

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
2006 REORGANIZATION MEETING
JANUARY 4, 2006
7:00PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Invocation: Dr. Robert K. Smyth
5. Oath of Office administered to Michael H. Kinzler as a member of the Borough Council of the Borough of Riverton
6. Oath of Office administered to Robert E. Smyth as a member of the Borough Council of the Borough of Riverton
7. Nominations for President of Council
8. 2006 Borough Council Committee Appointments-Mayor Martin
9. Presentations to outgoing Borough Council members Muriel Alls-Moffatt and J. Edward Gilmore

NEW BUSINESS

CONSENT AGENDA-Mayor Martin

- Res. 1-06 Temporary Appropriations for the year 2006
Res. 2-06 Authorizing the Award of Contracts for Professional Services
Res. 3-06 Authorizing Official Depositories for the Borough
Res. 4-06 Authorizing an Official Newspaper
Res. 5-06 Fixing the rate of interest to be charged on Delinquent Taxes and Sewer for 2006
Res. 6-06 2006 Borough Appointment List
Res. 7-06 Appointing an Animal Control Officer
Res. 8-06 Designating an employee to serve as the Public Agency Compliance Office
Res. 9-06 Appointing an Insurance Agent for 2006
Res. 10-06 Authorizing a Cash Management Plan
Res. 11-06 Setting the days and times for all council meetings in 2006
Mayoral appointments to specific Boards
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Meeting open to the public
Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
JANUARY 11, 2006
7:00PM

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Resolution 11-06 To go into closed session (Personnel-potential litigation)
4. Return to public session
5. Salute to the Flag
6. Minutes from December 7, December 14 and closed session minutes from December 14
7. Treasurer's Report, Finance Report & Bill List for approval
8. Committee Reports
 - a. Public Safety
 - b. Public Works/Wastewater Treatment
 - c. Zoning, Code Enforcement & Park & Recreation
 - d. Planning, Economic Development & Redevelopment
 - e. Shade Tree, Human Services, Board of Health, Environmental And Recycling
9. Old Business
Update from Solicitor Re: Request to vacate Mattis Lane
10. New Business

Resolutions

- 12-06 Professional Service Appointments
- 13-06 Appointing Court personnel pursuant to the Interlocal Services Agreement between Cinnaminson Township and Riverton Borough
- 14-06 Transfer Resolution
- 15-06 Authorization to sign solid waste contracts with the County

Representatives from Council to serve on the River Route Advisory Committee
Mayoral appointment of Robert Hoag to serve as an alternate on the Zoning Board of Adjustment
Setting days and times for 2006 Budget work sessions
Possibly changing the start time for all Council meetings in 2006

11. Correspondence
12. Presentation from T-Mobile representatives Re: Possible installation of A cell tower in the Borough
13. Meeting open to the public (five minute limit per person)
14. Motion to return to closed session (Personnel)
15. Return to public session
16. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
FEBRUARY 1, 2006
7:30PM

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Res.27-06 To go into closes session (Personnel)
4. Return to public session
5. Salute to the Flag
6. Review of required Stormwater Ordinance-Mrs. Villari
7. Update Re: Possible Revaluation-Reassessment-Dr. Smyth
8. Update Re: Possible installation of a Telecommunications tower and Amending Zoning Code-Mr. Smyth
9. Update Re: Master Plan Re-Exam-Mr. Smyth
10. Update Re: 2006 Budget-Mr. Kinzler
11. Discussion: Auctioning old police vehicles, used police equipment And any and all recovered bicycles-Mr. Cesaretti
12. Res. 28-06 Implementing the National Incident Management System-Mrs. Villari
13. Update Re: Request to dedicate a Peace Pole to Riverton-Dr. Smyth
- 14. Preliminary agenda for February 8**
 - Ordinance 1-06 to Vacate Mattis Lane-2nd reading & Public Hearing
 - Transfer Resolution
 - Proclamation: Read across America
15. Meeting open to the public (five minute limit per person)
16. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
FEBRUARY 8, 2006
7:30PM

1. Meeting called to order
2. Open Public Meetings Act Statement
3. Res. To go into closed session (Personnel)-Mr. Cesaretti
4. Return to public session
5. Salute to the Flag
6. Minutes from January 4 January 11 and closed session minutes from January 11
7. Treasurer's, Finance Report & Bill List for Approval-Mr. Kinzler
8. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Public Works/Sewer-Mrs. Villari
 - c. Zoning, Code Enforcement & Park & Recreation-Dr. Smyth
 - d. Planning, Economic Development & Redevelopment-Mr. Smyth
 - e. Shade Tree, Human Services, Environmental & Court-Dr. Daniel
9. Old Business
 - Update Re: 2006 Budget process-Mr. Kinzler
 - Update Re: Peace pole-Dr. Smyth
 - Possible purchase of the Post Office Bldg.
10. New Business
 - Ordinance 1-06 Vacating Mattis Lane-2nd reading & Public Hearing-Mrs. Villari
 - Ordinance 3-06 Establishing Stormwater Management Requirements and Controls for Major Development-Mrs. Villari (1st reading-public hearing 3/8)
 - Res. Transfer resolution-Mr. Kinzler
 - Res. To auction old Police Vehicles-Mr. Cesaretti
 - Res. To donate recovered bicycles to the 4th of July Committee-Mr. Cesaretti
11. Correspondence
12. Meeting open to the public (five minute limit per person)
13. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
MARCH 1, 2006
7:30PM

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Salute to the Flag
4. Streets, Roads & Sewer Issues: Mrs. Villari
 - a. Review of bids received for the Broad Street Enhancement Grant
 - b. Review of Centers of Place Grant
 - c. Discussion: Litter fines and the number of garbage/trash receptacles permitted
 - d. Update Re: Fulton Street project
5. Planning & Telecommunication Issues: Mr. Smyth
 - a. Possible Site specific redevelopment plan
 - b. Update Re: Smart Growth Grant
 - c. Redevelopment and Grants
 - d. Ordinance 2-06 To provide for Telecommunication Towers as a conditional use in the General Business district-second reading and public hearing.
 - e. Update: Proposal from T-Mobile Re: installation of Telecommunications Tower at the Sewer Plant
6. Update Re: Renovation costs for Court office in Cinnaminson-Dr. Daniel
7. Finance Issues: Mr. Kinzler
 - a. Update Re: 2006 Budget
 - b. Tax Clerk Position
 - c. Discussion and possible Resolution to include Economic Development Committee under the Borough's Insurance umbrella
 - d. Res. Authorizing the Mayor to execute a lease agreement with the Riverton Fire Company
 - e. "CAP" Ordinance (4-06)-first reading-public hearing on March 8
8. Discussion and possible Resolution to authorize the County to conduct Aerial Larval Mosquito Control Activities
9. Mayoral appointment of Nelson Dimpter to serve on the Shade Tree Commission
10. Update Re: Disposal of old police vehicles and bicycles
- 11. Preliminary agenda for March 8**
 - Introduction of 2006 Municipal Budget
 - Ordinance 3-06 To establish stormwater management requirements and controls for major redevelopment-second reading and public hearing
12. Meeting open to the public (five minute limit per person)
13. Res. To go into Closed Session (Personnel)-Mr. Cesaretti
14. Return to public session
15. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
MARCH 8, 2006
7:30PM**

1. Meeting called to order
2. Open Public Meetings Notice Act Statement-Mayor Martin
3. Res. To go into Closed Session (Personnel) Dr. Smyth
4. Return to public session
5. Minutes from February 1, February 8 and closed session minutes from February 1 and February 8
6. Treasurer's, Finance Reports and Bill list for approval-Mr. Kinzler
7. Eagle Scout project presentation by Ryan Wilmot
8. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Public Works/Sewer-Mrs. Villari
Update Re: Broad Street Enhancement Grant project
 - c. Zoning, Code Enforcement & Park & Recreation-Dr. Smyth
 - d. Planning, Economic Development and Redevelopment-Mr. Smyth
 - e. Shade Tree, Human Services, Environmental & Court-Dr. Daniel
9. Old Business
 - Update Re: Renovations to Court Office in Cinnaminson-Dr. Daniel
 - Update Re: Reassessment/valuation of all properties in Riverton-Mr. Kinzler
10. New Business
 - Line review of the 2006 Municipal Budget (Auditor will be present) Mr. Kinzler
 - Introduction of the 2006 Municipal Budget

Ord. 2-06 To establish stormwater management requirements and controls for major redevelopment-**second reading & public hearing**-Mrs. Villari

Res. Authorizing the Mayor to execute a lease agreement with the Riverton Fire Company-Mr. Kinzler

T-Mobile proposal Re: Installation of a telecommunications tower at the sewer plant

Discussion: Centers of Place Grant Joseph Augustyn, from Alaimo Associates will be present

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

**BOROUGH OF RIVERTON
SPECIAL MEETING AGENDA
MARCH 27, 2006
7:30PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Review and Discussion on the 2006 Municipal Budget-Auditor present
5. Meeting open to the public (five minute limit per person)
6. Res. To Go into closed session (Personnel) Dr. Smyth
7. Return to public session
8. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
APRIL 5, 2006
7:30PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public meetings Notice Act Statement-Mayor Martin
4. Streets & Roads Issues-Mrs. Villari
 - a. Update Re: Broad Street Enhancement Grant
 - b. Update Re: Fulton Street project
 - c. 1989 NJDOT Trust Fund Project-Lippincott Avenue
 - d. Resolution: Authorizing membership in a mutual aid and assistance agreement participating units (Emergency Management
5. Telecommunications Issues-Mr. Smyth
 - a. Review of bid received for the placement of a telecommunication tower at the sewer plant
 - b. Discussion: Amending Chapter 128, Article XXII to provide standards for telecommunication towers
6. Meeting open to the public-five minute limit per person
7. Finance Issues-Mr. Kinzler
 - a. Ord. 4-06 "CAP" Ordinance-second reading and public hearing
 - b. Lease Agreement with the Fire Company
 - c. Update Re: Reassessment/Revaluation of all properties in Riverton
8. Click It or Ticket Seat Belt Campaign (Enforcement Grant)-Mr. Cesaretti
9. Discussion: Request for the placement of a peace pole in Riverton-Dr. Smyth
10. Proclamation: Shade Tree Commission Day-Dr. Daniel
11. Res. Authorizing participation in the Burlington County Shared Services Forum-Mr. Smyth
12. **Preliminary agenda for April 12**
Introduction of the 2006 Municipal Budget-Auditor will be present
13. Meeting open to the public-five minute limit per person
14. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
APRIL 12, 2006
7:30PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from March, 1, March 8 and closed session minutes from March 1 and March 8
5. Treasurer's, Finance Report and Bill List for Approval-Mr. Kinzler
6. Discussion & Introduction of the 2006 Municipal Budget-Mr. Kinzler
Auditor will be present
7. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Streets, Road & Sewer-Mrs. Villari
 - c. Zoning, Code Enforcement and Park & Recreation-Dr. Smyth
 - d. Planning, Economic Development and Redevelopment-Mr. Smyth
 - e. Shade Tree, Human Services & Municipal Court-Dr. Daniel
8. Meeting open to the public-five minute limit per person
9. Old Business

Update Re: Request for the placement of a peace pole in Riverton-Dr. Smyth
Update Re: Request from the Riverton Business Association to waive the application fees for vendors for Victorian Day -Chapter 96-3 of
Borough Code-Mr. Smyth

10. New Business
Discussion: Municipal costs reduction feasibility study-Mr. Smyth
11. Correspondence
12. Meeting open to the public-five minute limit per person
13. Res. To go into closed session (Litigation)
14. Return to public session
15. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
MAY 3, 2006
7:30PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Ordinances
 - a. Update from Solicitor on additional provision to the following Ordinance:
5-06 Amending Chapter 128, Article XXII, Conditional Uses to provide standards for telecommunication towers- (Second Reading & Public Hearing) Mr. Smyth
 - b. Ordinance to provide authority to the Chief of Police to close streets
 - c. Amending portions of codebook to provide for strong littering fines-Mr. Smyth
 - d. Site Specific Redevelopment Plan-Mr. Smyth
5. Discussion: Geographic Information System (GIS) agreement-Mr. Smyth
6. Res. Recycling Tonnage Grant Application
7. Update Re: Placement of a Peace Pole in Riverton-Dr. Smyth
8. Meeting open to the public (Five minute limit per person)
10. Possible Resolutions:
 - a. Urging Re-Introduction of Legislation to Exempt the Municipal Clerk from Penalties for Open Public Records Act Violations Under Certain Circumstances
 - b. Amendment to Binding Arbitration Statute-Mr. Smyth
11. **Preliminary agenda for May 10**
Public hearing and adoption of 2006 Municipal Budget-Auditor present
Review of 2005 Audit Report-Auditor Present
Ordinance-2006 Salary Ordinance
12. Meeting open to the public (five minute limit per person)
13. Res. To go into closed session (Litigation & Personnel)
14. Return to public session
15. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
MAY 10, 2006

1. Meeting called to order
 2. Salute to the Flag
 3. Open Public Meetings Notice Act Statement-Mayor Martin
 4. Minutes from March 27, April 5, April 12 and closed session minutes from March 27 and April 12
 5. Treasurer's and Finance Committee Report and bill list for approval-Mr. Kinzler
 6. 2006 Municipal Budget-Auditor present
 - a. Public hearing on 2006 municipal budget
 - b. Res. Stating that the Auditor and CFO have reviewed budget-Mr. Kinzler
 - c. Res. To adopt the 2006 municipal budget-Mr. Kinzler
 7. Review of 2005 Audit Report-Auditor present
 - a. Res. Pertaining to the 2005 Audit Report-Mr. Kinzler
 8. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Streets, Roads & Sewer-Dr. Smyth
 - c. Planning, Redevelopment & Economic Development-Mr. Smyth
 - d. Zoning, Code Enforcement & Park-Mr. Brown
 - e. Shade Tree, Human Services & Court-Dr. Daniel
 9. Meeting open to the public (five minute limit per person)
 10. Old Business
 11. New Business
 - First reading on the following Ordinances:
 - 7-06 Site Specific Redevelopment Plan-Mr. Smyth
 - 8-06 Increasing littering fines-Mr. Smyth
 - 9-06 2006 Salary Ordinance-Mr. Kinzler
- Mayoral appointments to the Zoning Board and Park & Recreation Commission
12. Correspondence
 13. Meeting open to the public (five minute limit per person)
 14. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
JUNE 7, 2006
7:30 pm

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Minutes from May 3, May 10 and closed session minutes from May 3 and May 10
5. Treasurer's, Finance Committee & Bill List for Approval-Mr. Kinzler
6. Discussion: Broad Street Enhancement Grant and funding for project
7. **Second reading & Public Hearings on the following Ordinances:**
 - 6-06 Authorizing the Chief of Police to provide by regulation for the closing of any street-Mr. Cesaretti (approval required from the Commissioner of Transportation before adoption)
 - 7-06 Site Specific Redevelopment Plan-Mr. Smyth
 - 8-06 Increasing fines for littering-Mr. Smyth
 - 9-06 2006 Salary Ordinance-Mr. Kinzler
8. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Streets, Roads & Sewer-Dr. Smyth
 - c. Zoning, Code Enforcement & Park-Mr. Brown
 - d. Planning, Economic Development & Redevelopment-Mr. Smyth
 - e. Shade Tree, Human Services & Court-Dr. Daniel
9. Meeting open to the public (Five minute limit per person)
10. **Resolutions**
 - a. Authorizing Remington, Vernick & Arango to apply to the NJDOT State Aid Trust Fund grant for Seventh Street from Main to Thomas Avenue
 - b. Hiring Park Personnel for the summer-Mr. Brown
 - c. Authorizing a tax overpayment refund-Mr. Kinzler
 - d. Proclaiming June 17th as Victorian Day-Mr. Smyth
11. Room reservations and registrations for 2006 League Conference
12. Discussion Re: Rail Issues-Horn noise, vibrations, landscaping-Mr. Smyth
13. Meeting open to the public (five minute limit per person)
14. Res. To go into closed session (Contract Negotiations & Personnel)-Mr. Cesaretti
15. Return to public session
16. Adjournment

BOROUGH OF RIVERTON
SPECIAL MEETING
JUNE 19, 2006
4:30PM

1. Meeting open to the public
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Resolution to award contract for the Broad Street Enhancement project
5. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
JULY 5, 2006
7:30PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from June 7 and closed session minutes from June 7
5. Treasurer's, Finance Reports & Bill list for approval-Mr. Kinzler
6. Recognition of Florence Klein, retiring Welfare Director
7. Financial Issues: Mr. Kinzler
 - a. Funding for the Broad Street Enhancement Grant
 - b. Proposals received for revaluation/reassessment of all properties
 - c. Fire lease Resolution
 - d. Corrective action report Resolution Re: 2005 Audit Report
 - e. Authorization to open a separate interest bearing account at Farmers' & Mechanics Bank for payments in lieu of construction
8. Discussion: Centers of Place grant-Dr. Smyth
9. Meeting open to the public (five minute limit per person)
10. Committee reports
 - a. Public Safety-Mr. Cesaretti
 - b. Zoning, Park & Code Enforcement-Mr. Brown
 - c. Streets, Roads & Sewer-Dr. Smyth
 - d. Planning, Redevelopment & Economic Development-Mr. Smyth
 - e. Shade Tree, Human Services, Board of Health & Recycling-Dr. Daniel
11. Correspondence
12. Update re: Riverton's Drive 25 Campaign-Mr. Smyth
13. Meeting open to the public (five minute limit per person)
14. Res. To go into closed session-Litigation & Personnel
15. Return to public session
16. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
AUGUST 2, 2006
7:30PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from July 5 and closed session minutes from July 5
5. Treasurer's, Finance Reports & Bill List for approval-Mr. Kinzler
6. Update Re: proposals received for revaluation/reassessment-Mr. Kinzler
7. Update Re: Broad Street Enhancement Project-Dr. Smyth
8. Shade Tree Issues-Dr. Daniel
9. Proclamation: Supporting the Riverton Drive 25 Campaign-Mayor Martin
10. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Zoning, Park, Code Enforcement & Court-Mr. Brown
 - c. Streets, Roads & Sewer-Dr. Smyth
 - d. Planning, Redevelopment & Economic Development-Mr. Smyth
 - e. Shade Tree, Board of Health & Recycling-Dr. Daniel
11. Meeting open to the public (Five minute limit per person)
12. Res. To go into closed session-Litigation
13. Return to public session
14. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
SEPTEMBER 6, 2006
7:30PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Recommendation from Finance Committee Re: Revaluation-Tax Assessor present
5. Discussion: Letter of Credit regarding the Nuway Development-Mr. Gunn
6. Update Re: Stormwater Regulations & Requirements-Dr. Smyth
7. Planning & Economic Issues: Mr. Smyth
 - a. Smart Growth Grant-changing scope of the work
 - b. Required report regarding planning activities since Center Designation
 - c. River Route Marketing Issues
 - d. Centers of Place Grant
 - e. Update Re: Broad Street Enhancement Grant project
8. Meeting open to the public-five minute limit per person
9. Discussion: Shade Tree Contract issues for 2007 & 2008
10. Discussion: Deterioration of curbs on Cedar Street at the Park
11. Preliminary agenda for September 13th
12. Res. To go into closed session-Personnel
13. Return to public session
14. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
SEPTEMBER 13 2006
7:30PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from August 2 and closed session minutes from August 2
5. Treasurer's & Finance Reports and Bill list for approval-Mr. Kinzler
6. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Streets, Roads & Sewer-Dr. Smyth
 - c. Zoning, Park, Code Enforcement and Court-Mr. Brown
 - d. Planning, Redevelopment & Economic Development-Mr. Smyth
 - e. Shade Tree & Board of Health
7. Meeting open to the public (five minute limit per person)
8. Old Business
 - Update Re: Placement of the Peace Pole
 - River Marketing Issues
 - Request from the Rotary Club
9. New Business
 - Ord. 11-06 Establishing Stormwater Management Requirements and Controls for Major Development-Dr. Smyth-(First Reading)
10. Meeting open to the public (five minute limit per person)
11. Res. To go into closed session-Personnel
12. Return to public session
13. Adjournment

BOROUGH OF RIVERTON
PRELIMINARY AGENDA
OCTOBER 4, 2006
7:30PM

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Statement-Mayor Martin
4. Financial Issues-Mr. Kinzler
 - a. Ordinance 10-06 Authorizing a complete revaluation program for the Borough of Riverton-**Second reading & public hearing**
 - b. Budgetary updates
5. Streets, Roads & Sewer Issues-Dr. Smyth
 - a. Discussion: Pompeston Creek Regional Stormwater Management Plan
 - b. Request from Laura Kyle, the owner of 606 Linden Avenue for a reduction in her sewer charges
 - c. Request from Brandenberger/Sheridan for a waiver of sewer charges during the construction process at the Nuway Site
6. Smart Growth, Shared Services & Consolidation Updates-Mr. Smyth
 - a. Review of new scope of work for the Smart Growth Grant
 - b. Proposed shared services request received from the Borough of Palmyra Regarding Trash Collection and the Police Department
 - c. State Mandates, feasibility grants, Cinnaminson meeting
7. Review of proposed Shade Tree contract(s) specifications-Dr. Daniel
8. **Preliminary agenda for October 11**
Ordinance 11-06 Stormwater Regulations-second reading & Public hearing
9. Meeting open to the public-five minute limit per person
10. Res. To go into closed session-Personnel
11. Return to public session.
12. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
OCTOBER 11, 2006
7:30PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Act Notice Statement-Mayor Martin
4. Minutes from September 6, September 13 and closed session minutes from September 6 and September 13
5. Update on Budgetary issues-Mr. Kinzler
6. Treasurer's & Finance Reports & Bill List for Approval-Mr. Kinzler
7. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Streets, Roads & Sewer-Dr. Smyth
 - c. Zoning, Park, Code Enforcement & Court-Mr. Brown
 - d. Planning, Redevelopment & Economic Development-Mr. Smyth
 - e. Shade Tree & Board of HealthReview of specs for new shade tree contracts for 2007 & 2008
8. Meeting open to the public-five minute limit per person
9. Old Business
Update Re: Request from Brandenberger/Sheridan for sewer charge waivers at the Nuway site and 4 Thomas Avenue
10. New Business
Ord. 11-06 Stormwater Regulations-Dr. Smyth-2nd reading & public hearing
11. Correspondence
12. Meeting open to the public-five minute limit per person
13. Res. To go into closed session-Personnel
14. Return to public session
15. Adjournment.

