

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
2005 REORGANIZATION MEETING
JANUARY 5, 2005
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Invocation: The Rev. Dr. Robert K. Smyth
5. Oath of Office administered to Dr. Robert K. Smyth as a member of the Borough Council of the Borough of Riverton
6. Oath of Office administered to Ron Cesaretti as a member of the Borough Council of the Borough of Riverton
7. Oath of Office administered to Scott Reed as Fire Chief
8. Oath of Office administered to Robert Yearly as Deputy Fire Chief
9. Nominations for President of Council
10. 2005 Borough Council Committee Appointments-Mayor Martin

NEW BUSINESS

CONSENT AGENDA-Mayor Martin

Res. 1-05 Temporary Appropriations for the year 2005

Res. 2-05 Authorizing the Award of Contracts for Professional Services

Res. 3-05 Authorizing Official Depositories for the Borough

Res. 4-05 Authorizing an Official Newspaper

Res. 5-05 Fixing the rate of interest to be charged on Delinquent Taxes and
Sewer for 2005

Res. 6-05 2005 Borough Appointment List

Res. 7-05 Appointing an Animal Control Officer

Res. 8-05 Designating an employee to serve as the Public Agency
Compliance Office

Res. 9-05 Appointing an Insurance Agent for 2005

Res. 10-05 Authorizing a Cash Management Plan

Meeting open to the public
Adjournment

BOROUGH OF RIVERTON
JANUARY 12, 2005
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 1, December 8 and closed session minutes from December 1 and December 8
5. Treasurer's & Finance Committee Reports-Mrs. Alls-Moffatt
6. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Park, Recreation, Recycling & Environmental Commission-Mr. Gilmore
 - c. Public Works/Sewer-Mrs. Villari
 - d. Planning, Zoning, Code Enforcement & Redevelopment-Mrs. Alls-Moffatt
 - e. Shade Tree, Board of Health & Human Services-Dr. Daniel
7. Old Business
Review of "Draft" Ordinance Re: Barking Dogs
8. New Business
Res. 11-05 Transfer Resolution-Mrs. Alls-Moffatt
Res. 12-05 Authorizing the Solicitor to file appeals-Mrs. Alls-Moffatt
Res. 13-05 Authorizing the Mayor to sign the solid waste services agreement with the County to provide recycling and solid waste disposal services for the calendar year 2005-Mrs. Villari
Res. 14-05 Establishing certain fees to be charged to a person obtaining a Street Opening Permit-Mrs. Villari

Mayoral appointments to the Zoning Board, Planning Board and Environmental Commission
9. Correspondence
10. Meeting open to the public (five minute limit per person)
11. Res. 15-05 To go into closed session-Litigation and Personnel
12. Return to public session
13. Adjournment.

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
WORK SESSION
FEBRUARY 2, 2005
7:00PM**

1. Meeting open to the public
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Proposed Ordinances for consideration
 - a. revisions to development fee ordinance
(Planner to be present)-Mrs. Alls-Moffatt
 - b. "CAP" Ordinance-Mr. Smyth
 - c. Amending Bond Ordinance-Mr. Smyth
 - d. adopting rules of decorum for the conduct of
Borough Council Meetings-Mrs. Villari
4. Setting day and time for 2005 budget work session
5. Mayoral Appointments to the Architectural Review Committee and Shade Tree
6. Authorizing the hiring of a Crossing Guard
7. Request for authorization for the removal of two properties from the Borough's sewer tax rolls
8. Disposition of the Borough's Original Linen Tax Maps
9. Possible submission of a grant application for the New Jersey Department of Transportation's Fiscal Year 2006 Municipal Aid Program
10. Approval for the Porch Club to hold a Chinese Auction
11. Update Re: Wastewater Treatment Facility Engineer appointment
12. Preliminary agenda for February 9
 - Second reading and public hearing on Barking Dog Ordinance
 - Budget Transfer Resolution
 - Proclamation: Read across America
13. Meeting open to the public (five minute limit per person)
14. Adjournment

**BOROUGH OF RIVERTON
AGENDA
FEBRUARY 9, 2005**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Minutes from January 5 and January 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/Board of Health and Municipal Court-Dr. Daniel
7. Old Business
8. New Business
 - Second Reading and Public Hearing on the following Ordinance:**
1-05 Amending Chapter 45, Article III to Control the Continuous Barking of Dogs-Mr. Cesaretti
 - Res. Budget Transfer Resolution-Mr. Smyth
 - Proclamation-Read Across America-Mayor Martin
9. Correspondence
10. Meeting open to the public (five minute limit per person)
11. Res. To go into closed session (Personnel) Mr. Cesaretti
12. Return to public session
13. Adjournment

**BOROUGH OF RIVERTON
AGENDA
BUDGET WORK SESSION
MARCH 1, 2005
6:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Discussion 2005 Municipal Budget-Borough Auditor will be present
5. Meeting open to the public (five minute limit per person)
6. Adjournment

BOROUGH OF RIVERTON
WORK SESSION AGENDA
March 2, 2005
7:00pm

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Notice Statement-Mayor Martin
4. Ordinance 2-05 "CAP" Ordinance-Mr. Smyth (Second reading & public Hearing)
5. Update Re: Revisions to Development Fee Ordinance
6. Update Re: Parking Committee Meeting with the President of Farmers' & Mechanics Bank
7. Representatives to serve on the Route 130/Delaware River Corridor Plan
8. Update Re: 2004 Community Development Block Grant Project
9. Municipal Agreement Forms/Authorization to Conduct Aerial Larval Control Activities in Riverton during 2005
10. Sample Resolutions for Council's consideration:
 - a. Requiring the State to reimburse municipalities for the exemption of disabled Veterans from payment of property taxes
 - b. In support of immediate and comprehensive property tax reform
11. Discussion: Possibly changing the format of agendas for Council meetings
12. Preliminary agenda for March 9
13. Meeting open to the public (five minute limit per person)
14. Adjournment

BOROUGH OF RIVERTON
AGENDA
MARCH 9, 2005
7:00pm

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement
4. Minutes from February 2, February 9 and closed session minutes from January 12, February 2 and February 9
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, Human Services, Board of Health and Municipal Court-Dr. Daniel
7. Old Business
8. New Business
 - First reading on the following Ordinances (Second reading and public hearings scheduled for April 13)**
 - 5-05 2005 Salary Ordinance-Mr. Smyth
 - 6-05 Bond Ordinance for the following capital items-improvements at the park, Road program and police equipment-Mr. Smyth
 - Res. Supporting immediate and comprehensive property tax reform-Mr. Smyth
9. Correspondence
10. Meeting open to the public (five minute limit per person)
11. Res. To go into closed session (Litigation and personnel)
12. Return to public session
13. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
WORK SESSION
APRIL 6, 2005**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Res. To go into closed session (Contract Negotiations) Daniel
30 minute time limit
5. Return to public Session
6. Second reading & public hearings on the following Ordinances:
 - Ord. 3-05 Revisions to development fee ordinance-Mrs. Alls-Moffatt
 - Ord. 4-05 Amending & supplementing Sections of Chapter 106, Article II,
Sewer Rates-Mrs. Villari
7. Streets & Roads Issues
 - a. Bids received for the 2004 CDBG project
 - b. Application for Stormwater Grant funding
 - c. Municipal Aid Application
 - d. Update Re: Broad Street Enhancement Grant
8. Update Re: Farmer's Market
9. Requests from the 4th of July Committee
10. Update Re: Utilization of Farmers' & Mechanics Bank lot for parking purposes
11. Auditor's recommendation to cancel certain uncashed checks
12. Discussion: property located at 509 Howard Street
13. Meeting open to the public (five minute limit per person)
14. **Preliminary agenda for April 13**
 - Public hearing on 2005 Municipal Budget
 - Amending 2005 Municipal Budget
 - Review of 2004 Audit Report-Auditor will be present
 - 2nd reading and public hearings on the following ordinances:
 - 5-05 2005 Salary Ordinance
 - 6-05 Bond Ordinance for the following capital items-improvements to the park,
Road program and police equipment
 - Proclamation: Shade Tree Commission Day
15. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
APRIL 13, 2005**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Res. 39-05 into closed Session-Contract Negotiations & Personnel-Daniel
(30 minute time limit)
5. Return to public session
6. Minutes from March 1, March 2, March 9 and closed session minutes from
February 9, and March 9
7. Treasurer's & Finance Committee Reports-Mr. Smyth
8. 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-Mofatt
 - e. Shade Tree, Human Services & Municipal Court-Dr. Daniel
9. Old Business
10. New Business
 - Public Hearing on 2005 Municipal Budget (Auditor will be present)
 - Res.40-05 To adopt the 2005 Municipal Budget-Mr. Smyth
 - Review of 2004 Audit report (Auditor will be present)
 - Res.41-05 Pertaining to the 2004 Audit Report-Mr. Smyth
 - 2nd reading and Public Hearings on the following Ordinances:
 - 5-05 Salary Ordinance-Mr. Smyth
 - 6-05 Bond Ordinance for the following capital items-Improvements to the Park,
Road Program and Police Equipment-Mr. Smyth
 - Res. 42-05 Submission of Tonnage Grant Application-Mr. Gilmore
 - Proclamation-Shade Tree Commission Day-Mayor Martin
 - Update Re: Farmers' Market
11. Correspondence
12. Meeting open to the public (five minute limit per person)
13. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
MAY 4, 2005
7:00pm**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Res.44-05 To go into closed session (Personnel & Contract Negotiations) Daniel
5. Return to public session
6. Presentation by representatives of the County Re: River Route Marketing Program
7. Streets/Roads & Sewer Issues:
 - a. Update Re: 2004 Community Development Block Grant Project
 - b. To participate in the Community Development Block Grant program for the Years 2006-2008
 - c. Update Re: 2004 Road Program
 - d. Update Re: 2005 Road Program (Authorization for Engineer to proceed)
 - e. Authorization for Sewer Engineer to prepare specifications for sludge removal
 - f. Update Re: Broad Street Enhancement Grant
8. Update Re: Potential revaluation/reassessment of all properties in Riverton and authorization to obtain proposals-Mr. Smyth
9. Review of Corrective Action Report pertaining to the 2004 Audit report
10. Update Re: 4th of July Activities:

Authorization to permit pony rides in the park on the 4th of July
11. Update Re: Farmers' Market
12. Review of Draft agreement with Farmers & Mechanics Bank Re: Parking issue
13. Update Re: Smart Growth Grant
- 14. Preliminary agenda for May 11, 2005**

Public hearing on amendment to the 2005 budget-Auditor will be present

Adoption of 2005 Municipal Budget

2nd reading on Bond Ordinance (additional funding for police vehicle-\$9,000.00)
15. Meeting open to the public (five minute limit per person)
16. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
MAY 11, 2005**

1. Meeting called to order
2. Open Public Meetings Act Notice Statement-Mayor Martin
3. Res. To go into closed session (Personnel) Smyth
4. Return to public session
5. Salute to the Flag
6. Minutes from April 6, April 13 and closed session minutes from April 6 and 13
7. Treasurer's & Finance Committee Reports-Mr. Smyth
8. 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, Human Services & Municipal Court-Dr. Daniel
9. Old Business
10. New Business
 - Public Hearing on amendment to the 2005 budget-Auditor present
 - Res. Amending 2005 Municipal Budget-Mr. Smyth
 - Res. Adoption of 2005 Municipal Budget-Mr. Smyth
 - Res. Authorizing Engineer to proceed with 2005 Road Program-Villari
 - Res. Regarding the Farmer's Market

Second reading and Public hearing on the following Ordinance
7-05 Bond Ordinance (\$9,000.00 in additional funding for police vehicle-Smyth

Discussion: Smart Growth Grant-Tamara Lee, Planner present
11. Correspondence-Certificate of Appreciation presented to Borough Council from Ambulance Squad-Chief Norcross
12. Meeting open to the public (five minute limit per person)
13. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
WORK SESSION
JUNE 1, 2005
7:00PM**

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Res. To go into closed Session (Contract Negotiations)-Daniel
4. Return to public session
5. Salute to the Flag
6. COAH issues:
 - a. Revised spending plan for the Borough of Riverton
 - b. Review of memo from Tamara Lee, Planner regarding the Zoning Board's approval regarding the Brandenberger application
7. Res. To open a Housing Fund Account at Farmers' & Mechanics Bank
8. Update Re: Farmers' Market
9. Discussion: Joint meeting (one hour) with Planning Board on June 8 at 6:00pm
Re: Master Plan
10. Update Re: Possible revaluation of all properties in Riverton
11. Update: Broad Street Enhancement Grant
12. Discussion: Possible donation of three Borough computers (no longer needed) to the Palmyra, Cinnaminson, Riverton Emergency Medical Services
13. Res. To participate in the Burlington County Shared Services Forum
14. Discussion: Room reservations for League conference Nov 15th -18th
15. Preliminary agenda for June 8
16. Meeting open to the public (five minute limit per person)
17. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
JUNE 8, 2005
7:00pm

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Res. 71-05 To go into closed session (Contract Negotiations) Daniel
4. Return to public session
5. Salute to the Flag
6. Minutes from May 4, May 11
7. Treasurer's & Finance Committee Reports-Mr. Smyth
8. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Park, Recreation, Recycling & Environmental Commission-Mr. Gilmore
 - c. Public Works/Sewer-Mrs. Villari
(Review of bids received for sludge removal)
 - d. Zoning, Planning, Code Enforcement Redevelopment-Mrs. Alls-Moffatt
 - e. Shade Tree, Human Services, & Municipal Court-Dr. Daniel
9. Old Business
10. New Business

Res.72-05 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 2005 (pertains to Domestic Violence Training Program grant in the amount of \$2,500.00)

Res. 73-05 Strongly opposing the Army's plan to dump poisonous VX byproduct into the Delaware River

Res. 74-05 Police Department Computer Consultant Contract-Mr. Cesaretti

11. Correspondence
12. Meeting open to the public (five minute limit per person)
13. Proposal by Jim Brandenberger Re: Nuway Shopping Center (no public comment)
14. Adjournment

**BOROUGH OF RIVERTON
WORK SESSION
PRELIMINARY AGENDA
JULY 6, 2005
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Res. 76-05 To go into closed session (Contract Negotiations)-Dr. Daniel
5. Return to public session
6. Minutes from June 1, June 8 and closed session minutes from May 4, May 11, June 1 and June 8
7. Treasurer's & Finance Committee Reports and Approval of Bill list-Mr. Smyth
8. Res. 77-05 Requesting the approval of the Director of the Division of Local Government Services to insert Clean Communities Grant monies in 2005 budget
9. Res. 78-05 To possibly extend the grace period for 3rd quarter taxes
10. Streets, Roads & Sewer Issues-Mrs. Villari and Mr. Gilmore
 - A. Review of draft Ordinances regarding new stormwater regulations
 - B. Possible amendments to Chapter 111 Streets & Sidewalks
 - C. Update Re: 2005 Road Program
 - D. Update Re: Broad Street Enhancement Grant
11. Discussion: Petitioning COAH for Third Round Certification -Required resolution
12. Discussion: Re-examination of the 1998 Master Plan-Goals & Objectives
13. Update and discussion Re: Smart Growth grant
14. Suggested amendments to Zoning Ordinance-Mr. Gilmore
15. Request to destroy old Police Computers
16. Request from Assemblymen Connors and Conaway for a Resolution against the privatization Social Security
17. Discussion: Re-Establishing the Economic Development Committee
18. Meeting open to the public (Five minute limit per person)
19. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
AUGUST 3, 2005
7:00pm**

1. Meeting called to order
2. Open Public Meetings Act Notice Statement-Mayor Martin
3. Res. 84-05 To go into closed session (Personnel & Contract Negotiations)
4. Return to public session
5. Salute to the Flag
6. Minutes from July 6 and closed session minutes from July 6
7. Treasurers & Finance Committee Reports-Mr. Smyth
8. Streets & Roads Issues
 - (a) **Introduction of the following required Stormwater Regulation Ordinances:**
8-05 Illicit Connections, 9-05 Improper Disposal, 10-05 Litter Control, 11-05 Pet Waste, 12-05 Wildlife Feeding, and 13-05 Yard Waste Collection
 - (b) Possible amendments to Chapter 111 Streets & Sidewalks
 - (c) Review of proposals from T&M Associates regarding Regulatory permitting for Seawall Stabilization at Linden Avenue and Delaware River
 - (d) Update: 2005 Road Program-Fulton Street
 - (e) Update Re: Enhancement Grant
9. Request from Environmental Commission Re: Ground Water contamination
10. Update Re: Bid Threshold
11. Update-Certificate of Determination and award Re: Bond Anticipation Note
12. Discussion: Eagle at the Riverton Train Station-Mr. Gilmore
13. Discussion: Vacating Mattis Lane-Mrs. Alls-Moffatt
14. Committee Reports
15. Meeting open to the public (five minute limit per person)
16. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
WORK SESSION
SEPTEMBER 7, 2005
7:00PM**

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Gunn
3. Res. To go into closed session (Personnel & Contract Negotiations)
4. Return to public session
5. Appointment of Zoning/Code Enforcement Officer-Alls-Moffatt
6. Streets & Roads Issues:
 - a. Second reading and public hearings on the following required Stormwater Regulation ordinances: 8-05 Illicit Connections, 9-05 Improper Disposal, 10-05 Litter Control, 11-05 Pet Waste, 12-05 Wildlife Feeding and 13-05 Yard Waste-Villari
 - b. Review of "Draft" Ordinance regarding Streets & Sidewalks-Villari
 - c. Possible amendments to Chapter 99 of Borough Code Re: Recycling-Villari
 - d. Designating portions of Thomas, Linden & Elm Terrace as Through Streets
 - e. Update: 2005 Road Program-Fulton Street Reconstruction-Villari
 - f. Change Order for 2004 Community Development Block Grant-Villari
 - g. Review of bids received for the Broad Street Enhancement Grant-Gilmore
 - h. Discussion: Traffic patterns around the school-Chief Norcross
 - i. Review of Chapter 128-64 Automobile parking spaces-Villari
7. Mayoral Appointments to the Planning & Zoning Boards
8. Update Re: Smart Growth Grant
9. Financial Issues-Smyth
 - a. Update Re: Revaluation/Reassessment of all properties
 - b. Charging interest for sewer on a per diem basis
 - c. 2005 budgetary expenditures
10. Update Re: Agreement with Farmers & Mechanics Bank to utilize their parking lot
11. Update Re: Economic Development Committee Report-Villari
12. Request from property owners at 204 Lippincott for a reduction in sewer charges
13. Discussion: Proposed Redevelopment Plan-Gilmore
14. Meeting open to the public (five minute limit per person)
15. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
SEPTEMBER 14, 2005
7:00PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Res. 97-05 To go into closed session (Personnel)
5. Return to public session
6. Minutes from August 3, August 15
7. Treasurer's & Finance Committee Reports-Mr. Smyth
8. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Park, Recreation, Recycling & Environmental Commission-Mr. Gilmore
 - c. Streets, Roads &/ Sewer-Mrs. Villari
 - d. Shade Tree, Municipal Court & Human Services-Dr. Daniel
 - e. Zoning, Planning, Code Enforcement & Redevelopment-Mrs. Alls-Moffatt
9. Old Business
 - Proposed Redevelopment Plan-Mr. Gilmore
10. New Business
 - First Reading on the following Ordinances-Public Hearings October 12**
 - 15-05 Amending Chapter 111-Streets & Sidewalks-Mrs. Villari
 - 16-05 Amending Chapter 123-Vehicles & Traffic to designate portions of Thomas, Linden & Elm Terrace as through streets-Mrs. Villari
 - 17-05 Amending Chapter 123-Vehicles & Traffic to create one way streets around the Riverton School-Mrs. Villari
 - 18-05 Amending Chapter 123-Vehicles & Traffic regarding the placement of stop signs and/or loading zones at specific intersections-Mrs. Villari
 - Resolutions**
 - 98-05 Rejecting the bid received for the Broad Street Enhancement Grant and authorizing the Engineer to re-bid this project-Mr. Gilmore
 - 99-05 Charging interest for sewer on a per diem basis-Mr. Smyth
 - 100-05 Authorizing a curfew for Halloween-Mr. Cesaretti
 - 101-05 Approving a settlement with the Court Administrator-Dr. Daniel
 - 102-05 Appointing Court Personnel pertaining to the Interlocal Services agreement with Cinnaminson Township and rescinding Riverton's Court Appointments -Daniel
 - Request from Christ Episcopal Church for a waiver of a sign permit fee
11. Correspondence
12. Meeting open to the public (five minute limit per person)
13. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
WORK SESSION
OCTOBER 5, 2005**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Second reading & public hearing on the following Ordinance:
14-05 parking on Farmers & Mechanics lot-Mr. Gilmore
5. Possible Ordinances for consideration:
Amending Chapter 99 Re: Recycling
Amending Chapter 22 to establish the form of application for the informal review of
concept plans for Site Plans and Sub-divisions
6. Streets, Roads & Sewer Issues-Mrs.Villari
Update Re: 2005 Road Program (Fulton Street)
OSHA compliance issues at the Sewer Plant
7. Review of proposals received for revaluation/reassessment-Mr. Smyth
8. Update Re: Smart Growth Grant-Mrs. Alls-Moffatt
9. Emergency Management Coordinator appointment
10. Resolution: Authorizing Susquehanna Patriot Bank as another depository for
Municipal Court monies-Dr. Daniel
11. Request from the Architectural Review Committee Re: Clarification on the Architectural
Guidelines codified by Council for the Neighborhood Business District
12. To approve request from Sacred Heart Church to hold raffles
- 13. Preliminary agenda for October 12**
Second reading & public hearings on the following ordinances:
Amending Chapter 111 Streets & Roads
Amending Chapter 123-Vehicles & Traffic to designate portions of Thomas, Linden &
Elm Terrace as through streets
Amending Chapter 123-Vehicles & Traffic to create one way streets around the Riverton
Public School
Amending Chapter 123-Vehicles & Traffic regarding the placement of stop signs and/or
loading zones at specific intersections-Mrs. Villari
14. Meeting open to the public (five minute limit per person)
15. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
OCTOBER 12, 2005**

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Res. To go into closed session (potential litigation)
4. Return to public session
5. Minutes from September 7, September 14 and closed session minutes from August 3, August 15 and September 7
6. Treasurer's & Finance Committee Reports-Mr. Smyth
7. Committee Reports
 - Public Safety-Mr. Cesaretti
 - Park & Recreation, Recycling & Environmental Commission-Mr. Gilmore
 - Streets, Roads & Sewer-Mrs. Villari
 - a. Review of bids received for 2005 Road Program-Fulton Street
 - Shade Tree & Human Services-Dr. Daniel
 - Zoning, Planning, Code Enforcement & Redevelopment-Mrs. Alls-Moffatt
8. Old Business
9. New Business
 - Second reading and public hearings on the following ordinances:**
 - 15-05 Amending Chapter 111 Re: Streets and Roads-Mrs. Villari
 - 16-05 Amending Chapter 123-Vehicle & Traffic to designate portions of Thomas, Linden & Elm Terrace as through streets-Mrs. Villari
 - 17-05 Amending Chapter 123-Vehicles & Traffic to create one way streets around The Riverton Public School-Mrs. Villari
 - 18-05 Amending Chapter 123-Vehicles & Traffic regarding the placement of stop signs and/or loading zones at specific intersections-Mrs. Villari
 - First reading on the following Ordinances (public hearings November 9)**
 - 19-05 Amending Chapter 22 to establish the form of application for the informal Review of concept plans for Site Plan & Sub-Divisions-Mrs. Alls-Moffatt
 - 20-05 Amending Chapter 99 Re: Recycling-Mrs. Villari
 - Res. Authorizing the return of a sewer tax payment received in error-Mr. Smyth
10. Correspondence
11. Meeting open to the public (five minute limit per person)
12. Adjournment

BOROUGH OF RIVERTON
WORK SESSION
PRELIMINARY AGENDA
NOVEMBER 2, 2005
7:00PM

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Res. To go into closed session (Litigation)
4. Return to public session
5. Salute to the Flag
6. Possible Ordinances for consideration:
 - Amending Chapter 111 Streets & Sidewalks-Mrs. Villari
 - Amending present Court Ordinance to reflect Interlocal Services Agreement with Cinnaminson Township-Solicitor Gunn
 - Amending Chapter 123 Re: 15 mile speed limit on Howard St. Chief Norcross
 - Review of Sample Sex Offender Ordinances from other municipalities
7. Review of bid received for the Broad Street Enhancement Grant-Mr. Gilmore
8. Update: Possible reval/reassessment of all properties-Mr. Smyth
9. Resolution pertaining to Municipal Stormwater Grant monies-Mrs. Villari
10. Receipt of a Local Aid Centers of Place Grant in the amount of \$60,000.00 for the year 2006-Mr Gilmore
11. Planning & Zoning Boards response to Council regarding Chapter 128-64-Off street parking issue-Mrs. Alls-Moffatt
- 12. Preliminary agenda for November 9**
 - Second reading and public hearings on the following Ordinances:
 - 19-05 Amending Chapter 22 to establish the form of application for the informal review of concept plans for site plan & sub-divisions
 - 20-05 Amending Chapter 99 Re: Recycling Transfer Resolution
13. Meeting open to the public (five minute limit per person)
14. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
NOVEMBER 9, 2005
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 5, October 12 and closed session minutes from October 5 and October 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. Streets, Roads & Sewer-Mrs. Villari
 - d. Planning, Zoning, Code Enforcement & Redevelopment-Mrs. Alls-Moffatt
 - e. Shade Tree, Municipal Court & Human Services-Dr. Daniel
7. Old Business
Discussion: Sex Offenders Ordinance
8. New Business
Second reading & public hearings on the following Ordinances:
19-05 Amending Chapter 22 to establish the form of application for the informal review of concept plans for site plan & sub divisions-Mrs. Alls-Moffatt
20-05 Amending Chapter 99 Re: Recycling-Mrs. Villari

First reading on the following Ordinances (public hearings on December 14)

15-05 Amending Chapter 111 Re: Streets & Sidewalks-Mrs. Villari
21-05 Amending Chapter 8 to reflect the Interlocal Services Agreement with Cinnaminson Township regarding Municipal Court-Dr. Daniel

Resolutions

Transfer Resolution-Mr. Smyth
Requesting approval of the Director of the Division of Local Government Services for the insertion of a special item of revenue in the Borough's budget for the year 2005 (Stormwater grant monies)-Mr. Smyth

9. Correspondence
10. Meeting open to the public (five minute limit per person)
11. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
DECEMBER 7, 2005
7:00PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. COAH Issues:
 - a. Discussion: Petitioning COAH for third round substantive certification by December 19, 2005 (Tamara Lee, Planner will be present)
 - b. Resolution: To petition COAH for substantive certification and to adopt the Amended Housing Element and Fair Share Plan
5. Update Re: Centers of Place Grant –Mr. Gilmore and Mr. Cesaretti
6. Discussion: Request received from Brandenberger/Sheridan to vacate Mattis Lane
7. Update Re: 2006 Community Development Project-Mrs. Villari
8. Update Re: Fulton Street project-Mrs. Villari
9. Setting the day and time for the 2006 Reorganization meeting
10. Setting holiday schedule for this year
11. Meeting open to the public (five minute limit per person)
12. **Preliminary agenda for December 14**
 - Second reading and public hearings on the following ordinances
 - 15-05 Amending Chapter 111 Re: Streets & Sidewalks
 - 21-05 Amending Chapter 8 to reflect the Interlocal Services agreement with Cinnaminson Township regarding Municipal Court
 - 22-05 Establishing sex offender residency and other limitations
 - Transfer Resolution

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
DECEMBER 14, 2005
7:00pm

1. Meeting called to order
2. Salute to the Flag
3. Open public meetings notice act statement-Mayor Martin
4. Minutes from November 2, November November 9 and closed session minutes from November 2
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. Streets, Roads & Sewer-Mrs. Villari
 - d. Zoning, Planning, Code Enforcement & Redevelopment-Mrs. Ails-Moffatt
 - e. Shade Tree, Human Services & Municipal Court-Dr. Daniel
7. Old Business
Update Re: Pollutant Minimization Plan for the Sewer Plant
8. New Business
Second reading & public hearings on the following Ordinances:
15-05 Amending Chapter 111 Re: Streets & Sidewalks-Mrs. Villari
21-05 Amending Chapter 8 to reflect the Interlocal Services Agreement with Cinnaminson Township regarding Municipal Court-Dr. Daniel
22-05 Establishing Sex Offender Residency and other Limitations-Mr. Cesaretti

Resolutions
Transfer Resolution-Mr. Smyth
Authorizing the refund of specific property tax overpayments-Mr. Smyth
9. Correspondence
10. Meeting open to the public (five minute limit per person)
11. Adjournment

January 5, 2005

The Reorganization of the Riverton Borough Council took place on the above date. Mayor Martin presiding.

PRESENT: Council members Villari, Gilmore, Alls-Moffatt, Councilman-Elect Robert K. Smyth, and Councilman-Elect Ron Cesaretti

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 notification of this meeting published in the Burlington County Times on December 26, 2004

(b) Posting written notification on the official bulletin board on December 14, 2004

At this time Mayor Martin asked the Rev. Dr. Robert K. Smyth to do the invocation.

The Oath of Office was administered to Robert K. Smyth as a member of the Borough Council of the Borough of Riverton by Solicitor Bruce M. Gunn.

The Oath of Office was administered to Ron Cesaretti as a member of the Borough Council of the Borough of Riverton by Solicitor Bruce M. Gunn.

The Oath of Office was administered to Scott Reed as Fire Chief for the Borough of Riverton by Solicitor Bruce M. Gunn.

The Oath of Office was administered to Robert Yearly as Deputy Fire Chief for the Borough of Riverton by Solicitor Bruce M. Gunn.

Mayor Martin then asked for nominations for President of Council. Mr. Cesaretti nominated Mr. Smyth. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel absent Mrs. Villari aye, Mr. Smyth abstained, Mr. Gilmore abstained, Mr. Cesaretti aye and Mrs. Alls-Moffatt nay. Mr. Smyth then asked the Solicitor if he could change his vote. Mr. Gunn stated yes, another poll vote should be taken. Mr. Cesaretti moved that another poll vote be taken on this issue. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore abstained, Mr. Cesaretti aye and Mrs. Alls-Moffatt nay.

2005 BOROUGH COUNCIL APPOINTMENT COMMITTEES

Mayor Martin read the following appointments: **Finance (includes Insurance)** Smyth*, Alls-Moffatt, Daniel, **Park, Recreation, Recycling & Environmental Commission** –Gilmore*, Daniel, Villari, **Public Safety (includes Fire and Animal Control)** Cesaretti*, Smyth, Alls-Moffatt, **Public Works & Sewer (includes the operation of the Wastewater Treatment Facility, maintenance of Streets and Roads, Public Trash Collection and Street Lighting**-Villari*, Cesaretti & Gilmore, **Zoning, Planning, Code Enforcement & Redevelopment**-Alls-Moffatt*, Gilmore, Smyth, **Shade Tree, Board of Health & Human Services**-Daniel*, Cesaretti & Villari, and **Liaison to the 4th of July Committee**-Villari. Regarding the **Liaison to the Municipal Court**, Mr. Smyth asked that this be left vacant for the time being.

RESOLUTION 1-05

TEMPORARY BUDGET APPROPRIATIONS FOR THE YEAR 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 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 2-05

A RESOLUTION AUTHORIZING THE AWARDING OF CONTRACTS FOR PROFESSIONAL SERVICES (IN FULL IN RESOLUTION BOOK)

Mayor Martin read the list of professional service appointments for 2005. Mr. Smyth moved that this Resolution 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.

RESOLUTION 3-05

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

(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.

RESOLUTION 4-05

A RESOLUTION APPOINTING AN OFFICIAL NEWSPAPER OF 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 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 5-05

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

(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.

RESOLUTION 6-05

2005 BOROUGH APPOINTMENT LIST

(IN FULL IN RESOLUTION BOOK)

Mayor Martin read the list of 2006 Borough appointments. Mrs. Villari moved that this Resolution 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.

RESOLUTION 7-05

A RESOLUTION APPOINTING AN ANIMAL CONTROL OFFICER

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Cesaretti. 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.

RESOLUTION 8-05

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. 1975, C.127

(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.

RESOLUTION 9-05

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 2005**

Mrs. Alls-Moffatt asked if this Resolution should be tabled until the Finance Committee meets and reviews the insurance proposal. Mr. Smyth stated that it might be a good idea to table this Resolution. Mrs. Alls-Moffatt moved that this Resolution be tabled until the Finance Committee meets. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari abstained, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

**RESOLUTION 10-05
A RESOLUTION AUTHORIZING THE ADOPTION OF A CASH
MANAGEMENT PLAN
(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. 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.

SETTING DAYS AND TIMES FOR 2005 BUDGET WORK SESSIONS

Mr. Smyth asked that this matter be deferred until a later time.

MEETING OPEN TO THE PUBLIC-There was no public comment at this time

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

January 12, 2005

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

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

ABSENT: Council member Smyth

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 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

The minutes from December 1, December 8 and closed session minutes from December 1 & December 8 were then presented. Mrs. Villari moved that these minutes be approved as submitted. This was seconded by Mr. Cesaretti. 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.

TREASURER'S & FINANCE COMMITTEE REPORTS-Mrs. Alls-Moffatt

In Mr. Smyth's absence, Mrs. Alls-Moffatt moved that the attached Treasurer's and Finance Committee Reports for the month of December be approved as submitted. This was seconded by Mr. Cesaretti. 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.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of December that was submitted by Chief Norcross. Vehicle Mileage 2556, gas used 377.70, Juvenile Arrests 2 (miscellaneous 1 and curfew 1), Adult Arrests 15 (criminal warrants 4, Criminal Summons 2, Traffic Warrants 5, DWI 2, Other 2) Motor Vehicle Crashes 0, Motor Vehicle Stops 61, Motor Vehicle Warnings 13, Motor Vehicle Summons 59, Burglar Alarms 16, Asst. to other Police Departments 30, Animal Complaints 1, Fire Calls 31 (in town 11, Out of Town 20), Ambulance calls (Riverton) 25, Unattended Deaths 0, Criminal Cases 36, Domestic 4, Thefts 4, Burglaries 0, Assaults 0, Sexual Assault 0, Criminal Mischief 4, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 40, Miscellaneous Calls 456 and Total Calls 797.

Mr. Cesaretti read a 2004 Yearly Report that was submitted by Chief Norcross. Vehicle mileage 39,309, Gas Used 5,008.9, Juvenile Arrests 36, Adult Arrests 144, Motor Vehicle Crashes 46, Motor Vehicle Stops 996, Motor Vehicle Warnings 89, Motor Vehicle Summons 1085 Burglar Alarms 174, Asst. to other Police Departments 408, Animal Complaints 65, Fire Calls 247, Ambulance calls (Riverton) 502, Unattended Deaths 2, Criminal Cases 861, Domestic 14, Thefts 45, Burglaries 5, Assaults 9, Sexual Assault 2, Criminal Mischief 30, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 393, Miscellaneous calls 6,683 and total calls 11,836.

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

Mr. Gilmore reported that maintenance continues to be done at the park. Dead trees were removed and new trees are to be planted. The Park & Recreation Committee is working on having another irrigation system installed at the baseball diamond. Mr. Gilmore will look into the possibility of expanding our recreation areas in the field. Mr. Gilmore thinks we should look into acquiring a small piece of land that we could use for soccer and recreation on the river side of the Borough. Mr. Gilmore reported that the Environmental commission is working on the Pompeston Watershed Creek Grant.

Mr. Gilmore read a report for the month of December that was submitted by Court Administrator Laura Frick. There were 91 traffic tickets issued—11 for parking, 79 traffic other and 1 DWI. There were 99 criminal charges filed—2 summons, 3 warrants and 93 Local Ord. The total receipts for the month amounted to \$12,033.00. The total amount disbursed to the Borough amounted to \$6,629.25.

PUBLIC WORKS/SEWER-Mrs. Villari

Mrs. Villari reported that Public Works Manager, Scott Reed met with Terry Vogt of Remington Vernick and Arango to review the new Stormwater Regulations Plan. The Borough is mandated to comply with these regulations. Mrs. Villari reported that we have received the revised Stormwater Pollution Prevention Audit Summary. Mrs. Villari provided an overview of what will be required. Mrs. Villari reviewed correspondence from the League of Municipalities regarding the “Cap” law and how this might affect the expenditures for the new Stormwater Regulations. Mrs. Villari stated that exceptions will be considered by the Local Finance Board regarding this issue. Council will be kept informed.

Mrs. Villari reported that the Borough received \$150,000.00 from the Department of Transportation’s 2005 Municipal Aid program. This money will be utilized for Fulton Street. In addition to Fulton Street, Mrs. Villari stated that we are looking into repaving three additional streets in 2005.

Mrs. Villari reported that the 2005 Public Works budget has been completed and submitted and will be reviewed by Council.

Mrs. Villari reported that the Borough received \$6,000.00 in grant money to be utilized to clear away some trees and brush from the trail along the Pompeston Creek. In addition to this money, the Public Works Department was expended approximately \$3,500.00 to complete that project.

PLANNING ZONING, CODE ENFORCEMENT &

REDEVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt reported that the wind braker was removed from the Nuway Market building. Our Code Enforcement Officer, Tony Dydek is aware of this situation. Mrs. Alls-Moffatt commented that the back of the Nuway Market has been boarded up

Mrs. Alls-Moffatt reported that Mr. Dydek is recommending a registration program for apartments. Mrs. Alls-Moffatt stated that our Fire Marshal (Robert Yearly) concurs with this suggestion.

Mrs. Alls-Moffatt provided an overview of what transpired at the last Zoning Board meeting, in particular the Cedar Lane Manor application. Mrs. Alls-Moffatt found the meeting to be very confusing. She has asked three members of the Zoning Board and three members of the Planning Board to meet and discuss this issue with her. Mrs. Alls-Moffatt believes there have been decisions made at the Zoning Board that should probably come before the Planning Board.

Regarding the December Planning Board meeting, Mrs. Alls-Moffatt reported that members of the Board (Mayor Martin and Robert E. Smyth) were accused of sullyng the good reputation of Riverton because of family connections regarding the Moccia application. Mrs. Alls-Moffatt didn’t know what to make of this. Mrs. Alls-Moffatt stated that this issue would also be discussed with representatives from the Zoning Board and Planning Board. Mrs. Alls-Moffatt commented that she thought the December Zoning Board and Planning Board meetings were probably the most disconcerting ones that she has attended. Mrs. Alls-Moffatt stated that she would have to investigate what is going on here.

Mrs. Alls-Moffatt reported that the property at 503 Bank Avenue is currently up for sale. Mrs. Alls-Moffatt reported that there have been people investigating the sale of this house to possibly turn it into some kind of institutional home. Mrs. Alls-Moffatt referred to the current and similar situation going on in Delanco Township. Mrs. Alls-Moffatt reminded Council that we do not have a redevelopment plan in place to protect us and because of that we are very vulnerable.

SHADE TREE, BOARD OF HEALTH & HUMAN SERVICES-Dr. Daniel

Mrs. Villari attended the recent Shade Tree meeting in Mr. Daniel's absence. Mrs. Villari reported that they discussed new ideas and the importance of the five year forestry plan. This is a mandated plan presently in place. Mrs. Villari reported that Barry Emens (Shade Tree Chairman) has asked for a 6 month extension to complete this plan that he, the Commission and our Planner will help to create. Mrs. Villari reported that the Commission is looking into the possibility of a separate website to inform residents of the Commission's progress. Mrs. Villari reported that the Commission would like to upgrade their computer equipment and would like to see more school programs created. Mrs. Villari reported that the Commission estimates that we will continue to lose ten trees per year to bacterial leaf scorch disease. Mrs. Villari reported that John Brown has stepped down from serving on the Commission. The Commission is actively looking for a replacement. Mrs. Villari reported that the Shade Tree Commission meetings will be changed to the 2nd Monday of January, March, May, September and November. Mrs. Villari reported that the Commission will be sending out a brochure to residents with information on the Commission's philosophy. A letter will be included that informs the public how a tree donation can be made.

Mrs. Villari reported that the Commission is requesting that Council consider doing a Resolution that would only permit the Shade Tree Commission to oversee and approve the planting of any tree or shrub on the public right of ways in the Borough. Mr. Gilmore expressed concern with this and asked if there were any problems. Mrs. Villari commented that Mr. Emens is the expert and that plantings should be presented to the Commission for their review and approval. Mr. Gilmore again raised his concern and asked again if there were any problems. Dr. Daniel commented that Mr. Emens also discussed the planting issue with him. Dr. Daniel stated that Mr. Emens is not looking to make this a problem. Dr. Daniel believes that Mr. Emens thinks it should be more of a cooperative effort to make sure that Shade Tree monies are more efficiently spent. However, Mr. Gilmore stated that there are some issues in the park that if not addressed by the Shade Tree Commission, will have to be addressed by us. Dr. Daniel stated that he would have Mr. Emens contact Mr. Gilmore to discuss this issue.

Dr. Daniel read a report for the month of December that was submitted by Welfare Director, Florence Klein. There were two clients on the rolls. Mrs. Klein attended various training sessions and continuing education courses during the month.

OLD BUSINESS

REVIEW OF "DRAFT ORDINANCE RE: BARKING DOGS"

Council reviewed this draft ordinance. Mr. Cesaretti commented that he thinks this Ordinance is long overdue. He believes this ordinance is concise enough that it will be enforceable. Council then reviewed this Ordinance, making some modifications before introducing it.

ORDINANCE 1-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45, ARTICLE III, OF THE RIVERTON BOROUGH CODE TO CONTROL THE CONTINUOUS BARKING OF DOGS

The above Ordinance was read by title only for the first time 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 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 February 9 at 7:00pm.

UPDATE RE: BROAD STREET ENHANCEMENT GRANT

Mr. Gilmore reported that the grant process is progressing and that the County Engineer has been given a full drawing of the design. Mr. Gilmore reported that Lauralee Rappleye of the Bureau of Environmental Program Resources from the New Jersey Department of Transportation is reviewing required documentation received from our

Engineer for this project. Mr. Gilmore further reported that Thomas Berryman of the New Jersey Department of Transportation is also reviewing required documentation for this project. Council will be kept informed.

NEW BUSINESS

RESOLUTION 11-05 TRANSFER RESOLUTION (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mrs. Alls-Moffatt. This was seconded by Mr. Cesaretti. 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.

RESOLUTION 12-05 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 Mrs. Alls-Moffatt, who moved for its adoption. This was seconded Mr. Cesaretti. 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.

RESOLUTION 13-05 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 2005 (IN FULL IN RESOLUTION BOOK)

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

At this time Mrs. Villari asked that this Resolution be removed from the agenda because more information is needed from our Engineer. It was the consensus of Council to agree to this

MAYORAL APPOINTMENTS TO THE ZONING BOARD, PLANNING BOARD AND ENVIRONMENTAL COMMISSION

Mayor Martin read the following appointments: **Zoning Board (regular members)** Alfred DeVece, Ken Mills and John Trotman (terms to expire on 12-31-08), **Zoning Board (Alternate)** William Brown (term expires on 12-31-06), **Planning Board (regular members)** Class IV members Christopher Halt, Birnist O'Reilly (terms to expire on 12-31-08), Class II member Anthony Dydek (term to expire on 12-31-05), **Planning Board (Alternates)** Robert E. Smyth-Alternate 1 (term expires on 12-31-06) and Joseph Katella-Alternate 2 (term to expire on 12-31-05), **Environmental Commission (regular members)** Michael Robinson & Bradford Young (terms to expire 12-31-07), **Environmental Commission (alternates)** Bennett Landsman and Christopher Halt (terms to expire on 12-31-06).

CORRESPONDENCE

Mr. Cesaretti reported that the Chief of Police recently sent a letter to his Department thanking them all for picking up the slack when Officer Merino was on medical leave.

QUIET ZONE ISSUE

Mrs. Villari commented that she recently received a telephone call from Congressman Andrews office. They were asking if the Borough had submitted an application for quiet zones. Mrs. Villari asked for more information as to how we would do this. Ms. Villari understands that a lot of municipalities are moving forward in this regard. We may consider being one of them. Mrs. Villari reported that that a letter was received

from a representative from New Jersey Transit that included a copy of the rules on horn blowing that New Jersey Transit follows. Mrs. Villari reported that Jerry Savidge and Joyce Gallagher will no longer be our contacts at New Jersey Transit regarding light rail issues. Mrs. Villari believes the new customer service representative is Charles Ignoli. Mrs. Villari reported that she has left messages for him regarding some damaged trees at the War Memorial. Mrs. Villari will be asking if they could make a donation towards the replacement of these trees that would also include some additional landscaping at this location

LIGHTING OF THE FLAGPOLE AT THE PARK

Mr. Cesaretti announced that the Police Association will undertake this project and all costs associated with it.

UPDATE RE: 2005 INSURANCE FOR THE BOROUGH

Mayor Martin asked John A. Latimer from the Walter Barclay Agency to address Council on this issue. It should be noted that Council tabled the insurance issue at their reorganization meeting. Mr. Latimer believes the renewal charges came in pretty good. There was roughly a 6% increase mainly due to the new pick-up vehicle. Mr. Latimer stated that Selective Insurance Company has been the Borough's insurance company for a number of years. Mr. Latimer believes Selective has held the Borough's premiums; however, half of the Borough's premium encompasses workers compensation, which is really not negotiable. The State sets the workers compensation rates. Mr. Latimer commented that the Borough had some big claims this past year. Mr. Latimer believes the Borough is with the best insurance company we know of. Mr. Latimer commented that there are very few public carriers doing public entities anymore. Mr. Latimer commented that some carriers were not interested in Riverton because we are too small and we had a number of claims. Mr. Latimer asked that council consider raising the umbrella coverage up to ten million dollars. Right now we have a 5 million dollar umbrella. This increase would cost the Borough around \$2,600.00. Mr. Latimer believes Selective did a good job of paying the claims. He reminded Council that we are in a municipal pool. Mrs. Alls-Moffatt commented that she had recommended that Council table this appointment last week. Mrs. Alls-Moffatt further commented that she thought Council would re-appoint Mr. Latimer for this year; however, she wanted it clear that the Borough would be obtaining insurance quotes for future consideration. Mr. Latimer assured Council that they would never be able to duplicate the coverage or the services that the Borough receives now. Mr. Gilmore asked if there are any areas in our policies where we could possibly cut back. Mr. Latimer commented that although our deductibles are very low, to raise them would not save the Borough that much. However, Mr. Latimer stated that he could get the Borough a quote on raising the deductibles.

RESOLUTION 14-05

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 2005

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

MEETING OPEN TO THE PUBLIC

Michael Heine, 206 Carriage House Lane asked if the police report broke down individual offenses. Mr. Cesaretti responded that it doesn't.

Mr. Heine would like to see ordinances introduced for first reading by Council posted on our website. It was the consensus that we can do this.

Mr. Heine asked Mrs. Alls-Moffatt for a clarification on some of her comments regarding a meeting that she was calling with some members of the Zoning Board and Planning Board. Mr. Heine asked what the purpose is for this meeting. Mrs. Alls-Moffatt responded that it was to discuss what she sees as some confusion as to what is going on at the Zoning Board meetings. It appears to her that some of the things happening at the Zoning Board should be brought before the Planning Board. She wanted to discuss this with both parties to see if she was correct. Mrs. Alls-Moffatt stated that this meeting was to have taken place this past Monday but was canceled because Borough Hall was not available. Mrs. Alls-Moffatt stated that it is her right to do this. Mr. Heine stated that he thinks it is grossly improper for any council person to act in a supervisory capacity to invoke and call meetings of these two Boards. Mr. Heine stated that the Zoning Board and Planning Board operate under statutory authority. Mr. Heine does not feel that Mrs. Alls-Moffatt has the right to question these Boards at meetings. Mr. Heine urged Mrs. Alls-Moffatt not to do this. Mr. Heine also urged the Mayor to get advice on this matter from the Solicitor.

Mr. Heine stated that he believes there has been no code enforcement regarding the Moccia parking lot issue since August of 2004. Mr. Heine asked Council for a confirmation regarding this issue. Mayor Martin stated that this issue is being handled by the Planning Board. Mayor Martin asked the Solicitor for his opinion regarding the process. Mr. Gunn stated that the Planning Board has to let the action take its course. Mrs. Alls-Moffatt commented that Mr. Dydek gave Mr. Moccia four citations which are being addressed.

Mrs. Villari asked if Mrs. Alls-Moffatt is allowed to call meetings with members of the Zoning and Planning Boards to discuss issues. Mr. Gunn stated that he would need to know the nature of the meeting. Mr. Gunn feels it would be appropriate for him to discuss this issue with Mrs. Alls-Moffatt after the meeting.

