 111-04**

**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 Mr. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.. It should be noted that Litigation and personnel matters will be discussed. It should also be noted that Mrs. Villari left the meeting at this time (8:30pm.) She was not present for the closed session.

At this time Dr. Daniel moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye. Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 112-04**

**A RESOLUTION AUTHORIZING THE BOROUGH COUNCIL TO RESPOND TO MEDIATOR'S SETTLEMENT PROPOSAL IN DOLECKY V. BOROUGH OF RIVERTON  
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mrs. Alls-Moffatt, who moved for its adoption. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC  
Municipal Clerk