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
WORK SESSION
NOVEMBER 1, 2006
7:30PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Review of Shade Tree Specifications-Authorization to go out to bid for tree services for 2007-2008-Dr. Daniel
5. Budgetary Updates and Transfer Resolution-Mr. Kinzler
6. Possible amendments to Borough Code:
 - Chapter 106-38 Sewer Connection Fees-Dr. Smyth
 - a. Review and approval of application form for sewer connection
 - Chapter 123-10 Vehicles & Traffic-Timed parking at 519 Howard Street-Cesaretti
7. Update Re: E-mail addresses for Elected Officials and Department Heads
 - On Borough's website-Mr. Cesaretti
8. Meeting open to the public-Five minute limit per person
9. Updates Re: Grants, Shared Services, Cell Tower and projects-Mr. Smyth
10. Request from NJ American Water Co. for a waiver from escrow and inspection fees for Street Opening permits-Solicitor Gunn
11. Preliminary agenda for November 8th
12. Res. To go into closed session-Personnel & Litigation
13. Return to public session
14. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
NOVEMBER 8, 2006
7:30PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Minutes from October 4, October 11 and closed session minutes from October 4th
5. Treasurer's, Finance Reports & Bill list for approval-Mr. Kinzler
6. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Streets, Roads & Sewer-Dr. Smyth
 - c. Zoning, Code Enforcement, Park & Court-Mr. Brown
 - d. Planning, Economic Development, Redevelopment and Shared Services-Mr. Smyth
 - e. Shade Tree & Board of Health
7. Meeting open to the public-five minute limit per person
8. Old Business
9. New Business
 - Transfer Resolution-Mr. Kinzler
10. Correspondence
11. Adjournment

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
DECEMBER 6, 2006
7:30PM**

1. Meeting called to order
2. Salute to the Flag
3. Open Public Meetings Notice Act Statement-Mayor Martin
4. Shade Tree Issues-Dr. Daniel
 - a. Bids received for the Removal of Trees & Stumps for 2007
 - b. Bids received for the Care & Maintenance of Trees for 2007 & 2008
5. Financial Issues- Mr. Kinzler
 - a. Budgetary Updates
 - b. Resolution-Refund of a specific tax overpayment
 - c. Transfer Resolution
6. Updates Re: Shared Services, Grants, Economic Development & projects-Mr. Smyth
7. Meeting open to the public-five minute limit per person
8. 2nd request from Laura Kyle, 606 Linden Avenue, to excuse the additional sewer charges on her property-Dr. Smyth
9. Setting the day & time for the 2007 Reorganization Meeting
10. Setting the days & times for all 2007 Council meetings
11. Preliminary agenda for December 13th

**BOROUGH OF RIVERTON
PRELIMINARY AGENDA
DECEMBER 13, 2006
7:30PM**

1. Meeting called to order
 2. Salute to the Flag
 3. Open Public Meetings Notice Act Statement- Mayor Martin
 4. Minutes from November 1, November 8 and closed session minutes
From November 1 and November 8
 5. Treasurer's Finance Reports & Bill List for Approval-Mr. Smyth
 6. Committee Reports
 - a. Public Safety-Mr. Cesaretti
 - b. Streets, Roads & Sewer-Dr. Smyth
 - c. Zoning, Code Enforcement & Park-Mr. Brown
 - d. Planning, Economic Development, Shared Services
and Redevelopment-Mr. Smyth
 - e. Shade Tree & Board of Health-Dr. Daniel
(Recommendation from Solicitor regarding Bids received for the
Care and Maintenance of Trees for 2007 & 2008)
 7. Meeting open to the public-five minute limit per person
 8. Old Business
 9. New Business
- Transfer Resolution-Mr. Smyth
10. Correspondence
 11. Meeting open to the public (five minute limit per person)
 12. Res. To go into closed session (contract negotiations)-Mr. Smyth
 13. Return to public session
 14. Adjournment

January 4, 2006

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

PRESENT: Council members Daniel, Villari, Robert K. Smyth, Cesaretti, Solicitor Bruce Gunn and Council members elect Michael H. Kinzler and Robert E. 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 this meeting published in the Burlington County Times on December 28, 2005

(b) Posting written notice on the official bulletin board on December 21, 2005

The Oath of Office was administered by Solicitor Bruce M. Gunn to Michael H. Kinzler as a member of Borough Council.

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

NOMINATIONS FOR PRESIDENT OF COUNCIL

Dr. Daniel nominated Dr. Robert K. Smyth to serve as President of Council. This was seconded by Mr. Cesaretti. There being no other nominations for President of Council, a poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth abstained, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

PRESENTATIONS TO OUTGOING BOROUGH COUNCIL MEMBERS

MURIEL ALLS-MOFFATT AND J. EDWARD GILMORE

On behalf of the governing body, President of Council, Robert K. Smyth recognized both Mrs. Alls-Moffatt and J. Edward Gilmore for their service to the Borough. Each were presented a gift from the Community of Riverton. Both Mrs. Alls-Moffatt and Mr. Gilmore gave short thank you speeches.

NEW BUSINESS

RESOLUTION 1-06

TEMPORARY BUDGET APPROPRIATIONS FOR THE YEAR 2006

(IN FULL IN RESOLUTION BOOK)

RESOLUTION 2-06

A RESOLUTION AUTHORIZING THE AWARDING OF CONTRACTS FOR CERTAIN PROFESSIONAL SERVICES

(IN FULL IN RESOLUTION BOOK)

RESOLUTION 3-06

A RESOLUTION DESIGNATING CERTAIN PROFESSIONALS IN COMPLIANCE WITH THE NEW JERSEY PAY TO PLAY STATUTE

(IN FULL IN RESOLUTION BOOK)

RESOLUTION 4-06

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

(IN FULL IN RESOLUTION BOOK)

RESOLUTION 5-06

A RESOLUTION APPOINTING AN OFFICIAL NEWSPAPER OF THE BOROUGH OF RIVERTON

(IN FULL IN RESOLUTION BOOK)

RESOLUTION 6-06

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

(IN FULL IN RESOLUTION BOOK)

**RESOLUTION 7-06
2006 BOROUGH APPOINTMENTS
(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 8-06
A RESOLUTION OF THE BOROUGH OF RIVERTON DESIGNATING AN
EMPLOYEE TO SERVE AS THE PUBLIC AGENCY COMPLIANCE OFFICER
FOR THE BOROUGH OF RIVERTON PURSUANT TO THE REQUIREMENTS
OF P.L. C.127
(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 9-06
A RESOLUTION AUTHORIZING THE ADOPTION OF A CASH
MANAGEMENT PLAN
(IN FULL IN RESOLUTION BOOK)**

**RESOLUTION 10-06
A RESOLUTION AUTHORIZING THE DAYS AND TIMES OF ALL COUNCIL
MEETINGS FOR 2006
(IN FULL IN RESOLUTION BOOK)**

The above Resolutions were read by President of Council Dr. Robert K. Smyth, who moved for their adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti voted aye for all of the Resolutions, with the exception of Resolution 6-06, for which he abstained.

**MAYORAL APPOINTMENTS TO SPECIFIC BOARDS, COMMISSIONS AND
COMMITTEES**

ZONING BOARD (4 YEAR TERM)

EDWARD SMYTH (2009)

FREEMAN MOORHOUSE (2009)

PLANNING BOARD

CLASS II-ALAN ADAMS-ONE YEAR TERM (2006)

CLASS III-ROBERT E. SMYTH-COUNCIL MEMBER-ONE YEAR TERM (2006)

CLASS IV-JOSEPH KATELLA-FOUR YEAR TERM (2009)

CLASS IV-MURIEL ALLS-MOFFATT (2008)

PLANNING BOARD-ALTERNATES

SUZANNE WELLS-ALTERNATE NO. 1 (2006)

KEITH WENIG-ALTERNATE NO. 2 (2007)

SHADE TREE COMMISSION-3 YEAR TERM

BARRY EMENS (2008)

NANCY WASHINGTON (2008)

WILLIAM HALL (2008)

ARCHITECTURAL REVIEW COMMITTEE-4 YEAR TERM

KEITH WENIG (2009)

ARCHITECTURAL REVIEW COMMITTEE-ALTERNATES-1 YEAR TERM

ANDEE BYERS (2006)

ROCKY ADRIANCE (2006)

ROBERT KENNEDY (2006)

ENVIRONMENTAL COMMISSION-3 YEAR TERM)

CHRISTIAN HOCHENBERGER (2008)

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

At this time both Mr. Kinzler and Mr. Smyth gave short thank you speeches.

2006 BOROUGH COUNCIL COMMITTEE APPOINTMENTS.

Dr. Smyth moved that this issue be deferred for further discussion at Council's January 11th meeting. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

There being no further business to discuss, Dr. 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 11, 2006

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

PRESENT: Council members Villari, Dr. Robert K. Smyth, Mr. Robert E. Smyth, Kinzler, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council member Daniel

The following statement was read by Mayor Martin:

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

(a) Having written notification of all meetings to be held in 2006 published in the Burlington County Times on January 8, 2006

(b) Posting written notice on the official bulletin board on January 9, 2006

RESOLUTION 11-06

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

At this time Dr. 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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

TREASURER'S REPORT, FINANCE REPORT AND BILL LIST FOR APPROVAL

Dr. Smyth moved that the attached reports for the month of December, 2005 be approved as submitted. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye

BOROUGH COUNCIL COMMITTEE ASSIGNMENTS FOR 2006

Mayor Martin announced the following committee assignments for 2006. **Finance and Administration**-Michael Kinzler*, Robert E. Smyth, Joseph Daniel, **Planning, Economic Development and Redevelopment**-Robert E. Smyth*, Michael Kinzler, Ron Cesaretti, **Public Safety, Fire, Animal Control, Parking**-Ron Cesaretti*, Robert K. Smyth, Laurie Villari, **Public Works & Wastewater Treatment**-Laurie Villari* Ron Cesaretti, Robert K. Smyth, **Shade Tree, Human Services, Board of Health, Environmental & Recycling**-Joseph Daniel*, Robert E. Smyth, Michael Kinzler, **Zoning, Code Enforcement, Park & Recreation**-Robert K. Smyth*, Joseph Daniel, Laurie Villari, **Board of Education Liaison**-Robert E. Smyth*, **Municipal Court Liaison**-Joseph Daniel*, **4th of July Liaison**-Laurie Villari* and **Shared Services Liaison**-Robert E. Smyth* and alternate Robert K. Smyth. ***designates the Chair**

Dr. Smyth moved that the 2006 committee assignments be accepted and approved. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Mayor Martin also announced that the following members of Council would be negotiating a new police contract-Robert E. Smyth*, Michael Kinzler and Ron Cesaretti. Laurie Villari will serve as an alternate. ***designates the Chair**

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read an end of year (2005) report that was submitted by Chief Robert Norcross. Vehicle mileage 36,059, Gas Used 452, Juvenile Arrests 12 (Assaults 0, Miscellaneous 9, Curfew 3), Adult Arrests 129 (Criminal Warrants 28, Criminal Summons 9, Traffic Warrants 61, DWI 20 and Other 11), Motor Vehicle Crashes 42, Motor Vehicle Stops 919, Motor Vehicle Warnings 90, Motor Vehicle Summons 991, Burglar Alarms 154, Asst. to other Police Departments 243, Animal Complaints 65, Fire Calls 224, Ambulance calls (Riverton) 319, Unattended Deaths 4, Criminal Cases 275, Domestic Violence 16, Thefts 43, Burglaries 9, Assaults 9, Sexual Assaults 0, Criminal Mischief 26, Robberies 0, Motor Vehicle Thefts 1, Miscellaneous Complaints 296, Miscellaneous Calls 6,467, Riverton School Walk Through Security Check 173, Riverton School Teaching/School Trips 18 and Total Calls 10,544.

Mr. Cesaretti read a report for the month of December that was submitted by Deputy Fire Chief Robert Yearly. Fire calls for month 13, Drills 3, Calls in town 8, Calls out of town 5 and man hours for the month 275.4

PUBLIC WORKS/ WASTEWATER TREATMENT-Mrs. Villari

Mrs. Villari reported that we need to re-bid the Broad Street Enhancement project. Mrs. Villari stated that the previous two times we bid this project, the bids received exceeded the grant funding. Mrs. Villari stated that a formal Resolution must be done to move forward. Mrs. Villari stated that the bid opening is scheduled for February 21st at 10:00 am. Mrs. Villari commented that she would contact the Department of Transportation to determine if we would be eligible for additional funding to get this project completed. Council will be kept apprised of this issue.

RESOLUTION 24-05

A RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO ADVERTISE FOR THE RECEIPT OF BIDS FOR THE BROAD STREET ENHANCEMENT 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 Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Regarding the Reconstruction of Fulton Street, Mrs. Villari reported that American Asphalt Company has formally requested a time extension of 118 days to complete this project. American Asphalt considers this request legitimate due to winter weather conditions. Mrs. Villari stated that this was a disappointment because we had hoped that this project would be completed by the end of 2005.

Mrs. Villari reported that she received data from AVR Resource Group, Inc. (Solid Waste Management Consultants). This pertains to potential interest in participating in a Regional Coordination Grant for residential solid waste. Mrs. Villari asked the Solicitor to review this information to determine if this would pertain to us.

Mrs. Villari reported that the Public Works Department have been working diligently to pick-up all of the leaves throughout the town

Mrs. Villari announced that she would be meeting with Emergency Management Coordinator, Tom Schneider to review his budgetary and stipend request.

Mrs. Villari reported that the Pollutant Minimization Plan for our Wastewater Treatment Facility has been completed and has been sent to the Delaware River Basin Commission.

Public Works Manager, Scott Reed announced that we have verified that the owner of the riverwall at Bank and Morgan Avenues is the New Jersey American Water Company. Mr. Reed reported that they will take care of making the required repairs and obtaining the necessary permits.

Public Works Manager Scott Reed announced that remediation work was done by PSE&G on Tenth Street (Jack's run area) a number of years ago. Mr. Reed was informed by a resident in that area that the stream is backing up on their property. Mr. Reed conferred with our Solicitor who determined that we should not go on private property. Mr. Reed then contacted a representative from the Department of Environmental Protection to try and help the resident out. Council will be kept apprised of this situation.

Zoning, Code Enforcement & Park & Recreation-Dr. Smyth-No Report
Planning, Economic Development & Redevelopment-Mr. Smyth

Mr. Smyth reported that the Planning Board is still considering the Brandenberger/Sheridan site plan application for the redevelopment of the Nu-Way property. The Board is also in the process of a re-examination of the Master Plan. Mrs. Alls-Moffatt will be the Chair of this sub-committee of the Board. Mr. Smyth reported that our COAH recertification process was accomplished in December. We have received written notice that COAH considers it to be a complete package. Mr. Smyth commented that he does not know the length of time it will take for us to get certified.

Mr. Smyth distributed a list of events that the Economic Development Committee is working on. Mr. Smyth will be attending a meeting of the Riverton Civic Association to talk about the needs of our businesses. Mr. Smyth will also be attending a seminar called River Town Redevelopment in South Jersey on January 19th. Mr. Smyth will also attend a shared services (County level) cooperative purchasing meeting tomorrow. The school will also be participating and sending representatives.

**Shade Tree, Human Services, Board of Health, Environmental
And Recycling-Dr. Daniel-No Report**

OLD BUSINESS

UPDATE FROM SOLICITOR RE: REQUEST TO VACATE MATTIS LANE

Mr. Gunn reminded Council that we had previously received and discussed a formal request to vacate Mattis Lane at Council's December meeting. Mr. Gunn stated that the Zoning Board of Adjustment has conditioned their final site plan and final subdivision approval to Brandenberger/Sheridan to develop property on Main Street on them acquiring the vacation of any public rights to Mattis Lane. Mr. Brandenberger stated that he recognizes the historic nature of Mattis Lane and would be willing to post signage on the property. A discussion then ensued. It was the consensus of Council that an Ordinance be introduced tonight to vacate Mattis Lane. It was also the consensus of Council that the Ordinance include verbiage that any sewer easements on the described property be excepted from this vacation, that Mr. Brandenberger will post signage on said property to recognize the historic nature of Mattis Lane and that Mr. Brandenberger will bear all costs, including, but not limited to the recording of any easements in favor of the Borough of Riverton on the above described property.

ORDINANCE 1-06

**AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL
PUBLIC RIGHTS IN AND TO MATTIS LANE**

The above Ordinance was read by title only for the first time by Mrs. Villari, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for February 8.

NEW BUSINESS

RESOLUTION 12-06

**A RESOLUTION APPOINTING COURT PERSONNEL
(IN FULL IN RESOLUTION BOOK)**

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

RESOLUTION 13-06
TRANSFER RESOLUTION

The Treasurer informed Council that there would not be a Transfer Resolution needed this month.

RESOLUTION 14-06

**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 2006
(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. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler abstained and Mr. Cesaretti aye.

RESOLUTION 15-06

**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 Dr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye

RESOLUTION 16-06

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR LEGAL
SERVICES-BRUCE M. GUNN
(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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 17-06

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
INSURANCE SERVICES-JOHN S. LATIMER OF THE WALTER S. BARCLAY
AGENCY
(IN FULL IN RESOLUTION BOOK)**

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

RESOLUTION 18-06

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
AUDITING SERVICES-ROBERT STEWART OF INVERSO & STEWART
(IN FULL IN RESOLUTION BOOK)**

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

RESOLUTION 19-06

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
STREETS & ROADS ENGINEERING SERVICES-RICHARD ARANGO OF
REMINGTON, VERNICK & ARANGO
(IN FULL IN RESOLUTION BOOK)**

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

RESOLUTION 20-06

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
WASTEWATER TREATMENT FACILITY ENGINEERING SERVICES-
RICHARD ARANGO OF REMINGTON, VERNICK & ARANGO
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read 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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 21-06

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LEGAL SERVICES FOR POLICE MATTERS-STEPHEN RAYMOND OF
RAYMOND & COLEMAN
(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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 22-06

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LEGAL SERVICES FOR REDEVELOPMENT MATTERS-THOMAS
COLEMAN OF RAYMOND & COLEMAN
(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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 23-06

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LEGAL SERVICES FOR THE DOLECKY/HORNER LITIGATION-THOMAS
COLEMAN OF RAYMOND & COLEMAN
(IN FULL IN RESOLUTION BOOK)**

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

**REPRESENTATIVES FROM COUNCIL TO SERVE ON THE RIVER ROUTE
ADVISORY COMMITTEE**

Mayor Martin announced that we have been asked to appointment two members of Council to serve on this committee. After a short discussion, it was the consensus that Robert E. Smyth and Dr. Robert K. Smyth serve on this committee.