Mrs. Villari then asked if our Code Enforcement Officer submits a yearly report. Mrs. Alls-Moffatt stated no, but that she would get one. Mrs. Villari asked for reports from 2003 and 2004. Mrs. Villari stated that there have been some complaints that will be discussed further in closed session. Mrs. Villari thinks it is important that these reports be submitted to Council. While Mrs. Alls-Moffatt thinks it is a valid point, she asked where we are going with this. Mr. Gilmore commented that while he doesn't know where this is going, he hoped that Mrs. Villari was not insinuating that Mr. Dydek is not doing his job. Mrs. Villari stated that she wasn't saying that. She is just making a suggestion. Mr. Gilmore commented that he thought Mr. Dydek was doing a wonderful job.

William Harris, 502 Cinnaminson Street. asked if we had received a response to the Mayor's letter to New Jersey Transit regarding the horn blowing at the grade crossings. Mrs. Villari provided Mr. Harris a copy.

Nancy Washington 201 Main Street is very concerned and worried about the possible placement of an institutional home of some type in Riverton, which was mentioned tonight during Mrs. Alls-Moffatt's report.

RESOLUTION 15-05

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 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 absent, 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. 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 aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC
Municipal Clerk

February 2, 2005

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

PRESENT: Council members Daniel, Smyth, Villari, 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 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

Proposed Ordinances for consideration: "CAP" Ordinance. Mr. Smyth, Chair of the Finance Committee, reviewed the Auditor's written recommendation that Council consider adopting this Ordinance. A copy of this is on file with the Municipal Clerk. After a short discussion, it was the consensus of Council to agree to this.

ORDINANCE 2-05

"CAP" ORDINANCE OF THE BOROUGH OF RIVERTON TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40a:45.14)

The above Ordinance 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. Second reading and a public hearing on this Ordinance will be held on March 2, 2005.

Revisions to development fee ordinance, Tamara Lee, Planner present. Ms. Lee reported that the current development fee ordinance only applies to a certain portion of the Borough. The new COAH regulations are known as growth share regulations. Any development that occurs in the Borough is going to generate an obligation whether it's residential or non-residential. Ms. Lee explained that for every eight (8) residential units the Borough will have to provide one (1) additional affordable housing unit. Ms. Lee further explained that for every twenty-five (25) jobs created by non residential units, the Borough's going to have to create one (1) 1 unit. Ms. Lee further stated that COAH actually adds up fractions. If we have a small non-residential development, it may generate three tenths of a unit. However, if you have a couple of those, the Borough's going to have an obligation to provide a new unit. This is in addition to the units the Borough is already obligated to provide. Ms. Lee further reported that the new rules cause us to have an automatic obligation when there is any new development. Ms. Lee stated that it is advisable to have a developmental fee ordinance that covers the entire Borough; therefore our present Ordinance should be amended. Ms. Lee reminded Council that at the end of last year we did send COAH our proposed amendments to our development fee ordinance for their review. This was done before the new COAH regulations were adopted. This ordinance included a retroactive clause that suggested that any development that would be approved last year or before the new COAH regulations were adopted would still have to approve some COAH units. The reason we did that is because the COAH regulations were retroactive to January 1. Therefore, we wanted our development fee ordinance to be retroactive to January 1 of 2004 to mirror the State rules. Ms. Lee reported that the Deputy Attorney General for COAH reviewed last year's proposed Ordinance and stated that the retroactive clause was not legal under COAH regulations. Therefore, the Ordinance was never adopted by Council last year. Ms. Lee stated that we don't need the retroactive clause now (no developments were approved last year). Ms. Lee stated that the new COAH regulations have now been adopted. Ms. Lee stated that our development fee ordinance has now been revised and the retroactive clause has been eliminated. Ms. Lee stated that this

newly proposed Ordinance would require that any development or redevelopment that occurs in the Borough essentially mirrors the new COAH regulations. It requires developers to provide the affordable housing that their project generates.

Ms. Lee believes that one issue that we should discuss is the payment in lieu of clause. Ms. Lee stated that many towns provide for this option. Ms. Lee explained that if a developer can't provide the required affordable housing units, they can give the Borough money. The Borough could then use that money to create affordable housing units. Ms. Lee further explained that only 20% of the money taken from developers can be used towards the administration of our COAH obligation. The 80% has to be used towards building housing. Ms. Lee has conferred with Mr. Gunn and Alls-Moffatt. They seem to think that Riverton is not the type of municipality that would do a municipally sponsored housing project. Ms. Lee doesn't think there is a whole lot of point in giving the developers that option. Basically that would put the burden on the developers to provide the housing. Ms. Lee stated that this is not the most common way of doing this. Ms. Lee suggests leaving that option out of the ordinance. Mr. Gunn stated that what is before Council is really the same as the one introduced at the end of last year, with the exception of the retroactive provision. Ms. Lee stated that if Council chooses, a first reading would need to be done on this ordinance. It then gets sent to the Planning Board for their review and approval. It is then forwarded onto COAH for their review and approval. Ms. Lee reported that COAH needs to approve it before Council can do a second reading. Dr. Daniel asked if the affordable housing obligation is one (1) per eight (8) units. Ms. Lee responded yes. Dr. Daniel asked if there was a time frame for a proposed developer to follow to meet an obligation. Ms. Lee is unsure, but she will check into the details regarding timing issues.

Ms. Lee reported that currently, our housing plan says we have to provide two (2) new units on Martha's Lane and fifteen (15) rehab units. Ms. Lee further stated that the Borough presently has a certified plan, so we are protected. Ms. Lee believes that between now and when our certification runs out, if we have development here, that will generate more obligation. Ms. Lee explained that when the Borough comes up to renew their certification, we are going to have to be able to demonstrate to COAH that either those units are in place or there is a reasonable chance that they will be in place in a timely manner. Ms. Lee stated that there is no time limit in the COAH regulations. A lot of what COAH does is by policy. Regarding commercial building, Mr. Lee stated that the burden is placed on the builder to provide the required units. Dr. Daniel asked what happens if the builder doesn't step up and comply. Ms. Lee responded that we wouldn't give the builder the required approvals.

Mr. Gilmore stated that we presently have a developer who wants to place five (5) townhouses at a specific location in the Borough. Ms. Lee stated that that would be considered five-eighths of a unit. Mr. Gilmore asked if we can we force the developer to have one affordable housing unit. Ms. Lee responded yes, but only if this ordinance is in place before approvals are given. If not, the Borough would be obligated. Mr. Gilmore stated that he would pass this information onto the Zoning Board.

Mrs. Villari asked Ms. Lee to define a rehab unit. Ms. Lee stated that this is an existing unit that needs at least \$8,000.00 worth of renovations. The inhabitants of that unit must be income qualified for affordable housing. If they are income qualified and if the construction meets the requirements through COAH, then specific stipulations are placed on that unit for approximately 20 years. Mrs. Villari asked if eight (8) new dwellings go up in Riverton and we have to have one (1) affordable housing unit, would we still be obligated regarding the fifteen (15) rehabs. Ms. Lee responded yes. Ms. Lee explained that COAH says that we have to provide a reasonable opportunity for those rehabs to occur. Mrs. Villari asked how we go about advertising that. Ms. Lee stated that it should be advertised in certain newspapers and spelled out in our housing plan. Ms. Lee stated that the Borough also has a Memorandum of Understanding with the County who will help us administer our rehab obligation. Mrs. Villari asked Ms. Lee to define an affordable

housing unit. Mrs. Villari asked if it could be apartments above a commercial property. Ms. Lee responded that COAH defines the affordable housing unit. Ms. Lee explained that there is a minimum square footage that has to be determined. Ms. Lee stated there is low income and low moderate income housing. Mr. Gilmore asked where the money comes from for the rehabs. Ms. Lee responded from the County.

Mr. Cesaretti asked a question regarding the in lieu of payment issue. Mr. Cesaretti suggested placing wording in the ordinance that it is at the governing body's discretion. Ms. Lee stated that that could be done if Council so desires.

Michael Heine, 206 Carriage House Lane, asked if this proposed ordinance and the COAH regulations make any distinction between commercial development and the nature of rehabilitation of existing commercial facilities as distinguished from totally new commercial property. Is there a difference there regarding the unit requirements? With respect to commercial development, Mr. Heine asked Ms. Lee what she sees as the maximum fee chargeable under existing regulations to the developer who may be rehabilitating existing commercial facilities. Ms. Lee responded that the whole point of this growth share was for COAH to capture affordable units under rehab. Previous to this the only way we would get COAH units was if someone did a new development. The purpose of the 3rd round of COAH regulations was when something gets developed, new units will be generated. Although the regulations stipulate for every twenty-five (25) jobs there will be one unit, the truth is there is a chart that says for x number of square feet you will provide a unit. Ms. Lee stated that COAH has that in their regulations. That's how the calculation will be done, not based on the testimony of the developer. Mr. Heine then asked if the new construction is tied to new construction or is it ignored in the event of rehabilitation of an existing facility. Ms. Lee responded that it is tied to any application that comes before the Zoning or Planning board. Mr. Heine asked where we go on commercial development in terms of a maximum fee. Ms. Lee stated that the way this proposed ordinance is written is that it follows the current COAH regulations. For residential development, a development would be assessed a development fee of 1% of the assessed value of the development. For non-residential its 2%; however, if they get a density bonus on a residential, or a Floor Area Ratio use variance on a non-residential, then the developer is essentially getting permission to build more than the ordinance allows him to. That excess is going to be assessed at 6%, not the 1% for residential or 2% for non-residential. Ms. Lee further stated that any unit obligations generated from new development have to be new units. They cannot be rehabbed units. After a short discussion, it was the consensus that this Ordinance should be introduced tonight.

ORDINANCE 3-05

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS OF CHAPTER 128, ARTICLE XXV AFFORDABLE HOUSING DEVELOPMENT FEES

The above Ordinance was read by title only by Mrs. Alls-Moffatt, who moved for its adoption of this Ordinance with the inclusion of wording that developers may elect to pay a fee in lieu of constructing low-moderate-income housing units. This option may only be exercised upon the prior approval of Borough Council. 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. Second reading and a public hearing on this ordinance will be held on March 2, 2005.

Amending Bond Ordinance. Mr. Smyth stated that all of the necessary information has not been gathered for a recommendation to be made to Council. He asked that this issue be deferred.

Adopting rules of decorum for the conduct of Borough Council Meetings. Mrs. Villari reported that a sample Ordinance regarding this issue was obtained from League of Municipalities. Mrs. Villari provided an overview of the content of this Ordinance, pertaining to the General Provisions, Length of presentation, Disorderly Conduct, Defamatory and Threatening Language Prohibited, Sergeant at Arms, Resisting Removal,

Recording, Taping, Photography and Rules of Conduct. Mrs. Villari commented that the Solicitor also provided her with some legislative findings on this issue. The Solicitor commented that Council could pick and choose what they would want included in this ordinance. Mr. Villari would like Riverton to formulate our own code of conduct for our Council meetings. Mrs. Alls-Moffatt asked the Solicitor how this Ordinance would affect anybody's first amendment rights. The Solicitor stated that it is a balancing act. Mrs. Villari stated that this Ordinance protects the government and the public. Mr. Cesaretti asked if we would have to pay someone from the Police Department to be present at our meetings. Our Solicitor stated that in larger towns, they utilize their Court Officers. Our Solicitor commented that this issue would be at Council's discretion. Mr. Gunn feels that this sample ordinance just sets some guidelines so everybody is on the same page. Mrs. Alls-Moffatt asked if we had something similar to this in our codebook. Mr. Gunn stated that there are personnel policies spelled out in our employee handbook. We don't have anything with respect to the governing body. Mr. Gunn commented that this Ordinance would just be for the governing body; our other Boards would have to do one of their own, if they so chose. Mrs. Alls-Moffatt agrees with this sample ordinance in principle; however, she is concerned with first amendment rights. Dr. Daniel commented that he thought we all know what threatening, abusive language is. He believes this Ordinance is a good idea. Dr. Daniel believes it sets a tone where people will certainly be given their right to express themselves. However, they will do so in a mature and in a professionally and orderly fashion. Dr. Daniel stated that the Mayor should make the decision if someone gets out of hand. Mr. Gunn stated that he felt the reason you would adopt something like this ordinance is so Council can conduct its business in a timely manner. A discussion then ensued. Mayor Martin asked for a consensus of this issue. Mr. Smyth suggested reviewing this sample ordinance in more detail and discussing it at next month's work session. Mr. Gunn will provide what is listed in the state statutes regarding ethics for Council's review. It was the general consensus to agree with this.

Setting day and time for 2005 budget work session. A consensus was reached that a budget work session be held on Monday, February 28, 2005 at 6:00pm in the Municipal Building. The Borough's Auditor will also attend. The Clerk will advertise this meeting in the Burlington County Times.

Mayoral appointments. Mayor Martin announced the following appointments to the Architectural Review Committee. They are Chris Halt to serve as a regular member (term to expire on 12-31-08) and Andee Byers, Rocky Adriance and Robert Kennedy to serve as alternates (terms to expire on 12-31-05). Mayor Martin also announced the appointment of Stuart Brayshaw to serve as a member of the Shade Tree Commission (term to expire 12-31-07). Both Mr. Gilmore and Mrs. Alls-Moffatt took exception to the Mayor's appointments. They both felt that the Council should have been made aware of vacancies on specific boards. They also felt that since Mr. Halt presently serves on both the Planning Board and Environmental Commission, that someone else should have been considered. Mayor Martin stated that he made his decision based on a recommendation from the Architectural Review Committee.

RESOLUTION 16-05

A RESOLUTION AUTHORIZING THE HIRING OF A SUBSTITUTE CROSSING GUARD FOR THE REMAINDER OF THE 2004-2005 SCHOOL YEAR

(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 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.

Public Works Issues: Update Re: 2004 Community Development Block Grant Project. Mrs. Villari reported that Dante Guzzi, Associates have prepared the specifications and plans for this project. However, our Solicitor needs to review these

documents prior to going out to bid. Mrs. Villari asked that Council consider authorizing Dante Guzzi, Associates to advertise for bids contingent upon review and approval of the specifications by our Solicitor. Council concurred with this recommendation.

RESOLUTION 17-05

**A RESOLUTION AUTHORIZING DANTE GUZZI, ASSOCIATES TO
ADVERTISE FOR THE RECEIPT OF BIDS FOR THE BOROUGH'S 2004
COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT CONTINGENT
UPON THE SOLICITOR'S REVIEW AND APPROVAL OF THE
SPECIFICATIONS
(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.

Request for authorization for the removal of two properties from the Borough's Sewer Tax Rolls. Mrs. Villari reported that after a camera inspection of the sewer lines on 10th Street, our Licensed Wastewater Treatment Facility Operator, Brad Young, has concluded that the residences of 707 and 711 10th Street are not connected to the Borough's wastewater system. Mr. Young is recommending that these residences be removed from the Borough's sewer tax rolls. After a short discussion, it was the consensus of Council to agree to this. February 2, 2005 will be the effective date of their removal from our sewer register.

RESOLUTION 18-05

**A RESOLUTION AUTHORIZING THE REMOVAL OF TWO PROPERTIES
FROM THE BOROUGH'S SEWER TAX ROLLS
(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.

Disposition of the Borough's Original Linen Tax Maps. Mrs. Villari reported that she is recommending that Council authorize that these maps be turned over to our Streets and Roads Engineer, Remington, Vernick and Arango. Ms. Villari reported that these maps are presently being held with Dante Guzzi, Associates. After a short discussion, it was the consensus of Council to agree to Mrs. Villari's recommendation. The Clerk was asked to contact Mr. Guzzi and ask for the return of these maps so that they can be transferred to our new Streets and Roads Engineering firm.

RESOLUTION 19-05

**A RESOLUTION AUTHORIZING THE BOROUGH'S ORIGINAL LINEN TAX
MAPS TO BE TURNED OVER TO REMINGTON, VERNICK AND ARANGO,
THE BOROUGH'S STREETS AND ROADS ENGINEER
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read 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.

Update Re: Wastewater Treatment Facility Engineer Appointment. Mrs. Villari reminded Council that James C. Anderson, Associates was appointed at our reorganization meeting to serve as the Engineer for our Wastewater Treatment Facility. Mrs. Villari reported that we have received written notification that all of the managers and employees of this firm have joined T&M Associates as of January 3, 2005. Mr. Gunn stated that Council needs to consider the appointment of T&M Associates to serve in this capacity. After a short discussion, it was the consensus to appoint T&M Associates, contingent upon the Solicitor reviewing and approving their submitted contract.

RESOLUTION 20-05

**A RESOLUTION RESCINDING THE PROFESSIONAL SERVICE
APPOINTMENT OF JAMES C. ANDERSON, ASSOCIATES AS THE
ENGINEER FOR THE BOROUGH'S WASTEWATER TREATMENT FACILITY
FOR 2005 AND AUTHORIZING THE PROFESSIONAL SERVICE
APPOINTMENT OF T&M ASSOCIATES OF MOORESTOWN, NEW JERSEY
TO SERVE IN THIS CAPACITY
(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 Mr. Alls-Moffatt aye.

Possible submission of a grant application for the New Jersey Department of Transportation's Fiscal Year 2006 Municipal Aid Program. The Clerk brought this potential grant information to Council's attention to determine if there was any interest in applying. After a short discussion, it was the consensus of Council to make an application. Mr. Gilmore volunteered to follow through with the process. Council will be kept informed.

Approval for the Porch Club to hold a Chinese Auction. The Clerk reported that the Porch Club has submitted all the required documentation and fees to hold this event on February 25, 2005.

RESOLUTION 21-05

**A RESOLUTION APPROVING THE PORCH CLUB'S REQUEST TO HOLD A
CHINESE AUCTION ON FEBRUARY 25, 2005 AT SACRED HEART CHURCH
(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 abstained, Mr. Gilmore aye, Mr. Cesaretti and Mrs. Alls-Moffatt had recused herself from this issue.

Preliminary agenda for February 9. The Clerk reviewed this with the Governing Body. **Parking Committee to meet in February.** Mr. Cesaretti reported that this committee would be meeting before the end of February. Mr. Cesaretti stated that those resident's who have expressed specific parking concerns would be asked to attend this meeting. Council will be kept apprised of this situation.

Lighting of the Flag at the War Memorial. Mr. Cesaretti reminded Council that the Riverton Police Association has offered to undertake this project and all costs associated with it. Mr. Cesaretti stated that the Police Association would like a letter of support for this project from the Governing Body. Patrolman John Shaw then provided an overview of the project for Council.

RESOLUTION 22-05

**A RESOLUTION SUPPORTING THE RIVERTON POLICE ASSOCIATION'S
OFFER TO UNDERTAKE THE PROJECT OF ILLUMINATING THE FLAG AT
THE RIVERTON MEMORIAL PARK
(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.

STREETS AND ROADS KUDOS. Mr. Cesaretti, who works for the Burlington County Bridge Commission, received compliments from his associates on how well Riverton's streets were cleaned during the recent snow storm. Mr. Cesaretti publicly thanked our Public Works Department for their efforts.

POLICE MERGER MEETING. Mrs. Villari stated that she understands a meeting had been set by Mrs. Alls-Moffatt with representatives of the Borough of Palmyra. This pertains to a possible merger of our Police Department with theirs. Mrs. Villari understands

that this meeting was cancelled. Mrs. Villari asked if Mr. Cesaretti, Public Safety Committee Chair, gave Mrs. Alls-Moffatt permission to meet with Palmyra officials regarding this issue. Mrs. Alls-Moffatt stated that she thought this conversation was grossly inappropriate. Mrs. Villari asked Mrs. Alls-Moffatt why the meeting was scheduled, what was the outcome and what was her agenda. Mr. Cesaretti stated that he did not have knowledge of this meeting and has not conducted any conversations with either Palmyra's Public Safety Committee or their Mayor regarding a police merger. Mrs. Villari stated that she does not believe any Council person up here has the authority to act alone to represent this government, our town or our Police Department. Mrs. Villari believes that what happened was embarrassing. Mrs. Villari believes this was detrimental to the morale and the confidence of the Riverton Police Department. Mrs. Villari apologized for herself to the Police Department. She thinks what happened was wrong. Mrs. Villari doesn't believe anybody on Council has the expertise to even investigate a police department merge. Mrs. Villari thought that was our understanding at our last meeting. Mrs. Villari asked Mrs. Alls-Moffatt why she felt the need to proceed.

Mr. Gilmore commented that he thought Mrs. Villari's actions should be incorporated into any proposed ordinance regarding decorum to be followed at council meetings. Mr. Gilmore believes this is an attack on one of our council members. Mrs. Alls-Moffatt stated that she attended a recent Finance/Admin meeting and the subject of a police merger came up because of the exorbitant budget that the Police department has (approximately \$600,000.00). Mrs. Alls-Moffatt stated that in the course of conversation at the Finance/Admin Committee meeting, it was suggested that the Chair of the Public Safety Committee was not doing his job.

Mrs. Alls-Moffatt stated that Mr. Cesaretti was asked 5 months ago to contact the responding municipalities regarding a possible police merger and he has not done so. Mrs. Alls-Moffatt was asked to do it and she did it in three days. Mr. Cesaretti asked for a clarification as to what meeting she was talking about. Mrs. Alls-Moffatt stated that she called him on Saturday to see if he could make the meeting on Monday with officials from Palmyra and he told her he would attend. Mrs. Alls-Moffatt remarked that for Mr. Cesaretti to state that he had no knowledge of this meeting is a bare face lie. Mr. Cesaretti stated that he didn't recall this conversation. Mrs. Alls-Moffatt commented that it was very convenient of him. Mrs. Alls-Moffatt stated that this is the way this Council is run and she has absolutely nothing else to say on this subject.

Mrs. Villari stated that at the last meeting we all decided that if in fact this merger was to be investigated it would come from an outside third party. Mrs. Alls-Moffatt responded that that was wrong. Mrs. Alls-Moffatt stated that this Council said that we would investigate a police merger ourselves, take it as far as we could, and then determine if we could afford somebody to negotiate a merger if we decided to go that route. Mrs. Villari asked Mr. Cesaretti to verify that he said we were not moving forward with this. Mr. Cesaretti responded that that was correct.

Mr. Gilmore reminded Council that representatives from the Borough have already had one meeting with representatives from Cinnaminson Township regarding a possible merger. Mr. Gilmore stated that we also thought we should talk to Palmyra about this issue. Mr. Gilmore stated that all Mrs. Alls-Moffatt was basically trying to do was determine if Palmyra was interested in a possible merger. If there was some interest, we would ask them for some cost estimates. Mr. Gilmore stated that we may be able to save the Borough money by considering this. Mrs. Villari stated that money was not the only thing that needs to be considered regarding this issue. Mr. Gilmore stated that Mrs. Alls-Moffatt was taking the bull by the horn because no one else was. Mrs. Alls-Moffatt stated that she did this at the request of our Mayor. Mayor Martin stated that while she was saying this, he didn't know what she was talking about. Mrs. Alls-Moffatt stated that that was a bare face lie. Mrs. Alls-Moffatt reiterated her position that she was requested by the Mayor to do this. Mr. Gilmore stated that the Police Department is a huge portion of our budget that

goes up each year. Mr. Gilmore said there is no harm in talking and discussing this possibility to save money for the community.

Mrs. Villari stated that if it is Council's decision, we need to find a qualified person to handle this for us. Mr. Gilmore stated that he would not argue with her because he believes Mrs. Villari has a personal interest in this discussion. Mrs. Villari took exception to Mr. Gilmore's remarks. Mr. Cesaretti believes Mrs. Alls-Moffatt basically called him a liar. Mrs. Villari, once again, apologized to the Riverton Police Department for the embarrassment. Mrs. Alls-Moffatt strongly stated that it is not a question of the police doing their jobs, the problem we are having is the cost to run the police department, which she feels needs to be addressed. Mayor Martin then moved on with the rest of the agenda.

Meeting open to the public

Dennis Eversmyer, 400 Fulton Street, is appreciative that the Police Association will take care of illuminating the flag at the Park. This has been a concern of Mr. Eversmyer for some time now. Mr. Eversmyer also stated that the lighting of the Flag at the war memorial location is not correct and is not functioning. He has brought this issue to Council on numerous occasions. Mr. Gilmore stated he would review this issue with our Public Works Manager to determine if we can get another fixture at this location. Mr. Eversmyer then reminded Council that the Flag at the point (Rainer property on Main Street) is not being properly lit. Mr. Gilmore stated that he thought the police take care of putting this flag up and taking it down. Chief Norcross stated that he would talk to Mr. Rainer about this issue. He will report back to Council on his findings.

Joan Novatasky of Cinnaminson Township stated that Council should practice what they preach before adopting rules of decorum for the conduct of Borough Council meetings. Mrs. Novatasky was upset about the meeting tonight. Mrs. Novatasky stated that the Mayor at any time could place the gavel down. Mrs. Novatasky believes that Mrs. Villari was out of order by apologizing for another Council member's actions. Mrs. Villari is only responsible for herself. Mrs. Novatasky stated that Mrs. Villari should apologize to the public for her actions here tonight. Mayor Martin commented that he knows that he may allow people to talk too long, but he doesn't want to muzzle them. He is trying to permit the first amendment rights to be exercised. Mrs. Novatasky reiterated her opinion that what went on here tonight was very poor. She didn't like the name calling that took place at the table.

Bernard Swiderek, 305 Carriage House Lane, believes there is a life and death issue at the Thomas Avenue riverwall location (Horner property). Every storm causes more and more erosion towards Bank Avenue. Mr. Swiderek stated that if Council does not want to address this situation, they should consider closing off Bank Avenue to traffic. Mrs. Alls-Moffatt commented that the Borough is in litigation with the property owner regarding this problem. Mr. Gunn commented that Judge Sweeney has us under a case management order. A summary judgment is scheduled to be heard in April. There will be some further matters coming out in the next couple of weeks. The court will be giving notice to all riverbank owners about the litigation suggesting that they intervene if they want to. Mr. Swiderek suggested that Borough officials walk along the area in question. Mr. Swiderek is concerned that an accident is waiting to happen and this is an emergent matter. Mr. Gunn suggested that the Borough Engineer take a look at the area in question. Mr. Smyth suggested that our Public Works Manager and Chief of Police walk the area and make a determination regarding the situation. Mr. Gunn commented that this would be okay.

Charles Caruso, 412 Lippincott Avenue, stated that he is completely in support of the proposed dog barking ordinance. This is a quality of life issue for him. He stated that his home is surrounded by dogs constantly barking. Mr. Caruso also voiced his concern about the racism that exists in this town.

James Moffatt, 202 Fulton Street, disagreed with Mrs. Novatasky's comments tonight. He thought what went on here tonight is wonderful. This is called democracy. Mr. Moffatt applauded Council tonight for acting in a democratic fashion. Mr. Moffatt disagrees with rules of decorum.

Michael Heine, 206 Carriage House Lane, thinks that Mrs. Villari did a very important thing here tonight regarding her comment on the Police Department issue. He agreed with Mrs. Villari that a professional should be consulted if Council decides to explore a possible police department merger.

Mr. Heine believes the Finance/Admin meetings should not be closed to the public. That is wrong. He believes that the public has a right to monitor these meetings. This committee was created because of some perceived local need for assistance. Mr. Heine reiterated his position that these meetings should be public.

Regarding the riverbank issue, Mr. Heine stated he has quarreled away how the riverbank litigation issue has been handled month after month over the last two years. There is an immediate threat of irreparable harm on the riverbank. Those matters are handled through special application to the court asking for injunctive relief. To his knowledge this has never been done in this litigation. He believes there is no excuse for not doing this.

Mr. Heine expressed his disappointment that the Zoning Officer's (Tony Dydek) report was not given tonight. He stated that this was requested at the last meeting. Mr. Heine believes that Mr. Dydek has a perceived history of not issuing summons' that are required under our zoning ordinance. Mr. Heine understands that there is another zoning violation in town that is not being addressed. This pertains to the Brandenberger house that was built at 203 Thomas Avenue, which is in violation with a portion of our zoning code. To date Mr. Heine does not believe a variance was granted to Mr. Brandenberger.

Mr. Heine asked what our Zoning Officer has filed in the way of a summons regarding this issue.

At this time Mr. Villari asked Mrs. Alls-Moffatt if she gave the list of Shade Tree violations that Barry Emens (Shade Tree Chair) had given her to Mr. Dydek. Mrs. Alls-Moffatt stated that Mr. Dydek took care of those issues. Mrs. Villari commented that she has another page of 18 other violations (deliveries to the Baptist Home) that have not been addressed by Mr. Dydek.

Mrs. Alls-Moffatt read the following report that was submitted by Mr. Dydek. 10 verbal warnings were issued, 3 door hanging types of notices were delivered, 2 letters were written, 9 written violations were issued, 0 summonses for 2004 were issued, 1 summons for 2005 was issued, 11 violations are now in compliance, 4 in progress and 2 tree notices are pending due to weather.

Mr. Heine wants to know why the Zoning Officer is not observing his duty under our Zoning Ordinance. Mrs. Alls-Moffatt asked our Solicitor at what point does this become harassment of a Borough employee. What legal rights to both she and Mr. Dydek have to defend themselves against these very negative reports we get from Mr. Heine every week we are here. Mr. Gunn stated that there has to be a written and signed complaints before the Zoning Officer will take action. Mr. Gunn understands that Mr. Dydek sends a written notice of violation that gives so many days to rectify the violation. If there is no compliance, the Zoning Officer has the right to file a summons through our Municipal Court. Mr. Gunn stated that our Zoning Ordinance is vague regarding the Zoning Officer's discretion as to what is compliance. Mr. Heine disagreed with our Solicitor.

Bernard Swiderek, 305 Carriage House Lane stated that the Baptist Home has outgrown itself. He raised concern that tractor trailers try to gain entrance to the home on our streets for delivery purposes. Mr. Swiderek also raised concern over how dead bodies are removed from the home.

RESOLUTION 23-05

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 contract negotiations and litigation matters would be discussed. Dr. Daniel was not present for the closed session and Mr. Gilmore left the closed session portion at 10:35pm.

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

February 9, 2005

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

PRESENT: Council members Daniel, Smyth, Gilmore (left meeting at 7:20pm), Cesaretti, Alls-Moffatt (left meeting at 7:20pm) 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 notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

The minutes from January 5 and January 12 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 aye, Mrs. 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 and 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 absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

STATEMENT PREPARED BY MR. GILMORE AND MRS. ALLS-MOFFATT

At this time Mayor Martin announced that Mrs. Alls-Moffatt has asked to make a statement. Mrs. Alls-Moffatt then read the attached signed by her and Mr. Gilmore. This pertains to a Finance/Admin. Committee meeting that was held on Monday February 7, 2005, when resident Michael Heine was present and refused to leave. At the completion of this statement, Mrs. Alls-Moffatt moved that Mr. Smyth be requested to resign as Chair of the Finance Committee. She asked for a discussion on this issue and that a vote be taken. Mr. Gilmore seconded the motion. Mayor Martin asked if a committee can meet without having the public there. The Solicitor responded that it is at the committee's discretion. The Solicitor also commented that it is helpful to have guidelines in place to address this particular situation. Mayor Martin commented that he would like to see the full Finance Committee make a decision on whether the public should be permitted at their meetings. Mayor Martin stated that he does not feel that Mr. Smyth should resign as Chair of the Finance Committee.

At this time Mr. Gilmore commented that resident Michael Heine has given Council a three or four page document that threatens to sue the Borough and the Planning Board regarding certain issues. The Solicitor cautioned Mr. Gilmore that this issue should not be discussed in public session, since it is a matter of litigation. Mr. Gilmore stated that he believes the public should know what is going on. Mr. Gilmore stated that we are paying legal fees to have these issues defended.

Mr. Gilmore stated that he thinks it is despicable that the Chair of the Finance Committee permitted Mr. Heine to stay for the Monday night meeting. This is beyond his comprehension. Mr. Gilmore called for a vote to have Mr. Smyth resign as Chair of the Finance Committee. Mrs. Alls-Moffatt also stated that at Monday night's Finance/Admin Committee meeting, Mr. Smyth announced that everybody was going to get a 4% salary increase. Mrs. Alls-Moffatt stated that this has not even been discussed. We're still reviewing budgets with department heads. Mrs. Alls-Moffatt thought it was grossly inappropriate for Mr. Heine to pull his chair up to the table at Monday night's meeting and announce that he was there to help us with our budget. That is not his job. Mr. Smyth then asked the Clerk to announce who serves on the Finance Committee from Council. The Clerk responded Mr. Smyth, Mrs. Alls-Moffatt and Dr. Daniel. Mr. Smyth then asked by what authority Mr. Gilmore speaks as if he is a member of this committee? Mrs. Alls-

Moffatt stated that Mr. Gilmore was at Monday's meeting as a member of Council to review his Parks & Recreation budget. Mr. Smyth stated that that does not make him a member of the Finance Committee. He was just there to present information. Mrs. Alls-Moffatt stated that she thought Mr. Smyth's actions at Monday's meeting were not just inappropriate, they were grossly outrageous. Mrs. Alls-Moffatt stated that every time we have a meeting, we spend more time discussing outside comments than we actually do with the subject before us. This is our work, which we are duly elected to do. Mrs. Alls-Moffatt commented that she doesn't feel that the Finance/Admin Committee is the only meeting that is disrupted by Mr. Heine. She cited the Planning Board as another. Mrs. Alls-Moffatt stated that we are either being sued by Mr. Heine or corrected by Mr. Heine. Our attorney's have to be consulted on every i that we dot and t that we cross. There is no public business being done by this Council and she took exception to it. Mrs. Alls-Moffatt stated that Monday night was a total disgrace and an embarrassment to the Borough of Riverton and its elected officials. Mr. Gilmore called again to vote on the Motion.

Mr. Cesaretti commented that he was originally opposed to this Finance/Admin Committee. Mr. Cesaretti stated that we are the elected officials empowered to make the decisions such as reviewing budgets, etc. Mr. Cesaretti took offense to the creation of this committee initially and he takes offense to it now. Mr. Cesaretti stated that if you want the public involved and you are discussing budgets, the place to do it is up here on this table, not with these little quasi ad hoc committees. Mr. Cesaretti reiterated that we are the officials elected to make these decisions. Mr. Gilmore agreed with Mr. Cesaretti. Mr. Cesaretti reminded Mr. Gilmore that he voted to have the Finance/Admin Committee. Mr. Gilmore commented that he made a mistake. Mayor Martin stated that the Finance Committee is attempting to put more effort and time into the process than the Council may have time. Mr. Cesaretti commented that he understands the Finance/Admin Committee's intentions. Mayor Martin believes the Finance Committee should decide whether they want the public at their meetings, if that is the legal thing to do. Mayor Martin stated that there appears to be grudges being voiced here and that we are airing out our dirty linen, which makes him very uncomfortable. Mayor Martin believes this is embarrassing to the members of Council.

Mr. Smyth asked which member of the Finance Committee called the Police Department on Monday night. Mr. Gilmore responded that he called them. Mr. Smyth asked Mr. Gilmore if he was a member of the Finance Committee. Mr. Gilmore responded no, but he is a member of Council. Mr. Smyth stated that Mr. Gilmore took it upon himself to call the police. Mr. Gilmore did not even ask if he should or could call the police. Mrs. Alls-Moffatt commented that Mr. Smyth is the Chair of the Finance Committee and did nothing on Monday night. Mr. Gilmore called again called for a vote on the motion. Mayor Martin asked for a clarification on what the vote is for. The Clerk responded that Mrs. Alls-Moffatt's motion was to request that Mr. Smyth resign as Chair of the Finance Committee. Mr. Cesaretti asked if this was something we could vote on. Our Solicitor responded that Council organizes themselves thereby it is a Council decision. Mr. Gilmore stated that nothing is getting done on Council. This issue has to be addressed.

Mr. Gilmore further stated that he was going to work on obtaining some grants for the Borough. However, after what transpired Monday, he has decided not to. He feels that not only will he have to fight to get the projects done, he'll have to fight the same people in the audience. Mr. Gilmore called for the vote once again. The Mayor asked again for a clarification on the motion. The Clerk reiterated that the motion is to request that Mr. Smyth resign as Chair of the Finance Committee. The Clerk further stated that this motion was previously seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel nay, Mrs. Villari absent, Mr. Smyth nay, Mr. Gilmore aye, Mr. Cesaretti nay and Mrs. Alls-Moffatt aye.

Mr. Gilmore announced that both he and Mrs. Alls-Moffatt would now leave the meeting. Mr. Gilmore hopes that Council will think very seriously over this situation and

come up with a reasonable solution. Mrs. Alls-Moffatt stated that bi-partisanship has been destroyed. Mayor Martin commented that he thought Mrs. Alls-Moffatt and Mr. Gilmore were grandstanding. Upon leaving Mrs. Alls-Moffatt told Mr. Heine that he must be very happy with himself. Mr. Heine stated that the only time Mrs. Alls-Moffatt opens her mouth was to change her foot. It should be noted that words ensued between Mr. Heine and another resident (Charles Caruso) who was present over Mr. Heine's remarks to Mrs. Alls-Moffatt. Mr. Caruso was escorted out of the meeting by Sergeant Furrer.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of January that was submitted by Chief Norcross. Vehicle Mileage 2,552, Gas Used 418.70, Juvenile Arrests 1 (Miscellaneous), Adult Arrests 13 (Criminal Warrants 3, Criminal Summons 0, Traffic Warrants 9, DWI 1, Other 0, Motor Vehicle Crashes 4, Motor Vehicle Stops 53, Motor Vehicle Warnings 2, Motor Vehicle Summons 67, Burglar Alarms 15, Asst. to other Police Departments 9, Animal Complaints 2, Fire Calls 15 (In-town 7, Out of town 8), Ambulance calls (Riverton) 40, Unattended Deaths 0, Criminal Cases 40, Domestic 3, Thefts 5, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 5, Motor Vehicle Thefts 0, Miscellaneous Complaints 23, Miscellaneous Calls 497, Riverton School Walk Through Security Check 20, Riverton School Teaching/School Trips 5, and total calls 819.

Mr. Cesaretti read a report for the month of January that was submitted by Animal Control Officer, M&R Wildlife. A stray dog was taken to the shelter and the Animal Control Officer spent three hours in Municipal Court regarding unlicensed dogs and cats for the year 2004. It should be noted that M&R Wildlife did a complete dog and cat census for the Borough last year.

PARK, RECREATION, RECYCLING & ENVIRONMENTAL

COMMISSION-Mr. Gilmore-No Report

PUBLIC WORKS/SEWER-Mrs. Villari

In Mrs. Villari's absence, Mr. Gunn reported that he has reviewed and approved the specifications for the 2004 Community Development Block Grant Project. The Engineer for this project can now proceed with the bidding process.

Regarding the Broad Street Enhancement Grant, Mr. Gunn reported that he has been talking to the attorney for the Burlington County Bridge Commission. A legal transfer of the Bridge Commission's right of way (triangle area) to the Borough still needs to be completed. Mr. Gunn stated that when we were originally talking about this transfer everybody was only thinking about the triangle (island) area. However, in the actual grant there will also be some work done East of the intersection (Broad & Main) on Broad Street. It will have to be determined whether this is considered an easement or a right of way. Mr. Gunn stated that we don't anticipate any problems with the Bridge Commission. They want to complete this transfer because the County wants to repave Broad Street in the spring of this year. Mr. Gunn stated that required paperwork on this grant has been forwarded by our Engineer to Tom Berryman of the State's Department of Transportation for his review. Council will be kept apprised of this issue.

ZONING, PLANNING, CODE ENFORCEMENT AND

REDEVELOPMENT-Mrs. Alls-Moffatt-No report

SHADE TREE/HUMAN SERVICES & BOARD OF HEALTH-Dr. Daniel

Dr. Daniel stated that there was nothing to report regarding Shade Tree issues.

Dr. Daniel read a report for the month of January that was submitted by Welfare Director, Florence Klein. There were three clients on the rolls. Mrs. Klein attended the State Welfare Association meeting in Middletown on January 19.

OLD BUSINESS There was no old business presented at this time.

NEW BUSINESS

ORDINANCE 1-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
RIVERTON IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING
AND SUPPLEMENTING CHAPTER 45, ARTICLE III OF THE RIVERTON
BOROUGH CODE TO CONTROL THE CONTINUOUS BARKING OF DOGS
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only by Mr. Cesaretti, 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. **William Harris, 502 Cinnaminson Street**, asked for a copy of this Ordinance after it is adopted. There being no further 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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt absent.

**RESOLUTION 24-05
BUDGET 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 Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt absent.

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

The above Proclamation was read in full by Mayor Martin.

CORRESPONDENCE

Mr. Cesaretti read a note from Brownie Troop 2874 to the Riverton Police Department thanking them for making our town a safe place to live.

Mr. Cesaretti read a thank you note from Mary Ellen Eck, Superintendent of the Riverton Public School to Chief Norcross regarding a homeless family in town. Mrs. Eck cited Patrolman Willis for his compassion and his level of service regarding this situation.

Mr. Cesaretti read a thank you letter sent by the Chief to Patrolman Matthew Kirk for coming in during the snow storm even though he was quite ill.

MEETING OPEN TO THE PUBLIC

Robert E. Smyth, 1 Bank Avenue, addressed Council regarding the Finance/Admin Committee. Mr. Smyth stated that this committee has three members of Council. Two resident's (himself and Michael Kinsler) were also appointed to serve in an advisory capacity. Mr. Smyth stated that the goal of this committee is not to take anything away from any council member, but really to help the Finance Committee members and the respective borough department heads regarding the budget process. They would like to recommend alternatives for revenue and to look at more fiscally responsible ways to have tax relief in town. We are not looking to reduce the level of services in town. Mr. Smyth and others have experience from a business perspective. He doesn't look at this in an adversarial way. He believes it benefits the process. He was sorry to hear what happened at last Monday night.

Mr. Smyth was distressed about Mr. Gilmore's comments about potential grants. Mr. Smyth would love to work on obtaining grants for Riverton. Mr. Cesaretti believes the objectives of the Finance/Admin Committee are good; however, sometimes the more people you get involved can make the process unmanageable. Dr. Daniel stated that he was unable to attend Monday's Finance/Admin Committee meeting. He thinks Mr. Cesaretti's comments tonight were well taken. However, Dr. Daniel embraces all the help that Robert E. Smyth and Michael Kinsler provide to us. Dr. Daniel commented that we don't take everything they say on face value. Dr. Daniel hopes that what happened at Monday's Finance/Admin Committee meeting is not a recurring theme. Councilman Smyth stated that

the Borough's principle financial advisor is our Auditor, who is well versed and schooled on what the fiscal responsibilities for municipalities are.

Gene Bandine, 522 Main Street asked if the bricks at the triangle area would be utilized for the enhancement grant and whether additional donations for new bricks would be considered. Mr. Cesaretti stated that these bricks would be utilized. Mr. Cesaretti referred Mr. Bandine to Mr. Gilmore regarding additional donations of new bricks.

Mr. Bandine believes there are too many times when a private contractor comes in and removes trees from private property and then leaves debris for our Public Works Department to remove. He is concerned that building contractors are doing the same thing. Mr. Bandine commented that the Shade Tree Commission would be closely monitoring the new Shade Tree Contractor.

Michael Heine, 206 Carriage House Lane raised issues with Mrs. Alls-Moffatt's statements tonight and well as her motion. Mr. Heine stated that he appreciates the respect that Councilman Smyth showed him Monday night. Mr. Heine asked Mr. Smyth to confirm some facts as to what transpired that night: that Mr. Heine was only there to monitor the meeting. Mr. Smyth stated that was correct. That Mr. Heine did not attempt to participate. Mr. Smyth stated that was correct, although Mr. Heine did ask for copies of worksheets so that he would know what was being discussed. When the police arrived and asked why Mr. Heine was there, Mr. Heine said as a member of the public and suggested that the officer speak to Mr. Smyth to determine that Mr. Heine had permission. Mr. Smyth stated that that was correct. Mr. Heine asked Mr. Smyth to confirm that there was no disruptive behavior on his part. Mr. Smyth responded in the affirmative.

Mr. Heine raised concern about 18 separate violations regarding deliveries being made to the Baptist Home prior to 8:00am. Mr. Heine stated that only one violation was written for prosecution by our court.

Mr. Heine stated that setback Zoning violations exist on the property at 203 Thomas Avenue and no violation has been issued.

Mr. Heine stated that the Moccia violation is still pending before the Planning Board; however, no zoning violations have been issued.

Mr. Heine stated that there is a serious issue regarding the Yacht Club, which is a commercial property (4A). Mr. Heine stated that the Yacht Club received a federal grant for bulkheads; however no reassessment of this property has been done. Mr. Heine questioned whether the Club is paying their fair share of taxes. Mr. Cesaretti feels that this issue is why it is important for the entire town to be reassessed. Mr. Cesaretti asked if there is a process whereby the Tax Assessor is informed after an improvement is made to a specific property. The response was yes. Mayor Martin commented that the Yacht Club is a non-profit making organization just trying to get by. Mr. Heine stated that the Mayor would have to recuse himself because he is a member of the Yacht Club.

RESOLUTION 25-05

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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt absent. It should be noted that litigation and contract negotiations would 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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt absent

UPDATE: NEWSLETTER. Dr. Daniel reported that his wife and the Mayor's wife have volunteered to put together a newsletter. All items to be placed in this newsletter will be reviewed by Borough Council before publication.

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

To the Borough of Riverton Council,

On Monday night, Feb. 7th we attempted to hold a meeting Finance and Admin. Committee. This meeting is not open to the public because the issues discussed include personnel and salary issues that are not appropriate for a public forum. The public was informed at the last work session, Wed. Feb. 2, that the next public meeting would be the Finance Budget meeting on Feb. 28th at 6:00 PM.

The Monday meeting was never convened because Mr. Micheal Heine, a resident of Riverton, was present and refused to leave. We explained to Mr. Heine that it was inappropriate for him to be present during the meeting, a majority of the committee did not wish him to be there, that he had no official standing, he was not elected to do the people's business, and, therefore, could not be present. Mr. Heine refused our repeated requests to leave.

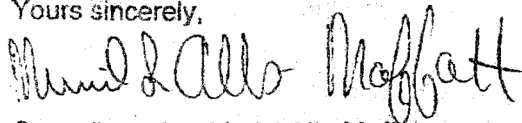
So we pose this question to the council and to the people of Riverton: Do we really want self-appointed walk-ins who have no accountability or responsibility to the public dictating the finances, tax rates, or other important policy decisions that effect the people of Riverton? Does a Committee Chair get to arbitrarily appoint non-elected people to committees when they show up at a meeting over the objections of the majority of the committee? That does not sound like democracy to us.

Our belief is that this is still a democracy, and there are rules by which we conduct the people's business. So in the face of Mr. Heine's refusal to comply with our request, we called the Riverton Police to escort Mr. Heine out of the building with the hope that we could conduct our business.

Police officer Tommy Marino promptly showed up and quite rightly decided to consult ~~the~~ Chief Norcross. Not wanting to put the Chief in a tough spot, we decided to abandon our attempt to discuss the budget that night, and to bring the matter before the full council and the people of Riverton.

Given Mr. Smyth's inappropriate request to have Mr. Heine participate in the meeting, and given his apparent contempt for the rules by which we conduct the people's business, we respectfully request that he resign as chair of the Finance Committee.

Yours sincerely,



Councilmember Muriel Alls-Moffatt



Councilmember Ed Gilmore

March 1, 2005

A special meeting regarding the 2005 Municipal Budget was held on the above date.
Mayor Martin presiding

PRESENT: Council members Villari, Smyth, Gilmore, Cesaretti, Alls-Moffatt and
Auditor Robert Stewart

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 this meeting published in the Burlington County Times on
March 1, 2005

(b) Posting written notice on the official bulletin board on February 28, 2005

Mr. Stewart announced that presently, we are looking at a 23.4 cent increase in our
local municipal purpose tax rate. Mr. Stewart stated that there are two major reasons for
this: delinquent property owners not paying their taxes on time (in particular the owner of
the Nuway Shopping Center) and loss of revenue. A lengthy discussion ensued on these
issues. Mr. Stewart commented that the Borough could hold an accelerated tax sale. This
would hopefully force the property owners to pay their taxes by the December 31st
deadline. Mr. Stewart reviewed this process with the Governing Body. It was the
consensus of Council to seriously consider this option.

Council then reviewed in detail all of the individual budget line items to determine
where cuts should be made.

Council then reviewed and discussed in detail the Borough's present sewer charges
and the fact that the sludge costs are expected to increase substantially. The Borough will
be going out to bid for this. Mr. Stewart was asked how much the tax rate would go up if
Council decided to incorporate the sewer billing with the taxes. Mr. Stewart responded that
just that alone would mean a 23 cent increase in our tax rate. Discussion resumed. It was
the consensus of Council to increase the sewer rates by \$100.00 for this year. Property
owners would be billed this additional fee in October. It was also the consensus of Council
that in 2006 we would have a bi-annual sewer billing. Council will consider the issue of
incorporating the sewer charges into our tax rate sometime in the future.