RESOLUTION 25-06

**A RESOLUTION APPOINTING ROBERT EDWARD SMYTH AND
DR. ROBERT K. SMYTH TO SERVE ON THE 2006 RIVER ROUTE ADVISORY
COMMITTEE
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel

absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

MAYORAL APPOINTMENT OF AN ALTERNATE MEMBER TO THE ZONING BOARD OF ADJUSTMENT

Mayor Martin announced that he was appointing Robert Hoag to serve as an alternate member to the Zoning Board of Adjustment. Mr. Hoag's term will expire on December 31, 2007.

SETTING DAYS AND TIMES FOR 2006 BUDGET WORK SESSIONS

This issue will be discussed after the Finance Committee has a chance to meet and review the submitted budget requests for 2006.

POSSIBLY CHANGING THE START TIME FOR ALL COUNCIL MEETINGS IN 2006

After a short discussion, it was the consensus of Council to change the start time for all Council meetings in 2006 from 7:00pm to 7:30pm. It was also the consensus of council to only hold one meeting in June, July & August. It was also the consensus of Council to continue holding any closed sessions at the beginning of the meetings.

RESOLUTION 26-06

A RESOLUTION AMENDING RESOLUTION 10-06 SETTING THE DATES AND TIMES OF ALL COUNCIL MEETINGS FOR 2006 (IN FULL IN RESOLUTION BOOK)

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

CORRESPONDENCE

The Clerk reported that correspondence has been received from resident Anne Creter. This pertains to neighbors wishing to dedicate a Peace Pole in Riverton Borough on the International Day of Peace. The Clerk reported that Mrs. Creter will attend Council's February meeting to go over her request. Dr. Smyth stated that he would contact Mrs. Creter to obtain additional information.

Mr. Cesaretti read a letter from Chief Norcross to Patrolman Merino acknowledging what a fine job he did during the incident that occurred on December 13 by protecting the life of his fellow officer's the public, as well as Mr. Merino's own life.

Mayor Martin read a letter from Chief Norcross thanking the Mayor and Council for all their concern regarding Patrolman Merino and his involvement in the shooting incident on December 13. Chief Norcross, who was on vacation when this incident occurred, also commended Sgt. Furrer for how he handled not only the unfortunate events of that day but also the hectic and harrowing days that followed. Chief Norcross also thanked his officers and the Police Secretary.

UPDATE RE: RESOLUTION ADOPTED ON DECEMBER 14, 2005 REQUESTING THAT THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS PURCHASE A PORTION OF NATIONAL CASEIN PROPERTY FOR OPEN SPACE

Mayor Martin asked if we could have the Planning Board review this request before we send a letter to the County. The Solicitor commented yes, since there was no timeframe indicated in the resolution.

Mr. Smyth made a motion to table this request until he has a chance to review it with the Planning Board Chair. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

PRESENTATION FROM T-MOBILE REPRESENTATIVES RE: POSSIBLE INSTALLATION OF A TELECOMMUNICATIONS TOWER IN THE BOROUGH (AT THE RIVERTON WASTEWATER TREATMENT PLANT)

Mr. Smyth introduced Doug Cowan, a professional Planner for T-Mobile and A.J. Tegler, Leasing Manager for Site Acquisitions for T-Mobile. Mr. Tegler explained that they are given a search area, which is an area that lacks coverage for T-mobile customers. This search area basically covers Riverton and Cinnaminson. Mr. Tegler stated that they are presently negotiating an agreement with a private landowner in Cinnaminson for the placement of a tower at that location. However, Mr. Tegler stated that they would consider the placement of a tower in Riverton. The height of the tower would be 120'. Mr. Smyth stated that while T-Mobile has come forward with this proposal, there could be 5 or 6 other companies (co-locators) that actually go onto the tower. Mr. Tegler stated that the tower can be designed to suit as many carriers as the Borough might require. Mayor Martin asked if the tower would be higher if other carriers used it. Mr. Tegler stated that T-Mobile needs 120'; the tower can be designed to be extendable. Mr. Smyth commented that these towers can be multi use. They can include police, police radio contacts and ready to response devices, etc. Mr. Smyth asked Mr. Tegler to review their two proposals. **Regarding a Rent Abatement Agreement**, Mr. Tegler explained that T-Mobile would construct the tower at their expense and turn ownership of the tower over to the Borough. In return the Borough would allow T-Mobile the use of the tower at no cost for the initial 16 years of the agreement. After the initial 16 years, T-Mobile would rent the tower from the Borough at a rate of \$1,500.00 per month with 15% increases in rent at each five-year renewal term. The Borough would have control over the rental terms and conditions of any additional collocations onto the Tower. **Regarding a Standard Lease Agreement**, Mr. Tegler explained that T-Mobile would construct the tower at their expense and maintain control of the tower. T-Mobile would agree to pay the Borough \$1,000.00 a month with 15% increases in the rent per term as well as a 15% revenue sharing (collocation) fee. The revenue sharing fee is based on 15% of the rents that will be received from future carriers and will be based on the terms of the master agreement between T-Mobile and the other carrier. Mr. Smyth understands that either of these two proposals would not create any out-of-pocket expense for the Borough. Mr. Tegler responded yes. Liability issues would need to be addressed though. Mr. Smyth stated that the public would want to know of any health risk issues and the visual impact of the tower. Mr. Smyth stated that Medford Lakes did a Bond Ordinance to own their tower and that 4 or 5 companies went on it. Mr. Smyth reported that Medford Lakes had a 2 ½ year pay back on their Bond Ordinance. Mr. Smyth asked Mr. Tegler if they would be interested on going on a tower that the Borough built and owned. Mr. Tegler stated that he would have to take that issue back to T-Mobile. Mr. Tegler did state that if the Borough was going to go that route, he feels T-Mobile would probably continue their negotiations in Cinnaminson Township. Dr. Smyth asked Mr. Tegler what his experience was regarding other carriers using the tower. Mr. Tegler stated that from a design point of view, it would be important from the get-go to know this. The tower would have to be extendable to accommodate other carriers. Dr. Smyth asked if the tower would interfere with other electronic equipment at resident's homes. Mr. Tegler responded no. Mayor Martin asked what kind of timeframe we are looking at. Mr. Smyth stated that he knows T-Mobile already has an application in Cinnaminson Township. Mr. Cowan stated that he filed that application last summer as an initial zoning permit application. In Cinnaminson this type of a use requires a use variance. The Zoning permit was automatically denied. Last month they filed a complete application. It is being reviewed for completeness and may be heard in February or March. Mr. Cowan stated that these types of applications sometimes take 6 months or a year to get approved. Mr. Smyth asked if T-Mobile is presently looking at a tower installation on private property in Cinnaminson. Mr. Cowan responded yes. Mr. Smyth asked our Solicitor what we need to do if we suggested our Wastewater Treatment Facility site for the placement of the tower. Mr. Gunn stated that he does not believe that a cell tower is a permitted use in our present Zoning Ordinance. This ordinance would have to be amended. Mr. Gunn stated that any amendment to the Zoning Ordinance should be referred to the Planning Board for their input. Mr. Gunn cautioned about doing a piecemeal approach. Mr. Gunn will research this

further. Mr. Gunn further stated that the Telecommunications Act is subject to local zoning laws. Mr. Smyth would like to study this proposal and take it to the Planning Board for their input. It was the consensus of Council to investigate this issue further and move forward. Mr. Smyth looks at this as a revenue source. Mr. Smyth reminded Council that if the tower is not located in Riverton, it is probably going to be placed at the Lippincott Boat Works in Cinnaminson Township. This is an important point because then the tower will be right across from National Casein. We will be able to see it from the new redevelopment project at the Nuway property. Mr. Smyth further stated that it will not help our tax base if the tower is placed in Cinnaminson. Mrs. Villari asked what T-Mobile is looking for from Riverton. Mr. Tegler stated that they are looking for a commitment from Riverton. Mr. Smyth will take this proposal back to the Planning Board for their input. He asked to have authorization to sit down with T-Mobile and start the preliminary negotiations and then come back to Council. It was the consensus of Council to agree to this.

MEETING OPEN TO THE PUBLIC

Muriel Aills-Moffatt, 202 Fulton Street, asked how wide the tower would be and how long the length of time is for the rent abatement. Mr. Tegler responded that the width is based on the height of the tower. The standard is 3 to 3 1/2 feet in width. It would be a 15 year rent abatement.

Jim Brandenberger, 203 Thomas Avenue, stated that as a resident and property owner he is very much in favor of the placement of a tower at the sewer plant. He thinks we should act quickly. He suggested going to a contract with T-Mobile subject to various contingencies. Mr. Brandenberger asked Mr. Tegler how many towers T-Mobile has where they are the only user. Mr. Tegler responded hardly any.

Muriel Aills-Moffatt, 202 Fulton Street, stated that she understands we could generate \$500,000.00 in revenue from a tower. Mrs. Aills-Moffatt asked if that is a one time shot or is it over a period of years. Mr. Kinzler stated that it would be over a period of years.

Joseph Augustyn, stated that he would welcome better cell phone use by having this tower. Mr. Augustyn would also welcome improved 9-1-1 response. Mr. Augustyn believes this would positively impact the health, welfare and safety of our residents. He believes this would improve the goals of our Master Plan. Mr. Augustyn understands that the tower can be placed in the wetlands, so it could be placed very close to the river.

Mr. Augustyn reminded Council that Riverton was awarded \$60,000.00 for a Centers of Place Grant. Mr. Augustyn, who represents Alaimo Associates, the Borough's Consulting Engineer for this grant, stated that an initial meeting was held last year with Mr. Gilmore to review our options. Mr. Augustyn commented that this grant is for accessibility for appearances. Mr. Augustyn encouraged Council to move forward as quickly as possible.

Muriel Aills-Moffatt, 202 Fulton Street, commented that she feels that changing the start time for the Council meetings will be an imposition on the taxpayers, especially if the closed sessions are held at the beginning.

ILLUMINATING THE FLAG AT THE PARK

Sgt. Furrer reminded Council that the Rotary no longer wants to pay the monthly lighting fee of \$30.00 to PSE&G. This issue had previously been discussed at Council's December 14th meeting. Mayor Martin suggested that Sgt. Furrer contact Ed Gilmore about this issue. Mr. Gilmore was going to try and find another organization to sponsor this.

At this time Dr. Smyth moved that Council return to closed session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that a personnel issue will be discussed.

At this time Dr. 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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

Mary Longbottom
Municipal Clerk

February 1, 2006

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

PRESENT: Council members Daniel, Villari, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti 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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

RESOLUTION 27-06

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

At this time Dr. 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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Review of Required Stormwater Ordinance. Council reviewed this draft Ordinance which establishes stormwater management requirements and controls for major development. Mrs. Villari stated that the Borough's Engineer, Terry Vogt, has indicated that this ordinance must be adopted before April, 2006. Mr. Vogt has also informed us that our Stormwater Plan may be reviewed (again) by Burlington County between April 1, 2006 and June 1, 2006. Upon receipt of County review, comments and requested changes, if any, the plan will have to be completed and finalized by or before January, 2007 in accordance with NJDEP regulations. Mrs. Villari further stated that she still needs to confer with Mr. Vogt as to whether the Borough should include a mitigation plan as part of our Stormwater Plan. Mrs. Villari will keep Council apprised of this issue. After a short discussion, it was the consensus of Council that the Stormwater Ordinance be placed on next week's agenda for first reading.

Update Re: Possible Revaluation-Reassessment. Mr. Kinzler announced that we have been informed by the County Tax Administrator that the Director's ratio in Riverton is 56.34 and the Coefficient of Deviation is 15.30. These indicators are below the acceptable level and indicate action should be taken to update assessments in our community. Mr. Kinzler stated that this information is intended to open a door of discussion and is not a revaluation order. Mr. Kinzler stated that he would take this issue up with our Tax Assessor and the County Tax Administrator. Council will be kept informed.

Update Re: Possible installation of a Telecommunications tower and Amending Zoning Code. Mr. Smyth stated that he has talked with representatives from T-Mobile about their proposal. Mr. Smyth has also spoken with representatives from Medford Lakes Borough regarding the installation of their telecommunication tower. Mr. Smyth reminded Council that T-mobile has presented two options-rent abatement (could possibly generate approximately \$15,000.00 in annual revenue) or a standard lease agreement (could possibly generate \$35,000-40,000 in annual revenue with collators plus T-Mobile). Mr. Smyth stated that there is zero cash outflow from the Borough for both of these options. Mr. Smyth is asking that Council permit him to go back to the representatives from T-Mobile to discuss better terms. Mr. Smyth then provided Council with the following information he obtained from Medford Lakes. Medford Lakes spent \$180,000.00 to do their tower,

\$30,000 of that is for engineering and consulting fees. Their tower generates about \$100,000.00 for them a year, escalating at 3% a year in revenue. Mr. Smyth stated that liability insurance (at least one million dollars) is a requirement. You must maintain the tower yourself and absorb any costs associated with that. Mr. Smyth further stated that there is a risk of a 60 day termination clause if any FCC action changes the requirements on the tower or any environmental condition changes it. Mr. Smyth also stated that obsolescence is also a problem to consider and should be included with any agreement reached. Mr. Smyth also stated that these are the rules should Council decide to own the tower. Mr. Smyth asked Council to consider what he has told them tonight and again asked for permission to go back to T-Mobile to attempt better agreement terms. Mr. Smyth stated that we also need to amend our Zoning ordinance to permit telecommunication towers as a conditional use in the general business district. After a discussion, it was the consensus of Council to agree to amend our present Zoning Ordinance. Council also permitted Mr. Smyth to discuss the possibility of obtaining a better agreement terms with T-Mobile. Mr. Smyth will bring back any additional information for Council's consideration before any final decision is decided.

ORDINANCE 2-06

AN ORDINANCE AMENDING CHAPTER 128, ARTICLE VIII, OF THE RIVERTON BOROUGH CODE TO PROVIDE FOR TELECOMMUNICATION TOWERS AS A CONDITIONAL USE IN THE GENERAL BUSINESS DISTRICT

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for March 1.

Update Re: Master Plan Re-Exam. Mr. Smyth reported that the sub-committee has completed the worksheets, the goals, the housing appendix, and received input from the Boards, Committees and Organizations. Mr. Smyth stated that at the last meeting, the sub-committee went through all of the remaining elements to be done. The sub-committee is looking at completing their task by the April Planning Board meeting.

Update Re: 2006 Budget. Mr. Kinzler reported that Mr. Smyth, Treasurer Betty Boyle and himself met last night with Auditor Robert Stewart who brought them up to date on the 2005 budgetary results for the Borough. The news was quite good. The preliminary unaudited results for 2005 indicated that we beat the budget by \$223,000.00. The bulk of that which amounts to \$203,000.00 was due to stronger tax receipts. We came in at a 98.75% collection rate. A lot of this was as a result of the taxes on the Nuway property being paid in a timely fashion. Mr. Kinzler provided an overview regarding our fund balance and debt service. Mr. Kinzler reported that we are limited to a 3.5% (CAP) increase for all expenses this year. This translates into \$63,000.00. Mr. Kinzler further stated that both insurance and debt service is outside of this. Mr. Cesaretti asked if this figure includes salaries. Mr. Kinzler responded yes. Mr. Kinzler then provided an overview of the budgetary process. Mr. Kinzler stated that we are looking to introduce our budget to the public at Council's March 8 meeting.

Discussion: Auctioning old police vehicles, used police equipment and any and all recovered bicycles. Chief Norcross stated that he has requested that Council pass a resolution that would authorize him to advertise and auction off the above. Mr. Gunn reported that the statute has been amended to permit sealed bids instead of a public auction if the fair value of the property did not exceed 15 percent of the bid threshold, or the amount of \$4,350.00. Mr. Gunn also stated that a licensed auctioneer is required if the vehicles are auctioned off. After a discussion, it was the consensus of Council to go with sealed bids for the vehicles. It was also the consensus of Council to donate the bicycles to the 4th of July Committee. The Solicitor will prepare the required Resolutions for next week's meeting.

Implementation of the National Incident management System. (NIMS) Mrs. Villari reported that we need to pass a Resolution stating that NIMS is the system that all agencies

in the municipality will use for the management of any and all disasters and that we will comply with the provision of the Governor's Executive Order 50 outlining NIMS compliance time lines and requirements.

RESOLUTION 28-06
A RESOLUTION IMPLEMENTING THE NATIONAL INCIDENT
MANAGEMENT SYSTEM
(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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Update Re: request to dedicate a Peace Pole to Riverton. Dr. Smyth reported that he still needs to gather more information regarding this issue. He will try to discuss this at next week's meeting.

MOTION TO APPROVE A REQUEST FROM SACRED HEART CHURCH TO
HOLD RAFFLES ON MARCH 8

Mrs. Villari moved that this request be approved. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth abstained, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti nay.

MOTION TO ACCEPT RESIGNATION OF KELLY WELLS

Dr. Smyth moved that the resignation of Kelly Wells be accepted and that a letter of acknowledgement be forwarded to her. This was seconded by Mr. Kinzler. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 29-06
A RESOLUTION TO HIRE RUSSELL J. COOK TO PROVIDE TEMPORARY
OFFICE ASSISTANCE
(IN FULL IN RESOLUTION BOOK)

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

Preliminary agenda for February 8. The Clerk reviewed this with the Governing Body.
Possible inclusion of the sewer charges in the tax rate and bills. Mr. Cesaretti reminded Council that this issue was discussed during last year's budget process and that Council had decided against it. Mr. Cesaretti asked that this issue be considered again during this year's budget process. Mr. Kinzler stated that the pros and cons of this would be discussed and considered.

Update from Economic Development Committee (Phyllis Rodgers and Gary Ford)
Mrs. Rodgers reported on the success of the tree lighting ceremony. The Borough contributed \$500.00 towards that event. They had an additional \$500.00 donated by private funds to help defray costs. Mrs. Rodgers asked if Council would consider setting aside \$1,000.00 for this event next year. Mrs. Villari commented that we had talked in the past about a budget for the Economic Development Committee. Mrs. Villari commented that Mr. Ford had indicated that he would submit a budget, but to date, he has not done so. Mr. Ford stated that they are still working on a list of items and events to be included in the Committee's budget request. Mr. Ford stated that the first big event will be the Victorian Day and Art Festival on May 20th. Mrs. Rodgers provided an overview of the festivities scheduled for that day. Mrs. Rodgers is looking for Council's support and backing. Mrs. Villari asked what they need in terms of a budget request for this one event. Mrs. Villari also asked if their calendar of events will be listed in the Borough's Directory. Mr. Ford responded yes. Mrs. Villari stated that if the Economic Development Committee does not have the money to do all of these events, then how can the events be listed. Mr. Ford said they would be doing some private fundraising. Mrs. Rodgers believes that they will need at least \$2,000.00 from the Borough regarding the tree lighting event and Victorian Day. Mrs. Rodgers stated that other funding would also be requested of the Borough. Mrs. Rodgers

stated that the businesses in town are barely struggling. Mrs. Rodgers commented that she feels light rail has been very positive for the town. Mrs. Rodgers then asked if Victorian Day would be covered under the Borough's liability insurance. Mr. Gunn commented that he thought we may have previously done this, but verification needs to be done. Mrs. Rodgers inquired as to whether the committee could utilize our legal counsel if an issue comes up. This issue was taken under advisement. Mr. Smyth commented that he just received a list of county events in the County Bell and Riverton was not listed in it. Mrs. Rodgers asked if vendors need a permit. The response was yes. Mr. Ford provided an overview on how other communities (Collingswood & Haddonfield) support their businesses by placing monies in the budget to defray costs for various events. Mrs. Rodgers stated that it is important for Council to decide how they want to promote our community. Mr. Smyth suggested that he meet with Mrs. Rodgers and Mr. Ford to review their budget requests. It can then be brought before Council for full consideration during the budget process. Mr. Ford commented that they are also looking into potential grant funding for their events in the future with Palmyra.