ORDINANCE 4-05

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS OF CHAPTER 106, ARTICLE II, SEWER RATES, OF THE BOROUGH OF RIVERTON IN THE COUNTY OF BURLINGTON, NEW JERSEY

The above Ordinance 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, Mr. Smyth aye, Mrs. Villari aye, Mr. Gilmore aye, Mr. Cesaretti nay, Mrs. Alls-
Moffatt aye. Second reading and a public hearing on the Ordinance will take place on April
6, 2005 at 7:00pm.

CANCELING CERTAIN UNEXPENDED IMPROVEMENT AUTHORIZATIONS

For Council's consideration, Mr. Stewart stated that there exists certain
improvement authorizations with unexpended balances totaling \$254,631.31 from Bond
Ordinance 2002-4. Mr. Stewart explained that this pertains to the purchase of and/or
Renovations to a Municipal Building. Mr. Stewart stated that Council could cancel some of
this balance so that the money would be available for other capital expenditures. A
discussion ensued, with the majority of Council agreeing to cancel \$100,000.00 to Capital
Surplus.

RESOLUTION 26-05

A RESOLUTION CANCELLING CERTAIN UNEXPENDED IMPROVEMENT AUTHORIZATIONS (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 Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth nay, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

PROPOSED SALARY INCREASES FOR EMPLOYEES NOT COVERED BY A BARGAINING UNIT

Mrs. Alls-Moffatt moved that we give all full-time employees a 3% salary increase and that we give all part-time employees 1 ½% salary increase. This was seconded by Mr. Gilmore. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari nay, Mr. Smyth nay, Mr. Gilmore aye, Mr. Cesaretti nay and Mrs. Alls-Moffatt aye. The motion failed.

Mr. Gilmore moved that we give all full-time employees a 3% salary increase and that we give all part-time employees a 2% salary increase. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari nay, Mr. Smyth nay, Mr. Gilmore aye, Mr. Cesaretti nay and Mrs. Alls-Moffatt aye. The motion failed.

Mrs. Villari moved that we give all of our employees a 3% salary increase. 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. The motion failed.

Mrs. Villari moved again that we give all of our employees a 3% salary increase. 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 abstained, Mrs. Alls-Moffatt nay and Mayor Martin aye.

It should be noted that Mr. Gilmore and Mrs. Alls-Moffatt were of the opinion that the full-time employees should receive a higher percentage salary increase than the part-time employees. It should also be noted that Mr. Cesaretti was of the opinion that all of the Borough employees should be given the same salary percentage increase as those employees covered by a bargaining unit.

PROPOSED CAPITAL POLICE BUDGET DISCUSSION

Council reviewed the department's requests. After some discussion, Mr. Gilmore moved that we place \$25,000.00 in our capital budget to only cover the additional costs for the police vehicle and police equipment (lap tops). This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari nay, Mr. Smyth nay, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

CAPITAL BUDGET

Mr. Stewart reviewed what would be included in our capital portion of the budget: \$250,000.00 for a road program, \$5,000.00 for park improvements and \$25,000 for police equipment. Council concurred.

RESOLUTION 27-05

A RESOLUTION INTRODUCING THE 2005 MUNICIPAL BUDGET (IN FULL IN RESOLUTION AND MINUTE BOOK)

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mrs. Alls-Moffatt. Mr. Smyth announced that the budget would be published in the Burlington County Times on March 27 and that a second reading and a public hearing will be held on April 13, 2005. Mr. Smyth further stated that this budget has a tax levy of \$1,701,000.00 which equates to a 9.9 cent increase per one hundred dollars which would equate to \$147.95 on a home assessed at \$150,000.00. The tax rate increase (percentage wise over the previous year) is 8.23% in the local municipal tax rate for this year. 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.

MEETING OPEN TO THE PUBLIC

Nancy Washington, 201 Main Street raised concern about the amount that we pay in legal fees.

Mrs. Washington also raised the issue that our Police Chief does not work a shift. Mrs. Washington commented that our previous Chief's have always done this. She doesn't understand why the present Chief does not. Mrs. Washington also commented that the Chief already has secretarial support.

There being no further budgetary issues to be discussed, 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

March 2, 2005

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 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 notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

ORDINANCE 2-05

“CAP” ORDINANCE OF THE BOROUGH OF RIVERTON TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5

PERCENT (N.J.S.40a:4-45.14)

(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 Mr. Gilmore. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no public comment 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.

Update Re: Ordinance 3-05 Revisions to the Development Fee Ordinance. Council reviewed a memo from our Solicitor regarding this issue. In his memo Mr. Gunn reminded Council that they had previously included the following paragraph in this Ordinance: C.

“At the sole discretion of the Borough, developers may elect to pay a fee in lieu of constructing low-and moderate-income housing units. The fee shall be equal to the cost of subsidizing low-and-moderate-income units that are replaced by the development fee. This option, in this paragraph, may only be exercised upon the prior approval of the Borough Council”. Since passage of this Ordinance on first reading, our Planner has reviewed this proposed Ordinance with representatives from the Council on Affordable Housing (COAH). They have advised us that the payment in lieu of option can only be included if it is at the discretion of the developer, not the Borough. Mr. Gunn, as well as our Planner are now recommending the elimination of paragraph C in its entirety from this ordinance. Mr. Gunn also informed Council that the elimination of paragraph C would substantially alter the substance of this Ordinance. If Council agrees to this change, a motion needs to be done to amend this Ordinance to delete paragraph C. The Ordinance would be republished and considered for final passage at the April 6 meeting. After a short discussion, it was the consensus of Council to agree with Mr. Gunn’s recommendation.

ORDINANCE 3-05

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS OF CHAPTER 128, ARTICLE XXV AFFORDABLE HOUSING DEVELOPMENT FEES

Mr. Gilmore made a motion to amend Ordinance 3-05 to delete paragraph C. 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.

Second reading and a public hearing on this Ordinance is scheduled for April 6th.

Update Re: Parking Committee Meeting (Mr. Cesaretti, Mayor Martin, Mr. Gilmore, Chief Norcross & Solicitor Gunn) with the President of Farmers’ &

Mechanics Bank, Craig Yates. Mr. Cesaretti reported that the Borough is interested in utilizing the Bank's second parking lot, which is located on Harrison Street, for Borough business patrons. Mr. Cesaretti and Mr. Gilmore provided an overview of the discussion at this meeting. Mr. Cesaretti reported that Mr. Yates was agreeable to permitting the Borough to utilize this parking lot. He is requesting a year to year lease. Mayor Martin commented that there will be no cost for the proposed agreement. Mayor Martin stated that Mr. Yates is being very community minded. Our Solicitor will be preparing a document for the bank to review. Council would also have to review the proposed document. Council will be kept informed regarding this issue. **James Moffatt, 202 Fulton Street** reminded the Mayor that he had been appointed to serve on the parking committee. However, Mr. Moffatt was never informed about this meeting. Mr. Cesaretti apologized for not contacting him.

Representatives to serve on the Route 130/Delaware River Corridor Strategic Plan for 2005. Both Mr. Gilmore and Mrs. Alls-Moffatt volunteered to continue serving on this committee for 2005. They will keep Council informed.

Update Re: 2004 Community Development Block Grant Project. Mrs. Villari reported that the bid opening for this project is scheduled for March 8, 2005 at 10:00am in the Municipal Building.

RESOLUTION 28-05

A RESOLUTION AUTHORIZING AERIAL MOSQUITO CONTROL ACTIVITIES OVER THE BOROUGH OF RIVERTON DURING 2005 (IN FULL IN RESOLUTION BOOK)

The above Resolution as 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.

Sample Resolutions for Council's consideration-(a) requiring the State to reimburse municipalities for the exemption of disabled Veterans from payment of property taxes. The Treasurer reported that we presently have four (4) property owners who qualify for this tax exemption. The Treasurer further reported that for the year 2004 the total amount of taxes not collected on these four properties amounted to \$28,000.00. A discussion regarding this issue then ensued. It was the consensus of Council that this Resolution be adopted.

RESOLUTION 29-05

A RESOLUTION SUPPORTING THE PASSAGE OF SENATE BILL S-1023 AND ASSEMBLY BILL A-1835 REQUIRING THE STATE TO REMIMBURSE MUNICIPALITIES FOR THE EXEMPTION OF DISABLED VETERANS FROM PAYMENT OF PROPERTY TAXES (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 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.

(B) Resolution in support of immediate and comprehensive property tax reform.

After a short discussion, it was the consensus of Council to further review the information provided. This resolution will be placed on next week's agenda for consideration.

Discussion: Possibly changing the format of agendas for Council meetings. Due to the length of our Council meetings, the Clerk stated that there previously was some discussion about moving the closed session portion to the beginning of the meetings, instead of at the end. A discussion then ensued. Some concerns raised were an adherence to a time frame for the closed session portion, how the public would be notified and how much confusion this change may cause. Solicitor Martin commented that we have already advertised that our meetings for 2005 would start at 7:00pm. Council would have to start the meetings at 7:00pm and then announce that they were going into closed session. They

would also need to set a time frame so the public would know when to return. Discussion resumed. Mr. Gilmore was of the opinion that we should not move the closed session portion up front. He stated that if the meetings moved along as they should, we would be getting to the closed session portion at a reasonable hour. Because Council does not get to the closed session portion so late in the evening, Dr. Daniel believes we should try this out and see how it works. Dr. Daniel commented that if the time limit set for closed session discussion is not enough, we can always go back into closed session later in the evening. Discussion resumed. Mr. Smyth moved that we try having the closed session portion at the beginning of our Council meetings for our April and May meetings to determine how it works out. Mr. Smyth further moved that there will be a thirty (30) minute time limit on the closed session at the beginning of the meeting. Mr. Smyth further moved that Council will reconsider this change at the regular meeting in May. This was seconded by Mr. Cesaretti. 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.

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

Leagues using our fields. Mr. Smyth asked if any response had been made to Palmyra's recent request to utilize our fields. Mr. Gilmore understands that the soccer league will not be using Riverton's field in the spring. Mr. Gilmore reported that Palmyra does not have enough fields available to run their school program. He spoke to the athletic director in Palmyra, who will give us a schedule for their requested usage of our fields. Mr. Smyth reported that Palmyra's Legion field will be down for massive repairs. He asked if that was correct. Mr. Gilmore stated that certain portions will be closed at a time to get the required work done. Palmyra's big diamond area will be available for the high school varsity. Council will be kept informed regarding this issue.

New President of the Riverton Police Association. Mr. Cesaretti announced that Patrolman John Shaw has been elected President of the Riverton Police Association. Any questions about the Association should be addressed to him.

Football Championship. Mr. Cesaretti reported that the Pal/Riv panthers won the football championship and they were honored last Friday night at the new Woodbine restaurant in Pennsauken. Because of their success, Palmyra High School has agreed to have a freshman football team this upcoming school year.

Flagpole on Rainier property. Based on previous concerns raised by resident, Dennis Eversmyer, Mr. Smyth reported that Mr. Rainer indicates that the flagpole will be painted as soon as he can get a ladder high enough to reach the top. Mr. Rainer will also be purchasing and installing the necessary lighting. Mr. Smyth reported that the police will take care of raising and lowering the flag at this location.

Meeting open to the public

James Moffatt, 202 Fulton Street, reminded Council that they are management, they have employees and they have stockholders (taxpayers). Mr. Moffatt believes that the taxpayers interests should be put first. What disturbed him at last night's meeting was the extreme deference shown by some members of Council to the Borough employees. Mr. Moffatt is of the opinion that no cut in the budget is too small. Mr. Moffatt also stated that if Council has too much business to consider at their scheduled meetings, then perhaps additional meetings should be held per month.

Michael Heine, 206 Carriage House Lane, asked if Palmyra has submitted a proposal to Council to utilize our fields. Mr. Heine doesn't think it is appropriate to extend our facilities to another municipality unless Council receives a proposal for their consideration. Mr. Cesaretti commented that Riverton children play in the Palmyra/Riverton league. We play on some of their fields and they play on some of ours.

Mr. Heine would appreciate a report on a monthly basis from our Zoning Officer. Mrs. Villari commented that this was discussed before. Mrs. Alls-Moffatt commented that she did provide an end of year report to Council last month. Mrs. Villari asked if a monthly report will be generated. Mrs. Alls-Moffatt commented that the last Zoning Officer did not submit monthly reports; however, if we are starting a new tradition, she will take care of

this. Mrs. Alls-Moffatt commented that Mr. Heine drafted a form for the Zoning Officer to use to provide this information. Mrs. Alls-Moffatt commented that Mr. Hein submitted this sample form to Mrs. Villari. Mr. Gilmore's personal opinion is that the Zoning Officer's position is a part-time job (two hours per week) and we are burdening him for what one person (Mr. Heine) wants to have. Mr. Gilmore is against this request. Mrs. Alls-Moffatt reviewed in detail the information that is requested on the sample form that Mr. Heine submitted. Mrs. Alls-Moffatt took exception to fact that the property owner's name is requested on this sample form. Mrs. Alls-Moffatt does not think it is appropriate for the public, in particular, Mr. Heine to know which property owner has a summons. Mrs. Alls-Moffatt commented that the reason we have our present Zoning Officer was because our previous Zoning Officer got upset with Mr. Heine and quit. Since Mrs. Alls-Moffatt oversees the Zoning Officer, she asked why this sample form was given to Mrs. Villari as opposed to her. Mrs. Alls-Moffatt asked the Solicitor if the public has a right to know if their neighbors receive a summons. Mr. Martin commented that the question as phrased by Mrs. Alls-Moffatt can't really be answered. However, Mr. Martin stated that if it is something the public can know, the answer would be yes. Mr. Martin further stated that Council would need to decide if it would be publicly reported at a Council meeting. Mrs. Alls-Moffatt asked that this issue be deferred until next week during a closed session, since she believes this is a personnel issue.

Bob E. Smyth, 1 Bank Avenue, stated that last night's budget session was very productive. Although he was involved in the preliminary budget process as apart of the Finance/Admin. Committee, he commended Council on how the meeting went yesterday. Mr. Smyth asked when the second reading on the budget would occur. The Clerk responded that second reading and a public hearing on the budget would take place on April 13.

William Harris, 502 Cinnaminson Street, stated that historically, the Chief of Police has always done a tour of duty. Mr. Harris wants to know why the present Chief of Police does not, in light of the fact that their annual budget is \$600,000.00 and rising. Mr. Harris believes this is an enormous amount of money for the Police Department that we have. Mr. Cesaretti commented that he was comparing apples with oranges, that crime is completely different today and that we have to pay for work that is required by the federal government and the state. Mr. Cesaretti stated that he would find out the reasons why our Chief cannot do a tour of duty. Mr. Cesaretti stated that he would not be at next week's meeting; however, he would have an answer by the April meeting.

Nancy Washington, 201 Main Street, commented that she thought last night's budget meeting was very productive. Mrs. Washington is upset about the legal fees that we pay. Mrs. Washington asked if private citizens are calling the Borough's attorney and if we were being billed for that. Mr. Smyth responded that our attorney's do bill us for any call received. Mr. Smyth commented that one of the larger legal costs is due to the present Dolecky/Horner litigation against the Borough. Mr. Smyth believes the other two major areas would be the Planning and Zoning Boards. Mrs. Washington asked if it was legal to tell our attorneys that we won't pay for a private citizen's call. Mr. Gilmore stated that this issue came up with a previous Solicitor and he was instructed not to do this. Mr. Gilmore thought a reminder needed to be done. Solicitor Martin will confer with Mr. Gunn about this issue.

There being no further business to discuss, Mrs. Alls-Moffatt 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 9, 2005

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 M. 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 notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

The minutes from February 2, February 9 and closed session minutes from January 12, February 2 and February 9 were then presented. Mrs. Alls-Moffatt asked that the closed session minutes from February 9 not be considered for approval tonight. Mrs. Alls-Moffatt has some questions that she would like to discuss at next month's meeting (in closed session) when the entire Council is present. Mr. Smyth then moved that the minutes from February 2, February 9 and closed session minutes from January 12 and February 2 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

Mr. Smyth moved that the attached Treasurer's & Finance Committee Reports for the month of February 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.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

In Mr. Cesaretti's absence, Mrs. Alls-Moffatt read the following report for the month of February that was submitted by Chief Norcross. Vehicle Mileage 2,421, Gas Used 322, Juvenile Arrests 1 (Assaults 0, Miscellaneous 1 and Curfew 0), Adult Arrests 11 (Criminal Warrants 0, Criminal Summons 1 and Traffic Warrants 9, DWI 1 and Other 0), Motor Vehicle Crashes 4, Motor Vehicle Stops 62, Motor Vehicle Warnings 13, Motor Vehicle Summons 68, Burglar Alarms 9, Asst. to other Police Departments 13, Animal complaints 3, Fire Calls 18 (in town 8, out of Town 10), Ambulance calls (Riverton) 25, Unattended Deaths 0, Criminal Case 20, Domestic 0, Thefts 1, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous complaints 15, Miscellaneous Calls 522, Riverton School Walk Through Security Check 20, Riverton School Teaching/School Trips 3, and Total Calls 3.

In Mr. Cesaretti's absence, Mrs. Alls-Moffatt read the following report for the month of February that was submitted by Animal Control Officer, M&R Wildlife. One dead dog was removed from Broad & Martha's Lane.

PARK, RECREATION, RECYCLING AND

ENVIRONMENTAL COMMISSION-Mr. Gilmore (No Report)

PUBLIC WORKS/SEWER-Mrs. Villari

Mrs. Villari reported that the attached seven (7) bids were received, opened and publicly read on March 8th at 10:00am. Mrs. Villari reported that the three lowest proposals were forwarded to our Solicitor for his review. Pending Mr. Gunn's review, Mrs. Villari reported that our Engineer, Dante Guzzi is recommending that we award the Base Bid and Four Alternates to Marandino Concrete Company. Mr. Gunn stated that he would review the proposals and make a recommendation at Council's April 6th meeting.

ZONING, PLANNING, CODE ENFORCEMENT &

REDEVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt reported that the Zoning Board granted Domenic Flamini (Cedar Lane Mews) a continuance on his application before the Board until March 16.

Mrs. Alls-Moffatt reported that at the Planning Board's February meeting, the Board voted to grant Robert Moccia a continuance on his application until the March meeting. Mrs. Alls-Moffatt stated that there was some question as to whether Mayor Martin, who is also a member of the Planning Board, should have initially recused himself from this application. Mrs. Alls-Moffatt reported that Mayor Martin changed his mind and did recuse himself from this application at the Board's February meeting. Mrs. Alls-Moffatt stated that there had also been some question as to whether Robert E. Smyth, who is also a member of the Planning Board, should have also recused himself. To date, Mr. Smyth has not recused himself from this application.

Mrs. Alls-Moffatt reported that the Planning Board approved the amendments to our proposed development fee ordinance.

Mrs. Alls-Moffatt reported that the Planning Board's attorney stressed the fact that the Master Plan must be reviewed. Mrs. Alls-Moffatt commented that the Board thought it could cost as little as \$3,000.00 to as much as \$10,000.00 to work on the Master Plan.

Mrs. Alls-Moffatt reported that the Planning Board approved a mitigation plan for stormwater management.

Robert E. Smyth, 1 Bank Avenue, who was present in the audience, commented that he would make the decision whether to recuse himself from the Moccia application at the next Planning Board meeting.

**SHADE TREE, HUMAN SERVICES, BOARD OF HEALTH AND
MUNICIPAL COURT-Dr. Daniel**

Dr. Daniel stated that he had nothing new to report regarding Shade Tree issues.

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 meetings and seminars throughout the month.

Regarding the Municipal Court, the following reports were submitted by Court Administrator, Laura Frick. In the month of January, 2005, 67 traffic tickets were issued—6 for parking, 61 traffic other and 0 DWI. There were 10 criminal charges filed—0 summons, 3 warrants and 4 local ord. The total receipts for the month amounted to \$10,680.00. The total disbursed to Riverton amounted to \$5768.35. For the month of February, 2005, 70 traffic tickets were issued—3 for parking, 66 traffic other and 1 DWI. There were 20 criminal charges filed, 0 summons, 2 warrants and 14 local ord. The total receipts for the month amounted to \$9,496.00. The total disbursed to Riverton amounted to \$5,641.87.

Solicitor Gunn reported that he received a letter from Palmyra's attorney regarding the lease agreement that we have with Palmyra. This pertains to the utilization of their court facilities and renting space at their Borough Hall for our Court Administrator's office. This lease expires at the end of this month. Palmyra officials would like to know what the Borough's intentions are regarding this issue. Mr. Gunn commented that since this falls under contract negotiations, he would like to discuss this issue further with Council in closed session later on in the meeting.

OLD BUSINESS

**REQUIRED RESOLUTION REQUESTING THAT THE COUNCIL ON
AFFORDABLE HOUSING (COAH) REVIEW OUR AMENDED
DEVELOPMENT FEE ORDINANCE**

Mr. Gunn reviewed this request from COAH, along with his "draft" Resolution. After a short discussion, it was the consensus of Council that this Resolution would be considered under new business tonight.

UTILIZATION OF FARMERS' & MECHANICS BANK PARKING LOT

Mr. Gunn reported that he has researched some of the issues discussed at the recent meeting of our parking committee and the President of Farmers' & Mechanics Bank, Craig

Yates. Mr. Gunn understands that a two hour parking limit would be enforced at the location in question, with anybody having permission to use the lot. Mr. Gunn explained that there first has to be a written request from the bank. The hitch is that it must go up the Department of Transportation and a site plan would probably be required. Mr. Gunn hasn't prepared this proposed agreement as of yet, because he wants Council's feelings on these issues. Mayor Martin commented that since Mr. Cesaretti and Mr. Gilmore, who are members of the Parking Committee were not present, this issue should be deferred.

FARMERS' MARKET

Mrs. Alls-Moffatt reported that Eric & Jody Goldstein would like to operate the Farmers' Market again this year at the same location. Mrs. Alls-Moffatt stated that the market season would run every Saturday from June 18 to September 10, from 8:00am until noon. Mrs. Alls-Moffatt commented that Mr. Goldstein would like Council's approval to contact vendors. Mr. Goldstein has informed Mrs. Alls-Moffatt that he has already been given approval by Joyce Taylor of New Jersey Transit to hold the market where it was located last year. Mr. Gunn reminded Council that last year, the Borough bore the responsibility for this operation, including, but not limited to, liability insurance. Mr. Gunn commented that while all the work that was done last year should apply, the access permit from New Jersey Transit needs to be reviewed. Mr. Gunn commented that he thought that last year's work to get the Farmers' Market up and running was a one time thing. Mr. Gunn explained that he thought Mr. Goldstein would be applying to the State for a special designation for this year. Mr. Gunn commented that most entities that apply for this designation are non-profit organizations. Council was then provided with an overview as to how the monies were turned into the Borough last year and specific bills that were paid regarding the market. Council was also informed that there are outstanding legal fees from last year amounting to approximately \$600.00 that have still not been paid. Mr. Gunn stressed the fact that as long as the Borough holds the permit to run the Farmers' Market, any monies received from vendors, etc. should come directly to the Borough. Both Mrs. Villari and Dr. Daniel commented that Mr. & Mrs. Goldstein need to understand what the Borough expects of them regarding the operation of the Farmer's Market before it commences. Discussion resumed. It was the consensus that Mrs. Alls-Moffatt would be the liaison to the Farmers' Market. It was also the consensus that Mrs. Alls-Moffatt and Mr. Gunn meet with the Goldstein's before our April 6th work session to review what will be required to operate the market. Council will be kept informed.

FIRE TRUCK

Fire Chief Reed reported that the new fire truck has been delivered and will be in service shortly.

NEW BUSINESS

ORDINANCE 5-05

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 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. Second reading and a public hearing on the Ordinance is scheduled for April 13, 2005 at 7:00pm

ORDINANCE 6-05

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$280,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$262,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

The above Ordinance 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. Second Reading and a public hearing on this Ordinance is scheduled for April 13, 2005 at 7:00pm.

RESOLUTION 30-05
A RESOLUTION IN SUPPORT OF IMMEDIATE AND COMPREHENSIVE
PROPERTY TAX REFORM
(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 abstained, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye.

RESOLUTION 31-05
A RESOLUTION REQUESTING REVIEW OF THE PROPOSED AMENDED
DEVELOPMENT FEE ORDINANCE FOR THE 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. Smyth. 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.

ANNOUNCEMENT OF A HOMELAND SECURITY GRANT IN THE AMOUNT
OF \$25,000.00 AND HOW THAT WILL AFFECT THE 2005 MUNICIPAL
BUDGET

Mr. Smyth announced that the Borough would be receiving this money. On the advice of our Auditor, it is recommended that we put this entire amount back into our surplus account. It was the consensus of Council to agree to this. It should be noted that our 2005 budget will have to be amended next month to include this grant money.

CORRESPONDENCE-There was no correspondence presented at this time

SIGNAGE ISSUE AT CROSS STREETS

Mrs. Villari reported that she was informed that a resident recently had an accident at the Thomas and Harrison Street location. This resident has suggested that some type of signage (stop signs) be installed on the cross streets because people are not stopping at these intersections. Mr. Villari commented that she would get together with the Police Department to determine what can be done. Mrs. Villari is cognizant of the fact that stop signs can be costly; especially in terms of having a required traffic study done that would determine feasibility. A discussion then ensued. Public Works Manager Scott Reed stated that he would also look into this issue and determine what can be done. Council will be kept informed.

MEETING OPEN TO THE PUBLIC

Scott Reed, Public Works Manager, commented that the Borough previously put money aside to re-do our portion of Morgan Avenue (Palmyra will pay for their portion). Mr. Reed would like to add Morgan Avenue (from Bank Avenue to 2nd and Elm Streets) as an alternate to our road program. It was the consensus of Council to agree to this suggestion. **James Moffatt, 202 Fulton Street**, wants to make sure that the public does not drive up the legal fees by calling our Solicitor. Mr. Gunn acknowledged that there have been some recent calls from the public pertaining to the current Dolecky/Horner litigation. This was because the Judge put his name on recent correspondence to the riverbank property owners referring them to him for any questions they might have on this specific litigation issue. Mr. Gunn stated that any other calls received by him from the public would be referred back to Council. He only does what Council authorizes him to do.

Michael Heine, 206 Carriage House Lane, believes that we do need to be frugal in how we spend taxpayer's money. However, Mr. Heine stated that we should be more concerned with particular zoning violations that are not being addressed. Mr. Heine stated that if these

violations were properly cited, the Borough would be collecting \$600.00 per day in fines. He believes attention should be given to this as opposed to a resident calling the Borough's Solicitor for some legal guidance.

RESOLUTION 32-05

**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. 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. It should be noted that Contract Negotiations, Litigation and Personnel matters 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 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 Mrs. Villari, with all present voting in the affirmative.

Mary Longbottom, RMC
Municipal Clerk

April 6, 2005

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 7:20pm), Gilmore, Cesaretti, Alls-Moffatt and Solicitor Bruce M. Gunn

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 all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 33-05

**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 Dr. Daniel, 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 contract negotiations will be discussed.

At this time Mr. Gilmore 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-Moffatt aye.

ORDINANCE 3-05

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS OF CHAPTER 128, ARTICLE XXV AFFORDABLE HOUSING DEVELOPMENT FEES

(IN FULL IN ORDINANCE BOOK)

The above Ordinance, which was previously introduced on February 2, 2005, and amended on March 2, 2005, was read by title only for the final 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 aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ORDINANCE 4-05

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTIONS OF CHAPTER 106, ARTICLE II, SEWER RATES, OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY

(IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Smyth. Mrs. Villari commented that this Ordinance provides for an increase of an additional \$100.00 in sewer charges. At this time Mayor Martin opened this portion to the public for any comment on this Ordinance.

Michael Heine, 206 Carriage House Lane, stated the definition of non-residential units and residential units in this Ordinance is very unclear. Mr. Heine raised concern over how properties are being billed for sewer. The Borough's Treasurer commented that residential properties are annually billed per unit. Non-residential units are also billed annually per unit and on water consumption. A specific calculation for water consumption is presently listed in our Sewer Ordinance. Mr. Heine believes we should determine how we compare with other municipalities regarding sewer charges before this Ordinance is adopted. He recommends holding off on any action tonight until next week. He believes we need to determine if we are charging the correct amount. Mr. Cesaretti commented that he doesn't

think it would matter what other towns charge if we already have a fixed rate. Mrs. Villari commented that over the last few years, we have realized that we are not charging our residents enough. The Treasurer also stated that we will be going to bid on a new sludge removal contract and we anticipate a substantial increase in this area. **Harvey Sklar 10 Lippincott Avenue**, asked how the Baptist Home is charged for sewer. The Treasurer responded that they are billed based on water consumption. The Treasurer further commented that during the budget process when this issue was discussed, Council had indicated that the present water consumption calculation would probably be revisited at a later time to determine if any changes need to be made. Mr. Smyth commented that we need to get this Ordinance on the books. Mr. Smyth asked if Mr. Heine would allow us to proceed, but in the next couple of months Mr. Heine or whoever else wants to do a study of the factors he has brought up can do so. Council can take another look at this ordinance at a later date. Mr. Heine stated he would be happy to do this. **Donna Tyson, 206 Carriage House Lane**, stated that she has heard that there are a number of illegal apartments in town. She asked if in conjunction with this sewer increase, if an effort could be made to take an inventory of all of the apartments in town and determine the accurate number of units. The Treasurer commented that a few years ago the Tax Collector compared the number of units in our sewer register against the Tax Assessor's records for accuracy.

Mr. Smyth suggested asking our Ad-Hoc Finance Committee to work with our Solicitor and Mr. Heine and anyone else that wants to work on the sewer matter. Mr. Gilmore and Mrs. Alls-Moffatt strongly stated that we don't need to do that. Mr. Gilmore called for a vote on this Ordinance. Mrs. Villari stated that since a resident has asked us to wait a week before considering the adoption of this Ordinance, she thinks Council should consider that request and take a vote on it. Mrs. Villari made a motion that this Ordinance be amended and reviewed this week and have Mr. Heine do whatever he feels necessary. Mrs. Villari further moved that Council should also work on the amendment and if that does not pass, we will go forward with adopting this Ordinance. Mr. Smyth seconded Mrs. Villari's motion. A poll vote was then taken. Dr. Daniel nay, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore nay, Mr. Cesaretti nay and Mrs. Alls-Moffatt nay. Mr. Gilmore called once again for a vote on adopting this Ordinance tonight. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti nay and Mrs. Alls-Moffatt aye.

Streets & Roads Issues: a. Bids received for the 2004 Community Development Block Grant Project. Mr. Gunn reported that he has reviewed the bids which were submitted on March 8, 2005 in connection with this project. Mr. Gunn stated that the lowest bidder failed to attach a copy of his Business Registration as required under the recent amendment to NJSA 40A:11-23.2 (f). Mr. Gunn further stated that he also checked with the Division of Local Government Services and they indicated to him that the Business Registration Certificate is required in such a project. Mr. Gunn further stated that the Borough's Engineer for this project, Dante Guzzi, Associates did not include the Business Registration requirement in the bid specifications for this project. Mr. Gunn is recommending that Council reject these bids and authorize Mr. Guzzi to re-advertise. After a short discussion, it was the consensus of Council to agree to the Solicitor's recommendation. Mrs. Villari commented that since our Engineer did not include the Business Registration requirement in the specifications, that he should be directed to prepare new specifications at his firm's sole cost. It was the consensus to agree to this.

RESOLUTION 34-05

A RESOLUTION REJECTING BIDS FOR THE 2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT AND AUTHORIZING THE RE-ADVERTISEMENT FOR NEW BIDS (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.

b. Application for Stormwater Grant Funding. Mrs. Villari reported that Council needs to authorize the Mayor to sign the application for potential Stormwater Grant Funding.

RESOLUTION 35-05

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE APPLICATION FORM FOR THE TIER A MUNICIPAL STORMWATER 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 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.

c. Municipal Aid Application (Centers of Place application). Mr. Gilmore reported that he would be putting this application together. He has reviewed Delanco Township's application for guidance. Mr. Gilmore reported that we would be making this application for streetscape improvements (sidewalk replacement) on the following streets: Broad Street from the Pompeston Creek to Fulton Street, Harrison Street and on the Southwest side of Main Street from Block 801 Lot 33 to 39. Mr. Gilmore stated that he would be contacting our Streets and Roads Engineer to provide estimated costs for these improvements. This is a requirement for the application process. Council will be kept apprised of this issue.

d. Update re: Broad Street Enhancement Grant. Mr. Gilmore reported that our Engineer for this project, Dante Guzzi, Associates, has submitted required information to the Department of Transportation representatives in Cherry Hill for their review and approval. Mr. Gilmore stated that a representative from the Federal Government will also review this information. If everything is okay, then Mr. Guzzi can go ahead and write up the bid package. Mr. Gilmore reported that the state will send us a letter to make sure that we have funds available to pay the contractor. After we submit verification of payment to the contractor, the State will reimburse us within thirty days.

Update Re: Farmers' Market. Mrs. Alls-Moffatt stated that she met with Jody & Eric Goldstein this week about this issue. The market is scheduled to start the first week in June. Mrs. Alls-Moffatt stated that the market is eventually going to come under the State program called New Jersey Farm Fresh. Mrs. Alls-Moffatt reported that a suggestion was made to move the market from its present location to Harrison Street between Farmers' and Mechanics Bank and the barbershop. That would mean shutting down the street. It was the consensus of Council that this would not be a good idea. Mrs. Alls-Moffatt further reported that there are still outstanding legal fees from last year in the amount of \$562.25, which Mrs. Alls-Moffatt would like to see paid. Mr. Gunn provided an overview how the market was handled last year. Mr. Gunn stated that the Borough had an agreement with New Jersey Transit, that the Borough provided insurance and that insurance certificates were required of the farmers. A discussion then ensued about the market. It was the consensus of Council that Mr. Gunn draft a list of recommended parameters that would be required before approval is given by the Council for the Farmer's Market to operate. Council will review this at next week's meeting.

Requests from 4th of July Committee. Mrs. Villari, the Council liaison to this committee, provided Council with an overview of all the festivities that will occur at this celebration. Mrs. Villari stated that the Committee would like to hold an Old-Time Outdoor Movie Show in the park on July 2nd. Although Council thought this was a good idea, the issue of additional liability insurance and Police overtime was raised. The Clerk reported that we are going to advertise the Borough's website in the 4th of July letter to all Borough residents.

Update Re: Utilization of Farmers & Mechanics Bank parking lot for Borough purposes. Mr. Gunn stated that to utilize this parking lot and ensure that we have the enforcing power under Title 39, we will have to get permission from the State. Mr. Gunn further stated that an Ordinance, site plan and plot plan are also required. Mr. Gunn further

stated that the representatives from the Bank would agree to a one year agreement with the Borough to permit and post a two hour parking limit on the respective parking lot. Mr. Gilmore commented that he would assist with the plot plan. Chief Norcross stated that he would reach out to the State Department of Transportation to assist the Borough. Council took this issue under advisement.

Auditor's recommendation to cancel certain uncashed checks. The Clerk reported that the Borough's Auditor has determined that there are old outstanding checks from the Current Account and the Municipal Court Bail Account that can be cancelled. Council reviewed specific documentation from the Auditor regarding this issue. It was the consensus of Council to concur with the Auditor's findings.

RESOLUTION 36-05

A RESOLUTION AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING CHECKS (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.

Update Re: Purchase of a 2004 Ford expedition for the Police Department. Mr. Cesaretti reported that when the 2004 Ford Expedition was delivered there were some defects on it. Chief Norcross was not satisfied with it and sent the vehicle back. The dealership decided to reissue a 2005 Ford Expedition to the Borough at no additional cost. Mr. Cesaretti requested that Council update the authorizing Resolution to reflect that we are going to purchase a 2005 Ford Expedition instead of a 2004 model.

RESOLUTION 37-05

RESOLUTION RESCINDING THE AUTHORIZATION TO PURCHASE A 2004 FORD EXPEDITION VEHICLE AND AUTHORIZING THE PURCHASE OF A 2005 FORD EXPEDITION VEHICLE FOR THE RIVERTON POLICE DEPARTMENT FROM WARNOCK FLEET, EAST HANOVER, NEW JERSEY (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 nay.

Discussion: Additional charge of \$60.00 received from the Architect for the Schematic Design Phase work on the Riverton Post Office. The Treasurer reported that Council had originally contracted with the firm of Duca, Huder & Kumlin for this preliminary design work at a fixed price of \$10,000.00. The Treasurer reported that this firm has exceeded the original fixed fee by \$60.00. The Treasurer stated that she needs Council approval to pay this additional sum. After a short discussion, it was the consensus of Council to approve this payment.

RESOLUTION 38-05

A RESOLUTION AUTHORIZING THE ADDITIONAL PAYMENT OF \$60.00 TO BE MADE TO DUCA, HUDER & KUMLIN, THE ARCHITECT FOR THE SCHEMATIC DESIGN PHASE WORK ON THE RIVERTON POST OFFICE (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. 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.

Discussion: property located at 519 Howard Street. Mr. Gilmore reported that this property has a substantial amount of trash, debris and an abandoned car on it. He would like this issue to be addressed as soon as possible. Chief Norcross commented that he was recently informed that the County Sheriff's are scheduled to evict the occupant (Mr. Robert

Stelling) from this property on April 18, 2005 and turn it over to the new owners. Chief Norcross reported that Mr. Stelling is in the process of filing for bankruptcy again. However as of right now, Mr. Stelling is scheduled to be evicted on April 18th.

Meeting open to the public

John Shaw, Riverton Police Association President, provided an overview of the progress in illuminating the flag at the park. The Riverton Police Association is incurring the costs involved with this project.

Donna Tyson, 206 Carriage House Lane, complimented the Police Department and the Public Works Department for all their efforts. Ms. Tyson stressed the fact that it is very important to support the school budget on April 19th. Regarding the Broad Street Enhancement Grant, Ms. Tyson believes our Architectural Review Committee should lend their expertise. Ms. Tyson commented that she does not like how Palmyra's Enhancement Grant project turned out. Ms. Tyson asked what happened to a previous grant application for the possible placement of a skate path at the park. Mr. Gilmore responded that the Borough did not get that grant. Ms. Tyson stressed the importance of being very careful when applying for specific grants that could potentially improve any part of New Jersey Transit's property. She is opposed to this. Ms. Tyson is not in favor of permitting a Farmers' Market to operate in the Borough. She thinks this is setting a bad precedent. Ms. Tyson reported that deliveries to the Baptist Home are restricted from 8:00am until 4:00pm. However, Ms. Tyson reported that some of these deliveries are being made prior to 8:00am. Tyson stated that the noise level from these deliveries is intolerable. Ms. Tyson reported that 20 notices of violations regarding this issue have been turned over to the Zoning/Code Enforcement Office to address. Ms. Tyson believes that only one court summons was issued by the Zoning/Code Enforcement Officer, which is totally unacceptable to Ms. Tyson.

James Moffatt, 202 Fulton Street, commented that at the last year's 4th of July celebration there were not enough chairs on the reviewing stand for the Council members. Mr. Moffatt also thought it was a disgrace that the Council members did not stay for the entire parade and just vanished. He thinks this is a disgrace.

Mr. Moffatt asked Mr. Smyth for a clarification regarding his comments earlier that anybody could be a member of the Ad-Hoc Finance committee to help with the sewer charge issue. Mr. Smyth stated that his point was that we had an Ad Hoc finance group of people who worked on budgetary items; the sewer charges just being one part. Mr. Smyth thinks we should review the issues raised tonight and then possibly refine our legislation to make it as lucrative to the town as possible. Mr. Moffatt stated that he does not feel that people should just walk into a meeting of someone's committee and state that they want to be a member of that committee. This is not a good way to conduct business.

Michael Heine, 206 Carriage House Lane, stated that the single most important officer in this town for the protection of real property is the Zoning Officer. However, Mr. Heine does not feel that our present Zoning Office (Tony Dydek) is doing his job. Mr. Heine is of the opinion that his performance is dismal and believes he should be terminated and that Council should find someone who is competent.

Mrs. Alls-Moffatt wanted to go on record that she is offended again by Mr. Heine's comments. She believes this is harassment of our Zoning Officer by Mr. Heine. Mrs. Alls-Moffatt stated that Mr. Heine is the only person that she has heard from who complains about our Zoning Officer. Mrs. Alls-Moffatt stated that for Mr. Heine to demand that Mr. Dydek be terminated is outrageous.

There being no further business to discuss, Mr. Gilmore 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

April 13, 2005

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

PRESENT: Council members Daniel, Smyth, Villari (arrived at 7:05pm), Gilmore, Cesaretti and 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 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 39-05

**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 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. 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 aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

The minutes from March 1, March 2, March 9 and closed session minutes from February 9, and March 9 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, Mrs. Villari abstained from the February 9 minutes and voted aye for all the others, Mr. Smyth aye, Mr. Gilmore abstained from the March 9 minutes and voted aye for all the others, Mr. Cesaretti abstained from the March 9 minutes and voted aye for all the others 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 March 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.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of March that was submitted by Chief Norcross. Vehicle Mileage 2,656, Gas Used 349, Juvenile Arrests 1 (Assault 0, Miscellaneous 1 and Curfew 0, Adult Arrests 10 (Criminal 2, Criminal Summons 0, Traffic Warrants 8, DWI 0 and Other 0), Motor Vehicle Crashes 4, Motor Vehicle Stops 71, Motor Vehicle Warnings 12, Motor Vehicle Summons 66, Burglar alarms 9, Asst. to other Police Departments 17, Animal Complaints 3, Fire Calls 16 (In town 4, Out of Town 12), Ambulance calls (Riverton) 24, Unattended Deaths 0, Criminal Cases 18, Domestic 1, Thefts 3, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 2, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 20, Miscellaneous Calls 508, Riverton School Walk Through Security Check 18, Riverton School Teaching/School Trips 0 and Total Calls 803.

Mr. Cesaretti read a report for the month of March that was submitted by Fire Marshal Robert Yearly. Fire calls for month 15, Drills 4, Calls in Town 8, Calls out of Town 7 and man hours for month 257.8.

Mr. Cesaretti read a report for the month of March that was submitted by M&R Wildlife. A stray dog was taken to the shelter and one dead dog was also removed.

PARK, RECREATION, ENVIRONMENTAL COMMISSION

AND RECYCLING-Mr. Gilmore

Mr. Gilmore provided an overview regarding all the maintenance being done at the park and the various courts. Mr. Gilmore reported that the Borough of Palmyra replaced one of our tennis nets. Mr. Gilmore has also ordered another net.

PUBLIC WORKS/SEWER-Mrs. Villari

Mrs. Villari reported that maintenance continues around town which includes leaf pick-up, street sweeping, fertilizing, etc.

Mrs. Villari reported that once our budget is finally adopted, we will be going out to bid for our road program. Fulton Street will be one of these streets.

Mrs. Villari reported that our 2004 Community Development Block Grant project has been re-bid. The bids are scheduled to be opened on May 5, 2005.

Mr. Villari reported that we received a Clean Communities Grant in the amount of \$4,000.00.

Mrs. Villari reported that a light was installed at Honor roll that shines on the flag.

Mrs. Villari reported that we have contacted Thomas James from the Department of Transportation regarding the yield to oncoming traffic signs. These may be placed at various intersections in Riverton to prevent cars jumping over major streets.

Regarding the new Stormwater rules, Terry Vogt of Remington & Vernick has sent over the municipal general permit that is due by May 2nd. Both Mrs. Villari and Public Works Manager, Scott Reed will review this before it is mailed out.

Mrs. Villari reported that we did not receive the Livable Communities Capital Improvement Grant that we had previously applied for. Mrs. Villari stated that over 500 applications were received seeking more than \$70 million dollars in grant money. This grant pertained to potential funding for our fire truck and the park improvements.

Regarding the 4th of July celebration, Mrs. Villari provided an overview of the schedule of activities. Mrs. Villari stated that no finalization has been reached regarding the movie show that the committee would like to provide at the park on Friday, July 2nd at 8:45pm. No decision has been reached regarding the Grand Marshall designee. There will also be a food drive to assist the Food Bank of South Jersey. Canned goods will be collected.

ZONING, PLANNING, CODE ENFORCEMENT AND

REDEVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt reported that there was no Zoning Board meeting last month.

Regarding the Planning Board, Mrs. Alls-Moffatt reported that the Board approved Mr. Moccia's site plan application for the installation of a parking lot at his property located at 300 Broad Street. Mrs. Alls-Moffatt reported that Planning Board member Birnie O'Reilly wanted to rescind the approval because she believes the decision was under a cloud. Ms. Alls-Moffatt explained that conflict of interest issues regarding Planning Board members Robert Martin and Robert E. Smyth (both are related to the person who was to have been a tenant at the Moccia location). Mrs. Alls-Moffatt reported that a question was raised at the Planning Board's meeting as to whether board member Donna Tyson had a conflict of interest because her husband, Michael Heine, had threatened to sue the Borough over the Moccia issue. Mrs. Alls-Moffatt provided additional detailed information as to what occurred at the March Planning Board meeting. Further information regarding this issue can be obtained from the Planning Board minutes on the Borough's website.

Regarding the Master Plan, The Board's Planner, Tamara Lee, does not think that a major revision is needed. It was also suggested that a joint meeting of the Planning Board and Borough Council be held to review the Master Plan and reach a consensus as to what modifications need to be made. Mrs. Alls-Moffatt reported that a tentative meeting date for this has been set for May 2nd.

Regarding Code Enforcement, Mrs. Alls-Moffatt read a report that was submitted by Tony Dydek. A court appearance for the owner of Nuway Shopping Center has been postponed until May 10th, 1 summons was issued to the Baptist Home, 2 hanger type

notices were issued for snow removal and for trash and refuse, and 1 violation was given regarding a site plan issue. This pertains to a resident's request to be able to wait until the Spring to transplant a tree. Mrs. Alls-Moffatt provided photos of a very visible sign at the Baptist Home which states that deliveries are only accepted from the hours of 8:00am and 4:00pm.

Regarding Redevelopment, Mrs. Alls-Moffatt asked Mrs. Villari for an update on the recent meeting she and the Mayor had (Mrs. Alls-Moffatt was unable to attend this meeting) with representatives from the Kaplan Group and James Brandenberger. Mrs. Villari commented that Mr. Brandenberger was not present at this meeting. Mrs. Villari stated that basically the representatives just wanted to tell Riverton about themselves and their company.

SHADE TREE, HUMAN SERVICES AND MUNICIPAL COURT-Dr. Daniel

Dr. Daniel read a report for the month of March that was submitted by Welfare Director Florence Klein. There were three clients on the rolls. Mrs. Klein attended various seminars this month and is scheduled to attend a conference in April.

Dr. Daniel read a report for the month of March that was submitted by Court Administrator Laura Frick. There were 69 traffic tickets issued-3 for parking, 66 traffic other and 0 DWI. There were 16 criminal charges filed-1 summons, 1 warrant and 10 local ord. The total receipts received for the month amounted to \$9,628.00. The total disbursed to Riverton amounted to \$5,019.67. Mr. Cesaretti commented that the numbers from the Court report may not jive with the Police report. That is because New Jersey Transit issues tickets to our town as well and we are not privy to these numbers.

OLD BUSINESS

BANK PARKING LOT

Mr. Gilmore reported that he would be preparing some required information (plot plan, photos, etc.) to turn over to the Solicitor to assist with the agreement that is being proposed to utilize this lot for Borough parking purposes. Council will be kept apprised of the situation.

STELLING AND COLLINS BUILDINGS

Mr. Gilmore reported that he has spoken to our Code Enforcement Officer regarding the trash and debris problems at these locations. Mr. Dydek will be making inspections of these properties to determine what violations exist.

CENTERS OF PLACES GRANT

Mr. Gilmore reported that we are eligible to apply for this grant. He has prepared the required documentation and will be submitting this application on behalf of the Borough.

NEW BUSINESS

Robert Stewart, the Borough's Auditor stated that Council would be amending the budget this evening. Mr. Stewart explained that Riverton received \$25,000.00 in Homeland Security Grant money. Council had previously reached a consensus to place this money in our surplus. However, the State is requiring that we utilize these funds to bring down our local municipal tax rate. Our current local municipal tax rate is at 9.9 cents. With the addition of this grant money, our local municipal tax rate will go down to 8 cents. Mr. Stewart further explained that, procedurally, Council must now hold a public hearing on the budget that was introduced on March 1 and advertised in the Burlington County Times on March 27, 2005.

PUBLIC HEARING ON THE 2005 MUNICIPAL BUDGET

Robert E. Smyth, 1 Bank Avenue, would like to know the number of calls both the Police and Fire Departments make to the Baptist Home. Mr. Smyth believes we need to figure out if their donation (payment in lieu of taxes) is appropriate for the burden that the Borough's services cost. Mr. Smyth believes there should be some discussion with the Baptist Home on this issue.

Scott Reed 421 Lippincott Avenue would like Council to consider changing the present calculation for water consumption regarding our sewer charges. Council took this suggestion under advisement.

Michael Heine, 206 Carriage House Lane, asked what has caused the projected delta in our general revenues. Mr. Stewart responded that delinquent taxes have gone up. Mr. Stewart further explained that most of the difference in our revenues comes from State grants. Mr. Heine also asked what the revenue is from the Municipal Court. Mr. Stewart responded that court revenues are \$67,000.00. Mr. Heine asked how that compares with the costs of maintaining the court. Mr. Stewart responded that salaries and regular expenses amount to approximately \$32,000.00. Mr. Stewart further stated that health benefits and other expenses also come out of this revenue. Mr. Stewart stated that the rent paid to Palmyra to utilize their facility to hold Riverton's Court and the Court Administrator's Office comes out of our Building and Grounds line item.

RESOLUTION 40-05

A RESOLUTION TO AMEND THE 2005 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 Mr. Cesaretti. Mr. Smyth stated that this Resolution would be published in full in the Burlington County Times on April 30, 2005. Second reading and a public hearing on the amendment will be held on May 11, 2005 at 7:00pm. 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.

REVIEW OF 2004 AUDIT REPORT

Mr. Stewart reported that our surplus is down \$150,000.00. Mr. Stewart stated that Council could consider passing what is called a deferred school tax. However, Mr. Stewart cautioned Council about this. Mr. Stewart believes this is a gimmick. It is merely a paper transaction that is not accepted by Wall Street nor is it accepted by generally accepted accounting principles. However, it is permitted by the State of New Jersey. Mr. Stewart explained that when this finally catches up to municipalities, tax rates will sky rocket. Mr. Stewart stated that the State is pushing for a constitutional convention to find a new way to fund the school districts. If this comes to fruition, the tax levy in the school districts will drop. If the school's tax levy drops, the deferred school tax is a real problem for towns to make up.

Mr. Stewart then cautioned Council on next year's budget. Mr. Stewart strongly urged Council to begin working on next year's budget now. Mr. Stewart explained that next year our CAP will be a 2.5% increase over this year. The Borough's salaries will exceed that 2.5%. This does not count potential insurance increases. Mr. Stewart strongly stated the need to reduce some type of expenditures. Mr. Stewart recommended getting the Finance Committee together now and getting a game plan for next year. Mr. Stewart commented that all towns will be facing similar problems. Mr. Cesaretti asked what type of things other towns will be doing. Mr. Stewart stated that they will be looking at additional revenue sources, which probably won't amount to much. Mr. Stewart stated that the schools will be facing similar problems and will be forced to cut employees. Mr. Stewart stated that by forcing these CAPS, the State is forcing municipalities to merge and look at regionalization.

Mr. Stewart informed Council that both the Clerk and the Treasurer do a fantastic job. Mr. Stewart stated that they run this town administratively. Mr. Stewart stated that it is very difficult to run a town with just 2 full-time employees. He believes both the Clerk and Treasurer should be applauded for all their efforts.

RESOLUTION 41-05

A RESOLUTION PERTAINING TO THE 2004 AUDIT REPORT (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.

ORDINANCE 5-05

**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 Mrs. Villari. At this time, Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no public comment 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. Cesaretti nay, Mrs. Alls-Moffatt aye

ORDINANCE 6-05

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING THE AGGREGATE AMOUNT OF \$280,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$262,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF
(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 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.

UPDATE ON THE PURCHASE OF THE NEW POLICE VEHICLE.

Mr. Smyth reported we still need another \$9,000.00 to complete the costs for this vehicle. Mr. Stewart stated that this money would be reappropriated from the money originally to be used for the post office.

ORDINANCE 7-05

ORDINANCE REAPPROPRIATING \$9,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE PURCHASE OF A POLICE VEHICLE BY THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON

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 aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

RESOLUTION 42-05

**A RECYCLING TONNAGE GRANT APPLICATION RESOLUTION
(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. 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-SHADE TREE COMMISSION DAY
(N FULL IN RESOLUTION BOOK)**

The above Proclamation was read in full by Mayor Martin.
UPDATE RE: FARMERS' MARKET

Mrs. Alls-Moffatt stated that she recently met with both Jody and Eric Goldstein, who want to run the Farmer's Market again this year. Mrs. Alls-Moffatt then announced that she just doesn't have the time to serve as the liaison for the Farmers' Market. Mrs. Villari volunteered to take her place.

The Solicitor reported that at Council's request, he prepared a list of proposed conditions for renewal of permission for the Farmers' Market to operate. A copy is on file with the Municipal Clerk. Mr. Gunn then reviewed these proposed conditions with Council. Mr. Gunn stated that the Borough must be protected from any major liability. Mr. Gunn commented that one of the conditions is for the Farmer's Market committee to explore the possibility of obtaining a 501 C (3) designation from the State for 2006. **Jody Goldstein, 404 Lippincott Avenue**, reported that they have already looked into this. Mrs. Goldstein stated that if they name themselves as a non-profit organization and register with the State, they would have to be insured or listed as an additional insured. Ms. Goldstein commented that registering as a non-profit agency is not costly. Purchasing the insurance would be the problem. **Nancy Washington, 201 Main Street**, believes that Council should confer with the Borough's Auditor regarding whether it is wise to operate a Farmers' Market. Mayor Martin commented that last year Borough money was used for the Farmer's Market; e.g legal fees. The Treasurer confirmed that legal fees were paid to our Solicitor regarding the market. There is a deficit of \$562.25.that is still owed by the Farmers' Market towards the balance of our solicitor's fees regarding this issue. A discussion then ensued. Mrs. Alls-Moffatt believes the Farmer's Market is a good idea. **Michael Heine, 206 Carriage House Lane** asked if there was an area of risk that is not covered by the indemnity of the Farmers' Market vendors. He asked if there has been any effort made to confirm with the underwriter's of the vendor's certificates that in fact, there is insurance in place. Mr. Gunn responded that there is a gap there. Mr. Gunn is confident that the Borough's insurance company is checking the vendors' insurance certificates. **Jody Goldstein** commented that every legal base can be covered and there will still be risk. Mrs. Goldstein reported that both she and her husband go directly to the underwriter's and get the Certificates of Insurance and they stipulate how much the coverage is for. Mrs. Goldstein stated that New Jersey Transit requires us to cover them, we cover New Jersey Transit and we require the farmers to cover us. Mrs. Goldstein stressed the fact that the farmers' are covered if there is an issue. **Donna Tyson, 206 Carriage House Lane**, feels we cannot help one entity and not help another group in town. Ms. Tyson is not anti-farmer's market; however, she feels it is their responsibility to rent the space themselves, and get their own insurance to operate a business. Mrs. Goldstein stated that the Farmer's Market is not a business. Mrs. Alls-Moffatt stated that she thought Ms. Tyson's comments were irrelevant because we have already done it for a year. Mr. Cesaretti asked if our 4th of July events are covered under the Borough's insurance. Mr. Gunn responded yes. The 4th of July committee was made a sub-committee of the Borough's Park & Recreation Committee. **Nancy Washington 201 Main Street** commented that the Friends of the Riverton Library could use assistance. Mrs. Washington stated that if our Solicitor is helping private organizations (the Farmers' Market), she wishes he could help them. She believes the library should be helped because everyone benefits from it. Mayor Martin commented that he believes Council would like to move forward with the Farmer's Market. Mayor Martin also stated that from what he has heard here tonight, he believes that the Farmer's Market committee will pay the balance of the Solicitor's bill. Mrs. Villari asked Mr. Gunn if she had a conflict serving as the liaison because she is employed by the Barclay agency, the Borough insurance agent. Mr. Gunn stated that he would take this under advisement and get back to her. **Jody Goldstein** asked Council if they were in favor of having the market and would work with her to get what is required accomplished. It was consensus of Council that the farmers' market is a good thing. Council will review the draft proposal from the Solicitor and discuss the issue at their May 4th work session.

DETERIORATION OF THE BOROUGH OWNED PORTIONS OF THE RIVERWALL AT THE BASE OF LIPPINCOTT AND LINDEN AVENUES

Mr. Gilmore informed Council of the deterioration at these locations. Mr. Gilmore commented that there was some question as to ownership. He checked with our Tax Assessor, who indicates that the Borough owns these portions down to the riverbank. Mr. Gilmore would like Council to authorize the Public Works Department to backfill the areas in questions with dirt. Scott Reed, Public Works Manager stated that he cannot do anything at these locations unless the Borough obtains a permit from the Department of Environmental Protection (DEP) and/or the Army Corps. of Engineers. Mr. Reed further stated that the only thing that he knows the DEP would permit him to place at these locations would be sandbags. Mr. Reed stated that if Council wants his Department to dump dirt at these locations, he is asking for written authorization from them to proceed. Mr. Gunn stated that we have contact people from the Army Corps of Engineers and the DEP that he will check with them on this issue. Mr. Reed stated that he was informed that if the Borough does something now while we are still in litigation with Mr. Dolecky and Mr. Horner regarding their riverwalls, it will create a conflict. Mr. Gilmore did not agree with this. Mr. Gunn commented that a Resolution could be done providing the caveat of obtaining any required permits. A discussion ensued.

RESOLUTION 43-05

A RESOLUTION AUTHORIZING THE RIVERTON PUBLIC WORKS DEPARTMENT TO PERFORM TEMPORARY REPAIRS TO THE BOROUGH OWNED SEAWALL AT THE BASE OF LINDEN AND LIPPINCOTT AVENUES (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Gilmore, who moved for its adoption, subject to any legality, such as obtaining permits. This was seconded by Mrs. Alls-Moffatt. Mayor Martin asked the Solicitor if it would be better to wait until the litigation issue is resolved. Mr. Gunn commented that if this is an emergent situation, it would be justified. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari nay, Mr. Smyth nay, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

MEETING OPEN TO THE PUBLIC

Harvey Sklar, 10 Lippincott Avenue, expressed concern over the length of time it is taking to resolve the Dolecky/Horner litigation. He asked if all of the metal that Dolecky has on his riverbank property (207 Bank Avenue) can be removed. It is dangerous and an eyesore. Mr. Gunn commented that Judge Sweeney will be determining summary judgment motions. The riverbank owners have been given the opportunity to intervene and some have opted to do this. Some have written letters. May 4th is the present date that the Judge will hear whether or not a future hearing is required. Mr. Sklar commented that he would write the Judge regarding his concerns.

Scott Reed, 421 Lippincott Avenue, suggested going out for a liquor license to have a nice restaurant in town. Mr. Reed suggested the Nuway site for this. The Clerk reported that a referendum would be required because Riverton is a dry town. Council took this suggestion under advisement.

James Moffatt, 202 Fulton, questioned the two over expenditures that were reflected in the 2004 Audit Report. The Treasurer responded that these two expenditures were outside CAP. Because of this, she could not transfer funds to cover them.

James Rivard, 304 Shrewsbury, asked the Council last Fall (2004) when a reassessment of all properties in the Borough would be done. He was told that that would take place the following year (2005). Mr. Rivard stated that he contacted the County Tax Administrator about this issue. He was informed by the County Tax Administrator that Riverton was thoroughly advised of the process and their options when he attended Council's November 3, 2004 meeting. Mr. Rivard asked Council when something would be done to rectify these inequities. Mrs. Alls-Moffatt commented that the reassessment process will be a costly one for the Borough. We need to obtain proposals from companies that do reassessments. Mr. Cesaretti reminded Council that the County Tax Administrator previously had informed us that if we do not choose to act, the County will get a court order directing us to do it. This issue will be referred back to the Finance Committee.

Bob Smyth 1 Bank Avenue, commented that he was as an ad hoc member of the Borough Finance Committee this past year. Mr. Smyth stated that this issue was going to be considered in the 2006 budget. We need to get proposals from companies that do reassessments. That would show the County that we are taking action.

Michael Heine, 206 Carriage House Lane, stated that the erosion in front of 109 Bank Avenue (Horner property) presents a serious and grievous threat of irreparable harm to the public. During the last storm the erosion of that area is now within 5 feet of the road. This is totally unprotected and hazardous. It is a danger to the pedestrians and vehicles. Mr. Heine urged Council to authorize the Solicitor to make an immediate application to Judge Sweeney for injunctive relief.

Bernard Swiderek, 305 Carriage House Lane, concurred with Mr. Heine's comments. A discussion then ensued on this issue.

RESOLUTION 44-05

A RESOLUTION TO REQUEST T&M ASSOCIATES TO CONDUCT AN INSPECTION OF THE SEAWALL LOCATED IN FRONT OF 109 BANK AVENUE IN 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 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 Mrs. Villari, with all present voting in the affirmative.

Mary Longbottom, RMC
Municipal Clerk

May 4, 2005

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 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 notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

(B) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 44-05

A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT

(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. It should be noted that personnel and contract negotiations will be discussed.

At this time Mr. Smyth moved we adjourn the closed session for now and continue at the end of the meeting. This was seconded by Mr. Gilmore, with all present voting in the affirmative.

Presentation by representatives of the County Re: River Route Marketing Program (Darlene Scocca and Michael Willman were present). Both Ms. Scocca and Mr.

Willman reported that the County is aggressively pursuing a comprehensive marketing plan for the Burlington County River Route. One of the major goals is to attract new businesses and rateables to the Route 130 corridor. They reviewed the new logo for Council's information. They detailed everything from signage and advertising to direct mail and website creation. A packet of information is on file with the Municipal Clerk.

Streets/Roads & Sewer Issues: a. Update Re: 2004 Community Development Block Grant Project. Mrs. Villari reminded Council that they had authorized Dante Guzzi, Associates, the Borough's Engineer for this project, to re-bid this project at their sole cost. Mrs. Villari reported that Mr. Guzzi is now expecting his firm to be reimbursed for printing costs associated with the re-bidding process. Mrs. Villari stated that she recommends that Council should not do this and that a Resolution re-affirming Council's position regarding this issue be done. After a short discussion, it was the consensus of Council to agree to this.

RESOLUTION 45-05

A RESOLUTION REAFFIRMING BOROUGH COUNCIL'S POSITION AS STATED IN RESOLUTION 34-05 REGARDING THE RE-BIDDING OF THE 2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT BY

DANTE GUZZI, ASSOCIATES

(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.

b. To participate in the Community Development Block Grant program for the Years 2006, 2007 & 2008. Mrs. Villari reported that we received notification of the option to participate with Burlington County in the Community Development Block Grant and

Home Investment Partnership Programs for Fiscal Years 2006, 2007 and 2008. Mrs. Villari reported that we need to do a Resolution informing the County of the Borough's desire to participate in this program. Council also needs to authorize the Mayor to sign the required agreements. It was the consensus of Council to agree to this.

RESOLUTION 46-05

**A RESOLUTION AUTHORIZING THE BOROUGH OF RIVERTON TO
EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR
COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT
ACT OF 1974**

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by 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 absent and Mrs. Alls-Moffatt aye.

c. Update Re: 2004 Road Program. Mrs. Villari reported that the Borough had withheld a portion of the amount owed the contractor until items on the respective punch list were completed satisfactorily. Mrs. Villari reported that our Engineer for this project has reviewed and inspected the completed work and is recommending that payment be made. Mrs. Villari commented that a Resolution needs to be done by Council to release the balance owed to the contractor.

RESOLUTION 47-05

**A RESOLUTION AUTHORIZING THAT THE FINAL PAYMENT OF \$3,683.89
FOR THE 2004 ROAD PROGRAM BE RELEASED TO PARAMOUNT
ENTERPRISES, INC.**

(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 absent and Mrs. Alls-Moffatt aye.

d. Update Re: 2005 Road Program (Authorization for Engineer to proceed) Mrs. Villari asked that this issue be differed until next week's Council meeting. She needs to clarify the Engineering fees for this project with our Engineer. It was the consensus of Council to agree to this.

e. Authorization for our Sewer Engineer to prepare specifications for the sludge removal contract and advertise for bids. Mrs. Villari reported that our current sludge contract expires at the end of June. We need to authorize T&M Associates to prepare the required specifications for this contract. After a short discussion, it was the consensus of Council to agree to this.

RESOLUTION 48-05

**A RESOLUTION AUTHORIZING T&M ASSOCIATES, THE BOROUGH'S
WASTEWATER TREATMENT FACILITY ENGINEER, TO PREPARE THE
SPECIFICATIONS FOR THE SLUDGE REMOVAL CONTRACT AND
AUTHORIZING THEM TO ADVERTISE FOR THE RECEIPT OF BIDS
CONTINGENT UPON THE SOLICITOR'S REVIEW AND APPROVAL OF THE
SPECIFICATIONS**

(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 absent and Mrs. Alls-Moffatt aye.

f. Update Re: Broad Street Enhancement Grant. Mr. Gilmore reported that he has been informed by Thomas Berryman of the Department of Transportation, that the agencies involved with this grant are reviewing the required documentation submitted by Dante Guzzi, Associates, the Borough's Engineer for this project. Mr. Gilmore reported that the

Federal agency would not approve any money for the placement of a gazebo at the project site. However, Mr. Gilmore reminded Council that we previously included the monies for purchase of a gazebo for this project in a Bond Ordinance that we did in 2003. Mr. Gilmore reported that if all goes well, the Borough and our Engineer should be given authorization to prepare the specifications and advertise for the receipt of bids for this enhancement project. Mr. Gilmore asked the Solicitor if we could do an authorizing resolution to have the Engineer prepare the specs for this project and advertise for the receipt of bids contingent upon receipt of the required approval from all of the agencies involved with this project. Mr. Gunn responded that Council could do that.

RESOLUTION 49-05

A RESOLUTION AUTHORIZING DANTE GUZZI, ASSOCIATES TO PREPARE SPECIFICATIONS AND ADVERTISE FOR THE RECEIPT OF BIDS FOR THE BROAD STREET ENHANCEMENT GRANT CONTINGENT UPON RECEIPT OF THE REQUIRED APPROVALS FROM THE FEDERAL STATE AND LOCAL AGENCIES INVOLVED WITH THE 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 aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

Update Re: Potential revaluation/reassessment of all properties in Riverton and authorization to obtain proposals. Mr. Smyth reminded Council that County Tax Administrator Lawrence Vituscka and the Borough's Tax Assessor, Tom Davis had reviewed the revaluation process in detail at our November 3, 2004 meeting. The last time a revaluation was done in Riverton was in 1989. Mr. Vituscka had stressed the importance at that meeting that the governing body should consider initiating the necessary steps for a revaluation on our own. Mr. Vituscka had also informed Council that if no action was taken, the County would seek to obtain court order to get Riverton to comply. Mr. Smyth also stated that one of our residents had inquired as to when we would be doing a revaluation of all properties in town at last month's meeting. Mr. Smyth obtained a list of companies that provide revaluation/reassessment services from our Tax Assessor. Mr. Smyth would like to move forward and obtain proposals for Council's review. Mayor Martin asked how sure we were that the County will force us to do a revaluation. Mr. Smyth responded that it was his understanding that the County could come down pretty hard on us to get this done. Our Solicitor commented that it is within the County's discretion as to when they would require Riverton to complete this process.

Michael Kinzler, 209 Lippincott Avenue, commented that there was a recent article in the Philadelphia Inquirer regarding this issue. Mr. Kinzler commented that there were a number of towns in Burlington County in worse situation than Riverton in terms of how long since they had a revaluation completed. Mr. Kinzler commented that this article spoke on this issue from a State level as opposed to a County level, in terms of the legal requirement. Based on statistics listed in this article, Mr. Kinzler commented that Riverton is well within the safety zone.

William Harris, 502 Cinnaminson Street, agreed with Mr. Kinzler's comments. He doubts that we have to do a revaluation. Mr. Harris then stated that if we have to do a revaluation, it can be done based on a percentage based option. You don't have to go into people's homes to gather the required information.

Discussion resumed on this issue. Both Mrs. Villari and Mrs. Alls-Moffatt commented that they understood that Riverton's time for a revaluation was near. Mayor Martin commented that he feels we are trying to balance whether people have unfair assessments versus do we want the taxpayers to spend the money for the revaluation. Mrs. Villari asked if we would be charged for any proposals submitted. The Solicitor stated that we can specify that we would like free quotes. Mrs. Villari once again voiced her concern that we could be charged for these proposals.

RESOLUTION 50-05

**A RESOLUTION AUTHORIZING THE REQUEST FOR PROPOSALS FOR THE
POSSIBLE REVALUATION/REASSESSMENT OF ALL PROPERTIES IN 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. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari nay, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

Review of Corrective Action Report pertaining to the 2004 Audit Report. Mr. Smyth reported that we are required to submit a Corrective Action Plan relative to the findings and recommendations in the Audit Report and forward that onto the State. Council reviewed this document.

**RESOLUTION 51-05
A RESOLUTION PERTAINING TO THE CORRECTIVE ACTION REPORT
PLAN FOR THE 2004 AUDIT REPORT
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only 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 4th of July activities-Authorization to permit pony rides in the park on the 4th of July. Mrs. Villari, the liaison to the 4th of July Committee reported that Council needs to consider giving the committee a waiver to hold pony rides in the park. Council agreed to this waiver.

**RESOLUTION 52-05
A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
RIVERTON GRANTING A WAIVER TO THE 4TH OF JULY COMMITTEE TO
HOLD PONY RIDES IN THE PARK ON JULY 4, 2005
(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 absent and Mrs. Alls-Moffatt aye.

Update re: Farmer's Market. Mrs. Villari commented that she cannot serve as the Council liaison to the Farmer's Market because of insurance issues. Mr. Smyth has now volunteered to serve in this capacity. Council reviewed the parameters prepared at Council's request by the Solicitor. Mr. Gunn stated that we will need to review the access permit required by New Jersey Transit. Council took this issue under advisement and will discuss it at next week's meeting.

Review of Draft agreement with Farmers' & Mechanics Bank Re: Parking Issue. Mr. Gilmore suggested eliminating the two hour parking limitation, with respect to individuals who would utilize said lot. However, Mr. Gunn commented that if Council desires to retain the two hour parking limit, the Bank's owner would have to submit a written request to the Borough to have this enforced under Title 39. A Resolution would have to be done by Council. This would not have to be done if there is no parking limitation. Mr. Gunn commented that a basic agreement still needs to be done to utilize this parking lot. Mr. Gunn further stated that our insurance agency needs to review this agreement for any additional insurance charges. Both Dr. Daniel and Chief Norcross favor the two hour parking limit. A discussion ensued regarding this issue. Mr. Gilmore withdrew his suggestion regarding the parking limitation.

**RESOLUTION 53-05
A RESOLUTION TO APPROVE AN AGREEMENT WITH FARMERS AND
MECHANICS BANK RELATIVE TO THE BANK PARKING LOT AT LOT 12.02
BLOCK 1102 IN THE BOROUGH OF RIVERTON**

(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 abstained, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye.

Update Re: Smart Growth Grant. Council reviewed the revised scope of work for our Smart Growth Grant (Redevelopment) that was submitted by Planner, Tamara Lee. A discussion then ensued with questions and concerns being raised regarding the proposed timeline for the completion of this project as well as the Borough's in-kind services for this project. Strong concern was voiced that this grant must be completed or the Borough might be asked to return the grant money. It was the consensus of Council that Ms. Lee be asked to attend next week's meeting to answer questions from Council.

Preliminary Agenda for May 11, 2005. The Clerk reviewed this with the Governing Body.

Meeting open to the public

William Harris, 502 Cinnaminson Street, reported that the curbing along the park is falling apart. He would like this issue addressed. Mr. Harris also suggested that we vacate these curbs.

Robert E. Smyth, 1 Bank Avenue, recommended obtaining information from municipalities such as Cherry Hill who were faced with a court order to get their revaluation done. Mr. Smyth didn't think anything was wrong by us getting proposals.

James Moffatt, 202 Fulton Street, asked for information regarding the Dolecky/Horner litigation. Mr. Gunn reported that Judge Sweeney determined that the area between the riverbank and Bank Avenue is private property. The Borough had argued that the deeds from the 1850's gave a public easement-the right for the public to be on there for recreation, etc. Judge Sweeney did not concur. Mr. Gunn reported that Judge Sweeney did not decide whether it would be considered a prescriptive easement because that wasn't briefed. The argument could be made that the claim of inverse condemnation would fail because the property owners couldn't show any public taking of the property. The Judge stated that the only taking that was presented was the fact that the Borough had widened Bank Avenue at one time. However no proof was provided as to what size Bank Avenue was in the beginning. Mr. Gunn stated that the Judge has not signed an order yet. Mr. Gunn further stated that since Judge Sweeney had made the private property determination, the Judge asked the attorney for Dolecky/Horner what they were going to do about their seawalls. Mr. Gunn stated that there was an argument about the viability of our seawall ordinance. Mr. Gunn stated that Judge Sweeney has not ruled as to whether our ordinance is ultra virus. Judge Sweeney wants the Borough to submit what it takes to get a permit from the Army Corps of Engineers to do work on the respective riverwalls. We also need to submit information regarding the erosion problem. Mr. Gunn reported that we will point out to the Judge that there has been some more recent erosion at the location of 109 Bank Avenue. Mr. Gunn reported that the Judge also raised some other arguments, such as preemption. This means that the Army Corp. of Engineers and the Department of Environmental Protection could have regulatory controls regarding the seawall. This could mean that the Borough's seawall ordinance isn't given full enforcement. Mr. Gunn stated that we would argue that our seawall ordinance is necessary. Council will be kept apprised.

Scott Reed, Public Works Manager, suggested that we send a letter to Mr. Horner, 109 Bank Avenue, informing him of the hazardous erosion problems at his riverwall location. Mr. Gunn stated that it is the Judge's feeling that we should not write letters to either Mr. Dolecky or Mr. Horner or cite them during the litigation process. Mr. Gunn stated that we would have to go through their attorney's regarding this issue.

Michael Heine, 206 Carriage House Lane, stated that he was delighted to hear the findings that Mr. Gunn shared with Council regarding the Dolecky/Horner litigation. Mr. Heine recommended that Council authorize the Solicitor to make an immediate application

for injunctive relief to judge Sweeney so that he fully understands that this community is very concerned about the public safety issues at the Dolecky/Horner riverwalls in question.

Regarding the relocation of the Court, Mr. Heine asked if any consideration was made to using the school to hold court. Dr. Daniel reported that the Administrative Offices of the Court, in conjunction with Judge Sweeney, have stated that it can't be done. The school doesn't meet the criteria to hold court.

Mr. Heine reported that there have been rumors of police resignations. He asked if there was any truth to do this. Chief Norcross responded that there have been no resignations from his Department.

Regarding the Broad Street Enhancement Grant, Mr. Heine raised concern that patrons of Zena's Bakery will have trouble entering and exiting her parking lot after the project is completed. Mr. Gilmore commented that the Borough's Engineer for this project designed the traffic pattern at this location. Mr. Gilmore believes the present parking problems will be alleviated.

Robert E. Smyth, 1 Bank Avenue, reported that Palmyra's portion of the riverwall near his property is collapsing. He contacted their Mayor about this issue and was informed that Palmyra received an infrastructure and shoreline preservation grant. They will be fixing the wall at the location in question as well as Palmyra's riverwalls down to Cinnaminson Avenue. Mr. Smyth volunteered to talk to Palmyra officials to find out what they had to do to qualify for this grant. Perhaps Riverton could do the same thing.

At this time Mr. Gilmore moved that we return to closed 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 absent and Mrs. Alls-Moffatt aye. Discussion resumed regarding contract negotiations.

At this time Mr. Gilmore moved that we return to open session. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari absent (left meeting at 10:00pm), Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

RESOLUTION 54-05

A RESOLUTION FOR THE LEASE OF THE COURTROOM AND COURT FACILITIES OF CINNAMINSON TOWNSHIP (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 (left meeting at 10:15pm), Mrs. Villari absent, 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 we adjourn the meeting. This was seconded by Mr. Gilmore, with all present voting in the affirmative.

Mary Longbottom, RMC
Municipal Clerk

May 11, 2005

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

PRESENT: Council members Daniel (left meeting at 7:30pm), 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 notification of all meetings to be held in 2005 published in the Burlington county Times on December 29, 2004

(B) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 56-05

**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 personnel and litigation will be discussed

At this time Mr. Cesaretti 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.

The minutes from April 6, April 13 and closed session minutes from April 6 and April 13 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 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 and Finance Committee Reports for the month of April be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, 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 April that was submitted by Chief Norcross. Vehicle Mileage 3102, Gas Used 348.5, Juvenile Arrests 2 (Assaults 0, Miscellaneous 1, Curfew 1), Adult Arrests 18 (Criminal Warrants 2, Criminal Summons 0, Traffic Warrants 12, DWI 4, Motor Vehicle Crashes 4, Motor Vehicle Stops 88, Motor Vehicle Warnings 3, Motor Vehicle Summons 107, Burglar Alarms 10, Asst. to other Police Departments 16, Animal Complaints 5, Fire Calls 22 (In-town 7, Out of Town 15), Ambulance calls (Riverton) 27, Unattended Deaths 0, Criminal Cases 32, Domestic 1, Thefts 5, Burglaries 0, Assaults 1, (Police Officers 0, Firefighters/EMT 0 & Civilian 1), Sexual Assaults 0, Criminal Mischief 2, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 28, Miscellaneous Calls 562, Riverton School Walk Through Security Check 20, Riverton School Teaching/School Trips 0 and Total Calls 953.

Mr. Cesaretti reported that there were no calls to M&R Wildlife, the Borough's Animal Control Officer for the month of April.

PARK, RECREATION, RECYCLING &

ENVIRONMENTAL COMMISSION-Mr. Gilmore

Mr. Gilmore reported that we are continually working to maintain the park. Mr. Gilmore reported that a couple of benches have been ordered for the tennis courts. These

courts have been repaired. Some dogwood trees will be planted at the park. We are still getting prices for some fencing to be placed in the park.

Mr. Gilmore reported that the Environmental Commission, who has concerns with the proposed Cedar Mews development site, is working with the owner on respective issues.
PUBLIC WORKS/SEWER-Mrs. Villari

In Mrs. Villari's absence, the Clerk read the attached list of bids that were received, opened and publicly read on May 5, 2005 at 10:00am. The Clerk reported that the Borough's Engineer for this project, Dante Guzzi, recommends the awarding of the contract to Ocean Excavating, Inc., the lowest bidder. Mr. Gunn reported that he has reviewed the bids and everything was in order. He recommended that Council award to the lowest bidder, subject to final approval from our Public Works Committee.

RESOLUTION 57-05

A RESOLUTION OF THE BOROUGH OF RIVERTON AUTHORIZING THE AWARD OF CONTRACT FOR THE 2004 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT TO OCEAN EXCAVATING, INC. OF TOMS RIVER, 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 absent, Mrs. Villari absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ZONING, PLANNING, CODE ENFORCEMENT & REDEVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt reported that Code Enforcement Officer, Tony Dydek will be doing a sidewalk and curb survey on various streets throughout the Borough.

Mrs. Alls-Moffatt reported that the Zoning Board granted a continuance on both the Flamimi and Brandenberger site plan applications until next month. Mrs. Alls-Moffatt reported that the Chair of the Zoning Board raised concern that the escrow charges may not be enough. Mrs. Alls-Moffatt stated that we will need to look into this.

Mrs. Alls-Moffatt reported that the Planning Board gave final approval to Robert Moccia regarding his site plan application. Mrs. Alls-Moffatt reported that Planning Board member Donna Tyson has indicated that a draft of the new fence ordinance has been completed. Planning Board member Bob E. Smyth suggested that as the Master Plan is being revised, that Borough officials should not forget the traffic that will be generated by the new development in Cinnaminson Township.

SHADE TREE, HUMAN SERVICES & MUNICIPAL COURT-Dr. Daniel

The following Human Services report for the month of April was submitted by Welfare Director, Florence Klein. There were six clients on the rolls. Mrs. Klein attended various seminars and conferences during the month.

The following Municipal Court report for the month of April was submitted by Court Administrator, Laura Frick. There were 100 traffic tickets issued—7 for parking, 90 traffic other and 3 DWI. There were 13 criminal charges filed—0 summons, 3 warrants and 10 local ord. The total receipts for the month amounted to \$10,221.00. The total disbursed to Riverton amounted to \$4111.81.

Mr. Gunn reported that a letter has been received from Palmyra's Solicitor regarding the interlocal agreement we had with them to utilize their facilities for our court and to house our Court Administrator. Palmyra will now grant us an extension (pending re-negotiations of the present agreement) until September 13, 2005.

OLD BUSINESS LIBRARY

Mrs. Alls-Moffatt reported that she was under the impression that the County library system picked up the entire tab for our library operations. That is not the case. Mrs.

Alls-Moffatt explained that the library has a \$50,000.00 budget that has to be raised locally. She believes we should consider in our next budget to increase the amount of money we give the library. This issue was taken under advisement.

Update: Re: Revaluation of all properties in the Borough. Mr. Gilmore reported that he will be talking to Moorestown Township's Tax Assessor to obtain information on their revaluation process. He will report back to Council. Mr. Smyth reported that our Tax Assessor has put together a form letter that will be submitted outlining what we would be doing regarding our revaluation. He will be helping us to get our tax maps in order for the review process. We will solicit proposals from three firms. Mr. Smyth reported that we are under a County mandate to do the revaluation within the next 4 or 5 years. We are taking the preliminary steps to get this process started. Mr. Cesaretti stated that he understands it is mandated to do the revaluation; however, he doesn't want to wait that long to get this process done. Mr. Smyth stated that we have to show the County that we are taking steps to move forward with the process. Mrs. Alls-Moffatt thought we have to take the steps this year, so that next year the process will be in place. Mayor Martin commented that it is a bone of contention as to when the County might force us to do the revaluation. Mr. Smyth commented that the Tax Assessor would be putting a packet together. Mr. Cesaretti reiterated his position that he wants to make sure that we aren't going to drag our feet regarding this issue.

POSSIBLE ACQUISITION OF THE POST OFFICE FOR MUNICIPAL PURPOSES

Mrs. Alls-Moffatt stated that she would like to have further discussions regarding this issue. She understands that the postal service has indicated their desire to do a swap—the post office building for our present municipal building. Mr. Smyth moved that either at the June 1 or July 6 meeting the entire matter regarding the post office be discussed for purposes of preparing an item on the November 2005 ballot to which the citizens of Riverton can voice their support or objection. Mr. Gunn reminded Council that any public question would have to be decided by Council's August meeting. It is not

easy to phrase a question to be placed on the ballot. Mr. Smyth thought this issue could be discussed at Council's June 1 meeting. Mr. Gilmore seconded Mr. Smyth's motion. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

NEW BUSINESS

PUBLIC HEARING ON AMENDMENT TO THE 2005 MUNICIPAL BUDGET-AUDITOR PRESENT

Auditor Robert Stewart announced that Riverton had received \$25,000.00 in homeland security aid from the State. The State informed us that this money was to be used to reduce our tax rate. Mr. Stewart reported that was the reason our budget had to be amended. Mr. Stewart reported that the local municipal tax increase will be 8 cents as opposed to 9.9 cents. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this amendment. Since there was no public comment on this amendment, Mayor Martin closed this portion of the meeting to the public.

RESOLUTION 40-05

A RESOLUTION TO AMEND THE 2005 MUNICIPAL BUDGET (IN FULL IN RESOLUTION BOOK)

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

RESOLUTION 58-05

A RESOLUTION TO ADOPT THE 2005 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 Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

RESOLUTION 59-05

A RESOLUTION AUTHORIZING REMINGTON, VERNICK AND ARANGO TO PROCEED WITH THE 2005 ROAD PROGRAM AND PREPARE THE REQUIRED SPECIFICATIONS FOR THE PROJECT (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. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

FARMER'S MARKET-It was the consensus of Council to table this issue until the June 1 work session meeting.

ORDINANCE 7-05

AN ORDINANCE REAPPROPRIATING \$9,000 OF PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE PURCHASE OF A POLICE VEHICLE BY THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read for the second time by title only by Mr. Cesaretti 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.

Lawrence Morgan, 427 Elm Avenue, asked what kind of vehicle this was. Mr. Cesaretti responded that it is a 2005 Ford Expedition. There being no further 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 absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye, and Mrs. Alls-Moffatt aye.

DISCUSSION: SMART GROWTH GRANT-(REDEVELOPMENT) TAMARA LEE, PLANNER PRESENT)

Mayor Martin stated that one of Council's concerns about this revised scope of work was the Borough in-kind services. Ms. Lee responded that this means there won't be any cash out of pocket expenses to the Borough. It's the value of time she put on the time that Borough officials, residents, etc would spend on meetings to discuss various proposals from developers. Ms. Lee stated that you have to include a 25% matching component. Ms. Lee explained that it is either cash or in-kind services. Mr. Gilmore asked how we would move forward with the grant process. Ms. Lee stated that the way this scope of work is written, the first thing to be done is to complete the redevelopment plan and get it adopted. We then need to develop conceptual design plans for the entire redevelopment area. Ms. Lee reported that the State has expressed its concern that the work we are proposing here is less work than is needed for the grant. Because of this, Ms. Lee recommended we include the entire redevelopment areas in the scope of work. Ms. Lee stated that when it comes to the issue of bids to developers, you can focus on a portion of the redevelopment areas and move forward that way. Ms. Lee stated that she would do the up front planning for the entire redevelopment areas. Mayor Martin asked if Council needed to do a resolution to go forward with this. Ms. Lee stated that she needs Council's approval to send this scope of work to the State. Ms. Lee reported that the State has asked Council to do a Resolution which commits them to following through with this grant project. Mr. Gunn commented that if this scope of work would be changed without the State's permission, they could theoretically ask for the grant money to be returned. Ms. Lee also stated that if Council were to stop work on the grant before it is completed, the State could also ask for the money back.

Michael Heine, 206 Carriage House Lane, believes this is a very serious commitment. The public should have access to this proposal before Council commits to it.

Mrs. Alls-Moffatt commented that it is Council's choice whether to move forward with this grant process or run the risk of having to return the money. Ms. Lee stated that there is a time issue here. The State has been calling her regarding the grant's status. Ms. Lee commented that she does not have a problem sharing this scope of work with the public. It was the consensus of Council that Ms. Lee forward the revised scope of work to the Department of Smart Growth.

RESOLUTION 60-05

A RESOLUTION TO APPROVE A REVISED SCOPE OF WORK FOR THE SMART GROWTH GRANT IN THE 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 absent, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye

CERTIFICATE OF APPRECIATION PRESENTED TO BOROUGH COUNCIL FROM THE PALMYRA, CINNAMINSON, RIVERTON EMERGENCY MEDICAL SERVICES

Chief Norcross presented a plaque to Borough Council in appreciation of devotion and invaluable services to Palmyra, Cinnaminson, Riverton Emergency Medical Services. **CORRESPONDENCE**-There was no correspondence presented at this time.

RESOLUTION 61-05

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RIVERTON TO HOLD ONLY ONE MEETING DURING THE MONTHS OF JULY AND AUGUST OF 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 absent, Mrs. Villari absent, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

UPDATE RE: HOLDING CLOSED SESSION'S AT THE BEGINNING OF THE COUNCIL MEETING.

Mr. Cesaretti stated that he likes holding the closed session portions at the beginning of the meeting instead of at the end. He asked how Council felt about this. Mayor Martin stated that he feels it is working. It was the consensus of Council to continue with this.

MEETING OPEN TO THE PUBLIC

Iris Gaughan, 401 Main Street, raised concern, once again that the clock at the triangle location that is not working. Mr. Gilmore stated that we are still waiting for final approvals from various state and federal agencies to proceed with the Broad Street Enhancement Grant. Upon completion of this project, the clock will be operational. Mrs. Gaughan commented that she has heard this before and wondered if the problem lies with the Council.

Mrs. Gaughan doesn't understand why we don't have flower baskets hanging from our gas lamps anymore. While Mrs. Gaughan acknowledged that watering the plants was probably the major reason why we stopped it, she believes more effort should be made to try and get this accomplished. She believes the plants beautify our business district. Mrs. Gaughan cited other municipalities that have these types of plants and keep them watered.

Ms. Gaughan also feels we should do a better job of marketing our businesses in town.

Michael Heine, 206 Carriage House Lane, asked what happened to the summons that were issued to the owner of Nuway Shopping Center and postponed until May 10. Mr. Heine asked for a follow-up regarding this issue. Mrs. Alls-Moffatt stated that this was

postponed until the owner retains an attorney. In the future Mr. Heine would like follow-ups on notices of violation issued by the Zoning/Code Enforcement Officer.

Mr. Heine asked to review the base bids for the 2004 Community Development Block Grant project. The Clerk reviewed them again. Mr. Heine asked if there was an engineer's estimate for this project. Mr. Gunn stated that this is a grant in the amount of \$85,000.00. Mr. Heine thinks we should reconsider the award until we are sure the engineer did estimates for this project.

Mr. Heine asked what the rent will be for the court and Court Administrator to remain in Palmyra until September. Mr. Gunn stated that that has to be negotiated. Mr. Gunn stated that we are now paying Palmyra \$650.00 per month.

William Harris, 502 Cinnaminson Street, doesn't think Council should rely on the Tax Assessor regarding the proposals for a revaluation. Mr. Harris does not believe a costly revaluation of all properties in town is necessary. Mr. Harris did comment that he believes there would be a cost savings to the Borough if Council considers doing a reassessment by percentage. Mr. Harris stated that this was done in Palmyra a number of years ago.

Mary Anne Shea, 205, Bank Avenue, asked if the Zoning Officer's file pertaining to violations is open to the public. Mrs. Alls-Moffatt stated yes. The Clerk stated that a request form needs to be filed first.

James Rivard, 304 Shrewsbury Lane, disagreed with Mr. Harris' comments. Mr. Rivard strongly believes a revaluation needs to be done now. He asked Council when they would proceed with the process. He doesn't believe everybody in town is paying their fair share of taxes. Mr. Rivard stated that he will not accept Council's vague references about when they will authorize a revaluation. Mr. Rivard believes the Borough is long overdue in this regard. Mr. Rivard stated that he will spend the money necessary to get legal relief in this situation. He believes Council is dragging their feet on this issue.

Margaret Wark, 406 Howard Street, expressed her opposition that this year's 4th of July festivities will include a Food Drive for the Food Bank of South Jersey. Mrs. Wark feels that by making a donation to the food bank, people will not make monetary donations to the 4th of July committee to help defray the costs for the parade. Mrs. Wark stated that she has spoken to Mrs. Villari, Council's liaison to the 4th of July Committee about her concerns.

Regarding the possible acquisition of the Post Office, Mrs. Wark asked if the public would be given detailed information regarding how much it would cost to renovate and remediate that building prior to a public question being placed on the November ballot. Mr. Smyth responded yes.

Gordon Reeves, 437 Elm Avenue, is concerned about the Jamco Transmission building. Ward fuel has been given permission by the Planning Board to occupy that building. Mr. Reeves is concerned about the fuel oil delivery trucks that back up against the back fence bordering his father's property. If that tank leaks we have a hazard. He didn't know the Planning Board was permitted to change the use of that building without the knowledge of the residents around the area in question. Mr. Reeves stated that he never received notice and questioned why this was allowed to happen. Mrs. Alls-Moffatt stated that she would look into this and get back to Mr. Reeves.

Albert Reeves, 437 Elm Avenue, also commented that he didn't think Ward Fuel Company is permitted to park their trucks in a residential area. Mrs. Alls-Moffatt will also look into this concern.

There being no further business to discuss, Mr. Gilmore 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 1, 2005

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

PRESENT: Council members Villari (arrived at 7:10pm), Smyth, Gilmore (arrived at 7:04pm), 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 Notice Act, has been given by the Municipal Clerk in the following manner:

(a) Having written notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 62-05

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

At this time Mr. Cesaretti moved that we return to public session. 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.

COAH ISSUES: a. Revised spending plan for the Borough of Riverton. Mrs. Alls-Moffatt reported that the Borough is required to approve a revised spending plan as a condition of the State's approval of our revised development fee ordinance. Mrs. Alls-Moffatt reported that the Planning Board adopted a revised spending plan for the Housing Element and Fair Share Plan for the Borough by Resolution at their May 17th meeting.

RESOLUTION 63-05

**A RESOLUTION REQUESTING REVIEW OF THE REVISED SPENDING PLAN FOR THE 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. 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 64-05

**A RESOLUTION AUTHORIZING THE TREASURER TO OPEN A SEPARATE INTEREST BEARING HOUSING TRUST FUND ACCOUNT AT FARMERS' & MECHANICS BANK
(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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

c. Review of memo from Tamara Lee, Planner, regarding the Zoning Board's approval of the Brandenberger application Our Solicitor requested that this issue be tabled by Council for now. He needs to confer with the Zoning Board's Attorney. Mr. Gunn stated that he thinks there may be an appeal to the Board's decision regarding this application. Since Council would be the appealing body, he doesn't want Council to

discuss this issue now or render an informal opinion. Council will be kept apprised of this issue.

RESOLUTION 65-05

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A NEW JERSEY ACCESS PERMIT NUMBER 05-364 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 title only by Mr. Cesaretti, 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.

Discussion: Joint meeting (one hour) of Borough Council and the Planning Board on June 8 at 6:00pm Re: Master Plan

Mrs. Alls-Moffatt reported that the Planning Board has requested this special meeting. Mrs. Alls-Moffatt reported that the Master Plan subcommittee of the Planning Board had their first meeting last night. It was a very good meeting and Mrs. Alls-Moffatt anticipates that this will go smoothly. Mr. Gilmore stated that he objects to having this joint meeting. Mr. Gilmore does not think anything will be gained in one hour. Mr. Gilmore also feels that the Planning Board is a divisive group. Mr. Gilmore believes our Master Plan is a very good plan. Mr. Gilmore does not feel that much work needs to be done to the plan during the reexamination process. Mayor Martin stated that the Planning Board is concerned that they will put together a plan and that Council might have problems with it. That is why they want to have this joint meeting, so that Council can give them input during the early stages of working on the plan. The Clerk will take care of advertising this special meeting in the Burlington County Times.

Suggested revisions to our Zoning Ordinances. Mr. Gilmore suggested changing the Zoning for the National Casein property (Block 1500 Lot 2) to a park designation. Mr. Gilmore distributed material for Council to review. Mr. Gilmore stated that on one portion of this property is a piece of Dreer's nursery. Mr. Gilmore believes part of the property could be used to house the public works vehicles. Mr. Gilmore stated that the warehouse on this property could be utilized for indoor soccer or basketball. He believes this would be a great recreational source for the Borough. The property would also give us a field somewhere around 300x500. This could also be used as a soccer field. Mr. Gilmore stated that there are other parts of this property that could be developed for senior citizen housing, professional offices or retail space. Mr. Gilmore believes that the income we would get from this would be three times the income we are already getting now from National Casein in taxes. Mr. Gilmore suggested that the members of Council review what he distributed, and take the time to look at the National Casein property. Mr. Gilmore would like to discuss this issue at next week's meeting. He believes this would be a wonderful opportunity for us. Mr. Smyth asked the Solicitor if Council could proceed with making these types of changes while National Casein is still the owner. The Solicitor stated that yes, Council can consider zoning changes. The owners would have to be given notice to voice any objections. Mayor Martin asked if this zoning change were to be made, could the zone designation be changed again when a developer comes to us. Mr. Gunn stated yes, our zoning ordinance would have to be amended at that time.

Update Re: Possible revaluation of all properties in Riverton. Mr. Smyth reviewed a sample packet of information prepared by our Tax Assessor that will be included with our request for proposals. Mr. Smyth also reviewed a list of potential companies that do revaluations and reassessments.

RESOLUTION 66-05

A RESOLUTION TO PROCEED WITH THE REQUEST FOR PROPOSALS FOR THE POSSIBLE REVALUATION/REASSESSMENT OF ALL PROPERTIES IN 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 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.

Update Re: Broad Street Enhancement Grant. Mr. Gilmore reported that Mrs. Alls-Moffatt, Mrs. Villari and himself met with our Auditor to discuss this grant. Mr. Gilmore stated that while this is a reimbursable grant, the Borough still needs to have the monies in place for the project. Mr. Gilmore reported that it is the Auditor's recommendation that Council authorize that we obtain a grant anticipation note in the amount of the grant, contingent upon receiving the necessary approvals from the County State and Federal agencies who oversee this grant. Mr. Gilmore reported that the interest on this grant would have to be considered as part of next year's budget.