Update re: Borough and Business Directory Mrs. Villari stated that she had given the Economic Development Committee a deadline of the end of 2005 to have the business portion of the directory completed. Mrs. Villari stated the committee did not comply with this deadline. Mrs. Villari stated that our Clerk normally prepares the Borough's Directory and it should be in print now. Mrs. Villari stated that she asked Mr. Ford to obtain a written estimate from the printer the committee chose. Mrs. Villari stated that to date she has not received this information. Mrs. Villari feels very frustrated with how this is going. Mrs. Villari is asking for Council's support to have two booklets this year instead of one. Mr. Ford commented that he estimates that the costs for the booklet will run between \$2,700.00 and \$3,000.00. Mr. Ford stated that the Borough's portion will only be a \$600.00 contribution. Mr. Ford stated that they would be utilizing Good Impressions of Riverside to do the printing. Mrs. Villari reminded Council that we do not have a formal written quote from the printer as to what the charges will be. Mrs. Villari does not know why it has been difficult to obtain this information. Mrs. Villari expressed her displeasure with how the Economic Development Committee has handled this project. A discussion then ensued over this issue. It was the consensus of Council that the Economic Development Committee prepare and disseminate the 2006 Borough Directory and that the Borough's contribution will not exceed \$600.00.

RESOLUTION 30-06

A RESOLUTION AUTHORIZING THE ECONOMIC DEVELOPMENT COMMITTEE TO PREPARE AND DISSEMINATE THE 2006 BOROUGH DIRECTORY

(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 nay, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Meeting open to the public

James Moffatt, 202 Fulton Street, stated that May 20th is Alumni Reunion Day at Rutgers Camden.

At this time Mr. Kinzler moved that we return to closed session. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that personnel and contract negotiations will be discussed.

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

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

Mary Longbottom, RMC
Municipal Clerk

February 8, 2006

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

PRESENT: Council members Dr. Smyth, Mr. Smyth, Kinzler (arrived at 7:40pm), Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council members Daniel and 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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

RESOLUTION 31-06

**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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye. It should be noted that a personnel matter will be discussed.

At this time Dr. 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 absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

The minutes from January 4, January 11 and closed session minutes from January 11 were then presented. Dr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of January, 2006 that was submitted by Chief Norcross. Vehicle Mileage 2533, Gas used 373.7, Juvenile Arrests 0, Adult Arrests 8 (Criminal Warrant 1, Criminal Summons 0, Traffic Warrants 4, DWI 3, and Other 0), Motor Vehicle Crashes 3, Motor Vehicle Stops 86, Motor Vehicle Warnings 9, Motor Vehicle Summons 81, Burglar Alarms 1, Asst. to other Police Departments 21, Animal Complaints 4, Fire Calls 18, Ambulance calls (Riverton) 35, Unattended Deaths 0, Criminal Cases 20, Domestic 2, Thefts 2, Burglaries 0, Assaults 1 (Police Officers 0, Firefighters/EMT 0, Civilian 1), Sexual Assault 0, Criminal Mischief 0, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 23, Miscellaneous Calls and Total Calls 1,098.

Mr. Cesaretti read a report for the month of January, 2006 that was submitted by Deputy Fire Chief, Robert Year. There were 16 fire calls for the month, 3 drills, 10 calls in town and 6 calls out of town.

Mr. Cesaretti read a report for the month of January, 2006 that was submitted by the Borough's Animal Control Officer, M&R Wildlife. One squirrel that was hit by a car was picked up in front of 414 Lippincott Avenue.

PUBLIC WORKS/SEWER-Mrs. Villari-No Report

ZONING, CODE ENFORCEMENT & PARK & RECREATION-Dr. Smyth

Dr. Smyth reported that his committee would be meeting to discuss replacing our Code Enforcement/Zoning Officer, who recently resigned. Council will be kept apprised of this situation.

PLANNING, ECONOMIC DEVELOPMENT & REDEVELOPMENT-Mr. Smyth

Mr. Smyth reported that the Planning Board has been working on the Brandenberger/Sheridan site plan application for the Nuway property, which is progressing

well. Mr. Smyth reported that the Master plan re-exam is ongoing. The demographic information and COAH issues have been completed. We have received both Cinnaminson's and Palmyra's Master Plans and Redevelopment Plans to review. Mr. Smyth reported that the target to complete the Master Plan Re-exam and report to the entire Planning Board is April of this year.

Mr. Smyth will be attending a River Route Advisory committee meeting on February 27. This was formerly the Route 130 corridor committee.

Regarding Economic Development, Mr. Smyth will be meeting with business and the civic association on February 13th. His roll will be on February 13th at the Riverview Estates. His roll will be to update the two groups on the status of the Master Plan. Mr. Smyth expects questions about redevelopment. Mr. Smyth commented that he is in the process of reviewing the old draft redevelopment plan for Riverton to see what changes could be made.

Mr. Smyth reported that he recently attended a County shared services meeting. Information was provided regarding different ways for financing potential projects at a better bonding rate.

Mr. Smyth attended a January 19th meeting pertaining to river town's redevelopment in South Jersey. Mr. Smyth obtained a lot of good information.

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

In Dr. Daniel's absence, Mr. Smyth read the following Human Services reports submitted by Welfare Director, Florence Klein. In the month of December, 2005, there were 5 clients on assistance. Mrs. Klein attended training seminars during the month. For the month of January 2006, there were 4 clients on assistance. There was no State meeting during the month because of the weather.

Mr. Smyth reported that he received correspondence from Michael Robinson of the Environmental Commission opposing the placement of a cell tower at the sewer plant. Mr. Smyth informed Michael Robinson that Council was evaluating a proposal from T-Mobile and that a final decision has not been reached. Mr. Smyth informed Mr. Robinson that T-Mobile is looking at an alternate site in Cinnaminson Township just off of the Pompeston Creek bridge (at the old Lippincott Boat works) in Cinnaminson Township.

Mr. Smyth announced that Judge Sweeney has invited Council to attend a meeting on the 22nd of February to discuss goals and responsibilities regarding the court.

TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL-Mr. Kinzler

Mr. Kinzler moved that the attached Treasurer's, Finance Report and Bill list be approved as submitted. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

OLD BUSINESS

UPDATE RE: 2006 BUDGET PROCESS

Mr. Kinzler reported that the Treasurer, Mr. Smyth, Mrs. Villari and himself met with Brad Young, Licensed Wastewater Treatment Facility Operator and Scott Reed, Public Works Manger and Fire Chief to review their department's budget requests. Mr. Kinzler also reviewed non-departmental costs with our Treasurer over the weekend. Mr. Kinzler believes we are in very good shape. Mr. Kinzler anticipates that by February 17th or the 21st, his intent is to have a first round draft of the budget ready for Council's review. Mr. Kinzler reported that we are looking at March 8 to introduce the budget.

CENTERS OF PLACE GRANT-ENGINEERING COSTS. It was the consensus of Council to table a discussion on this issue until next month's work session when Mrs. Villari will be present.

UPDATE RE: PEACE POLE. Dr. Smyth reported that he has spoken to Mr. & Mrs. Creter about this issue. Dr. Smyth stated that approximately 200,000 communities have peace poles as a reminder that fundamentally we are a nation that seeks to be at peace with

ourselves and other people. Dr Smyth will be working with the Creter's and a group of citizens about the possibility of obtaining and placing a peace pole in Riverton. Dr. Smyth stated that all costs would be covered by the citizens group. Dr. Smyth will keep Council apprised of this situation.

NEW BUSINESS

ORDINANCE 1-06

AN ORDINANCE TO RELEASE, VACATE, AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO MATTIS LANE (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 Dr. Smyth. 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 absent, Mrs. Villari absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 3-06

AN ORDINANCE TO ESTABLISH STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS FOR MAJOR DEVELOPMENT

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. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for March 8.

RESOLUTION 32-06

TRANSFER RESOLUTION

(IN FULL IN RESOLUTION BOOK)

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

RESOLUTIONS PERTAINING TO AUCTIONING OFF OLD POLICE VEHICLES AND DONATING RECOVERED BICYCLES TO THE 4TH OF JULY COMMITTEE

Mr. Gunn reported that we are waiting for the Chief to provide market value and other required information pertaining to the vehicles. Mr. Gunn asked that Council consider this next month. It was the consensus of Council to agree to this.

Mr. Gunn reported that he has researched the possibility of donating recovered bicycles to the 4th of July Committee, Mr. Gunn stated that since it is treated as abandoned property, we really cannot sell or donate what we don't have. The statute states that they must be sold at a public auction, which is what we have done in the past. Mr. Gunn explained that the bicycles must be unclaimed for six months and an advertisement must be done. Mr. Gunn stated that it doesn't prevent someone from the 4th of July Committee from coming and bidding on them. Mr. Gunn reiterated the fact that it is not our property to donate.

PROCLAMATION-READ ACROSS AMERICA

(IN FULL IN RESOLUTION BOOK)

Mayor Martin read this Proclamation in full.

CORRESPONDENCE

Mr. Cesaretti read a letter from Joanne Ryan, 405 Howard Street. Mrs. Ryan believes there is confusion about the new "No Parking" Ordinance pertaining to Howard Street, between 4th & 5th Streets. Mr. Cesaretti stated that he would like the parking committee to meet to review these concerns and other issues as well. He asked the Chief to

schedule a parking committee meeting. Mr. Cesaretti commented that some of the concerns raised in Mrs. Ryan's letter have already been remedied.

MEETING OPEN TO THE PUBLIC

William Harris, 502 Cinnaminson Street, reminded Council that he is still working on the rail horn mitigation issue. Mr. Harris has corresponded with Senator Lautenberg's office. Upon request from the Senator's office, Mr. Harris submitted a grant letter for the 2007 federal budget. This could possibly establish quiet zones regarding the light rail horn issue. Mr. Harris stated that Riverton would not be responsible for any monies; it would come from the federal and state level. Mr. Harris will keep Council apprised on this issue.

Gene Bandine, 522 Main Street, expressed concern about the debris on Main Street from people who patronize the ice cream parlor. Mr. Bandine reported that people throw their Styrofoam cups on the ground. He asked if a screened trash container could be placed at this location. This issue was referred to the Public Works Committee. Mr. Smyth stated that there is a lot of trash deposited near the riverbank on public property. Mr. Smyth inquired if there was a litter ordinance and whether fines could be imposed. Mr. Gunn stated that we do regulate private property issues. Chief Norcross commented that there is also a state statute pertaining to littering also. Mr. Gunn commented that in Chapter 52 of the code there is an anti-littering portion. The fines only \$50.00; we might want to take another look at this.

Mr. Cesaretti raised concern that we are not enforcing the number of trash receptacles that a store can place curbside. Our Ordinance presently states that we will not accept quantities of trash in excess of three (3) fifty-pound receptacles. Mr. Cesaretti reported that The New Leaf store has placed as many as 14 receptacles curbside which he feels is unacceptable. He believes the owner should provide a dumpster. Mr. Cesaretti stated that a similar situation previously occurred with the bakery. Mr. Cesaretti asked that the litter issue and the receptacle issue be placed on Council's March 1 agenda for discussion.

Mr. Bandine then asked when the town clock will be operational. Dr. Smyth responded that that issue goes hand in hand with the enhancement project for Broad Street. Mr. Smyth commented that a bid opening for this project is scheduled for February 21st at 10:00am.

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

Mary Longbottom, RMC
Municipal Clerk

March 1, 2006

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

PRESENT: Council members Daniel (left meeting at 10:00pm), Villari (arrived at 8:20pm), Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti and Solicitor Bruce M. Gunn (arrived at 7:45pm)

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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

Possible Site Specific redevelopment plan Mr. Smyth stated that rather than trying to do an entire town wide redevelopment plan, the Planning Board discussed the possibility of doing a site specific plan instead. Mr. Smyth stated that we are looking into doing one for the Nuway and Sitzler properties. Mr. Smyth stated that our codebook already identifies properties to be redeveloped. Mr. Smyth explained that we wouldn't want to do anything to harm Nuway's developers as they are very near to closing on the sale of this property. Mr. Smyth reported that resident Joseph Augustyn (a Planner) has experience in drafting a site specific redevelopment plan for other towns. Mr. Smyth asked for Council's authorization to ask Mr. Augustyn to draft one for us to consider. Mr. Smyth stated that Mr. Augustyn is willing to do this at no charge to the Borough. Mr. Smyth believes this type of redevelopment plan would help with financing and grants. Mr. Smyth believes we have nothing to lose. Council agreed to let Mr. Smyth approach Mr. Augustyn to draft a plan. Council will be kept apprised of this issue.

Update Re: Smart Growth Grant Mr. Smyth reported that we have received a response from Joe Donald, the Deputy Executor Director of the Office of Smart Growth. This pertains to our request to utilize these funds to do a traffic study in the Borough. Mr. Donald doesn't agree that a traffic study is the best way to utilize these funds. His proposal would be a smart growth future planning grant. He outlined a lot of things that would be in the scope of work for such a thing. Mr. Smyth stated that it really is like a redevelopment study, which would also look at traffic issues. Mr. Donald has also reviewed the Borough's COAH submittal and he doesn't see that that would have a negative impact on this grant. Mr. Smyth suggested that Planner, Tamara Lee, draft a response which he and the redevelopment committee will review. Mr. Smyth stated that Council would need to endorse this because it would be a change in the use of the funding. Mr. Smyth observed that there are so many positive things in what Mr. Donald is proposing and it also integrates in with our Master Plan. Council will be kept informed.

Ordinance to provide for Telecommunication Towers as a conditional use in the General Business District. Mr. Smyth stated that we had first reading on this Ordinance on February 1st. Second reading and a public hearing is scheduled for tonight. Mr. Smyth reported that this Ordinance was also reviewed at the last Planning Board meeting. Mr. Smyth stated that we have just received information from our Planning Board Attorney, Tom Coleman, which suggests that we add conditional use standards for telecommunication towers in this Ordinance. Council reviewed these suggestions. Mr. Smyth would like to have this Ordinance adopted tonight and not be delayed. Mr. Gunn stated that he thought the intent of the Planning Board Attorney was to make it more specific as to what a company needed to do. Mr. Gunn believes we can protect ourselves by including these suggested conditions in any agreement that the Borough would reach with a respective company. Mr. Gunn reported that he also reviewed these suggestions with Tom Coleman. Mr. Gunn stated that one of the concerns raised was that we have limited the installation of a telecommunications tower to municipal property. This could be viewed as excluding other private property owners who may want to have a cell tower on their

property. We could also run the risk that someone will say that there is a monopoly by the municipality. This is known as spot zoning. However, Mr. Gunn believes that we are protected with our proposed Ordinance because the applicant still has to come before the Planning Board, where conditions can be set and then met. Mr. Gunn stated that if Council decides to include Mr. Coleman's suggested standards, this would be considered a substantial change to the Ordinance. This would mean that the ordinance would have to be amended and could not be adopted tonight. A discussion then ensued, with the consensus being that we move forward and have second reading on the initially proposed Ordinance introduced last month.

ORDINANCE 2-06

AN ORDINANCE AMENDING CHAPTER 128, ARTICLE VIII, OF THE RIVERTON BOROUGH CODE TO PROVIDE FOR TELECOMMUNICATION TOWERS AS A CONDITIONAL USE IN THE GENERAL BUSINESS DISTRICT (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. 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 absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Update Re: Proposal from T-Mobile Re: installation of a Telecommunications Tower at the sewer plant Mr. Smyth reported that he had some informal negotiation meetings with representatives from T-Mobile. Mr. Smyth told them that we needed higher lease payments from them as well as a higher royalty percentage of the 15% that was previously presented. Mr. Smyth commented that the rest of the terms seem pretty good on this compared to what he has seen from other towns. Mr. Smyth commented that there is one other positive that he was unaware of. Mr. Smyth stated that this tower will change the tax exempt status for the 2500 square feet at the sewer plant. The good news about this is that this property will now become a tax rateable. Mr. Smyth stated that this would be calculated based on revenue once the lease terms are decided upon. Mr. Smyth talked to our Tax Assessor and he confirmed this. This becomes additional revenue that we were not aware of previously. Mr. Smyth will keep Council informed.

Update Re: Renovation costs for Court office in Cinnaminson-Dr. Daniel

Dr. Daniel reminded Council that we had received estimates to renovate Cinnaminson's court facilities which need to be expanded as a result of their handling Riverton's court activities. The estimate for this work amounts to \$5,731.88. Mr. Gunn commented that our interlocal agreement with Cinnaminson Township states that the Borough will pay all capital expenditures incurred by Cinnaminson Township in accommodating Riverton. The Treasurer reported that Council could either place this additional expense in our budget or we could take the money out of our capital account. However, the Treasurer stated that by doing this we would have to do an ordinance that amends our bond Ordinance to include the renovation costs. This would take at least two months. A discussion then ensued, with the consensus being that this cost be placed in this year's budget. Concern was also raised by our Treasurer regarding the interlocal agreement that we have with Cinnaminson Township. Mrs. Boyle stated that it was unclear as to exactly what the Borough's will be paying Cinnaminson Township for 2006. After a short discussion, Mr. Kinzler asked that we defer formal action until next week so he has some time to include these costs in our budget as well as being able to review the interlocal agreement with Cinnaminson Township. It was the consensus of Council to agree to this. Dr. Daniel will inform the Administrator of Cinnaminson Township that we expect to be taking action on this issue at next week's council meeting.

Discussion: Demolition or moving of a historically and/or architecturally significant structure- Dr. Daniel stated that members of the Historic Society have asked him to bring this issue to Council's attention. Dr. Daniel explained that the Ruff Property

on Thomas Avenue has been purchased. The new owner wants to demolish this home and build two new homes at this location. The Historic Society members have concern about this and looked into the possibility of moving this house to another location in Riverton, but their budget will not allow it. Dr. Daniel stated that this house was originally a playhouse for one of the mansions in Riverton. The Historical Society would like to see the Borough modify our present ordinance (Chapter 128-50) on this issue to more strongly protect historic properties in town, similar to what Moorestown Township has on its books. Mr. Smyth understands that the purchaser of this property must come before the Planning Board to explain the justification for the demolition of the house. The Planning Board would then vote on this issue. Mr. Gunn confirmed what Mr. Smyth stated. A discussion then ensued. Dr. Daniel went on record to state that he is opposed to the demolition of this property. Dr. Daniel believes we should have something firm on the books to make it challenging for any potential builder to come into town and modify the complexion of our town without going before some type of authority. Dr. Daniel has read Moorestown's ordinance and believes it is a little bit more restrictive than what we currently have on our books. Mr. Gunn reviewed the Borough's present ordinance in detail. Council took this issue under advisement for further consideration and discussion.

Update Re: 2006 Budget. Mr. Kinzler provided an overview of the budget process for Council. Mr. Kinzler stated that he e-mailed a draft copy of the budget to all members of Council. Mr. Kinzler asked that Council review it and get back to him as soon as possible with any concerns. Mr. Kinzler stated that the 2006 municipal budget is scheduled to be introduced at our March 8th meeting.

Tax Clerk Position. Mr. Kinzler reported that we have received numerous resumes for this position which we are reviewing. Interviews for this position will be scheduled as soon as possible. Council will be kept informed.

Discussion and possible Resolution to include the Economic Development

Committee under the Borough's Insurance umbrella. Mr. Gunn reported that a check of our records does not show that this was ever done. Mr. Gunn reported that the Borough has done this in the past for the 4th of July Committee. Mr. Gunn further stated that by including the Economic Development Committee under the Borough's insurance umbrella, it would not impact our insurance costs. After a short discussion, it was the consensus to agree to this.

RESOLUTION 33-06

**A RESOLUTION TO ESTABLISH THE ECONOMIC DEVELOPMENT
COMMITTEE AS A SUBCOMMITTEE OF THE PLANNING COMMITTEE OF
THE RIVERTON BOROUGH COUNCIL
(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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Res. Authorizing the Mayor to execute a lease agreement with the Riverton Fire Company. Mr. Kinzler stated that he needs some time to review this lease agreement before a recommendation can be made. He asked that this issue be placed on next week's agenda for consideration.