RESOLUTION 67-05

A RESOLUTION AUTHORIZING THAT A GRANT ANTICIPATION NOTE IN THE AMOUNT OF \$335,000.00 BE OBTAINED FOR THE BROAD STREET ENHANCEMENT GRANT PROJECT CONTINGENT UPON THE RECEIPT OF FINAL APPROVAL BEING RECEIVED FROM THE COUNTY, STATE AND FEDERAL AGENCIES OVERSEEING THIS 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 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: Possible donation of three Borough computers (no longer needed) to the Palmyra, Cinnaminson, Riverton Emergency Medical Services. The Clerk reported that this organization has made a written request asking that Council consider donating these computers to them. These computers are no longer needed by the Borough. The Solicitor stated that the statutes require that we sell these computers for a nominal consideration. Mr. Gunn suggested the sum of \$1.00. Council concurred with this

RESOLUTION 68-05

A RESOLUTION TO SELL BOROUGH COMPUTERS FOR NOMINAL CONSIDERATION (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.

RESOLUTION 69-05

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

RESOLUTION 70-05

A RESOLUTION AUTHORIZING THE HIRING OF PARK PERSONNEL FOR THE 2005 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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Discussion: Room reservations for the League conference Atlantic City on November 15-18 of this year. At this time only Mr. Cesaretti and Mrs. Alls-Moffatt requested that room reservations for them be made for November 16 and 17.

Preliminary agenda for June 8. The Clerk reviewed this with the Governing Body.

Police Department Announcements

Mr. Cesaretti announced that Patrolman Matt Kirk received his Bachelor of Science degree for Criminal Justice from Penn State University

Mr. Cesaretti announced that the Department submitted and the Borough received a Domestic Violence Training Grant in the amount of \$2,500.00.

Chief Norcross announced that there has been a rash of burglaries over the last 24-48 hours. Most of these occurred on the river side of the Borough on Fulton Street, Second Street and Thomas Avenue. Chief Norcross encourages residents to keep their homes secure and to inform the Police Department if they will be on vacation. There is a specific form that a resident can pick up at the Department for this. It will also be placed on the website.

Chief Norcross announced that his Department has negotiated a computer consulting services contract with Networks Plus of Palmyra. Chief Norcross stated that the proposed contract has been reviewed by the Borough's Solicitor. Mr. Gunn commented that he has some recommended revisions that he would like reflected into this agreement before Council approves it. A short discussion then ensued. It was the consensus that Council be given more time to review the documentation before a decision is reached. This issue will be placed on next week's agenda for consideration.

Mr. Gilmore queried the Chief regarding the large trucks trying to get down Main Street and what can be done to remedy this situation. Chief Norcross stated that he has contacted the County Engineer to obtain "No Truck Route signs for Main Street.

Dolecky/Horner Litigation. Mr. Smyth asked Mr. Gunn to summarize recent correspondence received about this case. Mr. Gunn reported that the Judge ruled that the property between Bank Avenue and the river is private property. The Judge upheld the validity of the Borough's riverwall ordinance. The Judge has ordered Dolecky/Horner to obtain permits from the Army Corp of Engineers within 20 days of the final order. One hundred twenty (120) days from that date Dolecky/Horner must rebuild their riverwall. Mr. Gunn stated that if this is not done by that timeframe the Borough has a right to enforce its ordinance either by penalties or fines. The Borough could also fix the walls and attach a lien to the properties. Mr. Gunn stated that Judge Sweeney has not signed the order yet. Mr. Gunn stated that this order can be appealed within 45 days from the date that the order is signed. Council will be kept apprised of this issue.

Farmers' & Mechanics Bank Parking Issue. Mr. Gunn reported that he would be preparing a Resolution for next week's meeting that will permit us to enforce Title 39 regarding parking on the Bank parking lot on Harrison Street.. Mr. Gunn reported that the President of the Bank has signed the agreement, conditioned upon the Department of Transportation approving the application regarding Title 39 enforcement.

Meeting open to the Public

Michael Heine, 206 Carriage House Lane, raised concern about Mr. Gilmore's suggestions that the National Casein property be turned into a non-productive park. Mr. Heine asked Mr. Gilmore what the taxes are on that piece of ground. Mr. Gilmore responded that he did not know. Mr. Heine believes that Council members should be discouraged from making personal and nasty remarks. Mr. Heine is opposed to turning productive rateables into non-productive park land, without giving any thought to what the costs would be.

Mr. Heine made a proposal to Council to purchase the First Church of Christ Scientist on Main Street, Cinnaminson, New Jersey for use as our Borough facility. Mr. Heine commented that a portion of this property is in Riverton. Mr. Heine believes Council should consider this purchase immediately. The Church is 5000 square feet and could provide as many as sixty parking spaces. Mr. Heine would like to address Council about

this issue in closed session tonight. Mr. Hein stated that the demand price of the church is \$800,000.00 and he believes the property could be instantly useable. Mr. Heine estimates that it would only cost \$100,000.00. to renovate the church for our use.

Sgt. Gerry Furrer, informed Council that the Police Department received approval from the Construction Official regarding their lighting project in the park.

Tom McAvenia, 802 Main Street, requested that Council consider doing a Resolution that strongly opposes the Department of the Army's Plan to dump the Byproduct of VX into the Delaware River. Mr. McAvenia reported that VX is a liquid with a consistency of mineral oil that can kill a healthy adult male with a single pinpoint droplet. Mr. McAvenia provided Council with detailed information for their information. After a short discussion, it was the consensus of Council that the Solicitor draft a Resolution and that it placed on next week's agenda for action

Donna Tyson, 206 Carriage House Lane, stated that she supports Mr. McAvenia's request of Council regarding the VX Byproduct. Ms. Tyson is opposed to the possibility of turning the National Casein property into park land. Ms. Tyson stated that she is a strong supporter of the Police Department. Ms. Tyson believes that an inspection should be done of the adjoining riverwalls to the Dolecky/Horner properties. Ms. Tyson thanked resident Bernard Swiderek for calling the Army Corps of Engineers regarding the Dolecky/Horner riverwall problems. Ms. Tyson would like to see a cohesive sign program in town. Ms. Tyson urged Council to look at the First Church of Christ Scientist and consider purchasing it as a municipal building.

James Moffatt, 202 Fulton Street, thanked Mr. Gunn for all his work on the Dolecky/Horner litigation.

Chief Norcross raised concern about the erosion problems at 109 Bank Avenue (Horner property) Mr. Gunn commented that we could make an application to the court (through Judge Sweeney) letting them know that this is an emergent matter that needs to be addressed. Mr. Gunn commented that he would determine what steps we can take, such as the placement of barriers at this location.

Michael Heine, 206 Carriage House Lane, expressed concern that if we don't address the erosion problem at the Horner property, we may be facing a loss of coverage.

At this time, Mr. Smyth made a motion to return to closed session to hear information provided by Michael Heine on the possible acquisition of the First Church of Christ Scientist to be utilized as a municipal facility. This was seconded by Mrs. Villari. 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 aye. It should be noted that Mr. Gilmore left the meeting at this point and was not present for the closed session portion.

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 absent, 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 Mrs. Villari, with all present voting in the affirmative.

Mary Longbottom, RMC
Municipal Clerk

June 8, 2005

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

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

ABSENT: Council members Daniel and 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 notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

Mayor Martin stated that Michael Heine has requested to address Council in closed session for five minutes regarding the possible purchase of the First Church on Main Street. A short discussion ensued regarding this request. Mr. Gilmore moved that Council not afford Mr. Heine the opportunity to address Council for five minutes in closed session. This was seconded by Mrs. Alls-Moffatt. 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. Mayor Martin voted aye to break the tie.

RESOLUTION 72-05

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 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 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. Cesaretti 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 absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

The minutes from May 4 and May 11 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 absent, Mrs. Villari aye for the May 4 minutes and abstained from the May 11 minutes, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti abstained from the May 4 minutes and voted aye for the May 11 minutes and Mrs. Alls-Moffatt aye.

TREASURER'S & FINANCE COMMITTEE REPORTS-Mr. Smyth

In Mrs. Smyth's absence, Mr. Cesaretti moved that the attached Treasurer's & Finance Committee reports for the month of May be approved as submitted. This was seconded by Mr. Gilmore. 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.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti stated that a Police report for the month of May was not submitted.

Mr. Cesaretti read a report for the month of May that was submitted by Animal Control Officer, M&R Wildlife. Two stray dogs were taken to the shelter.

PARK, RECREATION, RECYCLING & ENVIRONMENTAL

COMMISSION-Mr. Gilmore

Mr. Gilmore reported that for the fifth year in a row, the Burlington County Times has designated Riverton Park as the best park in Burlington County. Maintenance continues on the park.

PUBLIC WORKS SEWER-Mrs. Villari

Mrs. Villari reported that a pre-construction meeting regarding our 2004 Community Development Block Grant project is scheduled for next week.

Regarding the 2005 road program, the Borough's Streets and Roads Engineer, Rick Arango, is conducting field studies right now. We anticipate going out to bid in August of this year.

Mrs. Villari reported that four bids were received, opened and publicly read on June 6, 2005 at 11:00am for sludge removal. The bids were as follows. **North Star Waste of New Jersey d.b.a. Earthcare \$171,288.00, Charles M. Perna, Inc. \$190,382.40, Freehold Cartage, Inc. \$249,069.60 and Russell Reid Co. \$277,149.60.** Mrs. Villari reported that both the Borough's Sewer Engineer and Solicitor have reviewed the bid submittal of North Star Waste and found it to be complete and responsive. Mrs. Villari requested that Council award the three year (July 1, 2005 until June 30, 2007) sludge contract to North Star Waste of New Jersey d.b.a. Earthcare. Mrs. Villari also reported that North Star Waste's bid is based on a unit price of \$0.061 per gallon.

RESOLUTION 72-05

A RESOLUTION OF THE BOROUGH OF RIVERTON AUTHORIZING THE AWARD OF CONTRACT FOR SLUDGE REMOVAL FROM JULY 1, 2005 THROUGH JUNE 30, 2007 TO NORTH STAR WASTE OF NEW JERSEY D.B.A. EARTHCARE COMPANY LOCATED IN EAGLE PENNSYLVANIA IN THE AMOUNT OF \$171,288.00 (BASED ON A UNIT PRICE OF \$0.061 PER GALLON) (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 absent, Mrs. Villari aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Mrs. Villari announced that the 4th of July parade begins on Bank Avenue at 10:00am on Monday the 4th.

ZONING, PLANNING CODE ENFORCEMENT & REDEVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt reported that Jim Brandenberger has been given preliminary approval for the development on the "Sitzler" property. The Cedar Lane Mews application has been continued until the Board's June 15th meeting.

Mrs. Alls-Moffatt reported that the Planning Board approved a revised spending plan resolution regarding affordable housing. The Planner believes that Council should communicate its priorities regarding the reexamination of the Master Plan to the Planning Board as soon as possible.

Mrs. Alls-Moffatt reported that our Code Enforcement Officer, Anthony Dydek will be leaving by the end of this month. Resumes from a year ago are being reviewed.

SHADE TREE, HUMAN SERVICES AND MUNICIPAL COURT-Dr. Daniel

The following report was submitted for the month of May by Welfare Director, Florence Klein. There were six clients on the rolls. Mrs. Klein attended various meetings and seminars throughout the month.

The following report was submitted for the month of May by Court Administrator, Laura Frick. There were 101 traffic tickets issued—36 for parking, 64 other traffic and 1 DWI. There were 16 criminal charges filed—0 summons, 2 warrants and 14 Local Ord. The total receipts for the month amounted to \$11,399.00. The total disbursed to Riverton amounted to \$5432.58.

OLD BUSINESS

BROAD STREET ENHANCEMENT GRANT

Mr. Gilmore reported that yesterday we received final approval from the State and Federal Government to proceed with our Broad Street Enhancement grant project. We will be getting a packet of information from the State which we will need to review and process. The bid package will then be finalized so that we can advertise for the receipt of bids for this project. Council will be kept apprised of this situation.

NEW BUSINESS

RESOLUTION 73-05

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'S BUDGET FOR THE YEAR 2005 PURSUANT TO NJS 40A:4-87 (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 absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

RESOLUTION 74-05

A RESOLUTION STRONGLY OPPOSING THE DEPARTMENT OF THE ARMY'S PLAN TO DUMP THE BYPRODUCT OF VX INTO THE DELAWARE RIVER (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. 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.

RESOLUTION 75-05

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO THE INTERLOCAL SERVICES AGREEMENT WITH PALMYRA BOROUGH (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. 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.

CORRESPONDENCE

Mr. Cesaretti read a letter from Chief Norcross commending Patrolman John Shaw for his recent outstanding effort in putting together a crime prevention program at the Riverton School.

Mrs. Villari reported that we received correspondence from Freeholder Deputy Director Vincent Farias. Mr. Farias is suggesting that we send a letter to the Federal Railroad Administration requesting that a horn waiver be given regarding the River LINE. Mrs. Villari moved that such a letter be sent. This was seconded by Mrs. Alls-Moffatt. 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.

MOTION RE: SIDEWALKS & CURBS

Mr. Gilmore reminded Council that the Assistant Code Enforcement Official (Robert Yearly) is presently doing a survey of sidewalks and curbing issues in town. Mr. Gilmore stated that there is a lot of controversy regarding the Borough's curbing at the park. Mr. Gilmore thinks that Council should be aware of this. Mr. Gilmore recently met with Mr. Yearly regarding this issue. Both of them think the curbing aspect should be deleted from the survey and just deal with the sidewalks. A discussion then ensued.

Mr. Gilmore moved that we just concentrate on sidewalks issues for now. Mr. Gilmore further moved that when this project is completed we address the curbing issues. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari nay, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti abstained and Mrs. Alls-Moffatt aye. The motion failed.

O'BRIEN RIVERWALL ISSUE AT BANK AND LINDEN AVENUES

Mr. Gilmore requested that Council assist Jim O'Brien, who resides at Bank and Linden Avenues, with the construction of a riverwall at this location. Mr. Gilmore would

like to set up a meeting of Council members (Mr. Gilmore, Mayor Martin and Mrs. Alls-Moffatt) representatives from the Army Corps of Engineers, the Department of Environmental Protection (DEP) and Mr. O'Brien to determine how this can be accomplished. Our Solicitor commented that the Borough has previously attempted to assist Mr. O'Brien regarding this issue. Mr. Gunn commented that the problem lies with the DEP and their regulations.

Mr. Gilmore moved that we join together to convince the Army Corps. of Engineers and the DEP to permit Mr. O'Brien to construct that wall. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye. Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti nay and Mrs. Alls-Moffatt aye.

PROPOSAL BY JIM BRANDENBERGER RE: NUWAY SHOPPING CENTER

Mr. Brandenberger states that he is under contract to purchase this property. Mr. Brandenberger distributed copies of a plan of what he would like to create at that location when the sale is finalized. His plan calls for a CVS pharmacy and retail shops. He is requesting Council's review. Mr. Brandenberger stated that he had looked into the possibility of placing either a Trader Joe's or a Whole Foods at this location. Mr. Brandenberger stated that they are both not interested in coming to this location. Mr. Brandenberger stated that the Nuway Shopping Center is a functioning retail center with a core group of businesses. It is important to realize that.

Mr. Brandenberger stated CVS is a double A rated credit tenant, which means that a new building would be constructed. Mr. Brandenberger stated that the existing shopping center would be raised to house existing tenants. Mr. Brandenberger stated that the following tenants who would like to remain are the Riverton Coffee Shop, the Chinese Restaurant and possibly Milanese Pizza. Mr. Brandenberger stated that CVS is willing to do an architectural rendering; they know our town, having looked at it previously. CVS is willing to sit down with us to discuss the aesthetics of the building as well as signage issues. Mr. Brandenberger wants the first thing you see upon entering Riverton to be a nice center.

Mr. Gilmore stated that some years ago a beautiful rendering was done that showed Victorian apartments above retail for the space at Nu-Way. Mr. Brandenberger stated that as much as we like that romantic idea, it just won't work because there is a lot of retail suffering in this town right now. Mr. Brandenberger stated that he is open to ideas.

Mr. Gilmore suggested that we take a look at the Victorian looking CVS in Moorestown. Mr. Gilmore likes the looks of that building and thinks it would go very well in Riverton. Regarding the plan Mr. Brandenberger submitted, Mr. Gilmore also suggested that there be green grass on the Broad Street side and parking should start about 50' back. Mr. Brandenberger suggested to Mr. Gilmore that parking is very vital and people want to see where they are going to park. Mrs. Alls-Moffatt questioned the business that a CVS would do considering that there are a number of pharmacies in the surrounding areas. Mr. Brandenberger commented that CVS and Walgreen's are the best drug chains out there. CVS's site committee members have approved the Nu-way site; they drove through town and absolutely love it. Mrs. Alls-Moffatt stated that CVS is a chain, a big box store. Mrs. Alls-Moffatt commented that it is in our original Master Plan that that type of retail doesn't go with Riverton. Mrs. Alls-Moffatt is surprised that CVS is still interested in coming here when they got such an unhappy response the last time.

Mr. Brandenberger stated that these plans call for a small CVS, about 12 thousand square feet. Mr. Brandenburg stated that there is nothing wrong with a chain store. Mr. Brandenberger stated that he would not be able to do this project without a credit worthy tenant. It would be hard to fill a new center with individual tenants.

Mr. Cesaretti asked if any restaurants were interested in the space. Mr. Brandenberger responded no because Riverton is a dry town. Mr. Cesaretti asked if a liquor license were approved, would we have more offers. Mr. Brandenberger stated that a lot of restaurants do not have as good a credit rating as CVS. Mr. Brandenberger believes that the present space should remain commercial and the stores that are already there are

good tenants. Mr. Brandenberger doesn't want to add office space and throw people out. Mr. Brandenberger stated that the CVS will be about 30' away from the residences on Manor Court. There will not be a parking lot back there; however there would be a driveway where the trucks would unload. Mr. Brandenberger did not think this would be a 24 hour store; however he will check this out.

Mayor Martin stated that he feels a store would be a lot cleaner than a restaurant. He doesn't like the idea of a liquor license.

MEETING OPEN TO THE PUBLIC

Michael Heine, 206 Carriage House Lane, stated that this is a dreadful proposal. Mr. Heine stated that we have wonderful streets with great houses with respectful architectural structures. This proposed center will be a cold slap in the face. Mr. Heine explained how it bothers him that we have a resident in town who should feel some loyalty to quality in our architectural traditions to even propose such a project. Mr. Heine stated that he thinks it is God awful and he will be as out spoken personally about the situation as he possible can. Mr. Heine would like to see development at the Nu-way center; however he doesn't feel what was presented is right.

Regarding the hiring of a new Zoning/Code Enforcement Officer, Mr. Heine believes that our Solicitor should be asked to review potential applicants and make a recommendation. Mr. Heine believes that this position is very important. Mr. Cesaretti asked what salary our present Code Enforcer receives. The Treasurer responded \$4,532.04 per annum.

Mr. Heine then spoke of the great opportunity that the purchase of the First Church on Main Street would be for the Borough. Mr. Heine spoke of how inadequate our building is space wise and storage wise. The Clerk confirmed that all of the Zoning and Planning Board records are currently housed in the Planning Board Secretary's house because there is no room to house them in this building. Mrs. Villari stated that she does not feel that this building meets our needs and is inadequate. Mrs. Villari then asked the Council members present if they agreed. Mr. Gilmore, Mr. Cesaretti and Mrs. Alls-Moffatt stated that they agreed that this building was not adequate.

James Moffatt, 202 Fulton Street stated that he liked Mr. Brandenberger's proposal. Mr. Moffatt stated that the Nuway shopping center is an eye sore. Mr. Moffatt stated that for years Borough Council has not done anything about this issue. Mr. Moffatt believes that Mr. Brandenberger has a great idea. Mr. Moffatt commented that out of all the drug stores, he believes CVS is one of the better ones. Mr. Moffatt stated that he hopes Council will consider Mr. Brandenberger's proposal.

Christopher Halt, 400 Linden Avenue appreciates all of Mr. Brandenberger's efforts to get the Nu-way Shopping Center developed. Mr. Halt believes people would like to see a food market at that location; however he understands that may not be the most profitable market for that space.

Mr. Halt stated that the First Church is a beautiful building and he believes everyone would enjoy working there if Council were to purchase it. He encouraged Council to act quickly on a possible purchase before someone else does.

Rebecca Hunn, 2 Lippincott Avenue, addressed Council on behalf of her mother, Bunny Hunn. Ms. Hunn reported that she wrote a letter of complaint a year ago regarding the Dolecky property (207 Bank Avenue) which backs up to her mother's house. Ms. Hunn explained that there is a health and safety hazard regarding Mr. Dolecky's property. Ms. Hunn stated that Mr. Dolecky's fence exceeds the 6' limit. She also showed Council pictures of all the debris and refuse from Mr. Dolecky's property. Ms. Hunn also stated that parking is a problem for her mother because of the Baptist Home. Ms. Hunn added that there is no code enforcement in this town. Ms. Hunn stated that her mother pays over \$6,500 in taxes and threatened a lawsuit if these issues are not addressed. Mrs. Alls-Moffatt stated that she would review the problems raised with our Assistant Zoning/Code Enforcement Officer Robert Yearly. Mrs. Villari strongly stated that enforcement is the issue.

Albert Reeves, 437 Elm Avenue, raised concern again about the Ward fuel oil delivery trucks that were backed up against the back fence of his father's property. Mr. Reeves commented that the trucks were moved to the front of the building. Chief Norcross stated that Mr. Ward had been issued a ticket for the truck violation. Frank Siefert, Chair of the Planning Board, explained that on Mr. Ward's site plan application he stated that the property would be used for only offices and not hazardous materials. Mr. Siefert considers the truck to be hazmat.

Mr. Reeves also raised concern about the property at 16 Broad Street and how run down it is. There is also a lot of trash at the property. Mr. Reeves presented Council with pictures of the property in question.

Leslie Lewis 429 Elm Avenue, believes that Council needs to address the conditions of our Borough Hall. She thinks it would be foolish to think that purchasing the First Church is not what the tax payers want. Ms. Lewis is of the opinion that Council should think ahead and not let this opportunity pass us by. She would like all of the Council members to commit to going through the church before next month's meeting.

Mayor Martin stated that he would go through the church. Mayor Martin further stated that there are a lot of people in town who don't believe we should spend the tax dollars that it would take to purchase a new building. Mayor Martin also stated that he believes additional storage space could be found at the sewer plant. Mrs. Villari is concerned that the inadequacy of this building does not appear to be a serious issue with Council. Mrs. Villari stated that all Council members should go through the church, get a personal opinion about it and that a vote should be taken on whether we should purchase it. Mr. Gilmore stated that he is willing to deal with a real estate agent regarding the availability of the church, but he will not deal with Mr. Heine. Mr. Gilmore is of the opinion that Mr. Heine has been negative to this town.

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

Mary Longbottom, RMC
Municipal Clerk

July 6, 2005

Borough Council held one meeting in July 2005 on the above date. Mayor Martin presiding.

PRESENT: Council members Daniel (left meeting at 10:00pm), Villari, Smyth, Gilmore, Alls-Moffatt and Solicitor Bruce M Gunn

ABSENT: Council members 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 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 76-05

**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. 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. It should be noted that contract negotiations and litigation will be discussed.

At this time Mrs. Alls-Moffatt moved that we return to public session. 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 absent and Mrs. Alls-Moffatt aye.

Mayor Martin stated that he thought many residents were here tonight to discuss the possible purchase of the First Church on Main Street. Mayor Martin asked Council if they wanted to take public comment on this issue now. It was the consensus of Council to do that and to place a 30 minute time limit.

Mrs. Villari stated that Council is aware that this church is for sale. Council members were asked to go through the church. Mrs. Villari stated that it is obvious that the existing Borough Hall is inadequate and that we are running out of space. Mrs. Villari stated that she senses that the Church is not an appropriate purchase for our needs. Mrs. Villari stated that some people from the public have stirred up some controversy over this and they can now express their opinions and alternative ideas.

Larry Morgan, 417 Elm Avenue stated that he and Leslie Lewis distributed flyers to the public which informed them of this possible purchase. Mr. Morgan stated that all they want is for something to be done. If we don't purchase the Church what other options do we have? Mr. Morgan believes that the Church is gorgeous and would be great for our town.

Mrs. Villari agreed with Mr. Morgan; however, she believes it has stirred up some questions that the Church is not in the center of town. A large portion of the Church is in Cinnaminson Township. Mrs. Villari stated that the needs of our employees must be focused on and that is the number one priority. Council needs to see how much room and space all of the different departments and employees need. She does not know how to move forward when not all members of Council think this purchase is a positive thing.

Mrs. Alls-Moffatt explained that one of the reasons why she is not in favor of this purchase is because the Church is not 100% in Riverton. Another reason why she is opposed is the cost factor. She also believes that the roof would need to be replaced and she suspects there may be mold problems in the building. While she believes parking would be adequate, she believes we would have to build offices and make rooms to house the police.

Al Reeves, 437 Elm Avenue commented that both the Post Office and the Church are on Main Street; however the entrance for the Post Office is in the back. Mr. Reeves also questioned the fact that there is a handicapped ramp in the back of the building, but not in the front. **Mr. Smyth** commented that if we were to acquire the Post Office, a ramp will be

built in the front. Mr. Reeves raised concern about how much it would cost to heat and air condition these buildings.

Michael Heine, 206 Carriage House Lane, stated that he is the attorney that brought to the Borough the opportunity for the First Church deal. Mr. Heine stated that it is no secret that in the event that the deal is made, he gets a broker's commission with the seller's listing agent. Mr. Heine explained that if the Borough buys the Church, nothing is paid to him personally from the Borough. Mr. Heine believes this is a business decision that needs to be done. Mr. Heine acknowledged the fact that our present building is inadequate and that the Municipal Court had to be relocated. Mr. Heine stated that he feels the only two options that have been considered are the Post Office or the Church. Mr. Heine stated that the cost alternatives of these options should be discussed because something has to happen. Mr. Heine stated that the possible acquisition of the Post Office has been discussed for years.

Mr. Smyth stated that he believes the Church is not big enough to accommodate the Borough's needs and that we would have to extend it with additions on both sides. Mr. Smyth added that there is no space in the Church for offices for the Zoning and Planning Board. Mr. Heine commented that a professional should come in and assess the total amount of space that is needed. Council can then look at that and determine what is best for the Borough.

Leslie Lewis, 429 Elm Avenue. Ms. Lewis asked Mr. Smyth how long the plans for the Post Office have been in process. Mr. Smyth responded about seven years. Ms. Lewis feels that the Church is going to be a missed opportunity. Ms. Lewis stated that at the June 8, 2005 meeting all members of Council present agreed that the present Borough Hall is inadequate. However, Ms. Lewis commented that at that meeting Mayor Martin felt that this building was completely adequate and that we could store our files down at the sewer plant. Ms. Lewis added that she does not feel comfortable about that. She also does not feel comfortable with the fact that the Zoning and Planning Board records are presently being housed in the Board's secretary's house.

Mayor Martin stated that he has concern that Council is going to move to quickly on either the Church or the Post Office. He explained that if we are looking at alternatives, then we have to look at lower cost alternatives. Mayor Martin added that he does not want to purchase the Post Office or the Church.

Charles Caruso, 412 Lippincott Avenue suggested possibly purchasing Nuway and utilizing it as a Borough Hall.

William Harris, 502 Cinnaminson Street, stated that he knows the Borough pays the Fire Company rent for the space where the fire trucks are housed. Mr. Harris suggested that the Borough purchase the house behind Borough Hall and extend our existing building. Mr. Harris commented that he fears some people are not going to be able to live in Riverton if the taxes continue to rise.

Bill Layton, 801 Thomas Avenue, thinks it is odd that we are not talking about property taxes because that is one of the major concerns he has about living in Riverton. He stated that taxes are why he came to tonight's meeting. He is not here to dispute or debate the space needs of this building. Mr. Layton believes a long term plan needs to be discussed. Mr. Layton encouraged Council to move more slowly and cautiously. He stated he knows that there is a space need, but feels we should wait and see about Nu-Way before we make any decision. He doesn't want to see his property taxes going up.

Frank Siefert, 304 Main Street, believes we need to see how much we can afford for a new building. He added that you can't go and look at the church, have everyone fall in love with it and then decide how we are going to pay for it. Mr. Siefert believes the Borough needs to decide what they can afford and then you go out and look. Mr. Siefert believes the storage problem can be solved by utilizing one of those archival companies. Mr. Siefert suggested holding larger meetings in the Riverton School gymnasium.

Mr. Smyth stated that we have been pursuing the Post Office for at least seven years. Mr. Smyth stated that it has only been in the last three or four months that the U.S. Postal Service has finally agreed to sell us the property. The reason the process took so

long is because we have been waiting for them to make up their minds. Mr. Smyth stated that at the present time the U.S. Postal service is asking \$175,000.00 for the building and property. Mr. Smyth stated that the building is well built, with a lot of space. We would have to structurally make some roof repairs and build some walls on the first floor. Mr. Smyth stated that there are about ten rooms downstairs that we hope will house the Police Department and storage. Mr. Smyth informed Mr. Siefert that there are very strict state laws regarding archival facilities. Mr. Smyth informed the public that we are working with the Burlington County Bridge Commission and shared services. They may be able to help us put together bonding needs. Mr. Smyth added that we would try to set up an open house so the people can see the inside of the Post Office.

Michael Heine, 206 Carriage House Lane, suggested that an engineering survey be done on the Post Office.

Anne McIlhenney 604 Cedar Street, stated that she is proud of the present Borough Hall. She was on Council and helped get this building constructed. She stated that she heard there is a very bad mold and asbestos problem at the Post Office that would need to be removed. Mr. Smyth stated that he has not heard anything about a mold problem. Mrs. McIlhenney stated that she heard that from Post Office employees.

Michael Robinson, 6 Second Street, states that he believes that the Borough needs more space. He would like to see a larger municipal building that will meet all the unmet needs we have right now.

Mr. Daniel stated that he thinks it is recognized by everyone that we do need more space for the people who work in the Borough and for the Police Department. He added that the point is if we move forward with a new building, it costs money and taxes would go up. He further stated that we need to figure out what we can afford for a new building and then start looking for something that meets our needs as far as space and money. Dr. Daniel stated that we need to hire a professional, get an opinion and then make a decision. Dr. Daniel reiterated the fact that it will cost money so everyone should be prepared.

Mr. Smyth stated that he thinks this is a great gathering and he appreciates everyone's opinion. He apologized that there is not enough room for everyone.

Mayor Martin stated that he is concerned that we are starting at the high end rather than the low end. His fear is that taxes would go up substantially. Mayor Martin believes we would have to go to referendum if we choose to do anything.

Frank Cioci, 408 Lippincott Avenue questioned whether the Police Department and municipal building have to be at the same location. He also asked how much space we need. He stated that until we know that answer, why are we spending all this time talking about a possible purchase of anything? Mr. Cioci asked if we were to purchase the Post Office, would we have to use it as a municipal building. **Mrs. Alls-Moffatt** responded no, that we could possibly sell it for a major profit if we wanted to.

Larry Morgan, 427 Elm Avenue stated that he thinks that since we spent money to get an architectural design for the Post Office, we should get one done on the Church.

Michael Kinzler, 209 Lippincott Avenue stated that the first thing we need to do is figure out what we can afford and then go from there.

Chris Halt, 400 Linden Avenue, believes there should be an administrative decision to the question of whether this Borough Hall is adequate or do we need more space. Mr. Halt directed this question to Mayor Martin. Mayor Martin's stated that he thinks it is a matter of opinion. Mayor Martin's opinion is that we do not need a new Borough Hall. Mr. Halt commented that he did not like the idea of official records possibly being stored at the sewer plant. Mayor Martin agreed that there is a need for more storage space. Mr. Halt asked the Mayor where we should hold court so that we can bring that revenue back to Riverton. Mayor Martin responded by saying that the court hardly makes any money.

Gary Ford, 311 Bank Avenue, suggested that we get a committee of professionals from town to work on exactly what we need. We need to examine the space and storage issues. The financial aspect needs to be addressed to determine its impact on the taxpayers.

Joe Creighton, 630 Elm Terrace, stated that if taxes continue to go up, the senior citizens in our town are not going to be able to live here anymore and that will change the fabric of our town. Mr. Creighton told Mayor Martin to continue with his fiscal sanity and to continue pursuing that angle.

Michael Heine, 206 Carriage House Lane, suggested that we pass a Resolution tonight picking up on all of the comments of the people.

Charles Caruso, 412 Lippincott Avenue believes that Council should take advantage of all the people resources we have in town.

Mrs. Villari made a motion to utilize all the friends, professionals and business owners of Riverton who can offer any kind of advice to help Council move forward to finding adequate space or a solution to get our needs met. Dr. Daniel seconded this motion. 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.

The minutes from June 1, June 8 and closed session minutes from May 4 and May 11 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 abstained, Mrs. Villari abstained from the May 11 minutes and voted aye for all the rest, 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 June 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 aye, Mr. Gilmore aye, Mr. Cesaretti absent, and Mrs. Alls-Moffatt aye.

RESOLUTION 77-05

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 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. Gilmore. 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.

RESOLUTION 78-05

A RESOLUTION EXTENDING THE DUE DATE FOR 3RD QUARTER TAXES UNTIL AUGUST 10, 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 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.

Discussion: Re-establishing the Economic Development Committee. Mrs. Villari reported that members of our business community as well as some residents have indicated that they would like to re-establish the Economic Development Committee. Mrs. Villari requested that Council consider this. Mrs. Villari commented that she would be willing to serve as the Council liaison to this committee. A discussion then ensued with Council agreeing to Mrs. Villari's request.

RESOLUTION 79-05

A RESOLUTION AUTHORIZING THE RE-ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT COMMITTEE

(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 Dr. Daniel. 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.

Streets, Road & Sewer Issues: a. Review of Draft Ordinances regarding new stormwater regulations, Mrs. Villari reported that the required stormwater regulation ordinances have been prepared by our Solicitor and distributed to Council for their review. Mrs. Villari stated that these ordinances pertain to the following: the prohibition of the feeding of unconfined wildlife in any park area or any other property owned by the Borough, the establishment of requirements for the disposal of pet waste, the establishment of a yard waste collection program, prohibiting the improper disposal of waste, prohibiting illicit connections to the municipal septic storm sewer system operated by the Borough and to establish requirements to control litter in the Borough of Riverton. Mrs. Villari reported that these ordinances must be in place prior to October 1, 2005; therefore, they should be introduced at Council's August meeting. Mrs. Villari asked Council to read the Ordinances prior to our next meeting and bring any questions or concerns to either her or our Solicitor. **b. Possible amendments to Chapter 111 Streets and Sidewalks,** Mrs. Villari reported that her committee is currently reviewing this chapter of the Borough Codebook and will be making recommendations for some amendments. Some of the changes being considered are the following: fees charged for a street opening permits, required surety deposit amounts, increasing the public utility surety bond, etc. Mrs. Villari stated that our Streets and Roads Engineer is assisting our committee with these issues. Mrs. Villari hopes to have something for Council to review at the August meeting. **c. Update Re: 2005 Road Program,** Mrs. Villari reported that our Streets and Roads Engineer is working on the required work for this project. Fulton Street is the major road to be done this year. Council will be kept apprised of this issue. **Update Re: 2004 Community Development Block Grant Project.** Mrs. Villari reported that work has commenced on this project and is moving along very well.

e. Update Broad Street Enhancement Grant. Mr. Gilmore reported that we have received the required Transportation Enhancement Agreement papers that must be executed and returned to the Department of Transportation. Mr. Gilmore also reported that Dante Guzzi, Associates, the Engineer for this project is preparing the bid package.

RESOLUTION 80-05

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE STATE OF NEW JERSEY AND DEPARTMENT OF TRANSPORTATION FOR \$308,200.00 FOR TRANSPORTATION ENHANCEMENT-CONSTRUCTION (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 absent and Mrs. Alls-Moffatt aye.

Discussion: Petitioning COAH for Third Round Certification-Required Resolution. Mr. Gunn explained that our Planner, Tamara Lee, advised us that the state had changed the COAH rules and reversed their approval of our development fee ordinance. In order to have this ordinance validated, we need to petition COAH immediately for substantive certification. Mr. Gunn further explained that we would have had to do this in April 2006 anyway. Mr. Gunn stated that COAH had approved our development fee ordinance; however, the Attorney General had determined that it was not in accordance with the regulations. Mayor Martin commented that the Planning Board had reviewed this issue and is now passing it onto Council. Mayor Martin stated that our Planner estimates that it will cost \$10,200.00 to do the required work. Mrs. Alls-Moffatt stated that Planner is asking Council for a commitment and a resolution to proceed with the third round certification process. Mr. Gilmore asked if we have the money in our budget to defray this amount. The response was no. Mayor Martin asked what would happen if we don't follow through with this. Mr. Gunn stated that Council would have to rescind the development fee

ordinance that was passed a couple of months ago. Mr. Gilmore asked if Ms. Lee is agreeable to billing us after the project is done. Mr. Gilmore stated that we could then place the money needed in our 2006 budget. The Treasurer commented that there may be money to transfer in November that could help offset Ms. Lee's fees. Mrs. Villari asked whose responsibility it was to follow through regarding COAH. Mrs. Villari does not feel the Borough should pay for someone's mistake. Mrs. Alls-Moffatt stated that COAH changed the rules; that Riverton has done nothing wrong. **Chris Halt** of the Planning Board, commented that the reason this needs to be done is because we missed a specific date. Part of the reason why was COAH changed the plans and changed the rules. Mr. Halt commented that the Board felt the lesser of all evils was to go forward with this work to protect the Borough. **Frank Siefert, Chair of the Planning Board** concurred with Mr. Halt's comments. Mr. Siefert thought that at the last board meeting Ms. Lee indicated that her fees for this work would not exceed \$10,200.00. A discussion then ensued. Mayor Martin asked Council if they wanted to move forward with this and vote the Resolution. Mr. Gilmore commented that we have to. **Michael Heine 206 Carriage House Lane** stated that COAH changed no rules and that Council was not advised properly by Planner, Tamara Lee. Mr. Heine stated that the specific provision was contained in the New Jersey Administrative Code, which was effective December 2004. This provision required municipalities, including Riverton, to file this certification by December 2005. Mr. Heine stated that Ms. Lee blew the date. Mr. Heine believes if this had been handled properly, Council would have had ample time to have budgetary considerations in place. Mr. Heine asked that Council get an opinion from our Solicitor as to whether Ms. Lee blew the date. Mr. Gunn commented that he would have to review the regulation that Mr. Heine spoke of. Mr. Gilmore commented that COAH changes the rules as they go along. Mrs. Alls-Moffatt took exception to Mr. Heine's comments about Ms. Lee, especially given the fact that she was not present to defend herself. Mr. Smyth asked Mr. Siefert for his opinion. Mr. Siefert responded that he thought Council should go ahead with Tamara's recommendation. The Treasurer will contact Ms. Lee to discuss the possibility of funding her fee in part or in full during November when transfers are permitted.

RESOLUTION 81-05

A RESOLUTION OF INTENT TO SUBMIT A PETITION TO THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING FOR THIRD ROUND CERTIFICATION FOR THE BOROUGH OF RIVERTON (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 nay, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye

Discussion: re-examination of the 1998 Master Plan-Goals and Objectives. Mrs. Alls-Moffatt distributed copies of the new Master Plan goals and objectives which was completed on June 21, 2005 by the Planning Board's Master Plan subcommittee. (Mrs. Alls-Moffatt, Mr. Joseph Katella and Robert E. Smyth.) **Bob E. Smyth, 1 Bank Avenue** stated that the subcommittee reviewed the 1998 goals and revised them. They then went through a process of talking about what has changed in the town since 1998. The subcommittee then went through a list of tasks (data collection.) Mr. Smyth stated that the key thing for the public to know is that they are putting together an updated survey for our taxpayers and citizens to answer. Mr. Smyth stated that the Planning Board needs direction from Council as to what goals and objectives from the 1998 plan have been met. He asked that Council members send their suggestions to the subcommittee. Mr. Gilmore stated that he has reviewed the 1998 goals. Mr. Gilmore suggests the establishment of a town museum. Mayor Martin believes that the one area where we come up short is developing the Nu-way Shopping Center and the Sitzler property. This is very important to the town. Discussion ensued. Dr. Daniel asked if there was a way of investigating ways retirement age residents would have access to housing in such a way that they can stay in Riverton.

Mayor Martin thought we could be talking about some restricted housing for those who are 55 years or older.

Update and discussion Re: Smart Growth Grant (Redevelopment project). Council reviewed the attached correspondence from Planner Tamara Lee regarding this grant. The Office of Smart Growth has reviewed the Borough's scope of work and has made some modifications. If we don't agree to their modifications, the State will ask for the money back. A discussion then ensued, with the consensus being that we cannot concur with the State's modifications.

RESOLUTION 82-05

A RESOLUTION TO REJECT THE STATE'S PROPOSED REVISIONS TO THE SCOPE OF THE WORK FOR THE SMART GROWTH GRANT 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 absent and Mrs. Alls-Moffatt aye.

Mr. Gilmore's suggested amendments to Zoning Ordinance. Mr. Gilmore distributed a packet of information that he put together regarding Block 1500 Lot 2 (National Casein property). Mr. Gilmore reviewed the attached amendments to our Zoning Code (Chapter 128-29) that he would like Council to consider. The packet of information is on file with the Municipal Clerk. A discussion then ensued. Mr. Gunn suggested that these proposed amendments be referred to our Planning Board to ascertain that they are consistent with the Borough's Master Plan before any decision is reached by Council. It was the consensus of Council to agree to this.

RESOLUTION 82-05

A RESOLUTION TO REFER PROPOSED AMENDMENTS TO SECTION 128-29 OF THE ZONING CODE OF THE BOROUGH OF RIVERTON TO THE RIVERTON PLANNING BOARD (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.

Request to destroy old police computers. Chief Norcross reported that he is requesting that Council authorize the destruction of these computers. Council reviewed correspondence from F. Gerald Caruso, of Networks Plus attesting to the fact that the computers in question will never work properly again. After a short discussion, it was the consensus of Council to authorize the destruction of these computers.

RESOLUTION 84-05

A RESOLUTION AUTHORIZING THE DESTRUCTION OF OLD DESKTOP COMPUTER EQUIPMENT (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. Gilmore aye, Mr. Cesaretti absent and Mrs. Alls-Moffatt aye.

Request from Assemblymen Connors and Conaway for a Resolution against the privatization of Social Security. Council reviewed this request and took it under advisement. No action was taken.

Meeting open to the public

Art Reeves, 437 Elm Avenue, reported that he still has issues regarding the Ward fuel oil trucks that are parked on the property that backs up to his. Mr. Reeves stressed that this presents a hazardous situation. Mr. Reeves stated that he would give Council 72 hours to take care of this before he files a lawsuit. Mrs. Alls-Moffatt stated that this issue was looked

into by our Assistant Zoning/Code Enforcement Officer and Chief of Police. Mrs. Alls-Moffatt commented that these oil trucks are not in violation of any ordinance. **Frank Siefert, Chair of the Planning Board** stated that when the Board considered Mr. Ward's minor site plan application, they were informed that hazardous material would not be stored on the site. **Bob E. Smyth, 1 Bank Avenue** stated that even though the tank is empty, there probably is product residue in the manifold, which has the potential for leakage. Chief Norcross commented that the trucks in question falls under Department of Transportation regulations and is inspected once a year. Chief Norcross believes the trucks are not hazardous. Mrs. Alls-Moffatt commented that she would look into this issue once again.

Michael Heine, 206 Carriage House Lane, stated that our Code Enforcement Officer should be addressing this issue. He should determine by a legal opinion if this use violates the law. Mr. Heine does not feel that Council members should get involved with this. Mr. Heine then asked for an update on the interview process for a new Code Enforcement Officer. Mrs. Alls-Moffatt reported that Mr. Dydek resigned June 30. Mrs. Alls-Moffatt commented that the interview process would take place as soon as possible.

Larry Morgan, 427 Elm Avenue, expressed concern that we will be paying our Planner, Tamara Lee additional money to re-do what she did wrong regarding the COAH issue. Mr. Gilmore stated that that was incorrect. Mr. Morgan would like to know why we missed required dates. Mrs. Alls-Moffatt commented that she doesn't know if Ms. Lee missed any dates. We only have Mr. Heine's word for it.

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

Mary Longbottom, RMC
Municipal Clerk

August 3, 2005

The Borough Council of the Borough of Riverton held one meeting during August, 2005 on the above date. Mayor Martin presiding.

PRESENT: Council members Daniel, Villari, Smyth (arrived at 7:04pm), Gilmore (arrived at 7:03pm), Cesaretti, Alls-Moffatt and Solicitor Bruce Gunn

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:

Having written notification of all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 85-05

**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. Alls-Moffatt. 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. It should be noted that personnel and contract negotiations will be discussed.

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

Mayor Martin thanked the Police Department for all of their help and assistance to the Yacht Club during a recent storm. Mayor Martin acknowledged the Police Department's efforts regarding the National Night Out event that was held at Riverton Park on August 2nd.

The minutes from July 6 and closed session minutes from July 6 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 abstained 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 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.

Streets & Roads Issues: a. Introduction of the following required Stormwater

Regulation Ordinances: Mrs. Villari reviewed these required Ordinances with Council.

Ms. Villari commented that these Ordinances need to be in place by October 1, 2005; therefore, we need to have first reading on them tonight. It was the consensus of Council to agree to this.

ORDINANCE 8-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 106 OF THE RIVERTON BOROUGH CODE, TO PROHIBIT ILLICIT CONNECTIONS TO THE MUNICIPAL SEPTIC STORM SEWER SYSTEM OPERATED BY THE BOROUGH OF RIVERTON

ORDINANCE 9-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 106 OF THE RIVERTON CODE, TO PROHIBIT IMPROPER DISPOSAL OF WASTE

ORDINANCE 10-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE RIVERTON CODE, TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PARK AREA OR ANY OTHER PROPERTY OWNED OR OPERATED BY THE BOROUGH OF RIVERTON

ORDINANCE 11-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE RIVERTON BOROUGH CODE, TO ESTABLISH REQUIREMENTS FOR DISPOSAL OF PET WASTE.

ORDINANCE 12-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON IN THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 74 OF THE RIVERTON BOROUGH CODE, TO ESTABLISH A YARDWASTE COLLECTION PROGRAM

ORDINANCE 13-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 74 OF THE RIVERTON BOROUGH CODE, TO ESTABLISH REQUIREMENTS TO CONTROL LITTER IN THE BOROUGH OF RIVERTON

The above Ordinances were read by title only for the first time 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. Gilmore aye, Mr. Cesaretti aye, and Mrs. Alls-Moffatt aye. Second reading and public hearings on these Ordinances are scheduled for September 7, 2005.

Possible amendments to Chapter 111: Streets & Sidewalks. Mrs. Villari reported that we are considering several amendments to this chapter. Our Solicitor has prepared a "Draft" Ordinance for Council to review and consider for next month's work session. Mrs. Villari also stated that the Borough's Streets and Roads Engineer would be making some recommendations for Council's consideration. This issue was taken under advisement.

Review of proposal from T&M Associates regarding Regulatory permitting for the Borough owned Seawall Stabilization at Linden Avenue. Council reviewed in detail this proposal and concurred that this issue needs to be addressed as soon as possible. Mrs. Villari commented that T&M Associates proposes to complete the scope of work of services provided on time and materials basis, with a not to exceed limit of \$2,000.00.

RESOLUTION 86-05

**A RESOLUTION ACCEPTING T&M ASSOCIATES PROPOSAL FOR PROFESSIONAL SERVICES REGARDING REGULATORY PERMITTING FOR SEAWALL STABILIZATION AT LINDEN AVENUE AND THE DELAWARE RIVER 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 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.

Update Re: 2005 Road Program. Mrs. Villari reported that the Borough's Engineer for this project, Remington, Vernick and Arango have performed the survey of the existing street and conditions. The base plans have been prepared and the Contract Specifications have been prepared. The design of the roadway is approximately 60% complete. We anticipate having this project completed by August 31, 2005.

Update Re: Enhancement Grant. Mr. Gilmore reported that Mr. Guzzi has submitted the final plans and specifications for this project. Mr. Gunn reported that he has reviewed these documents and they are in order. A Resolution needs to be done authorizing Mr. Guzzi's firm to advertise for the receipt of bids for this project.

RESOLUTION 87-05

**A RESOLUTION AUTHORIZING DANTE GUZZI ENGINEERING ASSOCIATES TO ADVERTISE FOR BIDS FOR THE BROAD STREET ENHANCEMENT 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 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.

Request from Environmental Commission Re: Ground Water Contamination.

Council reviewed correspondence from the Commission recommending that the governing body lend its support to the ongoing New Jersey Department of Environmental Protection (DEP) investigation into ground water contamination apparently related to past discharge of perchloroethylene (PCE) from the Erin Cleaners site in Riverton. A discussion then ensued. Mr. Gilmore moved that the Mayor be authorized to send a letter to the DEP requesting that further action be taken for the remediation of this contamination and that the Governing Body be informed as the investigation continues. 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.

Update Re: Bid Threshold. The Clerk reported that as of July 1, 2005 the Base Bid Threshold will increase to \$21,000.000. The Clerk further reported that local units that have appointed a Qualified Purchasing Agent and take advantage of a higher bid threshold pursuant to N.J.S.A. 40A:11-3(a) can have their maximum bid threshold increased from \$25,000.00 to \$29,000.00. The Clerk reported that our Chief Financial Officer, Marianne E. Hulme has been serving as the Borough's Qualified Purchasing agent at no additional cost to the Borough. After a short discussion, it was the consensus of Council to increase the bid threshold to \$29,000.00 and appoint Mrs. Hulme, once again, as the Borough's Qualified Purchasing Agent.

RESOLUTION 88-05

**A RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT, PURSUANT TO N.J.S.A.40a:11-3(a) AND N.J.A.C. 5:34 ET SEQ.
(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. 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.

Update Re: Certificate of Determination and award Re: Bond Anticipation Note.

The Treasurer reported that we renewed our Bond Anticipation note. The total principal amount of \$1,052,000 was renewed on July 14, 2004 at an interest rate per annum of 4.00%. The maturity date for this note is July 14, 2006. The Treasurer reported that this procedure was handled by our Bond Counsel, Ronald Ianoale. Mr. Smyth moved that Council approve this renewal. 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.

Discussion: Eagle at the Train Station. Mr. Gilmore stated that all of the eagles at the light rail stations will be auctioned off in October. Mr. Gilmore believes it is a wonderful idea if Riverton could keep the eagle presently at our station. Mr. Gilmore would like to contact people in town to find out if they would be willing to participate in this program by

donating funds to help defray the costs involved. Council took this suggestion under advisement

Discussion: Vacating Mattis Lane. Mrs. Alls-Moffatt stated that this issue came up at a Zoning Board meeting in conjunction with the Brandenberger application to develop the Sitzler property on Main Street. Mrs. Alls-Moffatt stated that this meeting was quite contentious with disruptions from certain members of the public. Mrs. Alls-Moffatt stated that we will now have a police presence at the Board's meeting next month.

Mrs. Alls-Moffatt stated that Mr. Brandenberger's development of this property has been delayed by a number of months while an extensive title search is done on Mattis Lane.

William Harris, 502 Cinnaminson Street commented that he brought a member of the Mattis family to extrapolate on Mattis lane. Mr. Harris stated that Mattis Lane was named for a prior post master. Mr. Harris stated that Mattis Lane is a dedicated street. He does not feel that any consideration should be given to vacating this street without doing a title search of the property. Mr. Harris believes Mattis Lane is part of our historical heritage. Mr. Harris introduced Cindy Mattis Cammarata. Ms. Cammarata stated that there was a street sign denoting Mattis Lane on the old gas lamps. She stated to Council that she has never heard that Mattis Lane was ever vacated. Mr. Gilmore stated that Mattis Lane is a 5' wide path that runs from Main Street (at Freddie's Shoe Shop) to Cinnaminson Street. It is asphalt now but in poor condition.

Planning Board Issues: Mrs. Alls-Moffatt stated that this Board has gone through some very disruptive meetings. Since conferring with the Planning Board Chair, Mrs. Alls-Moffatt would like to see some police presence at the Planning Board meetings. Mrs. Alls-Moffatt stated that this will cost the Borough money in police overtime costs. Mrs. Alls-Moffatt stated that she and the other board members are not comfortable at the meetings anymore unless there is a police presence. Mr. Cesaretti asked if the Planning Board could offset the costs for overtime from their budget. Mrs. Alls-Moffatt responded no, she believes this is a matter of public safety at these meetings. Mrs. Alls-Moffatt also commented that when the panic button was pushed at the Planning Board meeting it took 15 minutes for an officer to show up. Chief Norcross stated that an investigation with the alarm company determined it was only a 5 and a half minute response time. Chief Norcross went over the procedures involved when the panic button is pressed.

Frank Siefert, Planning Board Chair, stated that he did not make a formal request at the last board meeting for police presence. Mr. Siefert stated that the meeting was very disruptive. His concern was at the time he was leaving the building. Mr. Siefert stated that he was stopped from exiting the building by a person from the audience who had attended the meeting and had a finger physically poked in his chest. He was told that he was acting against the law. Mr. Siefert stated that he was physically blocked from exiting the building. Mr. Siefert believes this situation was most embarrassing to Riverton. Mr. Gilmore asked if there was a way to press charges against these individuals who cause these problems. Mr. Gunn stated that it is a disorderly person's offense to physically interfere with the conduct of a public meeting. This can be enforced by the Police Department. Mr. Gunn stated that under Robert Rules of Order, it is the presiding officer's call as to whether someone should be removed from the meeting. Mrs. Villari was of the opinion that 911 should be called if an incident comes up. She doesn't think the police need to be present for these meetings. Mrs. Alls-Moffatt disagreed; she feels a police presence is necessary at these meetings. Chief Norcross stated that he believes it is also necessary for the police to be present at the Zoning and Planning Board meetings. Chief Norcross stated that if any member of the Boards or a particular resident gets stopped from leaving this building (considered false imprisonment) or gets a finger poked in their chest (considered assault and battery) should come to the Police Department and file a criminal complaint. Chief Norcross stated that a disorderly offense is defined under New Jersey Statutes 2C:33-8 (disrupting a meeting). Dr. Daniel asked Mr. Siefert if he was compensated to serve on the Planning Board. Mr. Siefert responded no, the Board members are all volunteers. Dr. Daniel is embarrassed about what happened at the last Planning Board meeting. Mr. Gunn commented that there is a notice

that can be posted to remind the public as to what constitutes a disorderly offense. It was the consensus that this notice be posted.

Update: Re: Utilization of Farmers & Mechanics Bank parking lot. Council reviewed correspondence from the Department of Transportation (DOT) approving the Borough's request for Subtitle One of Title 39 with Various Traffic Regulations pertaining to parking at the Farmers & Mechanics Bank lot No. 2 on Harrison Street. Mr. Gunn commented that the state dictates the form of the required ordinance. Mr. Gunn stated that the DOT has indicated that all signs, posts or other necessary material should be installed and paid for by the applicant, which is the Bank. Mr. Gunn stated that that issue was never discussed with bank representatives during the negotiation process. Mr. Gunn stated that the Borough had indicated that we would pay for this. After a short discussion, it was the consensus that Mr. Gunn review this with the DOT before the required Ordinance is introduced. Council will be kept informed.

Awards received from the Burlington County Times. Mayor Martin stated that the Borough of Riverton has been chosen by the Times readers as the finest Community, Police Department, Local Park, Playground and Fire Department in Burlington County.

Committee Reports

Human Services & Municipal Court

Dr. Daniel read the following reports for the months of June and July 2005 that were submitted by Welfare Director, Florence Klein. There were six clients on assistance in June. Mrs. Klein attended various State Association meetings during the month. There were five clients on assistance in July. Mrs. Klein received a training packet on Megan's Law.

Dr. Daniel read a report for the month of June that was submitted by Court Administrator, Laura Frick. There were 76 traffic tickets issued—6 for parking, 68 traffic other and 2 DWI. There were 36 criminal charges filed—4 summons, 10 warrants and 16 Local Ord. Receipts for the month totaled \$6,994.00. The total disbursed to Riverton amounted to \$4,403.47.

Streets & Roads

Mrs. Villari reported that we are in the final phase of the 2004 Community Development Block Grant Project (reconstructing handicapped ramps at various locations in the Borough) Mrs. Villari reported that the County was out to replace curbing in front of 104 Main Street. This curb had been damaged during prior work done by the water company. Mrs. Villari was pleased with the County's response time to remedy this situation.

Regarding street work that needs to be done on Morgan Avenue, Mrs. Villari reported that we are still waiting for Palmyra regarding this project. Mrs. Villari reminded Council that we had placed money in a previous Bond Ordinance to cover Riverton's share of this work; however, the costs are anticipated to be more than what was initially bonded for. Council will be kept apprised of this situation.

As the liaison to the 4th of July committee, Mrs. Villari announced that Jeanette Trotman was stepping down as the Chair of this committee. Mrs. Villari will let Council know when a replacement has been chosen.

Park, Recreation, Recycling & Environmental Commission reported that a recycling schedule insert was included with our tax bills. Mr. Gilmore reported that two benches were purchased for the park and they were installed this past week. Two dogwood trees were planted at the park.

Public Safety

Mr. Cesaretti read the following reports for the month of May, June and July 2005 that were submitted by Chief Norcross. For May: Vehicle Mileage 3,249., Gas Used 348.3, Juvenile Arrests 0, Adult Arrests 5 (Criminal Warrant 1, Criminal Summons 1, Traffic Warrant 2, DWI 1 and Other 0), Motor Vehicle Crashes 2, Motor Vehicle Stops 72, Motor Vehicle Warnings 7, Motor Vehicle Summons 88, Burglar Alarms 14, Asst. to other Police Departments 22, Animal Complaints 5, Fire Calls 14 (In-Town 6, Out Of Town 8),

Ambulance Calls (Riverton) 24, Unattended Deaths 1, Criminal Cases 25, Domestic 0, Thefts 8, Burglaries 1 (From Residents 1, From Vehicles 0), Assaults 2 (From Officers 0, Firefighters/EMT 0, Civilian 2), Sexual Assault 0, Criminal Mischief 2, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 12, Miscellaneous Calls 555, Riverton School Walk Through Security Check 23, Riverton School Teaching/School Trips 0, and Total Calls 882.

For June: Vehicle Mileage 3,281, Gas Used 400.80, Juvenile Arrests 0, Adult Arrests 18, (Criminal Warrants 10, Criminal Summons 4, Traffic Warrants 1, DWI 3, Other 22), Motor Vehicle Crashes 6, Motor Vehicle Stops 66, Motor Vehicle Warnings 8 Motor Vehicle Summons 76, Burglar Alarms 21, Asst. to other Police Departments 28, Animal Complaints 5, Fire Calls 32 (In-town 11, Out of Town 21), Ambulance calls (Riverton) 23, Unattended Deaths 0, Criminal Cases 40, Domestic 3, Thefts 5, Burglaries 6 (From Residents 4, From Vehicles 2), Assaults 1 (Police Officers 0, Firefighters/EMT 0, Civilian 1), Sexual Assault 0, Criminal Mischief 1, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous complaints 20, Miscellaneous Calls 628, Riverton School Walk Through Security Check 10, Riverton School Teaching/School Trips 3 and Total Calls 1,000.

For July: Vehicle Mileage 3,527, Gas Used 456.10, Juvenile Arrests 2 (Assault 0, Miscellaneous 2 and Curfew 0), Adult Arrests 11 (Criminal Warrants 3, Criminal Summons 1, Traffic Warrants 6, DWI 1 and Other 0), Motor Vehicle Crashes 6, Motor Vehicle Stops 66, Motor Vehicle Warnings 5, Motor Vehicle Summons 58, Burglar Alarms 21, Asst. to other Police Departments 24, Animal Complaints 4, Fire Calls 26 (In-town 13, Out of Town 13), Ambulance Calls (Riverton) 31, Unattended Deaths 0, Criminal Cases 28, Domestic 3, Thefts 3, Burglaries 1 (From Residents 1, From Vehicles 0, Assaults 1 (Police Officers 0, Firefighters/EMT 0, Civilian 1), Sexual Assault 0, Criminal Mischief 5, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 120, Miscellaneous Calls 470, Riverton School Walk Through Security Check 0, Riverton School Teaching/School Trips 0, and Total Calls 885).

Mr. Cesaretti read reports for the months of May, June and July 2005 that were submitted by Fire Marshal Robert Yearly. For May and June there were 32 calls, 5 drills, 19 calls in town, 13 calls out of town, and 363.1 man hours for the month. For July there were 22 fire calls for the month, 3 drills, 15 calls in town, 7 calls out of town and 184.2 man hours for the month.

PROCLAMATION

A PROCLAMATION SUPPORTING THE YOU DRINK AND DRIVE, YOU LOSE 2005 ENFORCEMENT PROJECT (IN FULL IN RESOLUTION BOOK)

Mayor Martin read the above Proclamation in full. A copy will be forwarded to Chief Norcross.

Planning & Zoning Board. Mrs. Alls-Moffatt reported that work continues on the reexamination of the Master Plan. The Mater Plan sub-committee hopes to have two meetings a month to continue the pace on this work.

Meeting open to the public

William Harris, 502 Cinnaminson Street, asked if the disorderly persons notice includes the people on the Boards. The response was yes. Mr. Harris stated that he has attended various meetings and it is his opinion that the conduct at these meetings precipitated the problem. Mr. Harris is horrified at what goes on at the Board meetings.

Regarding the Mattis Lane issue, Mr. Harris believes it is the Borough's responsibility to search the title themselves. Mr. Harris stated that Mattis Lane was originally turned over to the Borough, is a dedicated thorofare and always has been for over a hundred years. Mr. Harris believes the proper research on this issue should be done before any decision on vacating Mattis Lane is even considered.

Michael Heine, 206 Carriage House Lane, stated that Mattis Lane extends from Main Street through Cinnaminson street in between what is known as the Sitzler property. Mr.

Heine suggested that the Solicitor prepare an opinion on the title report in the event it shows any interest the Borough has regarding Mattis Lane.

Mr. Heine reminded Council that at last month's meeting, this room was packed with people concerned about our facilities, which are inadequate. Mr. Heine stated that we have lost our court because of this problem. Mr. Heine stated that both our police and Borough administrative employees have severe space constraints. Mr. Heine stated that something needs to be done about this. Mr. Heine believes the residents should have a factual analysis of this issue. Mr. Heine recommends that Council formally designate a committee to give a report at next month's meeting on their findings. Mr. Heine believes that the purchase of the church on Main Street is the way to go as opposed to the Post Office. Mr. Cesaretti stated that the person speaking can reap financial gain regarding the purchase of the church. Mr. Cesaretti stated that Mr. Heine cannot be objective regarding this issue if he can make money from this purchase. Mrs. Villari commented that at last month's meeting there were a few people that signed a list to volunteer to investigate the Borough's needs. They were to get back to her with their findings. Mrs. Villari stated that she does not have expertise in this area. Mrs. Villari stated that resident Frank Cioci advised her that there was a property for sale next to Erin Cleaners for approximately \$89,000.00. Mrs. Villari stated that this property could be utilized for parking to support our businesses. Mrs. Villari feels we need to assess the amount of space the Borough needs. That needs to be done before any purchase is considered. Mr. Heine asked how people can help. Mrs. Alls-Moffatt stated that the Post Office offers over 7,000 square feet with a lot of parking. Mrs. Alls-Moffatt stated that we have already spent \$10,000.00 to have an architect provide a schematic design phase of the Post Office for us. Mrs. Alls-Moffatt understands that the asking price for the Post Office is \$175,000.00. Mrs. Alls-Moffatt believes we should purchase the Post Office just to have it. If we don't decide to turn it into a municipal building we could sell it a profit. Mrs. Alls-Moffatt stated that she thought Councilman Smyth would be providing us with information on this issue tonight. Mrs. Alls-Moffatt reiterated her opposition to the purchase of the church on Main Street.

Gary Ford, 311 Bank Avenue, stated that we need to know what our needs are before we purchase anything. This was discussed at last month's meeting. Mr. Cesaretti asked if the architect interviewed our staff before doing his drawings. The response was yes. Mr. Cesaretti stated that he thought we were reinventing the wheel. Mrs. Villari asked if the architect inquired as to how much space people needed or how much space they wanted. The Clerk responded that both she and the Treasurer were asked what we needed. The Chief stated that he originally was asked what his department needed and then what they wanted. Mrs. Alls-Moffatt believes that the space constraint issue in this building is at the critical stage. A decision needs to be reached regarding the purchase of the Post Office or the church. Mrs. Villari stated that she would take a look at the architect's preliminary drawings. Mayor Martin believes we are starting with the most expensive thing, when we should be starting with the least expensive way to go. Mayor Martin believes that both the Post Office and the church are too much money.

Frank Cioci, 408 Lippincott Avenue, believes we are at the same place we were at last month's meeting. We need to know what square footage is needed so the people can go out and find out what is available. Mr. Cioci agreed with the Mayor in that he doesn't think we should be spending a million dollars. Mr. Cioci wants to know the Borough's needs. Mr. Cesaretti commented that 20 years ago the Borough could have purchased the Sitzler property on Main Street for \$117,500.00. The estimated cost of constructing a municipal building at that time was \$400,000.00. Mr. Gilmore stated that he thought that Mr. Smyth, who is the Finance Chair and also on the Post Office Committee would be making a motion tonight about the Post Office. Mr. Smyth had no comment.

Robert E. Smyth, 1 Bank Avenue, commented that he was glad that the meeting disruption issue is being nipped in the bud. While he doesn't necessarily like the fact that there will be a police presence at the Planning & Zoning Board meetings, he believes we should try it.

Mr. Smyth reported that he had received a County newsletter which shows the Heritage Trail running along Bank Avenue. He suggested sending a letter to the County that reaffirms Council's position regarding the trail. It was the consensus of Council to agree to this suggestion.

Gary Ford, 311 Bank Avenue, suggested that the Borough send out notices to all realtors about the awards received from the Burlington County Times.

Mr. Ford asked if someone does disrupt a meeting is it possible that they shouldn't be allowed to attend another meeting for a period of time. Mrs. Alls-Moffatt commented that she thought that would be a violation of a person's first amendment rights. Mr. Gunn stated that is why there is a criminal statute to handle issues such as this.

Iris Gaughan, 401 Main Street, inquired once again when the Broad Street Enhancement Grant project would be completed. Mr. Gilmore responded sometime in October. Mrs. Gaughan asked if she can count on that information so that the clock at the Broad & Main location would be working again. Mr. Gilmore commented yes.

Mrs. Gaughan requested again that the Borough consider having hanging flower baskets in the business district next year. Mrs. Gaughan acknowledged the fact the watering of the plants is an issue. She will talk to the porch club to get suggestions because they have a fabulous garden.

Mrs. Gaughan asked if the Post Office would maintain a presence in Riverton. Mrs. Alls-Moffatt thought they would but she was waiting for Mr. Smyth to bring us up to date on this issue. Ms. Gaughan asked if we would sell this building if we moved to the Post Office. Mrs. Alls-Moffatt stated that there would be options. Mrs. Villari commented that it has been mentioned that once Nuway is developed there would be space there for municipal offices.

Deb Lengyel, 400 Linden Avenue, stated that the Borough doesn't own our present municipal building property- the Fire Company does. William Harris stated that that is not so, the Borough owns this building.

Frank Siefert, 304 Main Street, stated that a number of years ago apartments were originally going to be placed on the Sitzler property and the Mattis Lane issue came up at that time. Mr. Siefert stated that he believes Mattis Lane is a dedicated piece of land. Mr. Siefert stated that as part of Mr. Sitzler's prior variance application, he was allowed to relocate Mattis Lane, as long as it still met the requirement of going through Main Street to Cinnaminson Street. Mr. Siefert stated that that was successfully accepted by the Zoning Board at that time. Mr. Siefert feels this is a very simple solution to the Mattis Lane issue.

Ann McIlhenney, 604 Cedar Street raised concern about the flagpole at the park that is illuminated at night. Mrs. McIlhenney stated that the first night it was operational, someone broke one of the lights. Mrs. McIlhenney stated that at 2 in the morning one night last week, there was a car parked at this location with a couple of dogs. She called the police dispatcher to report her concerns about this. Mrs. McIlhenney was asked questions by the person answering; however, there was no response to her concern and no police officer every came out to investigate. The chief asked her for more information. He will follow through and see what happened.

Nancy Washington, 201 Main Street, stated that at the last election people were assured that there would be town newspaper. Mrs. Washington stressed the importance of having one. Mr. Cesaretti stated that the Borough's website already provides a lot of important information.

Mrs. Washington then asked for an update on the Dolecky/Horner litigation. Mr. Gunn stated that a notice of appeal has been filed by Mr. Dolecky. Mr. Horner is not appealing. Mr. Gunn reported that Dolecky is appealing on the grounds of the constitutionality of the Borough's seawall ordinance as well as whether there is an easement for Bank Avenue. Mr. Gunn reported that this appeal does not stay the order of the lower court that Dolecky/Horner must repair their riverwalls. Mr. Gunn stated that on the order to repair, both Dolecky and Horner have already applied for the required permits from the Department of Environmental Protection and the Army Corps of Engineers. Once the

permit is approved, Dolecky and Horner will have 120 days to repair their walls. Mrs. Alls-Moffatt asked if our Code Enforcement Officer can go out and cite them now. Mr. Gunn stated that the Borough is subject to the Judge's order. We can take enforcement action after the 120 days passes and once the permits are approved.

James Moffatt, 202 Fulton Street, agrees with Mrs. Washington about a news letter. Mr. Moffatt commented that he thought that Cathy Martin and Michelle Daniel had volunteered to do a newsletter.

Robert E. Smyth, 1 Bank Avenue, thinks a quarterly newsletter is a good idea.

It should be noted that there were no volunteers to do the newsletter.

At this time Mr. Gilmore moved that we return to closed 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-Moffatt aye. It should be noted that personnel and contract negotiation issues will be discussed.

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

RESOLUTION 89-05

A RESOLUTION TO REMOVE KELLY WELLS FROM PROBATIONARY STATUS

(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 absent, Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

RESOLUTION 90-05

A RESOLUTION TO APPROVE A NOTICE TO BE POSTED AT ALL PUBLIC MEETINGS IN THE BOROUGH OF RIVERTON CONCERNING DECORUM **(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.

RESOLUTION 91-05

A RESOLUTION AUTHORIZING BOROUGH COUNCIL TO ENTER INTO NEGOTIATIONS WITH THE UNITED STATES POST OFFICE TO PURCHASE THE POST OFFICE BUILDING IN RIVERTON, NEW JERSEY FOR A SUM NOT TO EXCEED \$175,000.00 **(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 nay, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

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

Mary Longbottom, RMC
Municipal Clerk

September 7, 2005

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

PRESENT: Council members Daniel, Villari, Smyth (arrived at 7:02), 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 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 92-05

**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. 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 Personnel, Contract Negotiations & Litigation will be discussed

At this time Mr. Smyth moved that we return to public session. This was seconded 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 93-05

**A RESOLUTION APPOINTING ALAN ADAMS AS ZONING OFFICER/CODE ENFORCEMENT OFFICIAL AND AFFORDABLE HOUSING OFFICER FOR THE BOROUGH OF RIVERTON FOR THE REMAINDER OF 2005
(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. 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.

Streets & Roads Issues:

Second reading and public hearings on the following required Stormwater Regulation Ordinances:

ORDINANCE 2005-8

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 106 OF THE RIVERTON BOROUGH CODE, TO PROHIBIT ILLICIT CONNECTIONS TO THE MUNICIPAL SEPTIC STORM SYSTEM OPERATED BY THE BOROUGH OF RIVERTON
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Villari, 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. **Bill Harris, 502 Cinnaminson Street** asked for a clarification. Mrs. Villari responded that this Ordinance prohibits illicit connections to the municipal septic storm system. There being no further comment, 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 9-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 106 OF THE RIVERTON BOROUGH CODE, TO PROHIBIT THE IMPROPER DISPOSAL OF WASTE
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Villari, 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. There being no comment regarding 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 10-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE RIVERTON BOROUGH CODE, TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PARK AREA OR ANY OTHER PROPERTY OWNED OR OPERATED BY THE BOROUGH OF RIVERTON
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Villari, 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 the Ordinance. There being 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 aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ORDINANCE 11-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45 OF THE RIVERTON BOROUGH CODE, TO ESTABLISH REQUIREMENTS FOR DISPOSAL OF PET WASTE
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Villari, who moved for its adoption. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment on the 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 12-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 74 OF THE RIVERTON BOROUGH CODE, TO ESTABLISH A YARD WASTE COLLECTION PROGRAM
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read for the second time by title only by Mrs. Villari, 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. There being 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 aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ORDINANCE 13-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 74 OF THE RIVERTON BOROUGH CODE,

**TO ESTABLISH REQUIREMENTS TO CONTROL LITTER IN THE BOROUGH
OF RIVERTON
(IN FULL IN RESOLUTION BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Villari, 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. There being 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 aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Review of "Draft" Ordinance regarding Streets & Sidewalks. Mrs. Villari reminded Council that we were considering several amendments to this portion of our code. Mrs. Villari reported that our Streets and Roads Engineer (Richard Arango) had also been consulted regarding this issue. Mr. Arango submitted a model Ordinance of what his firm had previously recommended to Cinnaminson Township. Mrs. Villari commented that after reviewing Cinnaminson's Ordinance, it has been determined that we should incorporate their Ordinance with Riverton's suggested amendments. Council had been given copies of both for their review. After reviewing the draft Ordinance prepared by our Solicitor and making some additional modifications, it was the consensus that this issue be placed on our agenda for next week for consideration.

Possible amendments to Chapter 99 of Borough Code Re: Recycling. Mrs. Villari reported that the County is recommending changes to our Recycling Ordinance. Copies were distributed to Council for their review. Mr. Gilmore suggested placing this issue on Council's October 5 work session for discussion. This will give Council time to review the recommended amendments. It was the consensus of Council to agree to this.

Designating portions of Thomas, Linden & Elm Terrace as Through Streets. Mrs. Villari reported that we had made a request to the Department of Transportation (DOT) to investigate the feasibility of designating the above referenced streets as through streets in the Borough. Based upon their field investigation, Mrs. Villari reported that our request has been found to be warranted by the DOT and can be recommended for approval. Mrs. Villari reported that an Ordinance needs to be done. After a short discussion, it was the general consensus of Council to agree to this. The Solicitor will be asked to prepare the required Ordinance for Council's consideration at next week's meeting.

Update: 2005 Road Program-Fulton Street Reconstruction. Mrs. Villari reported that our Streets and Roads Engineer continues to work on this project. We are scheduled to go out to bid in October. Council will be kept apprised of this situation.

Update Re: T & M Associates. Public Works Manager, Scott Reed, reported that T&M Associates are working on the required permitting process (Army Corps of Engineers and Department of Environmental Protection) regarding the Borough owned portion of the riverwall at Linden Avenue. Mr. Reed reported that a request has been received from Robert E. Smyth, the property owner at 1 Bank Avenue. Mr. Smyth believes that a section of the riverwall at Morgan Avenue is a pocket park owned by the Borough. Mr. Reed stated that we are unsure that the Borough does in fact own this particular portion. However, Mr. Reed is requesting that this portion be added to T&M's permitting list, in the event a determination shows that the Borough does own this portion. Mrs. Villari reported that T&M Associates have already contacted the required agencies regarding the Borough's portion of Linden Avenue. We are awaiting their response.

Change Order No 1 for the 2004 Community Development Block Grant Project.

Mrs. Villari reported that two (2) barrier-free ramps at the intersection of Fourth Street and Lippincott Avenue were removed from this project because they met the required codes. Mrs. Villari stated that the removal of these two ramps reduced the amount of the project by \$2,500.00. The original contract price was \$85,000.00. It will now be \$82,500.00. Mrs. Villari stated that a formal resolution to authorize this change needs to be approved by Council.

RESOLUTION 94-05

**A RESOLUTION OF THE BOROUGH OF RIVERTON APPROVING
CONTRACT CHANGE ORDER NO. 1 REGARDING THE 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. 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.

Review of bids received for the Broad Street Enhancement Grant. Mr. Gilmore announced that one bid was received, opened and publicly read this morning. The lone bid received was from **Mount Construction of Berlin, New Jersey. The total bid amount, including alternate No. 1 was \$631,340.00.** Mr. Gilmore stated that this bid was well in excess of the grant amount. Mr. Gilmore further stated that Council had just received correspondence from Dante Guzzi, the Borough's Engineer for this project. Mr. Guzzi is recommending that Council reject this bid and re-bid it with specific changes. Mr. Gilmore stated that he feels Mr. Guzzi needs to clarify his suggested changes. After a short discussion, it was the consensus of Council that this issue be placed on next week's agenda for review and action to give Mr. Gilmore time to discuss the suggested changes with Mr. Guzzi.

Discussion: Traffic patterns around the School (Possible amendments to various sections of Chapter 123 (Vehicles & Traffic) of the Borough Code. Chief Norcross reported that the Borough has received a recommendation from the Burlington County Engineer relative to a traffic study performed in accordance with a grant from the Safe Routes to Schools Program. Chief Norcross stated that the Borough Engineer has concurred in the study performed by the Burlington County Engineer. Chief Norcross is making the following recommendations regarding the additional designations of one-way streets in the Borough contiguous to the Riverton Public School or playground: Howard Street in the Northwest Direction between Fifth Street and Fourth Street and Cinnaminson Street in the Southeast direction, between Fourth Street and Fifth Street. Chief Norcross is recommending the placement of stop signs on Howard Street at the intersection of Fifth Street, on Howard Street at the intersection of Fourth Street, on Cinnaminson Street at the intersection of Fifth Street and Cinnaminson Street at the intersection of Fourth Street. Chief Norcross is also recommending that loading zones be amended as follows: Howard Street on the Northeast side between Fifth Street and Fourth Street during all hours, Cinnaminson Street on the Southeast side between Fourth Street and Fifth Street during all hours. Chief Norcross also recommended that Section 25(No stopping or Standing) of Chapter 123 of the Borough Code be repealed. Chief Norcross further recommended that this same section should now read as follows: Fifth Street on the West side between Howard Street and Cinnaminson Street during all hours. Mr. Gilmore asked if the School Board have reviewed these recommendations and have agreed to them. Chief Norcross stated that these are public streets. Mr. Gilmore stated that while he is not opposed to these recommendations, he believes people should stop acting individually and work as committees. Mr. Gilmore suggested that the Chief go to the next school board meeting and discuss this issue with them.

Large truck problem. Mr. Gilmore asked the Chief where we stand with signage prohibiting large trucks from going down Main Street. Chief Norcross responded that he is trying to get the County to do that.

Review of Chapter 128-64 pertaining to automobile parking spaces-Off-Street parking. Mrs. Villari stated that she was asked that this be placed on the agenda by some business owners. Mrs. Villari stated that the way this ordinance reads, it is impossible to accommodate. Mrs. Villari believes it is difficult for a prospective business owner to obtain a variance regarding these parking requirements. Mrs. Villari stated that there is not a lot of parking in the Borough. Mr. Gilmore disagreed with Mrs. Villari. He cited instances where business owners have been granted parking variances with not much trouble. **Frank**

Cioci, 408 Lippincott Avenue commented that he feels there is no reason for this ordinance because there is no parking in Riverton. Mr. Cioci commented that as a member of the Economic Development Committee, he knows that many of the other business owners in town agree with him. He does not feel this Ordinance makes sense for pre existing buildings. Mr. Gilmore stated that if you open up a business, it is a requirement. The owner of a business should have adequate parking. If the parking is not there, a variance is then required. **Jason Cioci, 109 7th Street** did not agree with Mr. Gilmore's comments. He does not believe a prospective business owner should have to put out money to obtain a parking variance. Dr. Daniel commented that there are public parking lots in town. However, if a business owner has a storefront that will not accommodate the flow of traffic into their store, then it is a given that they apply for a variance. Mayor Martin commented that a parking variance is not the only reason why an applicant would come before the respective Boards for a variance. Mr. Cesaretti is of the opinion that this Ordinance safeguards the town. It makes sure that something doesn't come in that would drastically alter the landscape and shape of the downtown district. After a protracted discussion on this issue, Mr. Gunn suggested that this be referred to both the Planning Board and Zoning Board for their review, input and recommendation. It was the general consensus of Council to agree to this.

Mayoral appointments to the Planning Board

Mayor Martin announced that he was appointing **Suzanne Cairns Wells as a Class IV** member of the Planning Board. Ms. Wells will be replacing Birnist O'Reilly, who recently resigned from the Planning Board. Ms. Wells' term expires on December 31, 2008. Mayor Martin announced that he was appointing **Alan Adams as a Class II** member of the Planning Board. Mr. Adams will be replacing Anthony Dydek, who recently resigned from the Board. Mr. Adams' term expires December 31, 2005.

Update Re: Smart Growth Grant. Mrs. Alls-Moffatt stated that Council had previously reviewed the Office of Smart Growth's modifications to our scope of work for this project (redevelopment) and found them unacceptable. A Resolution and a letter from the Mayor were forwarded to the Office of Smart Growth explaining Council's position in this regard. Mrs. Alls-Moffatt then reviewed recent correspondence from the Office of Smart Growth regarding this grant. The Deputy Director, Joseph Donald, is requesting a meeting between Borough representatives and his Department in hopes of resolving the issues. Mrs. Alls-Moffatt stated that she believes it is imperative for us to have this meeting and asked which members of Council would attend. Mayor Martin and Mr. Gilmore volunteered to attend with Mrs. Alls-Moffatt. Mrs. Alls-Moffatt will set up the requested meeting and will keep Council informed of the outcome.

Financial Issues:

Update re: Revaluation/Reassessment of all properties. Mr. Smyth reported that on August 12, 2005 we sent out five (5) requests for Revaluation proposals for the Borough. The proposals are due back no later than 11:00am on October 3, 2005. Council will review the received proposals at that time.

Charging interest for sewer on a per diem basis. Council reviewed this request from the Treasurer. Mr. Smyth asked that the wording on the proposed resolution be reviewed and revised for next week's meeting.

2005 budgetary expenditures. Mr. Smyth reported that many budget line items are getting tight and that spending should be done with caution.

Update Re: Agreement with Farmers & Mechanics Bank to utilize their parking lot. Mr. Gunn reviewed the required Ordinance with Council and recommended its passage.

ORDINANCE 14-05

AN ORDINANCE MAKING PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO THE FARMERS AND MECHANICS BANK AND REGULATING THE USE OF SAID

ROADWAYS, STREET, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

The above Ordinance was read by title only for the first time 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. It should be noted that second reading and a public hearing on the Ordinance is scheduled for October 5.

Update Re: Economic Development Committee. Mrs. Villari reported that the committee is considering numerous suggestions: A shop Riverton campaign with advertisements, adding items of interest to our website, a possible coupon book, events planning, the possible creation of a calendar, the possible creation of a division of tourism self guided tours, the placement of signs indicating the downtown area, the availability of parking on Farmers & Mechanics second parking lot and real estate improvements (possibly turning multi family apartments into condominiums) Mrs. Villari reported that on September 17 there will be a River-line yard sale running from Florence Township to Camden City. Mrs. Villari commented that the committee would like to get more involved with Palmyra's Halloween parade and participate in the Burlington County Freeholder's calendar of events with the placement of an ad.

Jason Cioci, 109 7th Street, reported that he calculates we need 12 directional signs for parking (8 for the Route 130 side of the rail and 4 for the river side of the rail. Mr. Cioci stressed the fact that people need to know where the parking is in town. Public Works Manager, Scott Reed, stated that he would work with the Committee regarding the purchase of these directional signs.

Gary Ford, 311 Bank Avenue. Regarding the River-line yard sale, Mr. Ford stated that we would have five tables for artists, realtors, a furniture refinisher, and people would be available to distribute information regarding Riverton. This will take place between 9:00am until 2:00pm. Mr. Ford requested that restroom facilities be available for this event at either the fire hall or municipal building. Mr. Ford stated that volunteers would be available to monitor these buildings during this event or any others that the Economic Development Committee plans. Council took this request under advisement.

Frank Cioci, 408 Lippincott Avenue asked if formal approval was needed from Council for the placement of the directional parking signs. Mr. Reed stated that we are permitted to put these signs up; however; the County has to give their approval for any signs placed on their road. Mr. Cioci asked for a clarification regarding the signs to be placed on Farmers & Mechanics Bank parking lot on Harrison Street. Mr. Gilmore commented that there will be a two (2) hour parking limit on this lot. The suggested wording was: Public parking for downtown shopping.

Nitya Fiorentino, 531 Main Street, stated that the Committee needs to submit something firm to be included on the County's Calendar of events.

Jason Cioci, 109 7th Street, asked Council if they will support the Economic Development Committee and provide police protection during their events. Mrs. Villari commented that if Council is not behind the committee, then there is no reason to go forward. Mrs. Villari asked for a consensus of Council on this issue. Dr. Daniel stated that he is interested, Mr. Smyth is absolutely interested, Mayor Martin is very interested, but feels Council will have to determine how we would fund any anticipated budget submitted by the Committee next year, Mr. Gilmore is interested and both Mr. Cesaretti and Mrs. Alls-Moffatt absolutely supports the committee. Chief Norcross commented that the safety of this town and our residents is his responsibility. He will need to work closely with the Economic Development Committee.

Phyllis Rodgers, 405 Lippincott Avenue, thanked Council for supporting the Economic Development Committee. Mrs. Rodgers believes we are at a critical crossroads now as to whether Riverton can become the height of a Victorian village or not.

MaryAnn Shea, 205 Bank Avenue stated that there would be a meeting tomorrow to discuss the duplex and condo issue. Mrs. Villari stated that Ms. Shea and Frank Cioci are

working on helping people that might want to convert their multi-family unit properties back to single family homes. There may be state funding for this. Mr. Cioci stated that this is similar to what Collingswood is doing.

Request from property owners at 204 Lippincott Avenue for a reduction in sewer charges. Council reviewed documentation from Dr. and Mrs. Daniel requesting a reduction in their sewer charge from three units to two units. Council also reviewed written verification from the Borough's Construction Official, that the owner's request is consistent with his findings at the time of his inspection of this property.

RESOLUTION 95-05

A RESOLUTION AUTHORIZING THE REDUCTION IN SEWER CHARGES ON THE PROPERTY LOCATED AT 204 LIPPINCOTT AVENUE (BLOCK 600, LOT 1), 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 Mrs. Villari. A poll vote was then taken. Dr. Daniel recused himself from this issue, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Discussion: Proposed Redevelopment Plan. Mr. Gilmore presented his proposed plan once again. Mr. Gilmore asked that this Ordinance be placed on next week's agenda for consideration. Mr. Gunn commented that this proposed plan should be forwarded to the Borough's redevelopment attorney, Tom Coleman, for his review.

RESOLUTION 96-05

A RESOLUTION APPROVING AN INTERLOCAL SERVICES AGREEMENT BETWEEN RIVERTON BOROUGH AND CINNAMINSON TOWNSHIP FOR THE JOINT PROVISION OF MUNICIPAL COURT (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. 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 nay.

Bank & Lippincott Avenue. Mr. Gilmore stated that he would like the Borough owned portion of this area cleaned up. After a short discussion, it was the general consensus that our Public Works Department take care of this.

Halloween Curfew. Chief Norcross asked Council to consider implementing a curfew for October 28, October 29, October 30 and October 31. Chief Norcross stated that the curfew would be from the hours of 9:00PM until 5:00AM for all people under the age of 18. It was the consensus of Council to agree to this. A formal Resolution will be placed on next week's agenda for action.

Preliminary agenda for September 14. The Clerk reviewed this with the Council.

Meeting open to the public

Charles Caruso, 531 Broad Street, commended Council for listening and understanding the concerns of the business community. Regarding the increase in sewer charges, Mr. Caruso would like the charges done on a sliding scale based on water consumption. Mr. Cesaretti stated that Council had considered incorporating the sewer charges into the tax rate during last year's budget discussions. Mr. Cesaretti stated that if Council does decide to do this, the sewer charges can be used as a tax deduction.

Phyllis Rodgers, 405 Lippincott Avenue, recommended that Council hire a professional grant writer who would get paid from any grant money they are able to get for Riverton. Mrs. Rodgers does not feel we should pay someone for just writing a grant.

Regarding the sewer increases, Mrs. Rodgers, a multi family unit property owner, stated that this increase completely blew her budget for the year. Mrs. Rodgers stated that there is no way she can recoup this increase from the rents. Mrs. Rodgers stated that she may have to give up her professional landscaper who maintains her properties. Mrs. Rodgers further stated that she probably can't afford that extra paint job that multiple

housing might require. Mrs. Rodgers believes there is a misconception that these multiple housing units bring in so much revenue. Mr. Gilmore stated that if we didn't have the sewer increase, we would have had to have placed the increase in the taxes because the cost of sludge removal went up.

MaryAnn Shea, 205 Bank Avenue, reiterated what Mrs. Rodgers said about the sewer increase and how that is affecting her rental property. Ms. Shea would be in favor of consumption by water usage.

Frank Cioci, 408 Lippincott Avenue questioned the sewer reduction at 204 Lippincott Avenue, which went from three units to two. Mr. Cicoci asked if this would be permanent. The response was yes. As an example Mr. Cioci stated that he knows of duplexes in town whereby the owners are paying for two units, but have not rented one unit in quite some time. Mr. Cioci believes that these owners are still entitled to keep their duplex. The issue of abandonment was briefly mentioned.

Jason Cioci, 109 7th Street, stated that the court system just went to Cinnaminson due to the lack of proper facilities here. Mr. Cicoci thinks the next thing to go to Cinnaminson will be our Police Department. Mr. Cioci believes we may become the Borough of Cinnaminson. Mayor Martin commented that he does not believe we are going that route.

There being not 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 14, 2005

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding (left the meeting at 9:25pm)

PRESENT: Council members Daniel (left meeting at 9:10pm), 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 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

The minutes from August 3 and August 15 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 aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti voted aye for August 3rd and abstained from August 15 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 August 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 aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

MODIFICATIONS TO THE MAYOR'S APPOINTMENTS TO THE PLANNING BOARD

Mayor Martin announced that he was modifying the appointments he made to the Planning Board at last week's meeting. The appointments will now be as follows: **Robert E. Smyth** moves up from an alternate member to a regular Class IV member. Mr. Smyth will be taking the place of Birnist O'Reilly, who recently resigned from the Board. Mr. Smyth's term expires December 31, 2008. **Alan Adams** is appointed to serve as a regular Class II member. Mr. Adams will be taking the place of Anthony Dydek, who recently resigned from the Board. Mr. Adams' term of expiration is December 31, 2005. **Joseph Katella** now becomes alternate No. 1 on the Board. **Suzanne Cairns Wells** is appointed alternate No 2. Ms. Wells takes the place of Robert E. Smyth. Ms. Wells' term of expiration is December 31, 2005.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti reported that a police report and fire report were not submitted. Mrs. Alls-Moffatt reported that there were two acts of vandalism at her house this past month. Mrs. Alls-Moffatt asked where all our patrol people were while all of this was going on. Mrs. Alls-Moffatt understands that there have been other acts of vandalism at other properties near hers. Mr. Cesaretti stated that he would have the Chief contact her.

Mrs. Alls-Moffatt stated that she has not heard when there will be a Police Committee meeting to commence negotiations on the police contract which expires at this end of this year. She believes we are behind schedule on this.

Mr. Cesaretti read a report for the month of August that was submitted by Animal Control Officer, M&R Wildlife. A stray dog and two stray cats were taken to the shelter.

PARK, RECREATION, RECYCLING &

ENVIRONMENTAL COMMISSION-Mr. Gilmore

Mr. Gilmore reported that maintenance continues on the park. Mr. Gilmore reported that a fence needs to be placed at the grandstand location. This is a requirement from our insurance company. We are obtaining bids for this work. Mr. Gilmore reported that he is working with the Historical Society for the placement of a historic sign in the downtown area. Mr. Gilmore reviewed what the sign will look like with Council. Mr. Gilmore stated that he would attempt to find a sponsor to purchase the eagle at the train

station and then donate it to the Borough. All of the eagles are scheduled to be auctioned off next month. Council will be kept apprised of this situation.

STREETS, ROADS & SEWER-Mrs. Villari

Mrs. Villari reported that maintenance continues on our streets and roads. Our newly planted Christmas tree has died and will need to be replaced.

SHADE TREE, MUNICIPAL COURT & HUMAN SERVICES-Dr. Daniel

Dr. Daniel read a report for the month of August that was submitted by Welfare Director, Florence Klein. There were five clients on the rolls. Mrs. Klein received training regarding the County's one stop program.

Dr. Daniel reported that the Shade Tree Commission met Monday night. There is an increase in the number of jobs to be addressed by the Commission throughout this summer. The reasons are due more to weather issues. Dr. Daniel reported that our new tree contractor has not gained complete familiarity with the town which accounts for some delays in getting work done in a timely fashion. Dr. Daniel reported that there are concerns about the crepe myrtle trees along the river side of the railroad tracks. Dr. Daniel asked if the Public Works Department can soak these trees until we get a significant amount of rainfall. Dr. Daniel reported that the Commission is working on putting together information to be placed on the Borough's website. The Commission will define what rights a homeowner has in terms of planting trees, where a tree can be planted and where it cannot. They will also clarify what is Borough property and what is County property. Dr. Daniel stated that we are in the second year of a five year forestry program. Dr. Daniel stated that we anticipate planting thirty new trees this year.

Dr. Daniel read a report for the month of July 2005 that was submitted by Court Administrator Laura Frick. There were 56 traffic tickets issued, 12 for parking, 43 for traffic other and 1 DWI. There were 29 criminal charges filed, 2 summons, 3 warrants and 23 local ordinances. The total amount received for the month was \$13,716.00. The total disbursed to Riverton amounted to \$6,632.50. Dr. Daniel reported that Court equipment was removed from Palmyra Borough and taken to Cinnaminson Township.

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

Mrs. Alls-Moffatt reported that our new Code Enforcement Officer will also serve as a Class II member of the Planning Board. Planner Tamara Lee will be providing the latest information on the Affordable Housing issue at this month's Planning Board meeting. Mrs. Alls-Moffatt reported that Birnie O'Reilly submitted a letter of resignation from the Planning Board. The Planning Board approved a minor site plan application for Ms. Cynthia Brooks, a floral designer at 304 Broad Street. James Brandenberger presented a conceptual plan to the Board regarding the Nuway property. A CVS would be the anchor store at this location. Five other stores are scheduled to be placed at that location. Mrs. Alls-Moffatt stated that it is anticipated that this project will generate approximated \$100,000.00 in tax revenue for the Borough.

The Zoning Board granted James Brandenberger a variance for a 1.4 foot encroachment of his home at 203 Thomas Avenue. The Cedar Lane Mews project has been continued.

DISCUSSION: 622 THOMAS AVENUE

Mrs. Alls-Moffatt reported that this property is not being maintained and is in very bad shape. Mrs. Alls-Moffatt reported that the owner, who is deceased, had a reverse mortgage on this property. The company was supposed to keep up with the property, which they have not done. Mrs. Alls-Moffatt stated that the grass is enormously over grown; there is broken glass all over and from what she understands, the property is not secure. Mrs. Alls-Moffatt feels the property is now hazardous and wants this situation addressed. Solicitor Gunn reviewed Chapter 52 of the Borough Code regarding Brush, Weeds & Debris with Council. Mr. Gunn outlined the necessary steps that would have to be followed before the Borough could take care of cleaning the property up and then placing a lien against the property. Mr. Gunn suggested that we have our Code Enforcement Officer

attempt to contact the company responsible for the maintenance. Mr. Gunn further stated that we should also confer with our Construction Official and the County Board of Health regarding potential issues regarding the inside of the property (Chapter 59 of the Borough Code). Council will be kept apprised of this situation.

OLD BUSINESS

UPDATE RE: SMART GROWTH GRANT

Mrs. Alls-Moffatt reported that there is a scheduled meeting with representatives of the Office of Smart Growth to discuss the status of the Borough's grant. It was the general consensus that the Mayor, Mrs. Alls-Moffatt, Mr. Gilmore, Solicitor Bruce Gunn and Planner Tamara Lee would attend this meeting in Trenton. Council will be kept informed.

DISCUSSION: POST OFFICE

Mayor Martin asked for a status report on this issue. Mr. Smyth reported that we are waiting to see a final price to purchase the Post Office Building. Mayor Martin asked what the process would be if an agreement of sale is reached. Solicitor Gunn stated that a Resolution approving the contract would have to be done. Mr. Gunn stated that he would have to research whether an Ordinance would also be required. Mayor Martin asked if a petition could be developed that would force a referendum on this issue in between the first and second reading of the Ordinance. Mr. Gunn responded no, because the ordinance is not effective until the second and final reading. Mr. Smyth commented that we have a Bond Ordinance in place to purchase the Post Office. This Ordinance was done a couple of years ago. Mr. Gunn stated that he would have to do some research because even though we have the money through the past bond ordinance to purchase the property; however, we would still need another Bond Ordinance to either build or renovate a facility. Mayor Martin stated that his concern is that if we buy the Post Office for \$175,000.00, it could turn out to be a two million dollar project. Mrs. Alls-Moffatt stated that there is a possibility that she may not be on Council in 2006. She feels it is quite obvious that this project is to be delayed until after the elections. Mrs. Alls-Moffatt stated that she feels there are enough votes on Council to buy the Post Office building now. Mrs. Alls-Moffatt stated that our current Borough Hall does not have adequate space. Mr. Gilmore conferred with Mrs. Alls-Moffatt's remarks. Mr. Gilmore cited the fact that we lost the Municipal Court for non-compliance issues. Mr. Cesaretti stated that he has gone through the Post Office and he sees potential there. He believes it would be wonderful to have a municipal building in the center of town. Mrs. Villari stated that we need to have accurate figures to determine what it would cost to renovate the Post Office. Mrs. Villari further stated that the initial drawings of the Post Office would need to be redone. Mrs. Alls-Moffatt stated that there is no other building in this town as big as the Post Office that we can buy for \$175,000.00.