"CAP" Ordinance (4-06). Council reviewed and discussed this proposed Ordinance as well as a memo from our Auditor stating that there is no down side to the Borough adopting it. This memo is on file with the Municipal Clerk. After a short discussion, it was the consensus of Council to move forward and introduce this Ordinance.

ORDINANCE 4-06

**"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. 40a4-45.14)**

The above Ordinance was read by title only for the first time by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that second reading and a public hearing on this ordinance is scheduled for April 5, 2006.

Review of bids received for the Broad Street Enhancement Grant. Mrs. Villari announced that two bids were received, opened and publicly read on February 21, 2006 at 10:00am. The total bid prices were as follows: **Paramount Enterprises, 116 Saddlebrook Court, Cherry Hill, New Jersey 08003 \$346,755.00 and Mount Construction, 427 S. White Horse Pike, Berlin, New Jersey 08009 \$377,260.00.** Mrs. Villari reported that the lowest bid received still exceeds the grant amount (\$308,200.00). Mrs. Villari reminded Council that this is the third time we have bid this project. Mrs. Villari stated that she has conferred with the Department of Transportation (DOT) regarding this issue. Mrs. Villari stated that a bid analysis must be performed before we can ask for additional aid. Mrs. Villari stated that it is common practice in engineering circles to do this. Mrs. Villari stated that she doesn't know why our Engineer did not do this when the first and second bids came in too high. However, Mrs. Villari stated that after finally doing the required bid analysis, our Engineer would be making a request to the Federal Highway Administration for additional funding for this project to cover the \$346,775.00 low bid plus \$17,337.75 for construction management costs for a total of \$364,112.75. Mrs. Villari also reported that she had asked DOT representatives whether we could utilize the funds we received from the Centers of Place Grant (\$60,000.00) towards this enhancement project and the answer was no. A discussion then ensued. A suggestion was made to possibly approach the Burlington County Bridge Commission and ask them if there was any potential grant money available to help Riverton complete this project. Mr. Smyth commented that he would try and find out if this would be possible. Mrs. Villari stated that she hopes to have additional information from the Federal Highway Commission for Council at next week's meeting.

Review of Centers of Place Grant. Mrs. Villari stated that Council needs to decide how best to proceed regarding this grant. Mrs. Villari stated that we were awarded a grant in the amount of \$60,000.00 for the project, Gateway to Riverton, Streetscape and Delaware Riverton Heritage Trail. Mrs. Villari further stated that Council had previously done a Resolution authorizing that the compensation for our Engineer (Alaimo Associates) is not to exceed \$12,000.00 (of which \$6,000 will be paid by the grant). Mrs. Villari suggested having Joseph Augustyn from Alaimo Associates at next week's meeting to review the Borough's options. It was the consensus of Council to agree to this.

Discussion: Litter fines and the number of garbage/trash receptacles permitted. Mr. Cesaretti commented that he had raised this issue last month. Mr. Cesaretti reminded Council that the New Leaf store has placed as many as 14 receptacles curbside which he feels is unacceptable. Our Ordinance (Chapter 74-9) states that we will not accept quantities of trash in excess of three (3) fifty-pound receptacles per collection day from any store. Mr. Cesaretti believes we should be enforcing this ordinance. Mr. Cesaretti is of the opinion that the owner of this store should provide a dumpster. A discussion then ensued, with the consensus being that our Assistant Zoning Officer, Robert Yearly be asked to address this issue with the owner of the New Leaf. Councilman Robert K. Smyth will confer with Mr. Yearly on this issue. Council will be kept apprised of this situation. It should be noted that the issue of the litter fines was not discussed at this time.

Update Re: Fulton Street project. Mrs. Villari reported that work has resumed on this project. Council will be kept informed of the progress.

Discussion and possible resolution to authorize the County to conduct Aerial Larval Mosquito Control Activities. Council reviewed this annual request from the County and agreed that the County be given authorization to proceed.

RESOLUTION 34-06

**A RESOLUTION AUTHORIZING AERIAL MOSQUITO CONTROL
ACTIVITIES OVER THE BOROUGH OF RIVERTON DURING 2006
(IN FULL IN RESOLUTION BOOK)**

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

Mayoral appointment of Nelson Dimpter to serve on the Shade Tree Commission

Mayor Martin announced this appointment. Mr. Dimpter's term will expire on December 31, 2008.

Update Re: Disposal of old police vehicles and bicycles. Mr. Gunn stated that we have determined that the estimated fair value of the property (old police vehicles) does not exceed the applicable bid threshold in any one sale. Mr. Gunn further stated that the statutes permit the property to be sold at private sale without advertising for bids. Mr. Gunn recommended that Council authorize the Chief of Police to sell this personal property at private sale. Mr. Gunn then recommended that the Chief of Police be authorized to advertise for the sale of abandoned bicycles at public auction pursuant to state statutes. After a short discussion, it was the consensus of Council to agree to these recommendations.

RESOLUTION 35-06

**A RESOLUTION TO AUTHORIZE THE SALE OF MUNICIPAL PERSONAL
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 Mr. Kinzler. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 36-06

**A RESOLUTION AUTHORIZING THE PUBLIC SALE OF ABANDONED
BICYCLES BY THE RIVERTON POLICE DEPARTMENT**

(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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Eagle Scout Project (Ryan Wilmot) Dr. Smyth provided Council with an overview of Mr. Wilmot's proposed project. Dr. Smyth stated that Mr. Wilmot's goal is to make the area where the Pompeston Creek meets the Delaware River more accessible. It was the consensus of Council that Mr. Wilmot attend next week's meeting to review his proposed project with Council in more detail.

Preliminary agenda for March 8. The Clerk reviewed this with the Governing Body.
Meeting open to the Public

Gary Ford, 311 Bank Avenue, commented that he thought the receptacle limitation ordinance for store owners was probably done when we had two collections a week. Mr. Ford thinks council should take that into account. Mr. Ford, a member of the Economic Development Committee, distributed sample Borough directories to Council for their review.

William Harris, 502 Cinnaminson Street, suggested that the owner of the New Leaf obtain a box crusher and bailer. Most stores have these. That's the solution to that problem.

Gary Ford, 311 Bank Avenue, commented that there were six other businesses who had wanted to advertise in our directory but there was no additional room.

Jim Brandenberger, 203 Thomas Avenue stated that he will be the new owner of the Ruff property on Thomas Avenue. Mr. Brandenberger stated that there are structural problems with the home and it doesn't make sense to build or add onto this house. Mr. Brandenberger stated that he has an agreement of sale which is non contingent upon zoning approvals. Mr. Brandenberger understands the concerns raised tonight regarding the proposed demolition of this home. Mr. Brandenberger then suggested that Council include

willful neglect of properties as a potential reason for demolition if they amend our present ordinance regarding this issue. Mr. Brandenberger believes there are many houses in town that have deteriorated and will have to be addressed sometime.

Mr. Brandenberger then informed Council that he is scheduled to purchase the Nuway property on April 22nd of this year. Mr. Brandenberger provided Council with an overview of what the process would be after that date.

Charles Caruso, 500 Fulton Street, would like to see the bicycles given away to the students in our school. Mr. Caruso suggested that some type of community service effort be instituted to help clean up the town. Mr. Caruso suggested asking Judge Sweeney to help us out in this regard. Mr. Caruso commented that while he appreciates the County's mosquito spraying efforts, they are not working. Mr. Caruso would like to see this done locally.

RESOLUTION 37-06

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. Smyth, who moved for its adoption. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that personnel issues will be discussed.

At this time Dr. 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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 38-09

A RESOLUTION AUTHORIZING THE HIRING OF BRIAN JOHNSON AS A CLASS II SPECIAL OFFICER FOR THE BOROUGH OF RIVERTON FOR THE REMAINDER OF THE CALENDAR 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. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

Mary Longbottom, RMC
Municipal Clerk

March 8, 2006

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

PRESENT: Council members Daniel, Villari, Dr. Smyth, Mr. Smyth, Mr. Kinzler and Solicitor Bruce M. Gunn

ABSENT: Council member Cesaretti

The following statement was read by Mayor Martin:

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

(a) Having written notification of all meetings to be held in 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

RESOLUTION 39-06

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

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

The minutes from February 1, February 8 and closed session minutes from February 1 and February 8 were then presented. Mayor Martin asked if there were any additions or corrections. Mr. Smyth asked that the following corrections be made to the February 1 minutes: Page 2 Under the discussion pertaining to the Telecommunications Tower, line 3, the amount should be \$15,000.00 annual revenue and not \$72,000.00. Under line 4 the wording should read \$35,000.00-\$40,000.00 in annual revenue with collators plus T-Mobile and not just annual revenue. Mr. Smyth also asked that the following correction be made to the February 8 minutes. Under Planning, Economic Development and Redevelopment, it should read Mr. Smyth and not Dr. Smyth. Mr. Smyth then moved that these minutes as corrected be approved. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari voted aye for the February 1 minutes and abstained from the February 8 minutes, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent. The Clerk stated that these corrections would be made prior to the minutes being posted on our website.

TREASURER'S REPORT, FINANCE REPORT AND BILL LIST FOR APPROVAL-Mr. Kinzler

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

EAGLE SCOUT PROJECT PRESENTATION BY RYAN WILMOT

Mr. Wilmot explained that the goal of this project is to make the area where the Pompeston Creek meets the Delaware River more accessible to the public for walking, canoeing, kayaking, and the enjoyment of nature, and to clean up trash and debris that litter the shore. After a short discussion, it was the consensus of Council to approve Mr. Wilmot's project.

RESOLUTION 40-06

**A RESOLUTION APPROVING THE EAGLE SCOUT PROJECT TO BE
COMPLETED BY RYAN WILMOT
(IN FULL IN RESOLUTION BOOK)**

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

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

In Mr. Cesaretti's absence, Mrs. Villari read the following report for the month of February that was submitted by Chief Norcross. Vehicle Mileage 2395, Gas Used 327.9, Juvenile Arrests 1 (Assaults 0 Miscellaneous 0, Curfew 1), Adult Arrests 12 (Criminal Warrants 4, Criminal Summons 1, Traffic Warrants 6, DWI 1, Other 0), Motor Vehicle Crashes 5, Motor Vehicle Stops 54, Motor Vehicle Warnings 6, Motor Vehicle Summons 38 Burglar Alarms 7, Asst. to other Police Departments 18, Animal complaints 0, Fire Calls 8, Ambulance calls (Riverton) 12, Unattended Deaths 0, Criminal Cases 24, Domestic 3, Thefts 3, Burglaries 1 (From Residents 0, From Vehicles 1), Assaults 2 (Police Officers 0, Firefighters/EMT 0, Civilian 2), Sexual Assault 0, (Juvenile 0, Adult 0), Criminal Mischief 0, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 15, Miscellaneous Calls 428, and Total Calls 637.

PUBLIC WORKS/SEWER-Mrs. Villari

Mrs. Villari reported that the Fulton Street construction project has started up again and they are ahead of schedule.

Regarding the Broad Street Enhancement Grant, Mrs. Villari reminded Council that a letter was sent to the Federal Highway Administration by Dante Guzzi, Associates requesting additional funding for this project. Mr. Guzzi informed Mrs. Villari that we would be given this funding to complete the project. Mrs. Villari stated that we are still waiting to see if we will be given additional funding for the construction management costs for this project. The Borough should be receiving written confirmation of this very shortly. After receipt of this, we will move forward and award the contract to the low bidder.

Mrs. Villari reported that we are still in need of having an Emergency Management Coordinator. Mrs. Villari reported that Public Works Manager, Scott Reed, has volunteered to attend the required Emergency Management meetings, while we are looking for a person to fill this position.

ZONING, CODE ENFORCEMENT & PARK & RECREATION-Dr. Smyth

Dr. Smyth reported that his committee is working on filling the Zoning/Code Enforcement Official's position. Council will be kept apprised of this situation.

PLANNING, ECONOMIC DEVELOPMENT & REDEVELOPMENT-Mr. Smyth

Mr. Smyth reported that the Planning Board is considering a site plan application from Zena's Bakery for an addition. Mr. Smyth reported that the Brandenberger/Sheridan site plan application for the development of the Nuway Shopping Center was approved. Mr. Smyth reported that the Master Plan is currently in the process of being re-examined and the sub-committee should be presenting the Board with a preliminary update by late April. Mr. Smyth reported that the Stormwater Management Plan was adopted by the Planning Board last year. Mr. Smyth met with the Business and Civic Association and discussed the Master Plan. They provided input regarding the economic section of the Plan. They also reviewed the calendar of events scheduled for this year. The first event will be Victorian Day, which is scheduled for June 17th. A letter is scheduled to be sent to every home in Riverton detailing all of the scheduled events and activities. Mr. Smyth reported that the artwork for the new 2006 Borough Directory was done by resident Michael Fosbenner.

Mr. Smyth reported that we have received a draft site specific redevelopment from Mr. Joseph Augustyn. Mr. Smyth stated that the two sites being considered in this plan are both the Nuway and Sitzler properties. Mr. Smyth stated that he has found out that if you establish a plan such as this, it opens doors for additional grants and better financing from the New Jersey Economic Development Agency. Mr. Smyth stated that Council needs to

do a Resolution that will authorize the Planning Board to review, discuss and prepare a site specific redevelopment plan for Council's consideration. A discussion then ensued with Council concurring with this.

RESOLUTION

A RESOLUTION AUTHORIZING THE RIVERTON BOROUGH PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN SPECIFIC TO BLOCK 1501, LOTS, 20, 21, 22, & 23; BLOCK 904, LOTS 2 & 3; BLOCK 905, LOT 6 & BLOCK 906, LOT 1

(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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent. **Update Re: Smart Growth Grant.** Mr. Smyth reported that Council had previously decided to do a traffic study to utilize these funds. Mr. Smyth reported that the Executive Director of the Office of Smart Growth did not concur. We have a proposal from the Office of Smart Growth to do a redevelopment feasibility study, which would also include traffic issues, pedestrian access to downtown, market assessments in town, etc. Mr. Smyth stated that Council would need to look at the scope of work provided. Council will be kept informed.

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

Dr. Daniel read a report for the month of February that was submitted by Welfare Director, Florence Klein. There were four clients on the rolls. Mrs. Klein attended the State Association Meeting in Middletown New Jersey on February 15th.

RESOLUTION 42-06

A RESOLUTION AUTHORIZING RENOVATIONS TO THE CINNAMINSON TOWNSHIP/RIVERTON BOROUGH COURT FACILITIES

(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 Dr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari nay, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Dr. Daniel reported that all critical Shade Tree work has been done in the park. The work on the Crepe Myrtles between Thomas and Linden will be completed by volunteers in the next couple of weeks. Dr. Daniel reported that there is a grading system for hazardous trees in Riverton. Those that require attention in the next 12 months total 10. Dr. Daniel reported that a number of townspeople have hired private contractors to do Borough level work on trees. A permit will be developed for those contractors. Dr. Daniel reported that there is a tree tour scheduled for April 29th. Information can be found on the Borough's website. Dr. Daniel reported that a 30 man team has been established to water the trees along River Road. Dr. Daniel reported that a volunteer serving on the Shade Tree Commission has a large watering tank that he may be able to give us for free. Dr. Daniel reported that all sink holes will all be filled in as soon as possible. Arbor Day is scheduled for April 27th at the Riverton School at 1:30pm. Barry Emens will be giving a lecture on the come-back of the American elm tree. Dr. Daniel reported that Riverton is celebrating its 18th year as Tree City, USA. Dr. Daniel reported that the average number of trees planted annually totals 30. The Shade Tree Commission is in the process on applying for another tree planting grant.

UPDATE RE: REASSESSMENT/REVALUATION OF ALL PROPERTIES IN RIVERTON-Mr. Kinzler announced that he had nothing new to report on this issue. He still needs to confer with our Tax Assessor. Council will be kept informed.

NEW BUSINESS

LINE REVIEW OF THE 2006 MUNICIPAL BUDGET (Robert Stewart, Auditor present) Mr. Kinzler reported that we beat our 2005 budget by \$223,000.00. This was largely due to favorable tax receipts versus what was budgeted. Mr. Kinzler reported that our fund balance is improving but not where we want it to be. We paid down \$312,000.00 of debt last year which leaves us with an outstanding debt balance of just under 2.3 million. Mr. Kinzler stated that he had distributed a draft budget to all members of Council last week. Some of the feedback received from some members of Council indicates that they would like to do a line by line budget item review. Mr. Kinzler asked our Auditor if the date for introducing our budget has changed. Mr. Stewart responded that while March 21st is the deadline, the State will not hold us to that. If we introduce a week or two later, that will be okay. Mr. Stewart commented that the word coming from the State indicates that we may see a cut in our state aid. Mr. Kinzler stated that Council approved an Ordinance to change the CAP percentage to 3.5%. Mr. Stewart stated that there are only three ways to increase this percentage. They are by having an additional revenue source such as sewer rent fees, appeal to the State for a CAP waiver or hold a referendum on the budget. Mrs. Villari stated that she thought Council would do what is typically done and that is to hold a special meeting on the budget. Mrs. Villari further stated that in the past we have always had a few of these. After a short discussion, it was the consensus of Council to hold a special meeting to review the 2006 municipal budget.

INTRODUCTION OF THE 2006 MUNICIPAL BUDGET This was placed on hold until after the special meeting.

RESOLUTION 43-06

A RESOLUTION AUTHORIZING THAT A SPECIAL MEETING OF THE BOROUGH COUNCIL BE HELD ON MARCH 27, 2006 (IN FULL IN RESOLUTION BOOK)

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

ORDINANCE 3-06

AN ORDINANCE TO ESTABLISH STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS FOR MAJOR DEVELOPMENT (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 Dr. Smyth. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this ordinance. **Jim Brandenberger, 203 Thomas Avenue**, asked if his approved projects would be affected by this Ordinance. Mr. Gunn responded no, because Mr. Brandenberger's projects were approved before this ordinance was adopted. Mr. Gunn commented that this Ordinance will go to the County for their review and they may make some changes that we would have to consider. 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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

T-MOBILE PROPOSAL RE: INSTALLATION OF A TELECOMMUNICATIONS TOWER AT THE SEWER PLANT

Mr. Smyth provided detailed background information regarding the negotiating process for the public's benefit. Mr. Smyth stated that we are on a dual track with Cinnaminson Township for the possible placement of this tower in either municipality. Mr. Smyth stated that we are looking at a standard lease agreement with T-mobile as opposed to ownership by the Borough. Mr. Smyth stated that presently we are looking at \$1,400.00 per month in lease payments by T-Mobile that would escalate at 3% per year (initially for a five year period) and then be renewable after that. Mr. Smyth explained that that would mean \$16,800.00 a year the first year and then when you escalate that to five years, it generates \$90,000.00 by the end of the fifth year (cumulative) AJ Tegler, Leasing Manager for Site Acquisition Services and Douglas Cowan, Professional Planner and Independent

Consultant for T-Mobile were in attendance. Mr. Cowan stated that they visited the sewer plant site for the proposed tower. Preliminarily this is a feasible site. Mr. Cowan stated that we would need to stay back from the Delaware River approximately 100 feet or so due to state regulations. Another benefit of this site is that it is quite hidden from view. The initial tower for the T-Mobile antennas would be 120 feet high. The tower could be expanded to handle any additional carriers (collators). Mr. Tegler stated that T-Mobile would like to move on this issue as quickly as possible. They would like to have an agreement with Riverton by the end of March. Regarding the site visit Mr. Tegler stated that T-Mobile would float a balloon at the site. This is done to superimpose the tower as if it were up and running and take some pictures. Mr. Smyth commented that T-Mobile also has environmental studies that show the impact that towers would have on the population. Mr. Smyth suggested that Council do a Resolution to finalize an agreement with T-mobile. Mr. Gunn stated that a consensus of Council was all that is needed at this time. Council would have to review and approve by Resolution any final agreement.

Joseph Augustyn, 634 Elm Terrace has experience with these types of towers from work that he does as a Planner for other municipalities, in particular Medford Lakes. Mr. Augustyn reviewed aerial photos of the proposed site at the plant for Council's review.

JAMES MOFFATT, 202 FULTON STREET, asked for a clarification on the anticipated revenue from the tower during the first year. Mr. Smyth reviewed what he had previously stated. Mr. Moffatt also asked if this anticipated revenue could be figured into this year's budget. Mr. Kinzler stated that because this is an unknown, it depends on how aggressive we want to be with the budget. If we place the anticipated revenue in the budget and it doesn't happen, we would have a budget shortfall.

MARGARET WARK, 406 HOWARD STREET asked if we would have to wait until the situation is Cinnaminson is resolved before a tower would be placed here. Mr. Tegler stated no, it would be whichever municipality comes through first.

WILLIAM HARRIS, 502 CINNAMINSON STREET, asked if there are any environmental hazards, such as microwaves, dealing with these towers now or in the future. Mr. Cowan stated that they have experts that can bring more information and provide reports. Mr. Cowan stated that basically the answer is that no health hazards associated with this technology.

Mr. Smyth thanked both Mr. Tegler and Mr. Cowan for coming tonight. Council will be kept apprised of this situation.

DISCUSSION: CENTERS OF PLACE GRANT-JOSEPH AUGUSTYN FROM ALAIMO ASSOCIATES WILL BE PRESENT Mr. Augustyn stated that we have to decide how we want to spend this grant money. (60,000.00) Mr. Augustyn stated that the original grant identified three areas to improve. Mr. Augustyn suggested that we organize a group of residents, such as the members of the Architectural Review Committee to ask for their input and opinion before Council makes a final decision. It was the consensus to agree to this.

CORRESPONDENCE

4TH OF JULY UPDATE Mr. Villari reported that the cocktail party is scheduled for July 1. The committee is looking a raindate location.

RESIGNATION OF LAURIE VILLARI AS A MEMBER OF BOROUGH COUNCIL

Mrs. Villari read the attached letter of resignation from Borough Council. Her effective date of resignation is April 5, 2006. Mrs. Villari asked that Dr. Smyth take over Streets & Roads when she leaves office and to allow the new person to take over Park & Recreation. This suggestion was taken under advisement by Council.

Mr. Smyth announced that he will be attending various meetings such as shared services and the Annual property tax summit.

MEETING OPEN TO THE PUBLIC

GARY FORD, 311 BANK AVENUE, is concerned that with closed sessions being held at the beginning of the Council meetings, the public portion of the meetings don't

commence until 8:00pm He thinks this is entirely too late. Mr. Ford requested that Council consider go back to having their closed sessions at the end of the meeting. Mr. Ford requested that Council permit the public to comment earlier in the meeting.

Mr. Ford reported that the Riverton Business Association is having a meeting at the school on March 27th at 8:00pm. John Cain, Director of Economic Development of Collingswood will be a guest speaker. Mr. Ford stated that it is the intent of the Economic Development Committee to volunteer the formation of a newsletter for the Borough. It is anticipated that this would be done on a quarterly basis. The Committee anticipates that this would run around 3 to 4 hundred dollars an issue. Mr. Ford stated that these costs were not included in the committee's budget request to Council. Mr. Ford stated that if the monies were not available no newsletter would be done.

At this time Mr. Smyth suggested that we open the meeting twice to the public-once during the middle and again at the end. Mr. Smyth suggested moving any closed sessions to the end of the meeting. After a short discussion, it was the consensus of Council to agree with this.

Willam Harris, 502 Cinnaminson Street, informed Council that a grant for quiet zones has been submitted by Senator Lautenberg. Council will be kept apprised of this issue.

Joseph Augustyn, 634 Elm Terrace commented that he was glad to hear about the comeback of the American Elm tree. Mr. Augustyn stated that he was very sorry that Mrs. Villari is resigning. Mr. Augustyn stated that they worked together on many projects. Mr. Augustyn would like to see another woman fill her vacancy on Council.

Bob Bednarek, 714 Thomas Avenue and the President of the Historical Society of Riverton addressed Council. On behalf of the Society, Mr. Bednarek read a letter (on file with the Municipal Clerk) regarding the impending demolition of the structure at 4 Thomas Avenue by the new owner. The Historical Society would like to see this structure preserved and not demolished. They are urging Council to strengthen our Zoning Laws so that the demolition of historic properties becomes impossible or exceedingly difficult and time consuming to undertake. Mayor Martin asked if the Society would be presenting something to the Planning Board when they consider this demolition request. Mr. Bednarek responded that they would be doing that.

Jim Brandenberger, 203 Thomas Avenue, who will soon be the new owner of 4 Thomas Avenue, asked if an application for a demolition permit requires a formal application. Mr. Smyth stated that initially the ARC reviews the plans for demolition. They can make a recommendation to the Planning Board, who is the deciding body. Mr. Brandenberger asked if it would be the same detailed process as making an application for a major site or subdivision, where neighboring property owners are noticed. Mr. Smyth said he did not know, but he would confer with the Chair of the Planning Board on that. Dr. Smyth asked Mr. Brandenberger if he was looking at other locations to possibly place the structure. Mr. Brandenberger stated he was prepared to donate the structure to a site at the Nuway location (Fulton Street). Mr. Brandenberger stated that a structural engineer would have to make a determination on whether it could be moved or not. Mr. Brandenberger also stated that the costs involved with such a move would have to be considered. Mr. Brandenberger felt that the Historical Society would need to look into all of the requirements

Delores DeFreitas, 415 Thomas Avenue stated that it is possible that the Ruff house was not built at its present location. She believes it may have been moved there to serve as a playhouse to one of the houses on the riverbank. Mrs. DeFreitas believes that the middle piece of the house is the only portion that has any historical value. She stated that a large piece of furniture was recently removed from the house and found that there is a space between the floor and the beginning of the wall. When you talk about moving this house, you need to take the structural integrity into consideration as well as the costs.

William Harris, 502 Cinnaminson Street, brought up the Phillips property on Main Street which was demolished a number of years ago. Mr. Harris stated he had had this property as a real estate listing and had two buyers interested in purchasing it... Mr. Harris believes that the son of the owner conspired with the owners of the property next door and

eliminated him from the process. Mr. Harris believes the son had control over the mother and father.

Gary Ford, 311 Bank Avenue, expressed concern over the deterioration of the property located at 423 Lippincott Avenue. Mr. Ford asked if we had any power or influence to address this situation. Mr. Gunn stated that it was a question of whether this property was in violation of our housing code. Mr. Gunn stated that the County Board of Health could be contacted on this issue. Our Construction Official, Edward Schaefer could also be contacted. Mr. Gunn reminded Council that the Borough does not have a Property Maintenance Code.

TELECOMMUNICATIONS ISSUE

Mr. Gunn stated that he has reviewed the statutes pertaining to local land and buildings law and it references a bidding requirement. Mr. Gunn recommended that Council authorize that we go out for sealed bids for the installation of a telecommunications tower in the Borough. Mr. Gunn believes we should err on the side of caution. It was the consensus of Council to agree to this.

RESOLUTION 44-06

A RESOLUTION AUTHORIZING THE BOROUGH CLERK TO ADVERTISE FOR BIDS FOR THE LEASE OF BOROUGH PROPERTY FOR PLACEMENT OF A TELECOMMUNICATIONS FACILITY (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. Kinzler. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

There being no further business to discuss, Dr. 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

Riverton Borough Council
505 A. Howard Street
Riverton, NJ 08077

Dear Riverton Borough Council:

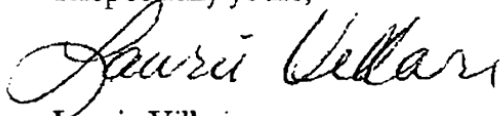
Dedicating myself to carry out my responsibilities involved in this job has become meaningless. There are many factors that led my decision to resign. I feel that for the first time serving this year, there is a major communication dilemma. It is between the Council as a whole, and its valued Employee's. I also feel the Employee's and I have been questioned and doubted in our areas of performance, our integrity to do what's right, and have been made to feel like we can't be trusted. There have been decisions made that typically should require the input of a whole Council to conclude and vote on. In my opinion, this information is not being exchanged amongst the Governing body in the proper manner.

Yes, I'm angry and disappointed at the lack of respect and unnecessary comments I have endured. More importantly, the thought of compromising services in this town is absurd and a long term mistake. The effects of the Police Department's involvement at the school and on the street with our children, is priceless. This program has made Riverton a very unique and great place to live. These programs and child interaction has changed the attitude of the Riverton children. My own teenager wouldn't think twice to disrespect me, but would never disrespect these chosen officers who they look for acceptance and friendship.

Furthermore, I'm trying to figure out why some people take the time to change Riverton in a day, without taking the time to really get to know & understand who is responsible for making Riverton a special place. We can all compare salaries across the county & state for our Employee's, but never has anyone ever considered comparing the people who collect these salaries, and question their work ethic history?

This serves as my letter of resignation.

Respectfully yours,


Laurie Villari

Effective
4-5-06
L.V.

March 27, 2006

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

PRESENT: Council members Daniel, Villari, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti Solicitor Bruce M. Gunn and Auditor Robert Stewart

The following statement was read by Mayor Martin:

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

(a) Having written notification of this meeting published in the Burlington County Times on March 17, 2006

(b) Posting written notice on the official bulletin board on March 13, 2006

BUDGET DISCUSSION

Dr. Smyth asked if we could consider incorporating the sewer charges in with our tax rate. Mr. Kinzler stated that he believes there is a lot of merit to doing this. However, we need to look at this for the year 2007. There are some issues regarding this that need to be addressed and ironed out before a final decision can be reached. Mr. Cesaretti believes we should set up an agenda or timeframe to make this happen for next year. Council then reviewed various line items in detail, making adjustments deemed necessary. Mr. Kinzler stated that we are looking at a 3% salary increase for Borough employees.

Council then reviewed the "CAP" Law. Mr. Smyth believes we need to keep salaries and wages below 3.5% or lower or we will be outside of CAP. The auditor responded that that was correct. Mr. Smyth stated that other towns are dealing with these issues also. Other towns have had to lay people off and/or reduce the wage increases just to stay within CAP. Mr. Smyth asked how we can deal with this dilemma. Mr. Stewart stated that a lot of our other expenses are exceeding the CAP by a great amount. Mr. Stewart explained that you have to budget for items such as electric, gas, pensions and those costs are going up. Mr. Stewart stated that you have to abide by any contractual agreements. Mr. Stewart further stated that in most towns, the biggest chunk of the respective budgets is the Police Department. Mr. Stewart stated that what the state is really trying to do with the CAP law is force regionalization. Mr. Stewart explained that there are ways to get around the CAP law. One would be to apply to the State for a CAP waiver (one year only). This forces you to use your surplus to spend that money. Another possibility would be to go to public referendum to exceed the CAP, which could be rejected by the voters. Mrs. Villari asked where we stood regarding the CAP with a 3% salary increase for employees. Mr. Stewart responded that as of now, with all of the adjustments made tonight, we are still below CAP. Mr. Stewart stated that currently we are at a 4.2 cent increase based on the changes made tonight.

Council then moved on to an in depth discussion regarding the police budget. Mr. Cesaretti stated that the Chief had placed \$75,000.00 in his overtime line item of the budget. That amount has been cut by \$30,000.00. Mr. Cesaretti reviewed correspondence sent by the Chief to Council listing what could be eliminated or restricted if the overtime costs were reduced that much. Those items could be radar check points, DWI check points, click it or ticket program, ongoing investigations in town, in service training, Riverton Town Watch (National Night Out) would be eliminated, Palmyra Public Safety Day, most if not all of the police interaction with the Riverton school, including Adopt a Cop Program, Movie Night, Cooper Trauma Center visit, the Great Adventure trip, Mt. Misery sports, and the police presence at any special events, including the 4th of July parade. Mr. Kinzler also took exception to the letter that the Chief sent. The Chief stated that he made a small cut in the overtime costs to bring it down to \$70,000.00. However he is not comfortable with that. He stated that we are already at \$18,384.91 in overtime expenditures so far this year. Mr. Kinzler stated that there is no doubt that if we continue with the status quo and manage the way we have done in the past that the overtime costs will be \$75,000.00. What we are saying here is that the status quo cannot continue. Mr. Kinzler is not convinced that we have really looked at the overtime issue and managed it properly. A lengthy discussion then

ensued. Mrs. Villari stated that she didn't know what other resources we would have to offset these costs. Mrs. Villari further stated that you just can't make such a large cut without suggesting solutions to the problem. Mr. Smyth stated that he has experience working with unions and has been pretty successful in cutting overtime costs. While we don't want any cuts in services, Mr. Smyth stated that there must be alternatives from a management perspective to keep these costs down. Discussion resumed. Dr. Daniel asked if there have been any discussions between the Police Department and Council on ways to decrease the overtime issues. The Chief responded that he met with the Finance/Administration Committee during the preliminary budget process once to review his budget request. Dr. Daniel believes another meeting needs to take place. If it is determined after that time that the extra overtime money needs to be reinstated to the budget, then that's the way it has to be. Dr. Smyth recommended that we add \$12,000.00 to the police overtime line item just to cover eventualities. Council can then make arrangements to take a further look at this issue at our earliest convenience. Dr. Daniel reiterated his position that a discussion on this issue is necessary before any numbers are decided. Mrs. Villari stated that she is not comfortable with the suggested police overtime line item figure of \$45,000.00. She believes that is too low. It was the consensus of Council that the Finance/Administration committee will meet with the Chief to thoroughly review this issue. Dr. Smyth moved that we table taking any action on the budget until this discussion takes place. This was seconded by Mrs. Villari. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It was the consensus of Council to introduce the 2006 Municipal Budget at the April 12th meeting. The Auditor will be present at this meeting.

Meeting open to the public

Michael Robinson, 6 Second Street, asked if the library's budgetary request for 2006 (no increase) would be considered. The response was yes.

James Moffatt, 202 Fulton Street, suggests that if the Riverton Businesses Association wants to hold special events, they should pay the police out of their own pockets. Mr. Moffatt stated that he thinks the Council lacks guts. Mr. Moffatt is of the opinion that for the past three years Dr. Smyth has done nothing but say let's table or delay this or that. Mr. Moffatt feels the issue has been swept under the rug as Dr. Smyth always advises people to do. Mr. Moffatt believes that Dr. Smyth is always in favor of delay.

Muriel Alls-Moffatt, 202 Fulton Street, congratulated Michael Kinzler for his common sense. Mrs. Alls-Moffatt asked why we have five (5) police cars. Mrs. Alls-Moffatt asked if there had been any discussion on reducing our police fleet. Mr. Kinzler responded no. Chief Norcross responded that we only have four (4) vehicles-three (3) marked and one (1) unmarked. Mrs. Alls-Moffatt asked if there has been any discussion at all with Palmyra or Cinnaminson as to merging the police departments. Mr. Cesaretti responded not by him. Mrs. Alls-Moffatt asked if she should assume that this issue has been tabled by the Council. Mr. Smyth stated that he received the okay from Council about a month or two ago to have informal discussions separately with Mayor Gural from Palmyra and Mayor Donnelly of Cinnaminson. Mr. Smyth stated that that was done with Mayor Gural. Mr. Smyth stated that he believes there are rumors that he said certain things about the police. Mr. Smyth stated that he didn't really say anything about the police. Nothing was agreed to-- just an open door policy. Mr. Smyth stated that he has not had a meeting with Mayor Donnelly, but that will happen. Mr. Smyth believes the Borough needs to do some things differently to keep us under the CAP.

Sgt. Gerard Furrer commented that when Mr. Smyth was previously asked about this, he denied even talking to Mayor Gural about it. Mr. Smyth responded that what he denied was discussions about the Palmyra police filling in on any shifts in our town. Sgt. Furrer stated that he believed it was about any mergers. Mr. Smyth stated that he did not talk to Mayor Gural about mergers. Mr. Smyth stated that Mayor Gural spoke to him about mergers. Sgt. Furrer believes Mr. Smyth had been asked by the Police Association's President if he had

talked to Palmyra and Mr. Smyth absolutely said no. Sgt. Furrer stated that this was stated in an e-mail.

Chris Halt, 400 Linden Avenue, stated that on behalf of the Environmental Commission, he was looking for enough money to purchase some equipment as a grass routes effort to initiate volunteer clean-up days. Scott Reed commented that he might be able to assist the Commission through our recycling funds.

Brad Young, Licensed Wastewater Treatment Facility Operator, asked if the line item for a jetter would be increased by \$3,000.00. Mr. Kinzler stated that this issue would be discussed at a later date.

RESOLUTION 44-06

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

At this time Dr. 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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye

RESOLUTION 45-06

**A RESOLUTION APPOINTING MARY C. LODATO AS ZONING OFFICER/CODE ENFORCEMENT OFFICIAL AND AFFORDABLE HOUSING OFFICER FOR THE BOROUGH OF RIVERTON FOR THE REMAINDER OF 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 Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

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

There being no further business to discuss, D. 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 5, 2006

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

PRESENT: Council members Villari, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti and Solicitor William Martin

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 all meetings to be held in 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

Streets & Roads Issues: a. Update Re: Broad Street Enhancement Grant. Mrs. Villari reported that Dante Guzzi, the Borough's Engineer for this project, has finally submitted the required bid analysis to Tom Berryman of the Department of Transportation (DOT). Mrs. Villari explained that before a request could be made to the Federal Highway Administration for additional funding for this project, this written bid analysis was required to be submitted to the DOT's office. Mrs. Villari expressed her extreme displeasure with the fact that our Engineer did not follow through with this in a timely fashion. Mrs. Villari reported that Council cannot award a contract for this project until we receive written notification that our request for additional funding has been granted. Mrs. Villari further reported that April 21st (sixty days from the bid opening of February 21st) is the deadline when we can award the contract for this project. Mrs. Villari stated that our Solicitor, Bruce Gunn would be reviewing the statutes to determine if we can possibly obtain an extension to award this contract. Council will be kept apprised of this issue. **Update: Re: Fulton Street project,** Mrs. Villari reported that this project has been completed by American Asphalt Paving Company. **c. NJDOT Trust Fund Project-Lippincott Avenue** Ms. Villari reported that in 1989 the Borough had authorized the reconstruction of Lippincott Avenue. We have recently received notification from the Department of Transportation (DOT) that there may be final state aid monies due to us from this project. Mrs. Villari stated that our records indicate that both Alaimo Associates and Marc Associates were the Engineers for this project at that time. Mrs. Villari reported that there are specific documents pertaining to this project that must be submitted to the DOT, Division of Local Aid and Economic Development before any monies can be returned to the Borough. Mrs. Villari reported that our present Streets & Roads Engineer, Remington, Vernick & Arango would be assisting us to gather the required documentation from our previous engineers. Mrs. Villari stated that Council will be kept apprised of this issue. **d. Emergency Management Resolutions.** Mrs. Villari reported that the County's Emergency Management Office is requesting that Council adopt a Resolution that authorizes membership in a mutual aid and assistance agreement with participating units. Mrs. Villari also reported that we need to have an interim Emergency Management Coordinator appointed until we are able to fill this position on a full-time basis. Mrs. Villari stated that Public Works Manager, Scott Reed, has agreed to serve in the capacity. After a short discussion, it was the consensus of Council to agree to both issues.

RESOLUTION 48-06

A RESOLUTION AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS (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. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 48-06
A RESOLUTION APPOINTING SCOTT REED TO SERVE AS THE INTERIM
EMERGENCY MANAGEMENT COORDINATOR 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. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Request from Councilwoman Villari to extend her date of resignation from Borough Council until April 13, 2006. Mrs. Villari asked that Council consider granting her this extension so she could be here for the budget discussion on April 12th.

RESOLUTION 49-06
A RESOLUTION APPROVING COUNCILWOMAN VILLARI'S REQUEST TO
EXTEND HER DATE OF RESIGNATION FROM BOROUGH COUNCIL
UNTIL APRIL 13, 2006
(IN FULL IN RESOLUTION BOOK)

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

Telecommunications Issues:
a. Review of bid received for the placement of a telecommunications tower at the sewer plant. Mr. Smyth reported that one bid was received, opened and publicly read on Wednesday, March 29, 2006 at 10:00am. **T-Mobile USA, Inc. of Bensalem Pa. proposed the following: A five (5) year initial term with five (5) additional and successive five (5) year renewal terms. During the first year, T-Mobile is offering to pay the Borough of Riverton a base rental of One Thousand Four Hundred and no/100 dollars (\$1,400.00) per month, rent shall be increased annually by three (3%) percent of the rent paid over the preceding year. T-Mobile shall pay a twenty (20%) percent or two hundred and fifty dollars (\$250.00), whichever is greater, revenue sharing (collocation) fee to the Borough of Riverton for any future co-locators. In consideration, the Borough of Riverton allows T-Mobile the use of a 50'x50' ground area for the construction, installation, operation, maintenance, repair, removal or replacement of their related telecommunications tower and equipment.** Mr. Smyth reported that his independent investigation has determined that T-Mobile had five (5) years experience in the field. After a discussion, it was the consensus of Council to award an option to lease Borough property for a telecommunications tower to T-Mobile.