PROPOSED REDEVELOPMENT PLAN-Mr. Gilmore

Mr. Gilmore presented this proposed plan for Council's consideration. He provided an overview of the history of this plan for Council's information. Mr. Gilmore stated that instead of asking Council to consider adopting this plan, he is requesting that Council hire David Gerkens as our Planner for redevelopment. He has a lot of experience. Mr. Gilmore is of the opinion that both our present redevelopment attorney (Tom Coleman) and Planner (Tamara Lee) do not know that much. Mayor Martin stated that he thought it was rash to consider hiring another planner at this time. Mayor Martin stated that both Mr. Coleman and Ms. Lee submitted previous letters stating their reasons why Council should not adopt this plan (one being the Affordable Housing issues). Mr. Gilmore stated that these letters were just received today. Where were they a couple of months ago? Mayor Martin stated that both professionals had previously responded in writing to Council on November 9 and 10, 2004. Mr. Gilmore believes this plan is a revenue producing document as well as a protection policy for the Borough. Mayor Martin commented that he wouldn't want to move forward with this plan if both our professionals are opposed. Mr. Gilmore reiterated his position that we hire a new Planner and Redevelopment Attorney. Mrs. Alls-Moffatt concurred with Mr. Gilmore's comments. Mrs. Alls-Moffatt does not feel that these professionals respond to Council in a timely fashion. Mr. Gunn commented that if

Council decides to move forward on Mr. Gilmore's suggestion, Council should hire the people as consultants. Mr. Gunn reminded Council that the Planning Board has a contract with Tamara Lee until the end of this year. Mr. Smyth stated that the last time Tamara Lee came before Council, she reviewed the substantive changes in the Affordable Housing Laws. Mr. Smyth feels we could be leaving the Borough vulnerable to a builder's remedy if we don't follow their regulations. Mr. Cesaretti stated that he is not a zoning or planning expert; he looks to our professionals for guidance. Mr. Cesaretti stated that he would take Solicitor Coleman's advice about not adopting this proposed plan.

Mr. Gilmore moved that we hire David Gerken as a consultant for redevelopment effective immediately. This was seconded by Mrs. Alls-Moffatt. A poll vote was then taken. Dr. Daniel nay, Mrs. Villari nay, Mr. Smyth nay, Mr. Gilmore aye, Mr. Cesaretti nay, and Mrs. Alls-Moffatt aye.

NEW BUSINESS

ORDINANCE 2005-15

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 111 OF THE RIVERTON BOROUGH CODE, RELATIVE TO DRIVEWAYS, SNOW AND ICE REMOVAL, STREET EXCAVATIONS, AND SIDEWALK AND CURB REPAIR

The above Ordinance was read by title only for the first time 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. It should be noted that second reading and a public hearing on the Ordinance is scheduled for October 12th.

ORDINANCE 2005-16

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123-30, SCHEDULE VIII, TO DESIGNATE ADDITIONAL THROUGH STREETS IN THE BOROUGH OF RIVERTON, AND TO PROVIDE FOR THE INSTALLATION OF STOP SIGNS ON THE INTERSECTING STREETS

The above Ordinance was read by title only for the first time 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. It should be noted that second reading and a public hearing on this Ordinance is scheduled for October 12th.

ORDINANCE 2005-17

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123 OF THE RIVERTON BOROUGH CODE RELATIVE TO ONE WAY STREETS

The above Ordinance was read by title only for the first time by Mrs. Villari, who moved for its adoption. This was seconded by Mrs. 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 second reading and a public hearing on this Ordinance is scheduled for October 12th.

ORDINANCE 2005-18

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123 OF THE RIVERTON BOROUGH CODE RELATIVE TO SCHEDULES FOR NO STOPPING OR STANDING, STOP INTERSECTIONS AND LOADING ZONES

The above Ordinance was read by title only for the first time 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. It should be noted that second reading and a public hearing on this Ordinance is scheduled for October 12th.

UPDATE RE: BROAD STREET ENHANCEMENT GRANT. Mr. Gilmore reminded Council that we received one bid for this project, which was double the amount of the grant allocation. Mr. Gilmore stated that he thought we were misled by Dan Guzzi, our Engineer for this project, regarding his cost estimates for this project. Mr. Gilmore stated that Mr. Guzzi was unable to make tonight's meeting. Mr. Gilmore further stated that based on his conversations with Mr. Guzzi, they have recommended design modifications and alternate bid items for this project, which are as follows: a. The elimination of all work, including the re-alignment of Broad Street, on the northwest side

of Main Street, b. Bidding all sidewalk work on the northeast side of Broad Street (in front of the monument) as an alternate, c. Bidding the new lighting fixtures as an alternate, d. Bidding the electrical service and wiring as a deduct alternate and e. Bidding all sidewalk work from Lippincott Avenue to Church Lane as an alternate. Mr. Cesaretti stated his opposition to the elimination of the work to be done from Main Street to Cinnaminson Street. He feels this finishes off the project. Mrs. Villari asked if Mr. Guzzi has cleared all of these suggested changes with the local office of the Department of Transportation. Mr. Gilmore responded that Mr. Guzzi does not have to do that. Mrs. Villari reminded Mr. Gilmore about how stringent all the guidelines are regarding this grant. Mrs. Villari stated that by making these suggested changes, the specifications are changing. Mr. Gilmore disagreed with Mrs. Villari. Mrs. Villari doesn't know how we can re-bid the project without reviewing the specifications. Mr. Gunn stated that he included wording in the resolution that the Public Works Committee and the Solicitor need to approve the specs before we re-bid. Mr. Gilmore strongly stated again that the bid specs are not changing. Mr. Gilmore stated that he wants the wording pertaining to Public Works and Solicitor approval eliminated from the Resolution. Mr. Gunn stated that this is being recommended to be on the safe side. Mr. Gunn stated that we need to see the actual physical document to make sure the Engineer does the specifications correctly. Mrs. Villari reiterated her belief that the specifications are being changed. Mr. Gilmore strongly disagreed with Mrs. Villari on this issue. At this point Dr. Daniel left the meeting. Discussion then resumed. Once again, Mr. Gunn stated that if Council is okay with the suggested changes, he recommends that the Resolution include the fact that we re-bid the project after the Public Works Committee and himself review the amended specifications.

RESOLUTION 97-05

A RESOLUTION REJECTING BIDS RECEIVED FOR THE BROAD STREET ENHANCEMENT GRANT AND AUTHORIZING THE BOROUGH CLERK TO READVERTISE

(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. Cesaretti. It should be noted that the Solicitor's suggested wording will be included in this Resolution. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore nay, Mr. Cesaretti aye and Mrs. Alls-Moffatt nay.

RESOLUTION 98-05

A RESOLUTION AMENDING RESOLUTION 5-05 FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT SEWER

(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 nay.

RESOLUTION 99-05
A RESOLUTION AUTHORIZING A CURFEW FOR OCTOBER 28,
OCTOBER 29, OCTOBER 30 AND OCTOBER 31, 2005 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 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.

RESOLUTION 100-05
A RESOLUTION AUTHORIZING A MONETARY SETTLEMENT WITH THE
COURT ADMINISTRATOR OF 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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

RESOLUTION 101-05
A RESOLUTION APPOINTING COURT PERSONNEL PURSUANT TO THE
INTERLOCAL SERVICES AGREEMENT BETWEEN CINNAMINSON
TOWNSHIP AND RIVERTON BOROUGH
(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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

REQUEST FROM EPISCOPAL CHURCH FOR A WAIVER OF A PERMIT FEE
FOR A SIGN

Council reviewed a written request from the church regarding this issue. The Clerk reported that in February 2000 a similar request was made by both the Yacht Club and the Calvary Presbyterian Church and they both were denied by the Governing Body at that time. Council reviewed an excerpt from the minutes of February 3, 2000 confirming that fact. After a short discussion, Mr. Gilmore moved that the Episcopal Church's request for a permit fee waiver be denied. 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 recused herself because she is a member of this church.

At this time Mayor Martin left the meeting.

MEETING OPEN TO THE PUBLIC by President of Council Robert K. Smyth
Margaret Wark, 406 Howard Street, commented that she feels this building is not properly maintained and she doesn't know how the Borough would maintain the Post Office if they purchased it.

Gene Bandine, 522 Main Street, stated that it annoys him to see refrigerators and air conditioners placed curbside to then be crushed at the landfill. Mr. Bandine believes we should be salvaging them and saving the copper. Mr. Bandine asked where our environmentalists are regarding this issue. Mr. Bandine stated that he has a plan and will volunteer his services on the removal of refrigerants. He is licensed to do such work. Mr. Smyth commented that he would bring this issue up at the next shared services meeting that he will be attending for input and direction.

William Harris, 502 Cinnaminson Street, reported that he recently received a call from Senator Lautenberg's office. Mr. Harris was informed that the Senator is moving to get federal grants to eliminate the train horns. Mr. Harris reported that he informed the Senator's office that while we very much want to eliminate the train horns, we do not want to eliminate the grade crossings.

Mr. Harris reported that he feels our Animal Control Officer (M&R Wildlife) is very unresponsive. Chief Norcross commented that he has heard that other towns utilizing the same officer are making similar complaints.

Mr. Harris raised concern over the amount of vandalism done to our gas lights.

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

Mary Longbottom, RMC
Municipal Clerk

October 5, 2005

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 7:02pm), 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 2005 published in the Burlington county Times on December 29, 2004 and

(b) Posting written notice on the official bulletin board on January 4, 2005

ORDINANCE 14-05

AN ORDINANCE MAKING PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO THE FARMERS AND MECHANICS BANK AND REGULATING THE USE OF SAID ROADWAYS, STREET, DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

(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. Cesaretti. At this time, Mayor Martin opened this portion of the meeting to the public for any comment on this ordinance. There being 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 aye, Mr. Smyth absent, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Possible Ordinances for consideration: a. Amending Chapter 99 Re: Recycling.

Mrs. Villari reported that Council had previously been given the suggested amendments to be made to our recycling ordinance by the County for review. After a short discussion, it was the general consensus that our Solicitor prepare the Ordinance for consideration at next week's meeting. **B. Amending Chapter 22 to establish the form of applications for the informal review of concept plans for Site Plans and Sub-Divisions.** Council reviewed a "draft" Ordinance that was prepared by the Planning Board's attorney for Council's review. We presently do not have anything on our code book regarding this issue. After a short discussion it was the general consensus to place this Ordinance on next week's agenda for consideration. Mrs. Alls-Moffatt then raised the issue that some applicants do not submit their required escrow fees in a timely fashion. This creates problems when we have to pay the Board's professionals for their time spent on the respective application. Mrs. Alls-Moffatt inquired as to whether we could incorporate language regarding the required escrow fees into this ordinance. Solicitor Gunn responded that he felt that this was a Planning Board policy issue. He suggested this issue be brought up at the next Board meeting so that the Board's attorney can help address this issue.

Streets & Roads Issues: a. Update Re: 2005 Road Program (Fulton Street). Mrs.

Villari reported that our engineer for this project, Remington, Vernick & Arango has advertised for the receipt of bids. The bids will be opened on Wednesday, October 12th at 10:00am. Council will be kept informed. **b. OSHA compliance issues at the Sewer Plant and Pump House.** Mrs. Villari reported that OSHA did a general inspection of the plant and pump house and we were cited for some violations. Mrs. Villari reported that our Sewer Engineer, T&M Associates has submitted a not to succeed proposal for Professional Services in the amount of \$11,364.00 to assist the Borough in this regard. However, Mrs. Villari reported that we are working closely with OSHA representatives to remedy the problems ourselves. Mrs. Villari reported that she will keep Council apprised of this situation and obtain their authorization if there is a need to utilize our Engineer for this work.

Review of proposals received for revaluation/reassessment. Mr. Smyth reported that we had sent out five proposals for this project and we received only one. Renwick & Associates of Maple Shade, New Jersey submitted a proposal in the amount of \$125,000.00. Mr. Smyth stated that he thought this figure was high. Mrs. Alls-Moffatt concurred with Mr. Smyth. Mr. Smyth stated that he would review this proposal with our Tax Assessor. Council will be kept informed.

Update Re: Smart Growth Grant. Mrs. Alls-Moffatt, Mr. Gunn and Tamara Lee, Planner recently attended meeting with representatives of the Office of Smart Growth to review the Borough's Smart Growth Grant project on redevelopment. Mrs. Alls-Moffatt stated that Council had previously informed the Office of Smart Growth that their modifications to the revised scope of work for this project were not acceptable. Mrs. Alls-Moffatt further stated that this meeting was set up to review the status of the grant and to determine if the monies could be utilized for another project. Mr. Gunn commented that he got a sense from the meeting that the Office of Smart Growth wants to work with us. They are asking Riverton to come up with another suggestion. Mr. Gunn stated that it must be a planning related subject. Mr. Gunn stated that some examples would be to do a parking study in town or to possibly study what commercial uses we would have in town. Our Planner would have to write a new scope of work. Mayor Martin commented that he thought our Planning Board should recommend to Council what we should consider. It was the general consensus to ask the Planning Board to do this.

Mrs. Alls-Moffatt reported that during the course of the meeting, our Planner had indicated that Riverton is only seven tenths of a mile and we are required to have nineteen COAH obligations. Ms. Lee questioned where we would place these obligations. Mrs. Alls-Moffatt reported that COAH had been under the impression that Riverton was a seven mile Borough. Mrs. Alls-Moffatt stated that after this was clarified, COAH indicated that they would honor our previous vacant land adjustment amount. Mrs. Alls-Moffatt commented that this was certainly a relief.

Mrs. Alls-Moffatt also reported that she inquired at this meeting as to whether monies would be available to renovate and rehabilitate the Post Office. Mrs. Alls-Moffatt stated that she was informed that the Post Office is considered a historic building and that there is potential for a million dollar, tax free, and interest free bonding for this purpose. Mrs. Alls-Moffatt also stated that there may also be other grant monies available for this potential project. Mrs. Alls-Moffatt commented that this was very good news.

Emergency Management Coordinator (three year appointment.) The Clerk reported that Tom Schneider's appointment has expired. Mr. Schneider presently receives no compensation for this position. The Clerk reported that Mr. Schneider is now asking Council to reconsider this. Mr. Gunn stated that he had also served in this capacity for many years and was never received compensation. Mr. Gunn further stated that there may be reasons why Mr. Schneider is asking Council to consider this. Mr. Gunn further stated that Council could appoint Mr. Schneider until the end of the year and then consider his monetary request during next year's budget process. Public Works Manager Scott Reed stated that the work Mr. Schneider does is very important. There is a lot of paper work and meetings that need to be attended. A discussion ensued. After conferring with our Solicitor, it was the consensus of Council to appoint Mr. Schneider to this position for the remainder of this year. Councilwoman Villari was designated to meet with Mr. Schneider regarding his request and to obtain information on his work load.

RESOLUTION 102-05

A RESOLUTION AUTHORIZING THE APPOINTMENT OF TOM SCHNEIDER AS EMERGENCY MANAGEMENT COORDINATOR FOR THE BOROUGH OF RIVERTON FOR THE REMAINDER OF 2005 (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. 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 103-05

A RESOLUTION AUTHORIZING THE DESIGNATION OF SUSQUEHANNA PATRIOT BANK-CINNAMINSON BRANCH-AS AN ADDITIONAL DEPOSITORY FOR THE BOROUGH'S MUNICIPAL COURT ACCOUNTS FOR THE REMAINDER OF 2005 AND AMENDING THE BOROUGH'S CASH MANAGEMENT PLAN TO ALSO INCLUDE SUSQUEHANNA PATRIOT BANK-CINNAMINSON BRANCH AS AN ADDITIONAL DEPOSITORY (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. 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.

Request from the Architectural Review Committee Re: Clarification on the Architectural Guidelines codified by Council for the Neighborhood and General Business Districts. Council reviewed and discussed this issue. Solicitor Gunn commented that Council did adopt an Ordinance regarding Architectural Guidelines in 2003. However, Mr. Gunn stated that an applicant coming before the Zoning or Planning Board can request that a variance or other relief be given in a particular case. It is at the Board's discretion to thoroughly review such a request before rendering a decision. It was the consensus that a letter be sent to the Architectural Review Committee that outlines the Solicitor's comments.

Motion to approve request from Sacred Heart Church to hold raffles. The Clerk reported that Sacred Heart Church has submitted the required paperwork and fees to the Borough to hold raffles at the Church in November. Council needs to approve this request before it is forwarded to Legalized Games of Chance for their review.

Mr. Gilmore moved that we approve Sacred Heart Church's application to hold raffles in 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 abstained and Mrs. Alls-Moffatt aye.

Update Re: Economic Development Committee. Mrs. Villari reported that the committee would like to have a bank account that they can deposit monies received from various fund raisers and different events that will produce funds. Solicitor Gunn suggested that we should wait until next year's budget to consider incorporating any kind of income into the 2006 budget. Mrs. Villari reported that the committee is looking into incorporating local business information in our Borough Directory for next year. The committee will be seeking sponsors for the businesses that want to advertise by placing an ad in the directory. The Clerk provided an overview of the directory process and what will be required to keep everything organized. The Clerk reported that the directory is hand delivered to all properties in town by the cub scouts. The Borough makes a donation to the scouts for their efforts. Mrs. Villari stated that she would work closely with the Clerk to make sure all of the committee's information is submitted before the end of this year. **Gary Ford, 311 Bank Avenue**, a member of the Economic Development Committee, commented that they would be submitting a 2006 budgetary request for Council's consideration. Mr. Ford also commented that the Committee is going to look into the possibility of getting a grant writer.

Mrs. Villari asked if the Planning Board and Zoning Board had a chance to review Chapter 128-64-Off Street Parking and make a recommendation to Council about possible changes. Mrs. Villari commented that two business owners had asked Council to amend this Ordinance for existing buildings only. Mayor Martin stated that this matter would go to the Planning Board this month. Mr. Gilmore stated that it is his opinion that we need to have the proper protection for added parking so that developers coming into town will know what is expected of them

Preliminary agenda for October 12. The Clerk reviewed this with the Governing Body.

National Historic resources Grant. Mr. Gilmore reported that he was looking into applying for this grant. Mr. Gilmore reported that this would pertain to the placement of a trail in the park. The due date for the submission of the application is December 15th. Council will be kept informed.

Eagle Donation. Mayor Martin announced that Tracey Weitzell purchased the eagle at the Riverton train station and would now like to donate it back to Riverton. Mr. Gilmore volunteered to take care of speaking and meeting with Ms. Weitzell when he returns from vacation. The Clerk will contact Ms. Weitzell to thank her for the donation and to let her know that Mr. Gilmore will contact her soon. Mr. Gilmore commented that we have to decide where to place the eagle. New Jersey Transit has indicated that they do not want any of the eagles placed on their property. Council will be kept informed.

Police Contract Negotiations. Mr. Cesaretti reported that the Public Safety Committee has met twice with the Riverton Police Association to begin negotiations on the new contract. Mr. Cesaretti stated that the present contract expires on December 31 of this year. Mr. Cesaretti further stated that the committee is not at the point where they are ready to come back to Council for review and discussion. Council will be kept informed.

Halloween parade. Mayor Martin announced that Palmyra's Halloween parade is scheduled for October 30. It starts at 5:45pm at the National Casein site. Mayor Martin asked Council to consider walking in the parade with him.

Paving of Broad Street. Mayor Martin reported that the County would be starting work on Broad Street effective October 10. Work on this roadway will consist of roadway milling, roadway repaving and pavement striping. The work is scheduled for completion within six (6) working days from the start date.

Meeting open to the public

Bill Harris, 502 Cinnaminson Street, stated that he feels the Borough's Animal Control Officer is not responsive enough to resident's concerns. Mr. Harris cited instances when he has attempted to contact M& R Wildlife, the Borough's Animal Control Officer, about setting traps for stray cats on his property and nothing is done. Mr. Cesaretti responded that he would check this matter out and get back to Mr. Harris. Mr. Harris then asked if a sanitary probe could be done on the property at 505 Cinnaminson Street. Mr. Harris stated that he feels this is the owner's responsibility and that it isn't a Borough problem. Mrs. Alls-Moffatt stated that she believes this is a code enforcement issue and she will review this issue with our Code Enforcement Officer, Alan Adams.

Bob E. Smyth, 1 Bank Avenue, believes the budget process should be started earlier to begin work on getting the local tax rate down. Mr. Smyth stated that he has been getting feedback from the public about taxes, sewer bills, etc. Mr. Smyth stated that Council has got to look at cost reductions and the need to look into grants. Mr. Cesaretti stated that if people are complaining about their taxes, the school tax is what should be thoroughly reviewed. That is the largest part of the overall tax bill. Mr. Cesaretti asked what the school board is doing to slash their budget. Mr. Smyth commented that he has talked to the school board. Mr. Cesaretti reminded Mr. Smyth that he had recommended last year that our Finance Committee, as well as the Ad Hoc Finance Committee should review the school's bills and spending as well as the Borough's. Mr. Cesaretti stated that the school has a far bigger budget than the Borough's. Mrs. Villari commented that some of the Borough's budget line items are almost expended. Mrs. Villari commented that things come up that need to be addressed. How much more can we slice these budget line items? Regarding the school's budget, Mrs. Villari stated that she feels that the school board should start accepting tuition as they once did. Mr. Cesaretti is not in favor of having the Ad Hoc Finance Committee next year if they don't review the school's budget as well. Mr. Cesaretti commented that the same people Mr. Smyth is talking to are the same people that vote to approve the school's budget. Scott Reed, Public Works Manager, commented that the local municipal budget is extremely tight. We may not be able to continue providing services. Mrs. Alls-Moffatt commented that there are two places in town where we can slash money—the school and our Police Department. Mr. Cesaretti stated that if the town

wants to have the luxury of having their own school and Police Department, they are going to have to pay for it.

Bill Brown, 617 Linden Avenue, asked if Riverton has a sex offender ordinance in place. The response was no. Mr. Brown strongly suggested that Council consider this. It was the consensus of Council that sample sex offender ordinances be obtained from other municipalities for Council to review and consider at their November work session.

RESOLUTION 104-05

**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 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-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

October 12, 2005

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

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

ABSENT: Council members Daniel and 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 all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004 and

(B) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 105-05

**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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye. It should be noted that a potential 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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

The minutes from September 7, September 14 and the closed session minutes from August 3, August 15, and September 7 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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, 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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of September that was submitted by Chief Norcross. Vehicle Mileage 3215, Gas Used 392, Juvenile Arrests 0, Adult Arrests-11, Criminal Warrants 2, Criminal Summons 0, Traffic Warrants 7, DWI 2, Other 0, Motor Vehicle Crashes . Motor Vehicle Stops 127, Motor Vehicle Warnings 11, Motor Vehicle Summons 121, Burglar Alarms 9, Asst. to other Police Departments 32, Animal Complaints 4, Fire Calls (info not provided) Ambulance Calls -Riverton (Info not provided), Unattended Deaths 0, Criminal Cases 25, Domestic 0, Thefts 2, Burglaries (info not provided), Assaults 0, Sexual Assaults 0, Criminal Mischief (Info not provided) Robberies (info not provided), Motor Vehicle Thefts 0, Miscellaneous Complaints 12, Miscellaneous Calls 647, Riverton School Walk Through Security Check 12, Riverton School Teaching/School Trips 0, and Total Calls (info not provided).

Mr. Cesaretti read a report for the month of September that was submitted by Deputy Fire Chief, Robert Yearly. Fire Calls for the month 19, Drills 4, Calls in Town 10, Calls out of Town 9, Man hours for the month 314.7.

Mr. Cesaretti read a report for the month of September that was submitted by Animal Control Officer, M&R Wildlife. Two stay dogs were taken to the shelter.

PARK, RECREATION, ENVIRONMENTAL COMMISSION AND

RECYCLING-Mr. Gilmore-No report
STREETS, ROADS & SEWER-Mrs. Villari

Mrs. Villari reported that we received, opened and publicly read one bid for the reconstruction of Fulton Street. **American Asphalt Co., Inc. 116 Main Street, West Collingswood Heights, NJ 08059 bid \$376,827.25** submitted the lone bid. It is the recommendation of the Borough's Engineer, Remington, Vernick & Arango to award this contract to American Asphalt Co., Inc., contingent upon the Solicitor's review and approval of their bid. It was the consensus of Council to agree to this.

RESOLUTION 106-05

**A RESOLUTION OF THE BOROUGH OF RIVERTON AUTHORIZING THE
AWARD OF CONTRACT FOR THE RECONSTRUCTION OF FULTON
STREET TO AMERICAN ASPHALT CO., INC. 116 MAIN STREET, WEST
COLLINGSWOOD HEIGHTS, NEW JERSEY 08059 IN THE AMOUNT OF
\$376,827.25 CONTINGENT UPON THE SOLICITOR'S REVIEW AND
APPROVAL OF THEIR BID
(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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

RESOLUTION 107-05

**A RESOLUTION AUTHORIZING THAT A BOND ANTICIPATION NOTE IN
THE AMOUNT OF \$250,000.00 BE OBTAINED FOR THE RECONSTRUCTION
OF FULTON STREET
(IN FULL IN RESOLUTION)**

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 aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Mrs. Villari reminded Council that our Sewer Plant had been cited by OSHA for specific violations. A letter has been sent to OSHA informing them that these violations have been remedied. OSHA will make another inspection. Council will be kept informed.

Mrs. Villari commented that our Sewer Engineer, T&M Associates, is having some difficulty obtaining permits from the Department of Environmental Protection to work on the Borough owned portion of the riverwall. Mayor Martin commented that we are trying to set up a meeting with the DEP to discuss this issue. Mr. Gunn stated that he has sent a letter to the DEP listing specific dates for the meeting, but they have not responded. Council will be kept apprised of this situation.

Mrs. Villari reported that she will be meeting with our Emergency Management Coordinator, Tom Schneider to discuss his appointment for next year, as well as his budgetary and salary request. Council will be kept informed.

SHADE TREE & HUMAN SERVICES-Dr. Daniel-No Report
ZONING, PLANNING, CODE ENFORCEMENT &

REDEVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt reported that she did not attend last month's Planning Board meeting.

Mrs. Alls-Moffatt reported that the Cedar Lane Mews application before the Zoning Board was continued until the Board's October meeting. Mrs. Alls-Moffatt reported that the Board approved Mr. Brandenberger's variance request for a front yard setback.

Bob E. Smyth, of the Planning Board, commented that the housing element portion of the Master Plan re-examination includes the housing plan, growth share projections and fair share plan. These issues will be reviewed at the next Planning Board meeting. There may be some suggested changes to our zoning that would require amendments to our present zoning ordinance. Councilman Smyth commented that he believes Tamara Lee,

Planner is doing a great job of ameliorating our COAH responsibility. Bob E. Smyth concurred with Councilman Smyth's comments.

Mrs. Alls-Moffatt reported that our Code Enforcement Officer is resolving the issues at 622 Thomas Avenue. He is doing a good job and has submitted a written report to her.

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

NEW BUSINESS

ORDINANCE 15-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 111 OF THE RIVERTON BOROUGH CODE, RELATIVE TO DRIVEWAYS, SNOW AND ICE REMOVAL, STREET EXCAVATIONS, AND SIDEWALK AND CURB REPAIR

At this time Mrs. Villari reported that our Construction Official and representatives from PSE&G have raised some concerns about this ordinance that they would like us to address prior to its adoption. After a short discussion, it was the general consensus of Council to agree to this.

Mrs. Villari made a motion to table this Ordinance until next month's work session so that all of the concerns raised are reviewed and discussed by Council. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ORDINANCE 16-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123-30, SCHEDULE VIII, TO DESIGNATE ADDITIONAL THROUGH STREETS IN THE BOROUGH OF RIVERTON, AND TO PROVIDE FOR THE INSTALLATION OF STOP SIGNS ON THE INTERSECTING STREETS
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. 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, 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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ORDINANCE 17-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123 OF THE RIVERTON BOROUGH CODE RELATIVE TO SCHEDULES FOR ONE WAY STREETS IN THE BOROUGH OF RIVERTON
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. Chief Norcross reported that he has reviewed this proposed Ordinance with the Riverton Board of Education and they are behind it. Mrs. Villari commented that she feels this is a step in the right direction. Chief Norcross stated that if we find that this Ordinance is not working or that safety issues arise, they will be addressed. Chief Norcross commented that this is being recommended in accordance with a grant from the Safe Route to Schools Program. We are trying to encourage children to walk to school. Mrs. Alls-Moffatt stated that she doesn't have a problem with this if it keeps our children safe. Mr. Cesaretti stated that the cones presently placed around the school are not enforceable. Both Mr. Cesaretti and Chief Norcross feel that these cones are giving the children a false sense of security. Chief

Norcross stated that once this ordinance goes into effect, he will place heavy enforcement around the school as well as issuing warnings before tickets are issued. Mrs. Alls-Moffatt commented that one of the complaints she gets is that the people who park around the school are not ticketed. Chief Norcross responded that they are.

Gary DosSantos, 205 Howard Street, stated that even though this ordinance will be a slight inconvenience, he has no objection. He wants to keep our children safe. Mr. DosSantos asked if other alternatives had been considered. Chief Norcross stated that this issue was brought up last year and tabled because of the engineering costs involved. When this grant became available, the County paid for the costs involved. It is the Chief's personal opinion, after consultation with the County and Borough's Engineer, that this is the best way to make it safe for our children. Mr. DosSantos inquired as to whether parking would still be permitted on the one side (across from the school) of Howard Street. Chief Norcross responded yes. For safety purposes, Mr. Dos Santos strongly urged the elimination of this parking.

Keith Wenig, 206 Cinnaminson Street, stated that he would like to see more enforcement around the school. Mr. Wenig commented that speed limits are not enforced. Mr. Wenig cited 4th Street as a major problem for school traffic.

Albert Reeves, 437 Elm Avenue, thinks this issue can be resolved by having the Police Department be there when the kids get out at noontime and when they come back. Mr. Reeves is of the opinion that the Police do nothing else, except sit at Manny's restaurant all the time. Mrs. Villari commented that Mr. Reeves is entitled to his personal opinions about the Police. However, Mrs. Villari stated that this whole issue started when parents of the school children asked what Council was doing to keep their children safe. The drop-offs are obnoxious and we know that the placement of cones to block streets are illegal. When the County obtained the Safe Routes to Schools grant, they wanted us to participate and they paid for the required traffic study. Mr. Reeves commented that we will have a town with signs at every corner. Mr. Reeves believes we have more signs than we need.

Gene Bandine, 522 Main Street, believes the children should be encouraged to walk to school.

Scott Reed, Public Works Manager, asked if Council would rescind this Ordinance if it doesn't work out. Mr. Smyth stated that we should give this Ordinance a chance. Mr. Cesaretti stated that we cannot go back to using cones because they are illegal. We have to do something. Chief Norcross stated that if there are problems, we will address them.

Keith Wenig, 206 Cinnaminson Street asked if we would go to a 15 mile an hour school zone now. Chief Norcross stated that that had not been considered.

Bonney Dos Santos, 205 Howard Street, believes we should promote children walking to school. Mrs. DosSantos questioned why we are making a portion of Howard Street one way. Mrs. DosSantos thought lowering the speed limit would be a more effective way of keeping the children safe. It was the consensus of Council to put the issue of a possible 15 mile per hour speed zone on next month's work session for discussion and consideration.

Scott Reed, Public Works Manager, asked if this Ordinance is adopted will it be enforced. Chief Norcross responded yes

Gordon Reeves, 437 Elm Avenue, asked where the teachers will park. The response was that they could find parking on some of the other streets.

Gary DosSantos, 205 Howard Street, does not feel the problem is being resolved. Mr. Dos Santos reiterated his position that we should eliminate the parking on Howard Street across from the school. He is only for the Ordinance if the parking is eliminated. He also thinks the speed limit needs to be reduced.

Keith Wenig, 206 Cinnaminson Street suggested changing the present parking on the school side of 4th Street to the other side of the street (the Porch Club side). Scott Reed, Public Works Manager, disagreed with this suggestion. He believes this would cause more traffic problems.

There being no further 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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ORDINANCE 18-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 123 OF THE RIVERTON BOROUGH CODE RELATIVE TO SCHEDULES FOR NO STOPPING OR STANDING, STOP INTERSECTIONS AND LOADING ZONES
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mrs. Villari, who moved for its adoption. This was seconded by Mr. Cesaretti. 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, 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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ORDINANCE 19-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON AMENDING CHAPTER 22, ARTICLE 1, SECTION VI TO ESTABLISH THE FORM OF APPLICATION FOR THE INFORMAL REVIEW OF CONCEPT PLANS FOR SITE PLANS AND SUBDIVISIONS SUBMITTED TO THE RIVERTON PLANNING BOARD, AND TO DETERMINE THE APPLICATION AND ESCROW FEES TO BE PAID BY DEVELOPERS REQUESTING SUCH INFORMAL REVIEWS

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. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent, 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 November 9th.

ORDINANCE 20-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON AMENDING AND REPLACING CHAPTER 99 OF THE RIVERTON BOROUGH CODE FOR THE COLLECTION OF DESIGNATED RECYCLABLES AND MODIFYING FOR VIOLATIONS THEREOF

The above Ordinance was read by title only for the first time 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 aye, Mr. Gilmore absent, 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 November 9th.

RESOLUTION 108-05

**A RESOLUTION AUTHORIZING THE RETURN OF A SEWER TAX PAYMENT RECEIVED IN ERROR
(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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

MAYORAL APPOINTMENT OF AN ALTERNATE MEMBER TO THE ZONING BOARD OF ADJUSTMENT

Mayor Martin announced that he was appointing Robert Hoag as an alternate member of the Zoning Board of Adjustment. Mr. Hoag will be filling the unexpired term of Alan Adams, who recently resigned from the Board. Mr. Hoag's appointment expires on December 31, 2005.

CORRESPONDENCE

MEETING OPEN TO THE PUBLIC

Keith Wenig, 206 Cinnaminson Street, asked for a status report regarding the possible purchase of the Post Office. Mrs. Alls-Moffatt responded that Council has been authorized to negotiate with the postal service to purchase the Riverton Post Office building for a not to exceed sum of \$175,000.00. We are still waiting to hear from the postal service. Mrs. Alls-Moffatt commented that while up in Trenton for a meeting regarding our Smart Growth Grant, the possible availability of grants for the remediation and rehabilitation of the Post Office was brought up. Mr. Wenig asked if we had estimates as to how much it would cost to renovate the Post Office. Mr. Smyth responded no, because our original plans had to include provisions for the court. Without the court, it will significantly reduce the amount for the renovations. Mr. Smyth commented that it is all tentative at this point. Mr. Wenig believes you should know what the costs are before you buy a property. You shouldn't buy it and then find out the costs. Mrs. Villari commented that we could buy the Post Office and then sell it. Mr. Wenig commented that he didn't think we were into land speculation. Mrs. Villari commented that the Borough could use a few more assets.

Gene Bandine, 522 Main Street a member of the Shade Tree Commission, reported that a Siberian Spruce will be going up at the War Memorial location and utilized as the Christmas tree. The tree originally planted here a couple of months ago had died. Mr. Bandine also reported that our tree contractor will be in at the beginning of November to complete some jobs. Mr. Villari commented that the Public Works Department just purchased a tree for the war memorial. She was unaware that the Shade Tree Commission had purchased one also. Mr. Bandine stated that she should check with Barry Emens on this issue. Mr. Bandine asked why Council was interfering with the Shade Tree Commission's work.

Albert Reeves, 427 Elm Avenue thinks that the people in charge of the War Memorial (the Fire Company) should be consulted to determine what we can and cannot do at that location.

William Harris, 502 Cinnaminson Street, commented that it was his understanding that the original tree that was placed at the War Memorial location was put in and paid for by the Shade Tree Commission. Mr. Harris stated that the tree was not donated privately. It is also his understanding that a Siberian spruce is not strong enough to hold Christmas lights.

Gordon Reeves, 431 Elm Avenue, stated that he has noticed that surrounding towns have considered and passed a Sex Offender Ordinance. Mr. Reeves believes that Riverton should do one also. Mrs. Alls-Moffatt commented that this issue was brought up last week and Council will be reviewing sample Ordinances at our November work session.

Mr. Reeves asked why our website is not up to date regarding the minutes. The Clerk responded that the minutes are not placed on the website until the Governing Body approves them. They are normally one month behind being placed on our site. Mr. Reeves also asked if the agendas could be placed on the site a couple of days before the meeting. The Clerk stated that she will talk to our webmaster about this.

William Harris, 502 Cinnaminson Street, stated that at the recent back to school night, cars were parked everywhere, blocking intersections and even his home's entrance. Mr. Harris doesn't believe that one ticket was given out.

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

Mary Longbottom, RMC
Municipal Clerk

November 2, 2005

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

PRESENT: Council members Daniel (arrived at 7:45pm), 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 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 109-05

**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 litigation 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 absent, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Possible Ordinances for consideration: Amending Chapter 111 Streets & Sidewalks Mrs. Villari reported that Council had tabled this Ordinance last month to review suggested changes submitted by our Construction Official, Streets & Roads Engineer and representatives from PSE&G. Mrs. Villari stated that her committee and the Solicitor have reviewed these suggestions. Our Solicitor was asked to prepare a draft for Council's review. Mrs. Villari requested that this Ordinance be placed on next week's agenda for consideration. After a review and a short discussion, Council concurred with Mrs. Villari's request.

Amending our present Court Ordinance to reflect the Borough's Interlocal Services Agreement with Cinnaminson Township. Mr. Gunn reported that this portion of the Borough code needs to be amended to reflect our agreement with Cinnaminson Township regarding the Municipal Court. Mr. Gunn provided a draft Ordinance for Council's consideration. After a short discussion, it was the consensus of Council to place this item on next week's agenda for consideration.

Amending Chapter 123 Re: 15 mile speed limit on Howard Street & Cinnaminson Street. Chief Norcross stated that this issue was raised during last month's discussion on the new traffic patterns around the school. Chief Norcross stated that he has discussed this issue with the County Engineer and our Solicitor. The County Engineer's office believes that we cannot have a 15 mile per our speed limit. Chief Norcross also stated that the expense of having a traffic site job would be rather hefty. Mr. Gunn stated that there would have to be an engineering reason why this should be considered. Our Engineer would have to investigate and radar checks would have to be completed. A discussion ensued. It was the consensus of Council that we give the new traffic patterns around the school a chance to work out before considering a reduction in the speed limit. **Review of sample Sex Offender Ordinances from other municipalities.** Council reviewed sample Ordinances from Cinnaminson and Palmyra regarding this issue. Mr. Gunn stated that his concern is that their Ordinances reflect the fact that a sex offender is not permitted within 2500 feet of a school, park or day care facility. Mr. Gunn stated that this amount of restricted space would take up a large portion of Riverton. However, Mr. Gunn stated that we could adjust the number of feet around specified areas to better suit Riverton. Mayor Martin asked for a

map that would show figures on different lengths of feet to get a better idea of the size and percentage of feet that would be more suitable. Chief Norcross stated that he has a certified drug free school zone map from our Engineer that can help us get accurate figures to make the best decision. This issue will be placed on next week's agenda for continued discussion.

Broad Street Enhancement Grant Issues: Review of bid received for project. Mr. Gilmore reported that one bid was received, opened and publicly read on October 18, 2005 at 10:00am for this project. The lone bid was **from Mount Construction, 417 S. White Horse Pike, Berlin, New Jersey 08009. Their total bid price for items 1-14 was \$396,970.00. Mr. Gilmore Stated that their bid for Alternate No. 1 is as follows: D1 Deduct Electrical Service \$1,900.00, A2 Add sidewalk on NE Side of Main & Broad \$58,000.00, A3 Add Sidewalk Between Church & Lippincott \$48,000.00 and A4 Install Decorative Lighting \$11,500.00.** Mr. Gilmore reported that Mount Construction's bid without alternates exceeds the grant amount. Mr. Gilmore reported that Dante Guzzi, the Borough's Engineer for this project, has recommended that we reject this bid and re-bid this project early next year. It was the consensus of Council to agree to this recommendation.

RESOLUTION 110-05

A RESOLUTION REJECTING THE BID RECEIVED FOR THE BROAD STREET ENHANCEMENT GRANT AND AUTHORIZING THE RE-ADVERTISEMENT FOR RECEIPT OF BIDS FOR THIS PROJECT EARLY NEXT YEAR (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 aye and Mrs. Alls-Moffatt aye.

Discussion: The purchase of a Gazebo for the Broad Street Enhancement project

Mrs. Villari stated that she knows that this gazebo was already ordered by Mr. Gilmore. Mrs. Villari further stated that she wasn't aware that Council formally approved the ordering of this gazebo. Mrs. Villari understands that \$9,000.00 was appropriated in a Bond Ordinance passed on May 14, 2005 for the gazebo. However, Mrs. Villari explained that in order to spend the funds appropriated in a Bond Ordinance, Council would have to authorize the spending by Resolution. Mr. Gilmore apologized and stated that it was his fault; he figured that the funds were coming out of the Bond Ordinance and he assumed that the project would have been approved by now. Mr. Gilmore reported that the actual cost for the gazebo is \$8,600.00. Mr. Gilmore stated that the gazebo would be delivered in pieces and will have to be put together by the builder when we need it. Mr. Gilmore commented that it would have to be stored down at the plant. If there is not enough room inside the building, it will have to be placed outside with tarps on it for protection. Mrs. Villari stated that Council did not approve the purchase of this gazebo and she feels that we should decide right now whether we want the gazebo or not. She does not believe this purchase is justified because we do not know when this project will be done. Mrs. Alls-Moffatt stated that the money has been already been put aside in a previous Bond Ordinance for the gazebo. Mrs. Villari commented that while that is true, Council needed to give their authorization to make the purchase first. That is the proper procedure and Mr. Gilmore did not follow the correct procedures. Mrs. Villari stated that we do not need to throw away \$8,600.00 when we have employees that need raises and other Borough business to take care of. A discussion then ensued.

RESOLUTION 111-05

A RESOLUTION AUTHORIZING THE PURCHASE OF A GAZEBO FOR THE BROAD STREET ENHANCEMENT GRANT PROJECT FROM MEDFORD CEDAR PRODUCTS, 59 OLD RED LION ROAD, SOUTHAMPTON, NEW JERSEY 08008

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

Update Re: Possible reval/reassessment of all properties. Mr. Smyth stated that he has reviewed Renwick & Associates' proposal for a revaluation/reassessment of all properties in the Borough next year with our Tax Assessor, Tom Davis. Mr. Davis concurred with Council's opinion that the proposal in the amount of \$125,000.00 was high. Mr. Davis will inform the County Tax Administrator about the status of this issue to determine what steps the Borough needs to take. Mr. Smyth commented that he thought we would be seeking proposals sometime next year for work to commence in 2008. Mr. Smyth stated that we will have to wait to hear from the County Tax Administrator to assure we are in compliance. Mr. Cesaretti stated that he would like to see Council seek new proposals as expeditiously as possible. He strongly believes that a revaluation/reassessment needs to be done as quickly as possible. Mr. Smyth will keep Council apprised of this issue.

Streets & Roads Issues: Update Re: Possible Community Development Block Grant Program project for 2006. Mrs. Villari reported that we have received a pre-application and guide package for participation in the Community Development Block Grant Program for 2006. Mrs. Villari stated that she and our Public Works Manager would be meeting with the Community Development Coordinator to review what options are available to us. Mr. Cesaretti suggested that the installation of handicapped ramps at the grandstand might meet the criteria for this grant. Mrs. Villari commented that she would find out if this would be permissible. Council will be kept apprised on this issue.

Resolution pertaining to the Municipal Stormwater Grant monies. Mrs. Villari reported that the Borough would be receiving \$6,822.00 in State Aid under the Municipal Stormwater Regulation Program. Mrs. Villari reported that the required application must be submitted and an individual designated to execute this grant. Mrs. Villari reported that a formal resolution is required.

RESOLUTION 112-05

**A RESOLUTION AUTHORIZING THE APPLICATION FOR STATE AID
UNDER THE MUNICIPAL STORMWATER REGULATION PROGRAM AND
DESIGNATING THE MAYOR TO EXECUTE THE 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 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.

Engineering fees for Fulton Street Project. Mrs. Villari reported that the engineering design fee dated January 10, 2005 for the Reconstruction of Fulton Street was in the amount of \$19,400.00. This fee was related to a work effort having a construction value estimated at \$161,625.00. However, Mrs. Villari reported that as a result of the engineer's meetings and site visits during rain storm events, the firm went ahead and made substantial changes to the stormwater infrastructure without Council's authorization to do so. Mrs. Villari stated that the project was awarded to the low bidder American Asphalt in the amount of \$376,827.25. The Engineering firm is now asking for an additional amount of \$10,941.44. Mrs. Villari reported that this additional amount plus their original amount is \$30,341.44. This equates to 8% of the construction value. Mrs. Villari reported that she met with Rick Arango to discuss this issue. Mrs. Villari stated that Mr. Arango admitted that his firm did not bring these substantial changes to Council's attention. Mrs. Villari informed Mr. Arango that there are no additional funds in our budget to defray these costs. Mrs. Villari is recommending that Council deny the engineer's request. A discussion ensued.

RESOLUTION 113-05
A RESOLUTION DENYING THE REQUEST FOR ADDITIONAL
COMPENSATION IN THE AMOUNT OF \$10,941.44 FROM REMINGTON,
VERNICK AND ARANGO, STREETS AND ROADS ENGINEER FOR THE
BOROUGH OF RIVERTON, FOR WORK DONE ON THE
FULTON STREET 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 aye and Mrs. Alls-Moffatt aye.

Recent Inspection of the Sewer Plant. Mrs. Villari reported that the Department of Labor and Workforce Development conducted a follow up inspection of the plant. Mrs. Villari reported that the hazards and/or violations previously identified were abated.

Wastewater Management Planning. Mrs. Villari reported that the League of Municipalities sent us information that the New Jersey Department of Environmental Protection published three proposed statewide amendments to the twelve area wide Water Quality Management Plans in the October 17th edition of the New Jersey Register. Mrs. Villari reported that these proposals have significant planning and home rule implications in certain State planning areas. These proposals may also affect sewer area designations in some municipalities. Mrs. Villari stated that she would forward this information onto our Wastewater Treatment Facility engineer for their review and input.

National Incident Management System Training Advisor.(NIMS) Mrs. Villari reported that we received information from the Department of Community affairs regarding the required training that municipal employees in various positions need to have in order for the municipality to be considered NIMS compliant. The Clerk reported that she had already forwarded a copy of this to our Emergency Management Coordinator, Tom Schneider. Mrs. Villari stated that she would confer with Mr. Schneider on this issue.

Flood Maps. Mrs. Villari reported that she will be attending a County meeting tomorrow regarding the new flood mapping requirements. Mrs. Villari will keep Council informed.

Receipt of a Local Aid Centers of Place Grant in the amount of \$60,000.00 for the year 2006. Mr. Gilmore reported that we were recently informed that Riverton was selected to receive this grant. Mr. Gilmore stated that this grant would complete the Heritage Trail through Riverton and improve the aesthetics of our downtown area with the streetscape (sidewalks and curb) work. Mr. Gilmore would like to set up a meeting with a representative from Alaimo Associates to determine how we should move forward with this grant. Mrs. Villari raised concern about the potential engineering costs involved with this grant. After short discussion, Mr. Gilmore moved that a meeting be set up between our Streets & Roads Committee and a representative of Alaimo Associates to thoroughly review the engineering fees that will be associated with this grant and to review the grant requirements in general. 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. Council will be kept apprised of this issue before we proceed.

Planning & Zoning Board's response to Council regarding Chapter 128-64. Mrs. Alls-Moffatt commented that while the Chair of the Zoning Board has responded, she is waiting for the Planning Board's response. Mrs. Alls-Moffatt asked that this issue be tabled until next month's meeting.

Cable Issue. The Clerk reported that we have received letters from residents concerned that Comcast is the only cable company in town. They have asked that Council write our State Legislator's asking them to support choice and competition in New Jersey's cable TV service. Mr. Cesaretti commented that satellite service was another option that people have.

Fencing at the Grandstand. Mr. Gilmore reported that quotes have been obtained for fencing to be placed at the grandstand. Mr. Gilmore stated that our insurance company is requiring that the Borough do this. Mr. Gilmore further stated that we would be purchasing

this fencing from Scott & Sons Fence Company, 2018 Route 130 North, Southampton, New Jersey at a cost of \$2,100.00. A formal resolution is required for this purchase.