RESOLUTION 50-06
A RESOLUTION AUTHORIZING THE AWARD OF AN OPTION TO LEASE
BOROUGH PROPERTY FOR A TELECOMMUNICATIONS TOWER
(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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Discussion: Amending Chapter 128, Article XXII to provide standards for telecommunication towers. Mr. Smyth stated that Council adopted an ordinance last month that provided for telecommunications towers as a conditional use within the General Business, GB District. Mr. Smyth reported that the Planning Board has now made recommendations concerning the standards for telecommunications towers as a conditional use. Council reviewed and discussed a draft Ordinance prepared by our Solicitor that would require telecommunication towers to be subject to specific standards. It was the consensus of council to agree to the recommendations and introduce an ordinance tonight.

ORDINANCE 5-06

**AN ORDINANCE AMENDING CHAPTER 128, ARTICLE XXII,
CONDITIONAL USES TO PROVIDE STANDARDS FOR
TELECOMMUNICATION TOWERS**

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for May 3rd.

Meeting open to the public

Muriel Alls-Moffatt, 202 Fulton Street, stated that she was in favor of the cell tower placement. Mrs. Alls-Moffatt asked for a clarification regarding the lease agreement with T-Mobile. She asked if this lease was standard. She also raised concern about the length of the agreement. Mr. Smyth responded that T-Mobile is proposing a five year initial lease term that escalates 3% each year for the first five years. There is five additional successive five year renewal terms.

Regarding the Broad Street Enhancement Grant, Mrs. Alls-Moffatt stated that this is not the first time that Dante Guzzi, Associates has fallen down on the job. She wants to know why we are retaining this firm. Mrs. Alls-Moffatt believes this firm has cost the Borough a lot of time and money. Mrs. Villari commented that this grant has been going on for the past five years. Mrs. Villari further stated that Mr. Guzzi has not been hired to do any other work for the Borough. Mrs. Villari commented that things were not done in a timely fashion by this engineering firm. We can't replace this firm at this late juncture into the project. Mr. Cesaretti concurred with Mrs. Villari's statements.

James Moffatt, 202 Fulton Street, asked why Mrs. Villari requested that her resignation from Council be extended until April 13. Mrs. Villari responded that she wanted to remain on Council until the budget was introduced. Mr. Moffatt asked who was being considered for her replacement. Mayor Martin commented that he believes the names to be submitted by the Riverton Republican Committee will be William Brown, Michael Sencindiver and Suzanne Cairns Wells. Mr. Moffatt congratulated Gary Ford for his efforts on the new Borough Directory.

Phyllis Rodgers, 405 Lippincott Avenue, provided Council with an overview regarding the Victorian Day event scheduled for June 17. Mrs. Rodgers stated that Main Street would be closed from 7th Street to Bank Avenue. Mrs. Rodgers stated that town organizations and businesses are being solicited for participation for this event. Mrs. Villari asked for how this event is being funded. Mrs. Rodgers responded that they plan on getting corporate sponsors. Mrs. Rodgers commented that she understands that the Borough would be contributing \$1,000.00 towards this event.

ORDINANCE 4-06

**“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. 40a4-45.14)
(IN FULL IN ORDINANCE BOOK)**

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

Muriel Alls-Moffatt, 202 Fulton Street asked for a clarification of what this Ordinance meant. Mr. Kinzler responded. 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 aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Click It or Ticket Seat Belt Campaign (Enforcement Grant). Mr. Cesaretti reported that our Police Department has the opportunity to participate in this grant. The Division of Highway Traffic Safety is prepared to offer our Department \$4,000.00 in overtime

enforcement grant funding, to be utilized during the two-week Click It or Ticket campaign from May 22-June 4, 2006. Mr. Cesaretti stated that an application must be filled out and submitted by April 21, 2006. After a short discussion, it was the consensus of Council to participate in this grant.

RESOLUTION 51-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE CLICK IT OR TICKET SEAT BELT ENFORCEMENT GRANT APPLICATION (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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Update Re: Revaluation/Reassessment of all properties in Riverton Mr. Kinzler reported that he discussed this issue with our Tax Assessor, Tom Davis. Given that our index ratio is not where it needs to be, the County has previously informed us that we need to do a revaluation/reassessment. Mr. Kinzler further stated that the county has not ordered us to do this yet. Mr. Kinzler stated that we have a couple of options. We can authorize our Tax Assessor to seek proposals now for a 2007 reassessment that would be effective in 2008, or wait until an order is given. Mr. Kinzler stated that this is not Mr. Davis' preferred path to take. We may be put into a situation where we would be much more limited. Mr. Kizler stated that we sought proposals in 2005 and received one bid which was high. Mr. Davis believes if Council moves forward with the process now, we would probably receive more bids. Mr. Davis estimates that it should cost between \$85,000.00 and \$100,000.00 to do this project. Mr. Davis has informed him that the Borough can pay out this fee over a five year period. After a short discussion, it was the consensus of Council to move forward with this project now.

RESOLUTION 52-06

A RESOLUTION AUTHORIZING THE REQUEST FOR PROPOSALS FOR THE 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. Kinzler, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Discussion: Request for the placement of a peace pole in Riverton. Dr. Smyth reported that there is an organized committee (he listed the names) in town for the placement of a peace pole in Riverton. The pole would be approximately 8 feet high with messages of peace printed on all four sides. Dr. Smyth stated that this is a passive presence but supporting our quest for peace around the world. Dr. Smyth stated that the Committee is trying to obtain non-profit status for their fund raising efforts to purchase the pole. Dr. Smyth stated that the Committee is looking to place the pole on property that is not owned by the Borough. Dr. Smyth further stated that there would be no expense to the Borough. Mayor Martin asked if the Borough would be asked to support it. Dr. Smyth stated that the Borough could give an affirmation that this would be a welcome addition to the community. Mayor Martin asked if anyone from Council thought this was political in nature. Mr. Cesaretti responded that he did. Dr. Smyth asked how it was political. Mr. Cesaretti commented that members of the peace pole committee may be anti-war. Mayor Martin asked **Margaret Wark, 406 Howard Street** if this would be offensive or not offensive to her. Mrs. Wark's son served in the armed services at the beginning of the war in Iraq. Mrs. Wark stated that she initially had concerns about the pole because she wasn't sure what it meant. She also stated that some of members of the committee she knows to be definitely anti-war. She is unsure what the committee's idea of peace is. Dr. Smyth stated that there is nothing anti-war about the peace pole. Mrs. Wark would be interested in knowing about

the other communities who have these types of poles, in particular who has been involved with this. Dr. Smyth stated that there are 200,000 peace poles so far in different places around the United States. Mr. Cesaretti stated that he would be curious if any members of the peace pole committee recently had an anti-war protest. **Mrs. Alls-Moffatt, 202 Fulton Street** strongly stated that a peace pole means you want peace. Mayor Martin believes we might be supporting something that is making a political statement. Mrs. Alls-Moffatt strongly stated that nobody can sit here and say that they are for war. You have to be for peace. **James Moffatt, 202 Fulton Street**, doesn't disagree with what Mrs. Alls-Moffatt said. Mr. Moffatt does believe the peace pole is political. Everything in life is political. Speaking for himself, he believes it is anti-war. Mr. Moffatt congratulated Dr. Smyth for doing an unpopular thing in this Republican pro-war town. Dr. Smyth commented that he has worked his whole life working in an atmosphere of peace. Mr. Cesaretti commented that he believes the pole should be placed on private property and not on public property. Dr. Smyth stated that the pole will not go on public land. Mr. Cesaretti asked why the Committee is asking for Council's support. Dr. Smyth commented that they are merely asking that Council welcome something like this in the community as long as it is not placed on public property. Mr. Smyth believes the issue is whether the peace pole would be placed on public property. You are then putting the Council in a position of how would we know whether the majority of our taxpayers would want this. Dr. Smyth believes that he perceives Council's feeling on this issue is that it not be placed on public property. Mr. Cesaretti commented that if the pole is place on private property, then Council should not be asked to do anything. **William Brown, 617 Linden Avenue** asked what goes on the pole. Dr. Smyth explained that it would be a four sided pole over 8 feet high. Messages of peace on earth would be placed on it in English and seven other languages. Mr. Brown asked if anybody could come along and place something on the pole. Dr. Smyth responded no, it is manufactured so that when the pole is obtained, the peace messages are already on the pole. Following a protracted discussion on this issue, it was the consensus to revisit this issue. Dennis and Anne Creter, who are on the Peace Pole Committee, will be here next week to make a presentation for Council's information.

**PROCLAMATION-SHADE TREE COMMISSION DAY
(IN FULL IN RESOLUTION BOOK)**

The above Proclamation was read in full by Mayor Martin. Mayor Martin asked if a member of Council would be available to attend this celebration at the Riverton School on April 27th. Dr. Smyth volunteered to attend.

RESOLUTION 53-06

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE BURLINGTON
COUNTY SHARED SERVICES FORUM
(IN FULL IN RESOLUTION BOOK)**

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

Discussion: request from the Riverton Business Association to waive the application fees for vendors for Victorian Day (Chapter 96-3 of the Borough Code)

Mrs. Rogers stated that most other towns waive the required fees for craft shows (mom and pop like vendors). Mrs. Rodgers believes we will get no vendors to participate in this event if they must comply with this ordinance. Mrs. Rodgers is asking Council to waive this requirement for this one event to see how it goes. However, Mrs. Rodgers stated that any crafters and artists wanting to participate will be required by the Riverton Business & Civic Association & Economic Development Committee to fill out an application and submit a \$20.00 fee. Mrs. Rodgers is hoping that this form will provide enough background information on the vendors. Mr. Cesaretti stated that while Mrs. Rodgers is asking Council to waive their required fee by Ordinance, she will be charging the crafters a fee to participate. Mr. Cesaretti also raised concern about the amount it will cost us in police

overtime for this event. The fees collected from our Ordinance requirements could help defray some of these costs. Mrs. Rodgers stated that this is the first time an aggressive event like this is going to happen in Riverton. There are a lot of unknowns. She has been looking at what other communities do for guidance in this regard. Mrs. Rodgers strongly stated that we need to know where Council stands on this issue. Mrs. Rodgers stated that if we have to comply with the current ordinance on the books, there will not be an event. Mr. Cesaretti believes consistency is important. If we waive this requirement what happens next. Mrs. Rodgers believes the current fee listed in the ordinance along with the inconvenience of coming to the Police Department to take care of the additional requirements (fingerprinting, etc.) would be a big stumbling block for these vendors. A lengthy discussion then ensued. Solicitor Martin stated that he conferred with Solicitor Gunn about whether the Council can waive the requirements of the ordinance. Mr. Martin did not know if they have the authority to do that and Mr. Gunn agreed. Mr. Martin believes Council would have to amend the Ordinance. Mr. Martin suggested holding off until next week for a more thorough opinion. Mr. Martin also stated that in addition to asking for this waive, Council is also being asked to adopt a one day umbrella license for the Victorian Day event, to cover all vendors. Mr. Martin doesn't know what authority Council would have to do this. Discussion resumed with the consensus being that no decision be rendered until a detailed opinion is obtained from our Solicitor by next Wednesday's Council meeting.

Preliminary agenda for April 12. The Clerk reviewed this with the Governing Body.

REVIEW OF POTENTIAL CHANGES TO THE OPEN PUBLIC MEETINGS ACT LAW

Solicitor Martin reviewed a bill sponsored by Senator Robert Martin concerning amendments for the Open Public Meetings Act (OPMA). Solicitor Martin stated that the League of Municipalities has voiced concerns with many of the proposals of this bill. A copy of the League's concerns is on file with the Municipal Clerk and has been distributed to Council. Some of these are as follows: the bill provides that "any violation" of OPMA by a public official, not just a willful violation, be punishable by substantial fines, which must be paid individually by the official, not the municipality, the requirement that all "executive sessions" be recorded, increasing public participation requirements at all public meetings, an enforcement section allows for attorneys fees in enforcement actions to be awarded only to a successful plaintiff, not to a successful public body, requiring that all minutes be available within five (5) business days, requiring local governments to have an internet site and the conversion of the Government Records Council to an Open Government Council. Solicitor Martin and the Clerk asked that Council thoroughly review the impact that the passage of this bill would have. This issue was taken under advisement.

Meeting open to the public

Muriel Alls-Moffatt, 202 Fulton Street, asked if Tommy Merino was still out on sick leave. Mr. Cesaretti responded yes. Mrs. Alls-Moffatt asked when he is expected back. Mr. Cesaretti responded that we are still awaiting another opinion from a doctor.

Phyllis Rodgers, 405 Lippincott Avenue commented on how aggressive Collingswood Borough elected officials have been in acquiring property and in redevelopment. Mrs. Rodgers asked where the Council stands on the possible acquisition of the Post Office. She considers that building to be a key piece to the missing puzzle for the downtown district. Mayor Martin stated that he is not in favor of purchasing that building. He would rather see the Post Office be redeveloped and become a rateable to help the taxpayers. Mrs. Rodgers stated that she didn't mean necessarily acquiring the building for municipal services. She would also rather see it be acquired for a nominal amount. Mayor Martin does not think they would sell it to us for a small amount. Mayor Martin would rather let private developers come in and do it. Mrs. Rodgers stated that if the Borough owned the building, we would control who goes in there. She does not feel we should be shortsighted regarding this issue. Sometimes you have to make hard decisions.

Muriel Alls-Moffatt, 202 Fulton Street does not feel that we should abandon the possible purchase of the Post Office as a municipal building. The current municipal

building is not in compliance for numerous reasons. Mr. Cesaretti asked where we stand regarding the acquisition of this property. He reminded Council that a vote was taken to negotiate to buy it for a price not to exceed \$175,000.00. He asked for a status report. Dr. Smyth stated that the issue died for lack of oxygen. Mrs. Rogers believes we could acquire it for a lot less. Mr. Cesaretti asked if we were in violation of not following through on our own Resolution. Solicitor Martin asked when the resolution was passed. The response was December 2004. Mrs. Rodgers stated that if negotiations do take place, we should start much lower.

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

Mary Longbottom, RMC
Municipal Clerk

April 12, 2006

The regular meeting of the Riverton Borough Council was held on the above date. Mayor Martin presiding (left meeting at 9:15pm).

PRESENT: Council members Daniel (arrived at 7:30pm), Villari, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti 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 2006 published in the Burlington County Times of January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from March 1, March 8 and closed session minutes from March 1 and March 8 were then presented. Mrs. Villari moved that these minutes be approved as submitted. This was seconded Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

TREASURER'S REPORT, FINANCE COMMITTEE REPORT & BILL LIST FOR APPROVAL-Mr. Kinzler

Mrs. Kinzler moved that the attached reports for the month of March be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

DISCUSSION & INTRODUCTION OF THE 2006 MUNICIPAL BUDGET-Auditor, Robert Stewart present. A detailed discussion took place regarding various line items in this budget, in particular the police budget and the Wastewater Treatment facility Budget. Additional adjustments were made where deemed necessary by the Governing Body. Mr. Kinzler reported that the Mayor, Mr. Cesaretti and himself met with the Chief and Sergeant last week. A thorough review of the figures was done, in particular the overtime line item. Mr. Kinzler announced that the initial estimate of \$75,000.00 appears to be a little short. Therefore, it was being recommended to reinstate the \$30,000.00 originally cut from this line item. Mr. Kinzler further stated that efforts would be taken to keep these costs as low as possible. Regarding the capital portion of the budget, it was the consensus of Council that new defibrillators would be purchased for the Police Department at a cost of \$10,000.00. There were no other capital items placed in this year's budget. The local municipal purpose tax increase will be 6 Cents. The percentage increase was 4.67%.

RESOLUTION 54-06

**INTRODUCTION OF THE 2006 MUNICIPAL BUDGET
(IN FULL IN RESOLUTION & MINUTE BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari nay, Dr. Smyth aye, Mr. Smyth nay, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on the 2006 Municipal Budget is scheduled for May 10. The budget will be published in the Burlington County Times on April 23, 2006.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of March that was submitted by Chief Norcross. Vehicle Mileage 2835, Gas Used 386.7, Juvenile Arrests 1 (Assault 0, Miscellaneous 0, Curfew 1), Adult Arrests 6, Criminal Warrants 0, Criminal Summons 0, Traffic Warrants 5, DWI 1 & Other 0), Motor Vehicle Crashes 8, Motor Vehicle Stops 57, Motor Vehicle Warnings 12, Motor Vehicle Summons 56, Burglar Alarms 14, Asst. to other Police Departments 26, Animal Complaints 2, Fire Calls 13, Ambulance Calls (Riverton) 22, Unattended Deaths 0, Criminal Case 18, Domestic 0, Thefts 2, Burglaries 0,

Assaults 0, Sexual Assaults 0, Criminal Mischief 0 Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 26, Miscellaneous Calls 464, and Total calls 727.

STREETS, ROADS, & SEWER-Mrs. Villari

Mrs. Villari announced that we have not yet received written confirmation from the Federal Highway Administration that they would be providing additional funding for this project. Because of this, we are unable to award the contract to the lowest responsible bidder, Paramount, Inc. by the April 21st. deadline. Mrs. Villari further stated that Paramount, Inc. representatives have agreed to a 60 day extension of time for us to award the contract. A formal Resolution needs to be done by Council.

RESOLUTION 56-06

A RESOLUTION EXTENDING THE TIME FOR AWARDING THE CONTRACT FOR THE BROAD STREET ENHANCEMENT PROJECT UNTIL JUNE 21, 2006 (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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Mrs. Villari and Public Works Manager, Scott Reed, informed Council that the Department of Transportation is offering potential grant money for their 2007 Municipal Aid Program. Mr. Reed stated that there are some roads in town that could be considered for this program. Mr. Reed stated that he has conferred with our Engineer on this issue and has been informed that they would charge \$500.00-\$800.00 to submit the application. After a discussion, it was the consensus that the Engineer be authorized to proceed with the caveat that the cost for preparing and submitting this application not exceed \$800.00.

RESOLUTION 55-06

RESOLUTION AUTHORIZING REMINGTON, VERNICK & ARANGO TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FISCAL YEAR 2007 MUNICIPAL AID PROGRAM

(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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mrs. Villari aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Mrs. Villari reported that some Borough trees were damaged during the Fulton Street project. The contractor for this project, American Asphalt Company has agreed to pay the fine of \$300.00 to the Borough for damages.

ZONING, CODE ENFORCEMENT & PARK & RECREATION-Dr. Smyth

Dr. Smyth reported that the new Zoning/Code Enforcement Officer, Mary Lodato started her position on April 1. Spring maintenance continues at the park.

PLANNING, ECONOMIC DEVELOPMENT & REDEVELOPMENT-Mr. Smyth

Mr. Smyth provided Council with overviews regarding site plan applications before the Board. Mr. Smyth reported that work continues on the re-examination of the Master Plan. The sub-committee is scheduled to present their review to the Board for its consideration very soon. Mr. Smyth reported that work continues on finalizing the agreement between T-Mobile and the Borough for the placement of a Telecommunications Tower at the sewer plant. Council will be kept apprised of these issues.

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

Dr. Daniel read a report for the month of March that was submitted by Welfare Director Florence Klein. There were four clients on assistance. Mrs. Klein attended various meetings and training sessions during the month.

Dr. Daniel read a report for the month of March that was submitted by Court Administrator Jacqueline Gleason. There were 33 traffic tickets issued—2 for parking, 30

moving and 1 DWI. There were no criminal offenses. The total receipts for the month amounted to \$10,202.00. The total disbursed to Riverton amounted to \$4,816.42.

MEETING OPEN TO THE PUBLIC

Scott Reed, Public Works Manager, asked who from Council would be taking over Streets, Roads & Sewer when Mrs. Villari leaves office. Dr. Smyth reported that he would be handling that department.