RESOLUTION 114-05

A RESOLUTION AUTHORIZING THE PURCHASE OF FENCING FOR THE GRANDSTAND AT THE PARK FROM SCOTT & SONS FENCE COMPANY, 2018 ROUTE 130 NORTH, SOUTHAMPTON, NEW JERSEY 08554 (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.

Announcement from Mr. Gilmore that he no longer wants to serve on the Post Office Committee. Mr. Gilmore announced that he would no longer be willing to serve on the Post Office committee. Mrs. Alls-Moffatt then asked what the status was regarding the possible purchase of that building. Mr. Smyth responded that we are still waiting for the Postal Service to tell us their asking price. Mrs. Alls-Moffatt asked for the name of the person from the Postal Service that we talk to. Mr. Smyth responded that on behalf of the Borough, resident Michael Sencindiver has been discussing this issue with Mr. Michael Wolfe, Vice President of the Eastern Region for the Postal Service. Mrs. Alls-Moffatt commented that she thought that after all this time we should have made some progress in this area.

Preliminary agenda for November 9, 2005. The Clerk reviewed this with the Governing Body.

Meeting open to the public

James Moffatt, 202 Fulton Street, commented that because of the activities of Michael Heine, it had been recommended in the summer to have a police presence at Council meetings and at the Planning & Zoning Board meetings. Mr. Moffatt stated Chief Norcross had estimated that it would amount to 72 hours worth of overtime a year. Mr. Moffatt asked if anybody was concerned that one individual is able to hold us up for a lot of money. Mayor Martin asked the Chief to comment. Chief Norcross stated that he was going to wait until the end of this year and then make a decision about the police presence at the specific meetings. Chief Norcross stated that this issue has not caused the town any overtime expenses. Either he is present or the Sergeant attends the meetings. If it has been the Sergeant, it is the officer on the street going to the meetings and the Sergeant is covering that officer's regular shift.

Scott Reed, Public Works Manager and Fire Chief, reported that the Fire Department applied for and received another grant in the amount of \$50,000.00. Mr. Reed stated that the Borough has to come up with \$5,000.00 of grant amount. The grant is for protective clothing. Mr. Reed conferred with our Auditor to determine how we can take the \$5,000.00 out of next year's budget. This issue will be discussed during the 2006 budget sessions.

At this time Dr. Daniel inquired as to whether the newly planted tree at the War Memorial was being watered. Mr. Reed commented that we are utilizing the sprinkler system, which is on a timer.

Robert E. Smyth, 1 Bank Avenue, raised concern, once again, that the bid received for the Broad Street Enhancement project was much higher than the amount of the grant. Mr. Smyth asked if this grant could be amended to enable us to obtain more money for this project. Mr. Gilmore responded that he would ask the representatives from the Department of Transportation if this is an option. Mr. Gilmore also stated that he had asked Dante Guzzi, the Borough's Engineer for this project to do this, but he believes that Mr. Guzzi did nothing. Mr. Smyth asked if there was a specific timeframe to spend the grant monies. Mr. Gilmore responded no.

Parking on Broad Street. Chief Norcross stated that since Broad Street has been restriped, people are now parking along that roadway. However, we currently have ordinances which prohibit parking on the railroad side of Broad Street. Chief Norcross

stated that this parking situation was discussed quite awhile ago. Chief Norcross further stated that this issue had been referred to the Burlington County Bridge Commission. They referred it back to the State Department of Transportation, who told us to take it to the County. Chief Norcross is requesting that a letter be sent to the County Engineer asking his department to revisit this issue and give us an answer one way or the other. Mr. Gunn stated that we can write them asking for some action on this issue. If approval is given, Council can then take steps to repeal the present ordinances on the books that prohibit parking along Broad Street. A discussion then ensued. Mr. Smyth moved that the Solicitor prepare a letter for the Mayor's signature to be forwarded to the County Engineer seeing permission for parking on Broad Street. 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.

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

November 9, 2005

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 7:02pm), Cesaretti, Alls-Moffatt and Solicitor Bruce M. Gunn

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 all meetings to be held in 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulleting board on January 4, 2005

The minutes from October 5, October 12, and closed session minutes from October 5 and October 12 were then presented. Mrs. Alls-Moffatt 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 absent, Mr. Gilmore absent, 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 October 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 aye and Mrs. Alls-Moffatt aye.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of October that was submitted by Chief Robert Norcross. Vehicle Mileage 3130, gas Used 452, Juvenile Arrests 3, (Assaults 0, Miscellaneous 3 & Curfew 0), Adult Arrests 8 (Criminal warrants 1, Criminal Summons 0, Traffic Warrants 6, DWI 1, and Other), Motor Vehicle Crashes 4, Motor Vehicle Stops 85, Motor Vehicle Warnings 3, Motor Vehicle Summons 80, Burglar Alarms 11, Asst. to other Police Departments 24, Animal Complaints 4, Fire Calls 21 (In-town 5, Out of Town 16), Ambulance calls (Riverton) 19, Unattended Deaths 2, Criminal Cases 25, Domestic 2, Thefts 2, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 2, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 18, Miscellaneous Calls 571, Riverton School Walk Through Security Check 20, Riverton School Teaching/School Trips 8 and Total Calls 912.

PARK, RECREATION, RECYCLING &

ENVIRONMENTAL COMMISSION-Mr. Gilmore (No Report)

STREETS, ROADS & SEWER-Mrs. Villari

Mrs. Villari reported that she attended a meeting with FEMA representatives to review and discuss the fact that our flood maps are going to be updated. Mrs. Villari stated that the reasons for this are due in part to the catastrophe on the Rancocas Creek and the Medford Lakes flooding problems. Because of these issues, it will change the way our flood maps read. Council will be kept informed of this issue.

Mrs. Villari reported that we received approval from the Department of Transportation regarding Ordinance 16-05, which was previously adopted by Council. This Ordinance pertains to specific through streets in the Borough. We will now be able to put up the proper signage.

Regarding the Centers of Place Grant, Mrs. Villari reported that there is a meeting scheduled on November 22 at 7:00pm with the Streets and Roads Committee and Joe Augustyn of Alaimo Associates. We will be reviewing the grant and determining how we can move forward.

Mrs. Villari reported that Phyllis Rodgers, of the Borough's Economic Development Committee, would like Council to give some money towards the tree lighting holiday

festivities on December 2. There will be magical singers and other entertainment and activities. A postcard is scheduled to be mailed to all residents about this. The Economic Development Committee is also requesting permission to utilize the Borough's permit for this bulk mailing. The Committee is asking for \$500.00 to defray the costs involved. Mr. Cesaretti asked for a clarification on what they want the money for. Villari stated that it was to decorate the downtown area, entertainment, the mailing, etc. Mr. Cesaretti asked if the purchases would be from Mrs. Rodgers' store, the New Leaf. Mrs. Villari responded no. A discussion then ensued with the consensus being that all Borough procedures (in particular the submission of vouchers for all purchases) must be followed.

RESOLUTION 115-05

A RESOLUTION AUTHORIZING THE ALLOCATION OF FUNDS IN THE AMOUNT OF \$500.00 TO BE UTILIZED BY THE ECONOMIC DEVELOPMENT COMMITTEE OF THE BOROUGH OF RIVERTON FOR HOLIDAY FESTIVITIES (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 absent, Mr. Cesaretti nay, and Mrs. Alls-Moffatt aye.

LINDEN AVENUE & MORGAN AVENUE SEAWALLS. Mrs. Villari reported that we received information from T&M Associates stating that the Borough can make repairs to the seawall at Morgan Avenue without a permit as long as the storm sewer pipe is not replaced. However, in the DEP's mind the work at Linden Avenue is linked with the work being proposed by the owners of the property at Bank & Linden Avenues. That will need a permit. The Clerk reported that Borough tax records show that the New Jersey American Water Company is the owner of the Morgan Avenue riverbank property. Public Works Manager, Scott Reed will be contacting the water company about this situation. Council will be kept informed.

Mrs. Villari reported that she has sent a letter to Rick Arango of Remington, Vernick and Arango confirming the fact that Council denied his request for additional compensation for work done on the Fulton Street project.

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

Mrs. Alls-Moffatt reported that the Zoning Board recently approved a variance for the Cedar Lane Mews project. Mrs. Alls-Moffatt believes this is a density variance and sets a bad precedence for us. Mrs. Alls-Moffatt reported that representatives from the Pompeston Creek Watershed Association had expressed concern about the sediment washing into the creek. Zoning Board Chair, Kerry Brandt also expressed concern about the increased density.

Mrs. Alls-Moffatt reported that the last two Planning Board meetings dealt primarily with COAH issues. Mrs. Alls-Moffatt reported that our Planner Tamera Lee stated that Riverton cannot approve any redevelopment plan until its COAH obligations are satisfied. Mrs. All-Moffatt finds that statement to be very interesting. Mrs. Alls-Moffatt stated that unless somebody builds something, COAH has no input into what any particular Borough, City, or County does. Mrs. Alls-Moffatt stated that the Borough is paying Ms. Lee a little more than \$10,000.00 for required COAH work. Mrs. Alls-Moffatt reminded Council that both she and Mr. Gilmore have presented a redevelopment plan for Council's consideration on many occasions. Mrs. Alls-Moffatt is very disturbed to have it announced at a Planning Board meeting that the Council on Affordable Housing, through our Planner, is not going to let anybody on this Council pass a redevelopment plan until its COAH obligations are met. Mrs. Alls-Moffatt believes that is a contradiction. Mrs. Alls-Moffatt believes it should be the other way around. Mrs. Alls-Moffatt further stated that that was the intent. Mrs. Alls-Moffatt believes that the Borough has been had with this COAH issue. She believes it is unconscionable. Mayor Martin commented that Ms. Lee will be attending the next

Planning Board meeting to explain and review our COAH obligations. There may be something that the Board needs to approve at this next meeting. Mrs. Alls-Moffatt raised concern, once again, that the Borough does not have a redevelopment plan in place. Mrs. Alls-Moffatt also raised the issue as to why builder Jim Brandenberger has not come before Council to request that we vacate Mattis Lane. This pertains to the development that he is proposing at the 600 Main Street property (Sitzler property). She believes this project is taking way too long to get started.

SHADE TREE, MUNICIPAL COURT & HUMAN SERVICES-Dr. Daniel

Dr. Daniel read a report for the month of October, 2005 that was submitted by Court Administrator Jacqueline Gleason. There were 125 traffic tickets issued, 1 for parking, 123 traffic other and 1 DWI. There were 4 criminal charges filed, 0 summons 2 warrants and 1 local ordinance. The total receipts for the month amounted to \$9,862.00. The total amount disbursed to Riverton amounted to \$4,960.30.

Dr. Daniel read a report for the month of October, 2005 that was submitted by Welfare Director, Florence Klein. There were six clients on the rolls. Mrs. Klein attended a Welfare Association State meeting during the month.

Regarding the tree recently planted at the War Memorial by the Public Works Department, the Shade Tree Commission will have to be removing that tree and relocating it to another location. Dr. Daniel explained that the tree purchased by the Commission will be placed in front of the memorial. Dr. Daniel had previously given permission for us to plant the tree; however after speaking with our Shade Tree Chairman, he understands that the other tree is better suited for that position.

OLD BUSINESS

DISCUSSION: PROPOSED SEX OFFENDER ORDINANCE

Chief Norcross provided Council with copies of our drug free zone map which shows public properties and the coverage areas of 1000 feet. Questions ensued about whether private schools are also covered under the drug free school zone law. Chief Norcross stated that he believes that it includes all schools. Mr. Gunn commented that he would look into it and get the correct answer. The Chief stated that if Council does consider a sex offender ordinance, he is concerned that it may get overturned for being unconstitutional. He also raised concern over how it would be enforced. Chief Norcross stated that he can tell us now that there are no sex offender's in the Borough right now that are on the Megan's Law list. Chief Norcross stated that there would be one in Riverton in February of next year. The Chief stated that, depending upon the severity of the crimes, some sex offenders may appear on the Megan Law list, some may have to register with the Police and some may not have to do anything. Chief Norcross stated that the Police cannot release any information to the public pertaining to sex offenders unless it is ruled public knowledge. Chief Norcross reiterated his position that the enforcement of a proposed sex offender's ordinance will be very hard. The Chief stated that there is a lot of work involved with the process. The sex offender will have to be finger printed and register with the Police to notify them of where they reside in town. Mayor Martin stated that at that point the police can check the sex offender ordinance to see if the offender is in the limits of the ordinance. The police would then notify the person in question that this conflicts with the Borough's ordinance. The Chief stated that if someone gets picked up for violating this proposed ordinance, it is only a municipal charge. The sex offender does not really get into trouble and it does not affect their parole. The Chief stated that in the State of New Jersey, it would not be considered a crime.

Mr. Gunn stated that if a neighboring town adopts a similar ordinance, there is more pressure on the other towns to do likewise. Mr. Gunn stated that you cannot be held liable for failure to enact a law. It is Council's decision whether to have this ordinance or not. Mrs. Alls-Moffatt stated that she would rather have the ordinance than not have it. She is concerned about the safety of our children. Mrs. Villari stated that the residence of the sex offender would be covered under the specific zones of the Ordinance; however, the way she understands it, it does not stop the sex offender from passing through the zones. Mrs.

Villari stated that she believes that the adoption of a sex offender ordinance is the right decision for Council to make. Dr. Daniel stated that he disagrees with the Ordinance. He stated that the convicted sex offender has served time for the crime committed. He stated that he is not crazy about a sex offender moving into town. However, Dr. Daniel stated that we have to respect the fact that sex offenders have done the wrong thing and has paid his debt to society. Mrs. Alls-Moffatt strongly disagreed with Dr. Daniel. She believes we should protect all of the residents of Riverton. After a lengthy discussion discussing the pros and cons, it was the consensus of Council that the proposed sex offender ordinance be introduced tonight by title only. The Ordinance prohibits convicted sex offenders from residing within 1,000 feet of a school, child care facility, park or playground, or from loitering in and within 300 feet of a public park. Council will then review it and discuss the issue at next month's meeting before final adoption is considered.

ORDINANCE 22-2005

AN ORDINANCE OF THE BOROUGH OF RIVERTON TO ESTABLISH SEX OFFENDER RESIDENCY AND OTHER LIMITATIONS

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. Alls-Moffatt. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Mr. Smyth aye, Mr. Gilmore absent and Mrs. Alls-Moffatt aye. It should be noted that Mr. Cesaretti had left the dais and was not present when the vote was taken.

NEW BUSINESS

ORDINANCE 19-2005

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON AMENDING CHAPTER 22, ARTICLE I, SECTION VI TO ESTABLISH THE FORM OF APPLICATION FOR THE INFORMAL REVIEW OF CONCEPT PLANS FOR SITE PLANS AND SUBDIVISIONS SUBMITTED TO THE RIVERTON PLANNING BOARD, AND TO DETERMINE THE APPLICATION AND ESCROW FEES TO BE PAID BY DEVELOPERS REQUESTING SUCH INFORMAL REVIEWS (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. Cesaretti. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no public comment 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 aye and Mrs. Alls-Moffatt aye.

ORDINANCE 20-2005

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON AMENDING AND REPLACING CHAPTER 99 OF THE RIVERTON BOROUGH CODE FOR THE COLLECTION OF DESIGNATED RECYCLABLES AND MODIFYING FOR VIOLATIONS THEREOF (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Mrs. Villari, 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 comment on this Ordinance. There being 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 aye and Mrs. Alls-Moffatt aye.

ORDINANCE 15-2005

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 111 OF THE RIVERTON BOROUGH

**CODE, RELATIVE TO DRIVEWAYS, SNOW AND ICE REMOVAL, STREET
EXCAVATIONS, SIDEWALK AND CURB REPAIR**

The above amended Ordinance was read by title only for the first time 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 absent, 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 December 14.

ORDINANCE 21-2005

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
RIVERTON AMENDING CHAPTER 8 OF THE RIVERTON BOROUGH CODE
TO COMPLY WITH THE INTERLOCAL SERVICES AGREEMENT BETWEEN
RIVERTON BOROUGH AND CINNAMINSON TOWNSHIP CONCERNING
RIVERTON MUNICIPAL COURT, ITS PERSONNEL AND LOCATION**

The above Ordinance was read by title only for the first time by Dr. Daniel, 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 second reading and a public hearing on this Ordinance is scheduled for December 14.

RESOLUTION 116-05

**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 absent, Mr. Cesaretti aye, and Mrs. Alls-Moffatt aye.

RESOLUTION 117-05

**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'S BUDGET FOR THE
YEAR 2005 PURSUANT TO NJS 40A:4-87
(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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

CORRESPONDENCE

Mr. Cesaretti read a letter from the Police Department of the City of St. Petersburg, Florida, commending officer Thomas Merino for the assistance he provided regarding a major police investigation.

Mr. Cesaretti read a letter of thanks from Jean Hornberger to the Police Department for all of their help and support during her recent accident in the Nuway parking lot.

Mr. Cesaretti stated that Chief Norcross received a Certificate of Attendance for attending the Police Chief's seminar on leadership law and liability on October 19.

Mr. Cesaretti summarized a recent letter sent out to residents advising them of the traffic pattern changes around the school.

Mr. Cesaretti reported that we need to appoint another crossing guard for the remainder of the school year. Chief Norcross is recommending the hiring of Catherine Hickey for this position.

RESOLUTION 118-05

**A RESOLUTION AUTHORIZING THE HIRING OF A CROSSING GUARD FOR
THE REMAINDER OF THE 2005-2006 SCHOOL YEAR
(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 absent, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

MEETING OPEN TO THE PUBLIC

Robert E. Smyth, 1 Bank Avenue. Publicly thanked the municipal employees and poll workers for all of their hard work during the election process yesterday.

UPDATE RE: BROAD STREET PARKING. Mr. Gunn reported that the Bridge Commission has tentatively approved the parking plan on Broad Street. Mr. Gunn spoke to the County Engineer about this and the need to pass a concurring Resolution. Mr. Gunn stated that a question came up as to whether the State's Department of Transportation (DOT) had to approve this. Mr. Gunn further stated that we have a letter stating that since it is a local county roadway, approval is not necessary from the DOT. Mr. Gunn stated that the Bridge Commission has a copy of the parking survey that was done. When that is signed off, we will need to introduce an ordinance that rescinds the prohibition of parking on Broad Street. Mr. Gunn further stated that it would still have to go to the County for them to pass a concurring ordinance. Mr. Gunn stated that at this point the Bridge Commission needs to be comfortable with the fact that the State's DOT does not have any jurisdiction over this. Mr. Gunn further stated that the County will not do any striping of the road way; this would fall under the Bridge Commission's responsibility.

DOLECKY/HORNER LITIGATION. Mrs. Alls-Moffatt asked why resident John Latimer, Jr., the Borough's insurance broker, attended the recent meeting with DEP representatives along with the Mayor and Mr. Gunn. This meeting was to discuss the status of the pending seawall permit applications of Mr. Dolecky and Mr. Horner. Mr. Gunn stated that Mr. Latimer attended as an interested Bank Avenue resident. He was not there as insurance broker. Mrs. Alls-Moffat asked if Mr. Latimer was paid to attend this meeting. Mr. Gunn responded no.

CABLE FRANCHISE Mr. Cesaretti understands that Verizon is building a fiber-optic network in order to deliver high speed internet and cable television services. Mr. Cesaretti commented that we may see some competition in this area sometime in the future. Mr. Cesaretti asked what our present franchise fee is with Comcast. The Clerk responded that Comcast pays the Borough 2% of the gross revenues from all recurring charges received by the Company from subscribers to its cable television reception series in the Borough.

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

December 7, 2005

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 7:02pm), 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 2005 published in the Burlington County Times on December 29, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

COAH Issues: Discussion: Petitioning COAH for third round substantive certification by December 20, 2005 (Tamara Lee, Planner present)

Tamara Lee provided an overview as to how the Borough was certified by COAH on round two of the certification process in 2000. Ms. Lee informed Council that the Planning Board has worked very hard and has completed their part of the present round three submission package, which must be submitted to COAH by December 19th. Ms. Lee reviewed the Housing Element plan that the Planning Board generated and approved at their November 15th meeting in detail. A copy is on file with the Municipal Clerk. Ms. Lee stated that this newly adopted plan now becomes part of the Master Plan. Ms. Lee commented that under the round two rules, the State simply told us where the obligations were. Under round three, we now have to project what the growth in the town would be. Based on that, we can calculate what our affordable housing obligation will be. Ms. Lee explained that the housing element summarizes what the latest census status is. It also describes our growth share projection. This is essentially based on the state's formula; however, there were a couple of different things that we needed to take into account. One was the history of building here in town. This was accomplished by looking at building permits that have been issued. Ms. Lee stated that we found out that over the last ten years there has been a net increase of one new residential and absolutely no new increase in commercial space. The second factor is based on zoning. Ms. Lee explained that here in Riverton our zoning is designed to reflect existing conditions which are built out so we anticipate no growth in the residential areas or even in the neighborhood business area. Ms. Lee stated that the only place where there might be any growth is in the general business area and that is predominately because of the National Casein properties. Ms. Lee stated that she was able to calculate an estimated amount of growth that might be generated on the National Casein property based on the existing zoning. She was then able to translate that into an affordable housing obligation. The third component of the growth share projections come from applications which are currently before the Zoning Board. Ms. Lee stated that the Planning Board basically thought that the easiest way for the Borough to take care of their affordable housing obligation would be through something called exclusionary zoning. Ms. Lee explained that essentially, you zone a part of the Borough to ensure that affordable housing will be developed there. Ms. Lee stated that the only area that might get developed is essentially within the general business zone and what is left in that zone to be developed is the National Casein site. Ms. Lee stated that the Planning Board is suggesting that we change the zoning for the National Casein property. It is currently zoned for retail and office space. The new zone would include primarily offices but also up to ten housing units, five of which would be affordable housing. We would then have five affordable units plus five marketable units. Ms. Lee stated that Council would need to be comfortable with any proposed zoning changes. Ms. Lee then proceeded with a detailed and thorough explanation of what Council needs to approve tonight for the third round COAH certification process. They are an endorsement of the Housing Element, a Resolution asking COAH to review a draft revision to our development fee ordinance and a Resolution

pertaining to a spending plan. A discussion then ensued with the following Resolutions considered for adoption, by the Governing Body.

RESOLUTION 119-05

**A RESOLUTION TO PETITION THE COUNCIL OF AFFORDABLE HOUSING
FOR SUBSTANTIVE CERTIFICATION AND TO ADOPT THE AMENDED
HOUSING ELEMENT AND FAIR SHARE PLAN
(IN FULL IN RESOLUTION BOOK)**

RESOLUTION 120-05

**A RESOLUTION REQUESTING REVIEW AND APPROVAL OF REVISED
DEVELOPMENT FEE ORDINANCE
(IN FULL IN RESOLUTION BOOK)**

RESOLUTION 121-05

**A RESOLUTION REQUESTING REVIEW AND APPROVAL OF
A SPENDING PLAN
(IN FULL IN RESOLUTION BOOK)**

Mr. Smyth read Resolutions 119-05, 120-05 and 121-05 by title only and moved that they 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 aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Update Re: Smart Growth Grant Status. Ms. Lee reported that the Office of Smart Growth has inquired if Council has decided upon a planning project to utilize the grant funds that Riverton received a number of years ago. Mrs. Alls-Moffatt asked if we could have a traffic study done because one is desperately needed. Ms. Lee stated that we could combine a traffic study with a parking study. Ms. Lee stated that we could get a high resolution aerial map which is a wonderful thing to have. It is a great planning tool to have. Ms. Lee stated that we could combine the traffic study and aerial map right in the proposed scope of work which would really help with future development. Ms. Lee stated that other project possibilities would be a study on the reuse of the Post Office or something to do with recreation. After a short discussion, it was the consensus of Council to do a traffic study. Ms. Lee will inform the Office of Smart Growth that this is the direction that Council wishes to go. Ms. Lee will draft a proposed scope of work for Council's review before submission to the Office of Smart Growth. Council will be kept informed regarding this issue.

Update Re: Centers of Place Grant. Mr. Gilmore reported that both he and Mr. Cesaretti met with Joseph Augustyn of Alaimo Associates to discuss this grant and how best to proceed. A copy of the grant is on file with the Municipal Clerk. Mr. Gilmore stated that Riverton was given \$60,000.00 in grant money. Mr. Gilmore further stated that \$6,000.00 of the grant money can go toward engineering. Mr. Gilmore reported that Mr. Augustyn has indicated that the engineering costs for this would be \$12,000.00. Mrs. Villari raised strong concern about the amount of the engineering fees. Mrs. Villari reminded that we don't have an additional \$6,000.00 in this year's budget to cover these costs. Mr. Gilmore suggested putting the additional engineering costs in next year's budget. Once again, Mrs. Villari raised concern about doing this. Mr. Gunn stated that if Council decides to move forward with this, they could place a not to exceed amount in the required resolution. A discussion then ensued.

RESOLUTION 122-05

**A RESOLUTION AUTHORIZING RICHARD A. ALAIMO ASSOCIATES TO
DESIGN THE GATEWAY TO RIVERTON, STREETScape AND DELAWARE
RIVER HERITAGE TRAIL PROJECT
(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 abstained, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

Discussion: Request from Brandenberger/Sheridan to vacate Mattis Lane. Mr. Gunn reported that David Oberlander, the attorney for Brandenberger/Sheridan has filed this formal request. Mr. Gunn stated the issue of Mattis Lane being a public right of way surfaced during Mr. Brandenberger's application before the Zoning Board. Mr. Gunn stated that one concern raised by the Board was the possibility that a sewer line runs beneath this location. Mr. Gunn stated that our Licensed Wastewater Plant Operator, Brad Young, has done a memo stating that there are no sewer lines between Cinnaminson Street and Main Street. However, Public Works Manager Scott Reed commented that there is a sewer line from Cinnaminson Street to Cedar Street. Mr. Reed expressed concern that the Borough should not give up any easement rights if we decide to vacate this property. Mr. Gunn stated that an Ordinance would have to be done if Council decides to vacate this property. Mr. Gunn stated that we would have to have an easement to maintain the sewer lines at that location. Mr. Cesaretti stated that a member of the Mattis family came before Council a number of months ago. This family member explained that Mattis Lane had been dedicated to her grandfather. Mr. Cesaretti suggested that if we decide to vacate this property, perhaps something else could be dedicated to the Mattis family, such as a bench or a light post. Mr. Gunn stated that that could be incorporated into the required Ordinance. Mr. Reed commented that he would supply our Solicitor with maps of where our sewer lines start and end at this location. It was the consensus of Council that this issue be discussed next year after the new Council members are sworn in.

Streets, Roads & Sewer Issues:

Update Re: 2006 Community Development Project. Mrs. Villari reminded Council that all proposed projects and activities to meet this grant's criteria must either principally benefit low and moderate income persons or aid in the prevention or elimination of slums and blight, and meet other community development needs identified in the Assessment of Needs section of the Pre-application package. Mrs. Villari further stated that she has discussed this issue with the Community Development Coordinator, John Smith, to determine if there were any potential projects the Borough could do that would meet this grant's requirements. Mrs. Villari stated that, unfortunately, the Borough will not be able to participate because we do not have a project that would meet this grant's criteria.

Update Re: Fulton Street. Mrs. Villari stated that a preconstruction meeting regarding this project was held on November 30. Mrs. Villari stated that this project is scheduled to start next week. Council will be kept informed.

Requirement from the Delaware River Basin Commission Re: Pollutant Minimization Plan for Sewer Plant. Mrs. Villari reported that we have received notification from the Delaware River Basin Commission that the Borough is required to have a Pollutant Minimization Plan for the Wastewater Treatment Facility by January 25, 2006. Mrs. Villari reported that we have obtained two proposals so far to do this work. The first was from T&M Associates in the amount of \$13,600.00. The second is from Omni Environmental Corporation in the amount of \$3,000.00. Mrs. Villari stated that we are going to obtain one more proposal from Remington, Vernick and Arango for this work. She will report back to Council at next week's meeting.

Update: Stormwater Regulations. Mrs. Villari reported that Terry Vogt of Remington, Vernick & Arango has sent us notification that our Stormwater Control Ordinance must be adopted by April, 2006. Mrs. Villari further reported that our final stormwater management plan must be filed by the same deadline. Mrs. Villari stated that a copy of this ordinance has been forwarded to our Solicitor for his review and comment. Mrs. Villari stated that this ordinance needs to be introduced no later than February of 2006. Council will be kept informed regarding these requirements.

Update Re: Increase in Landfill tipping fees. Mrs. Villari reported that we have received notification that the Burlington County Board of Chosen Freeholders has filed a petition with the New Jersey Department of Environmental Protection (DEP) requesting an increase in the peak rate for landfill disposal of solid waste at the Burlington County resource recovery Complex. Approval of the petition by the DEP will not affect the rate or

any other term or condition of the 2005 municipal solid waste service contract executed by our municipality. Mrs. Villari reported that if the petition is approved, the base rate effective January 2, 2006 will be \$56.23. The total charge for landfill disposal with applicable taxes and host community benefits will be \$62.67. Mrs. Villari stated that a copy of this notification is on file with the Clerk. Council will need to review these fees during our budget process early next year.

Emergency Management Issues. Mrs. Villari reported that she still needs to meet with Tom Schneider, our Emergency Management Coordinator, to review his proposed budget for next year. Mrs. Villari reminded Council that Mr. Schneider is also requesting that Council consider giving him a stipend for his position. This issue will be reviewed during the 2006 budget process.

Update Re: Sex Offender Ordinance. Council reviewed and discussed the fact that an article appeared in the Burlington County Times reporting that a sex offender is challenging Lower Township's (Cape May County) Ordinance which restricts where he can live and where he can go within the township's borders. A discussion ensued regarding how this might impact Riverton's sex offender ordinance which was introduced last month. While the Governing Body acknowledged that Riverton's Ordinance could be challenged, it was the consensus of Council to move forward with second reading and final adoption of this ordinance at next week's meeting.

Setting the day and time for the 2006 reorganization meeting. Mr. Smyth suggested that the 2006 reorganization meeting be held on Wednesday, January 4, 2006 at 7:00pm at the Media Center of the Riverton Public School. It was the consensus of Council to agree to this.

RESOLUTION 123-05
A RESOLUTION SETTING THE DAY AND TIME FOR THE 2006
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 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.

Setting holiday luncheon and schedule for this year. It was announced that the holiday luncheon for the Borough employees would be held at the Milmarian restaurant in Palmyra on Monday, December 19, 2005 from 12:30pm until 2:00pm. Mr. Smyth recommended that Borough Offices should close at noon on Friday, December 23, 2005 and re-open on Tuesday, December 27, 2005. Mr. Smyth further recommended that Borough Offices should also close at noon on Friday, December 30, 2005 and re-open on Tuesday, January 3, 2006. It was the consensus of Council to agree to this.

RESOLUTION 124-05
A RESOLUTION SETTING THE HOLIDAY SCHEDULE 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. 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.

Update re: Parking on Broad Street. Pursuant to Council's previous discussion on this topic, Mr. Cesaretti reported that he has found out that the Department of Transportation's approval is not required for parking on Municipal or County Roadways. Mr. Cesaretti reported that he would forward this information onto the Bridge Commission for their review and action. After that happens, the Borough can take steps to repeal the present ordinance on the books that prohibits parking along Broad Street.

Over Expenditures. Treasurer, Betty Boyle stated that as of now we will be going over budget. Mrs. Boyle wants to cover what has been encumbered so far. Whatever is not covered would be considered an over expenditure that will have to be made up in next year's

budget. Mrs. Boyle asked Council if it was okay for us to cover from wherever she can from the budget to keep the over expenditures down. It was the consensus of Council for the Treasurer to do this.

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

Scott Reed, Public Works Manager, suggested that we obtain pollutant minimization proposals that other communities may have received.

Michael Heine, 206 Carriage House Lane, asked what the court revenue has been so far since it has been held in Cinnaminson Township. The response was approximately \$10,000.00. Regarding the COAH issue, Mr. Heine commented that he really was not clear as to what would happen if Riverton did not comply with COAH's December 19th deadline.

James Moffatt, 202 Fulton Street, asked what happened to the \$25,000.00 Riverton received in Homeland Security monies. The response was that the State instructed us that these funds had to be used to reduce our tax rate.

William Brown, 617 Linden Avenue stated that he feels there are safety issues regarding the trash trucks and the people operating them not being able to see people, especially children walking behind them

Robert E. Smyth, 1 Bank Avenue, commented that he has experience with environmental issues and PCB removal. He would like to work with Mrs. Villari regarding the required Pollutant Minimization Plan.

There being no further business to discuss, Mr. Gilmore 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

December 14, 2005

The regular meeting of the Riverton Borough Council took place on the above date. Mayor Martin presiding.

PRESENT: Council members Daniel (arrived at 7:15pm), 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 2005 published in the Burlington County Times on December 20, 2004

(b) Posting written notice on the official bulletin board on January 4, 2005

RESOLUTION 125-05

**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 contract negotiations will be discussed.

At this time Mr. Gilmore 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, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

The minutes from November 2, November 9 and closed session minutes from November 2 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 abstained, 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 report 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 Chief Robert Norcross. Vehicle Mileage 2793, Gas Used 337.4, Juvenile Arrests 0, Adult Arrests 10 (Criminal Warrant 1, Criminal Summons 1, Traffic Warrant 4, DWI 4, Other 0), Motor Vehicle Crashes 2, Motor Vehicle Stops 93, Motor Vehicle Warnings 11, Motor Vehicle Summons 95, Burglar Alarms 8, Asst. to other Police Departments 16, Animal Complaints 8, Fire Calls 9, Ambulance Calls (Riverton) 32, Unattended Deaths 0, Criminal Case 17, Domestic 0, Thefts 3, Burglaries 0, Assaults 0, Sexual Assault 0, Criminal Mischief 1, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 12, Miscellaneous Calls 335, Riverton School Walk Through Security Check 14, Riverton School Teaching Trips 0 and Total Calls 666.

Mr. Cesaretti read a report for the month of November that was submitted by Deputy Fire Chief Robert Yearly. There were 16 fire calls during the month and 3 drills.

PARK, RECREATION, RECYCLING & ENVIRONMENTAL

COMMISSION-Mr. Gilmore

Mr. Gilmore reported that the fencing at the grandstand was supposed to be installed by November, but has not. Mr. Gilmore has left numerous messages with the contractor, but his calls have not been returned. Mr. Gilmore wants to make sure that the Council person who takes over Park & Recreation next year will follow through on this.

Mr. Gilmore reported that he submitted a preliminary budget for 2006 and that it is the same amount that he asked for last year. He hopes that next year's Council will approve it.

At this time Mr. Gilmore publicly thanked Mrs. Alls-Moffatt for doing such a great job during her time on Council. He stated that she put her heart and soul into everything she has done. Mr. Gilmore also stated that she did a great job with our COAH obligation and the Smart Growth grant.

STREETS, ROADS & SEWER-Mrs. Villari

Regarding the Fulton Street project, Mrs. Villari reported that the barrels of stone were dropped off and the contractor will begin to rip up the road any day now. Mrs. Villari reported that all of the stop signs were installed on the upper side of Broad Street. There are now a stop signs at every cross street.

Regarding the required Pollutant Minimization Plan for the sewer plant, Mrs. Villari reported that we had received word that PCP's were found at the plant and that we were required to have this plan by the Delaware River Basin Commission. Mrs. Villari stated that we essentially requested a waiver because the amount of PCB's was so small and it appears that most of them were being deposited through the air. Mrs. Villari further stated the Delaware River Basin Commission denied our request for a waiver. Therefore it is imperative that the Borough move forward with the required plan. Mrs. Villari reported that we have now received three proposals regarding the required Pollutant Minimization Plan. Mrs. Villari reported that T&M Associates proposal is \$13,000.00, Remington, Vernick & Arango's proposal is \$8,000.00 and TRC Omni Environmental Corporation's proposal is \$3,000.00. Mrs. Villari reminded Council that this plan, as required by the Delaware River Basin Commission, must be in place by January 25, 2006. A discussion then ensued. Mr. Gunn commented that if Council so desires, they can authorize Omni Environmental Corporation to prepare the required plan contingent upon him reviewing all three proposals.

RESOLUTION 126-05

**A RESOLUTION AUTHORIZING OMNI ENVIRONMENTAL CORPORATION
TO PREPARE THE REQUIRED POLLUTANT MANAGEMENT PLAN FOR
THE BOROUGH'S WASTEWATER TREATMENT FACILITY CONTINGENT
UPON OUR SOLICITOR'S REVIEW OF THE THREE
PROPOSALS RECEIVED**

(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.

ZONING, PLANNING, CODE ENFORCEMENT, &

REDVELOPMENT-Mrs. Alls-Moffatt

Mrs. Alls-Moffatt stated that she was not at the last Zoning Board and could not give a report.

Mrs. Alls-Moffatt reported that on November 15th, the Planning Board approved the Fair Share Housing Element as an amendment to our Master Plan. Mrs. Alls-Moffatt stated that our Planner Tamara Lee, had provided the Board with a presentation on this amendment. Mrs. Alls-Moffatt stated that National Casein would now be earmarked as a site for six affordably housing units. Mrs. Alls-Moffatt reported that Eric Saia, a representative from National Casein, told the Board that the Borough has been treating them very badly. Mr. Saia commented that he believes that National Casein has tried to be a good neighbor, and that Riverton apparently does not want the company here anymore. Mrs. Alls-Moffatt stated that the Board assured Mr. Saia that that is not the case. Ms. Lee assured Mr. Saia that the Borough needs to make a zoning change because there was no other place to put affordable housing and that the decision was not a personal one.

Mrs. Alls-Moffatt reported that the Planning Board also held a completeness hearing on Mr. Brandenberger's plans for the Nu-Way Shopping Center. Mr. Brandenberger is

hopeful that the Board will give final approval by April of next year and that ground will be broken in mid summer. Mr. Brandenberger anticipates that it will take 6 to 8 months from that point for the project to be completed. Mrs. Alls-Moffatt also reported that Mr. Brandenberger has purchased Riverton Motors and it is anticipated that that will be torn down and either a bank or bank satellite will be put in its place. Mrs. Alls-Moffatt also stated that a CVS is scheduled to be placed at the corner of Fulton Street. Six addition stores will also be placed at this site.

SHADE TREE & HUMAN SERVICES& MUNICIPAL COURT Dr. Daniel

Dr. Daniel reported that there was no Shade Tree Report. Dr. Daniel then read a report for the month of November that was submitted by Welfare Director, Florence Klein. There were 5 clients on the rolls. Mrs. Klein attended various seminars and meetings during the month.

Dr. Daniel read a report for the month of November that was submitted by Court Administrator Jackie Gleason. There were 57 traffic tickets issued, 0 for parking, 56 traffic other and 1 DWI. There was 1 criminal charge filed, 0 summons, 1 Warrant and 0 Local Ord. The total receipts for the month amounted to \$12,753.00. The total amount disbursed to Riverton amounted to \$5021.17.

Dr. Daniel reported that we have received written notification from Cinnaminson Township that they have gotten estimates to renovate their court facilities which need to be expanded as a result of their handling Riverton's Court activities. Dr. Daniel commented that the estimate is \$5,731.88. Dr. Daniel stated that Council had reviewed this request in closed session tonight. He will be contacting Cinnaminson Township and the Administrative Offices of the Courts to obtain more information on this request before a final decision is reached.

OLD BUSINESS

UPDATE RE: REVALUATION/REASSESSMENT OF ALL PROPERTIES IN THE BOROUGH

Mr. Smyth reported that he has reviewed the one proposal (\$125,000.00) we received for this project with our Tax Assessor. Mr. Smyth reported that our Assessor is also of the opinion that this proposal was high. Mr. Davis has also informed the County Tax Administrator of the information. Mr. Smyth reported that one of the reasons why the estimate was so high was a lot of municipalities are presently doing revaluations. Mr. Smyth stated that it is being suggested that Council begin to seek proposals once again in 2006 for a revaluation to be completed by 2008. Mr. Cesaretti strongly stated that there is no way to tell that the proposals would be any cheaper if we wait. Mr. Cesaretti stated that the proposals could be even higher. Mr. Cesaretti stated that he would confer with our Tax Assessor on this issue.

ANNOUNCEMENT OF 2006 REORGANIZATION MEETING

Mr. Smyth announced that Council's 2006 Reorganization meeting would be held on Wednesday, January 4, 2006 at 7:00pm in the Media Center of the Riverton Public School.

NEW BUSINESS

ORDINANCE 15-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 111 OF THE RIVERTON BOROUGH CODE, RELATIVE TO DRIVEWAYS, SNOW AND ICE REMOVAL, STREET EXCAVATIONS, SIDEWALK AND CURB REPAIR (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Mrs. Villari, 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. There

being 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 aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

ORDINANCE 21-05

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF RIVERTON AMENDING CHAPTER 8 OF THE RIVERTON BOROUGH CODE TO COMPLY WITH THE INTERLOCAL SERVICES AGREEMENT BETWEEN RIVERTON BOROUGH AND CINNAMINSON TOWNSHIP CONCERNING RIVERTON MUNICIPAL COURT, ITS PERSONNEL AND LOCATION
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only by Dr. Daniel, 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. There being 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 aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

DISCUSSION: PROPOSED SEX OFFENDER ORDINANCE Mr. Cesaretti reminded Council that concern was raised during previous discussions on this Ordinance regarding its constitutionality and enforceability. Mr. Cesaretti reported that Moorestown Township introduced legislation that would exclude Tier 1 offenders because those individuals are considered the least likely to offend. Mr. Cesaretti also reminded Council that a Tier 1 offender has filed a lawsuit challenging a similar ordinance in Lower Township, Cape May County. Mr. Cesaretti asked if our Ordinance could be amended to also exclude Tier 1 offenders. Mr. Gunn stated that that would be considered a substantive change to this Ordinance. Council would have to consider reintroducing it during next year. Mr. Gunn commented that Council could also move forward tonight, adopt this Ordinance and then consider amending to it next year. A discussion then ensued with the consensus being that this Ordinance be considered for adoption tonight, with possible amendments to follow next year.

ORDINANCE 22-05

**AN ORDINANCE OF THE BOROUGH OF RIVERTON TO ESTABLISH SEX OFFENDER RESIDENCY AND OTHER LIMITATIONS
(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. Villari. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being 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 aye, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti aye and Mrs. Alls-Moffatt aye.

RESOLUTION 127-05

**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.

RESOLUTION 128-05

**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. 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.

COMMENTS FROM SOLICITOR RE: NEW JERSEY LOCAL UNIT PAY-TO-PLAY LAW Mr. Gunn provided Council with an overview of this new law which goes into effect January 1, 2006. Mr. Gunn stated that the law permits agencies to award contracts to business entities that have not made a political contribution to members of the Governing Body. Mr. Gunn also stated that the law requires that a business entity file a disclosure form certifying that no reportable contribution was made during the previous year if the prospective contract will be in excess of \$17,500.00 for the calendar year. Mr. Gunn further stated that the statute provides that an official from the Borough must certify in writing that the estimated amount of the contract to be awarded exceeds \$17,500.00. Mr. Gunn recommended that Council adopt a resolution pertaining to the business entity disclosure certification. After a short discussion, it was the consensus of Council to agree to this.

RESOLUTION 129-05

**A RESOLUTION TO PROVIDE FOR A BUSINESS ENTITY DISCLOSURE CERTIFICATION FOR CERTAIN CONTRACTORS FOR 2006
(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.

CORRESPONDENCE

REQUEST FROM T-MOBILE RE: POSSIBLE INSTALLATION OF A CELL TOWER ON BOROUGH PROPERTY

Councilman-Elect Robert E. Smyth met with A.J. Tegler, the Leasing Manager with T-Mobile, to discuss the possibility of their leasing ground space at the Riverton Wastewater Treatment Facility for a telecommunications installation. Joseph Augustyn of Alaimo Associates as well as a Mr. Doug Cowan were also present. Council reviewed written correspondence from T-Mobile regarding the following proposals: A rent abatement agreement or a standard lease agreement. A copy of the proposal is on file with the Municipal Clerk. A copy was also given to our Solicitor for his review. Mr. Smyth provided Council with an overview of what was discussed at this meeting. Mr. Smyth reported that T-Mobile is also looking at Cinnaminson Township as another possible location. Mr. Smyth commented that if T-Mobile decides to go with Cinnaminson, then the tower would be placed near the Pompeston Creek on Broad Street. Mr. Smyth stated that he feels we should seriously review T-Mobile's proposals and determine how best to proceed in Riverton's interests. Mr. Smyth further stated that this could turn out to be a very good revenue source for the Borough. Solicitor Gunn stated that T-Mobile most likely has experts that will come in to explain all of the details and the legal ins and outs. Mr. Gunn further stated that the Zoning Board would also have to get involved regarding the proper zoning requirements. The Zoning Board can require reasonable restrictions that are in the best interest of the Borough. A discussion then ensued.

Mr. Smyth moved that Mr. Cesaretti, Dr. Daniel and Councilman-Elect Robert E. Smyth serve on the cell tower committee. Mr. Smyth further moved that the members of this committee should meet with the T-mobile representatives to review and discuss their proposal for the installation of a cell tower in the Borough. It was further moved that the representatives from T-mobile be asked to attend Council's January meeting to answer any questions or concerns. 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.

BOROUGH LOGO DISCUSSION. Mrs. Villari reported that she received two suggested samples regarding a Borough Logo from Phyllis Rodgers, owner of the New Leaf. Mrs. Rodgers feels the present logo should be changed. Mrs. Villari reviewed the suggested changes with Council, who took this issue under advisement.

UPDATE RE: LIGHTING OF THE FLAG AT THE PARK. Mr. Cesaretti reported that when the Police Association volunteered to illuminate the flag at the park that the Rotary volunteered to pay the monthly lighting fee from PSE&G of \$30.00. Mr. Cesaretti stated that the Rotary no longer wants to do this. After a short discussion, Mr. Cesaretti stated that an attempt would be made to find another organization to sponsor this. Council will be kept apprised of the situation.

COMMENTS FROM MR. GILMORE REGARDING OPEN SPACE

Mr. Gilmore proposed approaching the Burlington County Freeholders and informing them that it is Riverton's desire to designate a portion of the National Casein property (Block 1500 Lot 5) as open space. Mr. Gilmore further stated that he would like Council to ask the Freeholders to purchase this land (approximately three acres) with their funds. That way this we could reserve this space forever. Mrs. Villari stated that the Borough receives taxes from this property and we would be then be losing a rateable. A discussion then ensued.

RESOLUTION 130-05

**A RESOLUTION REQUESTING THAT THE BURLINGTON COUNTY BOARD
OF CHOSEN FREEHOLDERS PURCHASE A PORTION OF THE NATIONAL
CASEIN PROPERTY FOR OPEN SPACE
(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 nay, Mr. Smyth aye, Mr. Gilmore aye, Mr. Cesaretti nay and Mrs. Alls-Moffatt aye.

**COMMENTS FROM OUTGOING COUNCIL MEMBER
MRS. ALLS-MOFFATT**

Mrs. Alls-Moffatt stated that defeat is never pleasant by that she has worked with Council members-Elect Robert E. Smyth and Michael H. Kinzler before ad she finds them to be good men. She thinks they will serve the taxpayers of Riverton well. Mrs. Alls-Moffatt further stated that she is very grateful for the people who have given her a major helping hand over the past three years and she would like to acknowledge them right now: Bruce Gunn, Mary Longbottom, Betty Boyle, Ed Gilmore and James Moffatt.

MEETING OPEN TO THE PUBLIC

James Moffatt, 202 Fulton Street, stated that as the Vice President of the Riverton Democratic Club, he would like to say thanks to Ed Gilmore for his last six years on Council and for the many, many years he has put into our community. Mr. Moffatt told Mr. Gilmore to keep on roaring and thanked him very much for his love of Riverton.

Gene Bandine, 522 Main Street, stated that the girls at Farmers & Mechanics Bank decorated the spruce tree, they did a nice job, and the tree doesn't have lights on it.

Mr. Bandine asked Councilwoman Villari if the people from the Delaware River Basin Commission gave her a PCB count; a maximum that you are allowed to have. Mrs. Villari stated that it depends on the type in the study.

Mr. Bandine stated that he knows Chief Norcross approached the County about the yellow line that needs to be painted in front of the bank to keep people from parking there.

Mr. Bandine raised concern that people are still parking across from the Bank on Main Street. He hopes this issue will be resolved as soon as possible.

Mr. Bandine feels something should be done about the cars that do not have their lights on during the rain and snow. Mr. Bandine feels that the police should do something about people using cell phones while driving.

There being no further business to discuss, Mr. Gilmore 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