Gene Bandine, 522 Main Street, complained again about the need for trash receptacles to be placed outside of the ice cream parlor on Main Street. Mr. Bandine stated that people throw their empty ice cream containers and other trash all over the area. He would like this issue addressed as quickly as possible. It was the consensus of Council that either the Chief or the Code Enforcement Officer could address that issue with the owners of the store. Mr. Bandine thanked Mrs. Villari for her service on Council.

OLD BUSINESS

UPDATE RE: REQUEST FOR THE PLACEMENT OF A PEACE POLE IN RIVERTON

Dr. Smyth reported that this issue will be deferred until next month's meeting.

UPDATE RE: REQUEST FROM RIVERTON BUSINESS ASSOCIATION TO WAIVE THE APPLICATION FEES FOR VENDORS FOR VICTORIAN DAY-CHAPTER 96-3 OF THE BOROUGH CODE

Mr. Gunn reported that it was his opinion that this Association was exempt from the required applications fees listed in this Ordinance and therefore a waiver was not necessary. A discussion then ensued. It was the consensus that each vendor who participates shall comply with the requirements of the Riverton Business and Civic Association and Economic Development Committee by completing a vendor application form and providing same to the committee together with a release, Indemnification and Hold Harmless Agreement to the Borough of Riverton prior to commencement of the Fair. It was also the consensus of Council that the Economic Development Committee and the Riverton Business and Civic Association shall provide a financial statement and full accounting of funds collected which statement shall be submitted to Borough Council. Mr. Gunn informed Council that a formal Resolution would need to be done.

RESOLUTION 57-06

A RESOLUTION TO SPONSOR A VICTORIAN FAIR ON JUNE 17, 2006 (IN FULL IN RESOLUTION BOOK)

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

NEW BUSINESS

RESOLUTION

AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING CHECKS

Mr. Kinzler asked that this Resolution be held off until next month. He wanted more time to review the information presented. Council agreed to this request.

DISCUSSION: MUNICIPAL COSTS REDUCTION FEASIBILITY STUDY-Mr. Smyth

Mr. Smyth reported that there may be state grants available to assist the Borough in more effective ways to operate, such as shared services. Mr. Smyth also reported that the League of Municipalities has a consulting group that might be available for the same purpose. Mr. Smyth will keep Council apprised of these possibilities for future consideration.

CORRESPONDENCE-There was no correspondence presented at this time.

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

RESOLUTION 58-06

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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that a litigation matter will be discussed.

At this time, Dr. 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, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

There being no further business to discuss, Dr. 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

May 3, 2006

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

PRESENT: Council members Daniel (left meeting at 10:20pm), Dr. Smyth, Mr. Smyth, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council member Kinzler

The following statement was read by Mayor Martin:

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

(a) Having written notification of all meetings to be held in 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

RESOLUTION 59-06

**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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Cesaretti aye. It should be noted that a personnel matter will be discussed.

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

Mayor Martin announced that the Riverton Republican Committee submitted three names for consideration by the governing body to fill the vacancy created by the resignation of Laurie Villari on April 13, 2006. Those persons are William Brown, Michael Sencindiver and Suzanne Wells.

RESOLUTION 60-06

**A RESOLUTION TO APPOINT WILLIAM BROWN TO FILL THE UNEXPIRED TERM OF LAURIE VILLARI
(IN FULL IN RESOLUTION BOOK)**

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

At this time the oath of office was administered to William C. Brown Jr. by Solicitor Bruce M. Gunn as a member of Borough Council.

Ordinances

Update from Solicitor on additional provision to the following Ordinance:

5-06 Amending Chapter 128, Article XXII, Conditional Uses to provide standards for telecommunication towers. Mr. Gunn reported that he initially thought we might have to amend this Ordinance because of a severability provision. However, he has reviewed our code and there is such a provision in Chapter 1 Sec. 1-10 and 1-11. Mr. Gunn stated that Council could move forward with second reading on this Ordinance.

ORDINANCE 5-06

**AN ORDINANCE AMENDING CHAPTER 128, ARTICLE XXII,
CONDITIONAL USES TO PROVIDE STANDARDS FOR
TELECOMMUNICATIONS TOWERS
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. 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 the Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

Ordinance to provide authority to the Chief of Police to close streets. Mr. Gunn reported that he is recommending that Council put an Ordinance in place that would give the Chief of Police, or his designee authorization by Regulation, for the closing of any street or portion thereof to motor vehicle traffic on any day or days during specified hours on any day or days, whenever the Chief finds that such closing is necessary for the preservation of the public safety, health and welfare of our citizens. After a discussion, it was the consensus of Council to agree to the Solicitor's recommendation.

ORDINANCE 6-06

AN ORDINANCE AUTHORIZING THE CHIEF OF POLICE TO PROVIDE BY REGULATION FOR THE CLOSING OF ANY STREET OR PORTION THEREOF WHERE SUCH CLOSING IS NECESSARY FOR THE PRESERVATION OF THE PUBLIC SAFETY, HEALTH OR WELFARE

The above Ordinance was read by title only for the first time by Mr. Cesaretti, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for June 7th.

Amending portions of codebook to provide for strong littering fines. Mr. Smyth commented that he feels the \$50.00 fine for littering as specified in Chapter 74 of the Borough code is inadequate. Mr. Smyth stated that he thought the fines for this offense should be much higher. Mr. Smyth cited a recent Ordinance that was adopted by Palmyra Borough whereby fines of up to \$500.00 could be imposed on violators of the new regulations. Mr. Smyth was also of the opinion that No Littering signs be posted at each road in Riverton that ends on Bank Avenue. A discussion ensued, with the Solicitor recommending that he prepare a draft Ordinance for Council's consideration at next week's meeting.

Site Specific Redevelopment Plan. Mr. Smyth stated that Council had previously authorized the Planning Board (Resolution 41-06) to review a draft site specific redevelopment plan (for the Nuway Tract-Block 1500, Lots 20, 21, 22 & 23 and the Sitzler Tract-Blocks 904, Lots 1&2, Block 905, Lot 6 and Block 906, Lot 1) prepared by resident Joseph Augustyn. Mr. Smyth reported that the Planning Board reviewed the draft plan and recommended that Council consider adopting it. Mr. Cesaretti asked what purpose this would serve since both properties were already being redeveloped privately. Mr. Smyth commented that by having this plan, it could assist us in obtaining various grants. After a discussion, it was the consensus that our Redevelopment Solicitor, Tom Coleman, Esquire, be asked to prepare an Ordinance for Council's consideration at next week's meeting.

Discussion: Geographic Information System (GIS) agreement. Mr. Smyth reported that we have been asked by the County to renew our Geographic Information System (GIS) agreement. Council reviewed the documentation received from the County regarding this issue. After a discussion, it was the consensus to move forward and renew the agreements.

RESOLUTION 61-06

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DATA SHARING AGREEMENT PERTAINING TO GEOGRAPHIC INFORMATION SYSTEM DIGITAL FILES WITH THE BURLINGTON COUNTY FREEHOLDERS (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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

RESOLUTION 62-06

RECYCLING TONNAGE GRANT APPLICATION (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, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

Update Re: Placement of a Peace Pole in Riverton

Anne Creter, 9 Laurel Road stated that she understands that when this issue was raised at a previous meeting, it was not positively received. Mrs. Creter and the other Peace Pole Committee members present believe that a peace pole would be a positive addition to our town. Mrs. Creter stated that they are looking to have a dialogue on this issue instead of a debate. Mrs. Creter stated that they are asking for Council's support for the placement of a peace pole in our community. Mrs. Creter acknowledged that some people may not know what a peace pole is and may be concerned that it has religious or political connotations. Mrs. Creter stated that a peace pole is a universal symbol of world peace. There is an affirmation on it which reads; "May peace prevail on earth" in different languages. Mrs. Creter explained that there are 250,000.00 peace poles all over the world. If we want to create a culture of peace, it's our interactions with each other that begin the process of peace. Mrs. Creter believes everybody can agree on the peace affirmation, regardless of a person's politics, religion, etc. Mrs. Creter provided detailed historical background regarding peace poles for Council's information. Mrs. Creter did research and determined that many communities place peace poles on public spaces. In most cases they are embraced by the communities. Mrs. Creter stated that the same concerns that have come up here have also been raised in a small percentage of communities as well. There is one pending issue in Holland, Michigan. Mrs. Creter stated that the real issue there was the placement of a peace pole in a historical district. Everybody from Holland, Michigan was for it until it got to the historical society. Mrs. Creter stated that their governing body passed a new policy after discovering that there was a peace maker in the town of Holland from the 1800's who was famous. On the basis of that they felt that would make the peace pole historic. Mrs. Creter stated they would be moving ahead with this. Mrs. Creter then read a letter that the Executive Director from the World Peace Prayer Society wrote to the governing body of Holland Michigan supporting peace poles. Mrs. Creter then read off a list of towns that do have the poles in the United States.

Mrs. Creter stated that the Peace Pole Committee members are asking for a Resolution of support from Council. This would assist their efforts in raising funds from the community to purchase the pole. Mrs. Creter further stated that they would want the pole placed on public land in Riverton. Mrs. Creter stated that they had explored the possibility of placing it at the library; however that did not work out.

Carol Crawford, 101 Midway also did research and determined that there is a peace pole at the Pentagon. The dedication for that pole took place on the West Lawn at the White House. Mr. Brown asked if the sample peace pole brought tonight was the standard size. Mrs. Creter responded that there were all sizes. They are looking into acquiring one that is 8' high and it would have the peace affirmation on it in eight different languages.

Linda Hayes, 407 Midway stated that she has worked in Camden seeking solutions to the violence that occurs there. Mrs. Hayes reported that peace poles have been planted in certain portions of that town. Mrs. Hayes commented that she attended a meeting where the issue of a fund raiser for the peace pole was discussed at the school. Mr. Cesaretti asked if the school was asked for permission to place the pole on their property. Mrs. Hayes thought it might be a better idea to have it centrally located in town. Mr. Cesaretti commented that if the school were having this fund raiser, it would make sense to place the pole at that location. Mrs. Creter felt that it is difficult to find a place at the school to place it. There would also be the issue of maintenance to address.

Michael Robinson, 6 2nd Street, commented that the placement of the pole at the library didn't work out because of the historic appearance of the building. Mr. Robinson stated that his interest in the peace pole concerns the school. He understands that the children are

poised to have a penny drive to help purchase a pole. This would be in conjunction with a scheduled non-violence, non bullying event in October. Mr. Robinson sees the pole as strictly local, non sectarian and non political. It should encourage people to talk to one another with respect. Mr. Robinson thinks the pole would be a real asset to the town. Mr. Robinson understands that the selected languages placed on our pole would be those that correspond to the languages spoken in Riverton, i.e. English, Spanish, Serb Croatian, etc.

Mr. Brown asked where the committee would like to see the pole placed. Mrs. Creter responded at the War Memorial or at the Park. Mr. Smyth stated that he had reviewed all of the previous literature on the peace pole submitted by this committee. Mr. Smyth stated that he thinks the school's role is a good one. Mr. Smyth would like the pole placed at the park, if it is on public property. Mr. Smyth commented that the World Peace Prayer Society sounds like a religious group, but he understands from Mrs. Creter that it is not. Mrs. Creter responded that they are non-sectarian. It is a non-governmental organization of the United Nations. Dr. Smyth commented that he would like to see the fund raising completed before the 4th of July festivities so that the pole could be dedicated at that time. Mrs. Creter does not think there would be enough time to do this. Mr. Cesaretti asked where the purchase of the pole would come from. Mrs. Creter responded that there were different places where you can get them. Mr. Cesaretti asked if any of the churches in town had been approached about this issue. Mrs. Creter responded not yet. Mrs. Creter commented that placing it at a church makes the pole denominational. Whereby if it is placed on public lands, it is owned by everyone. Mayor Martin stated that we don't want this issue to become controversial. Mrs. Creter stated that if they get Council's support, they would need to educate people about what the peace pole is and isn't. Mrs. Creter also stated that they would maintain the pole. Mrs. Creter would like to see the pole dedicated on the International Day of Peace every year. (September 21st). Mayor Martin commented that he did ask some residents in town who are associated with the military about this issue and they were okay with this. Dr. Daniel commented that he served in the military and commented that he supports the peace pole.

Don Dietz, 304 7th Street, who also served in the military, thinks the peace pole is a wonderful idea. The one issue he has concern with is the word prayer. Dietz feels that when the general public sees the word prayer, it has a religious connotation. Dr. Daniel stated that the general public will perceive this as it being some religious group planting a pole in our public space. He believes this is wrong and that the public would need to be educated.

Mr. Gunn commented that a problem could occur when public funds are utilized for private purposes. Mr. Gunn stated that if Council were to do a general Resolution of support there would be no problem. Mr. Gunn cautioned where it would be placed in Riverton because we are on the historic register. Mr. Gunn stated that deed restrictions would have to be checked if the pole were placed at the park.

Mr. Smyth commented that he doesn't have a problem supporting the peace pole. What he is concerned about is that we haven't gotten a lot of feedback from all of the residents in town about this issue. Mr. Smyth believes perception is really important. Mr. Smyth suggested that the peace pole committee do a flyer to all residents to inform everybody. Mrs. Creter suggested that a possible survey be done. Dr. Daniel suggested that notices be sent home with the schoolchildren. Mr. Cesaretti suggested that a poll be posted on our website.

Tom Ehrhardt, 410 Thomas Avenue, commented that he believes what he has heard tonight indicates that Council seems to be in support of the peace pole. However, Mr. Ehrhardt feels that if Council decides not to vote on this issue, he wonders what kind of message that sends to the public.

Muriel Alls-Moffatt, 202 Fulton Street is a survivor of World War II. As elected officials, she believes that Council should be promoting peace. Mrs. Alls-Moffatt believes that peace is a goal that everyone should aspire for.

RESOLUTION 63-06

**A RESOLUTION RECOGNIZING THE RIVERTON COMMUNITY PEACE
POLE PROJECT
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only Dr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

Meeting open to the public

Tom Ehrhardt, 410 Thomas Avenue, commented that he thought the proposed increase in the littering fines may be a little steep. Mr. Smyth believes the message needs to get out there. Mr. Ehrhardt expressed the need for the placement of a garbage can in front of the ice cream store.

Margaret Wark, 406 Howard Street, asked if the school would also be affected regarding the littering issue. The response was yes. Mrs. Wark stated that there is a lot of trash on her property that comes from the school. Mr. Smyth will talk to the Superintendent about this issue.

Don Dietz, 304 7th Street, expressed strong concern that the present businesses in the Nuway Shopping Center may not return after this property is redeveloped. Mr. Dietz understands that the rents will be increased substantially. Mr. Dietz feels we should be supporting our local businesses. Mr. Dietz believes that in addition to the CVS store that will be built at this site, we may see other corporate businesses come into town. Mr. Dietz is not in favor of this and stated that this goes against our Master Plan.

Muriel Alls-Moffatt, 202 Fulton Street, also commented that our Master Plan stated that box stores would not be appropriate for the Borough. Mrs. Alls-Moffatt is of the opinion that since the Borough has no redevelopment plan, we have no control over what is placed at the Nuway location.

Possible Resolutions

Urging Re-Introduction of Legislation to Exempt the Municipal Clerk from Penalties for Open Public records Act Violations under certain circumstances

The Clerk provided an overview of the Open Public Records Act law that was passed a couple of years ago. The Clerk explained that under the current law, the Municipal Clerk is designated as the Custodian of all Records. The Clerk is held responsible for not fulfilling a request, even when the record is in possession of another official. The Clerk reported that a Bill had been introduced during the 2004-2005 legislative session that would exempt the Municipal Clerk from penalties for Open Public Records Act violations under certain circumstances failed to be enacted. The Clerk asked that Council review a draft Resolution that urges the Re-introduction of this legislation. Council took this issue under advisement for next month's meeting.

Amendment to Binding Arbitration Statute. Mr. Smyth stated that we received a draft Resolution from the League of Municipalities proposing that the State Legislature amend the Interest Arbitration Law to limit awards to the amount of the annual CAP limitation. Mr. Smyth asked Council to consider adopting this Resolution. After a discussion, it was the consensus of Council to agree to Mr. Smyth's suggestion.

**RESOLUTION 64-06
AMENDMENT TO BINDING ARBITRATION STATUTE
(N 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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye
Preliminary agenda for May 10th. The Clerk reviewed this with the Governing Body.

Dedication of eagle on the 4th of July Mayor Martin announced that we would be doing this during our festivities. Council will be kept apprised when a definitive time is set for this dedication.

Economic Development Marketing Projects. Mr. Smyth reported that he received notification on April 27th pertaining to a joint venture by the Burlington County Economic Group and Burlington County College. We were asked to include any community projects in their handout by May 10th. Mr. Smyth talked to the Riverton Business and Civic Association about this issue. It was decided that there was not enough time to get this information together.

Tax Summit. Mr. Smyth reported that he would be attending a Tax Summit on May 10 in Lawrenceville. He will have a report for Council at next week's meeting.

Meeting open to the public

Muriel Alls-Moffatt, 202 Fulton Street, asked if a conflict of interest exists by having resident Joseph Augustyn to be advising us in certain areas because he works for one of the Borough's Engineers. Mr. Smyth stated that he is a volunteer for the site specific redevelopment plan just like many other residents are.

Dr. Smyth moved that we return to closed session to discuss a litigation matter. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

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

Mary Lonbgottom, RMC
Municipal Clerk

May 10, 2006

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

PRESENT: Council member Brown, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council member Daniel

The following statement was read by Mayor Martin:

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

(a) Having written notification of all meetings to be held in 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from March 27, April 5, April 12 and closed session minutes from March 27 and April 12 were then presented. Dr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler abstained and Mr. Cesaretti aye.

TREASURER'S, FINANCE COMMITTEE & BILL LIST FOR APPROVAL-Mr. Kinzler

Mr. Kinzler moved that the attached 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, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

CANCELLATION OF OLD OUTSTANDING CHECKS

Mr. Kinzler questioned the rule whereby these checks are cancelled. Mr. Kinzler stated that in business these are turned over to the state. As a municipality are we subject to the same rules? Mr. Stewart responded yes, but it is not enforced by the State.

RESOLUTION 65-06

A RESOLUTION AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING CHECKS

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

PUBLIC HEARING ON 2006 MUNICIPAL BUDGET

Mayor Martin announced that there were some issues that Council needs to discuss in closed session tonight that might impact the budget. The Auditor advised Council to proceed with this public hearing at this time.

Muriel Alls-Moffatt, 202 Fulton Street asked if the flexibility of the CAP was working. Mr. Kinzler responded yes, we are within the CAP.

Michael Heine, 206 Carriage House Lane, asked if the Auditor could give specific information regarding the net revenue impact on the Municipal Court being relocated to Cinnaminson Township. Mr. Stewart responded that he would need to research that information. Mr. Heine believes that multi-family property owners should be strongly encouraged to maintain their properties. Mr. Heine then brought up the Commercial Property Maintenance Code, which he had previously drafted. He believes this should be considered again. This issue was taken under advisement by Council.

Scott Reed, Public Works Manager, questioned the fact that the Streets & Roads OE line item reflects \$30,000.00. Mr. Reed stated that he thought \$5,000.00 had been taken from this line item and placed in the vehicle maintenance line item. Mr. Kinzler stated that that was the case.

REVIEW OF 2005 AUDIT REPORT

Borough Auditor, Robert Stewart provided Council with a detailed overview regarding this report. Mr. Stewart reported that there was only one recommendation written. Mr. Stewart stated that the Construction Department needs to deposit their funds no later than 48 hours

from the date they are received. Mr. Stewart also commended the Clerk and Treasurer for all of the work that they do.

RESOLUTION 66-06
A RESOLUTION PERTAINING TO THE 2005 AUDIT REPORT
(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti 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 2753, Gas Used 335.5, Juvenile Arrests 0, Adult Arrests 7 (Criminal Warrants 0, Criminal Summons 0, Traffic Warrants 7, DWI 0 another 0), Motor Vehicle Crashes 2, Motor Vehicle Stops 70, Motor Vehicle Warnings 10, Motor Vehicle Summons 71, Burglar Alarms 16, Asst. to other Police Departments 20, Animal Complaints 8, Fire Calls 9, Ambulance Calls (Riverton) 16, Unattended Deaths 0, Criminal Cases 18, Domestic 0, Thefts 0, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 26, Miscellaneous Calls 461 and Total Calls 737.

STREETS, ROADS & SEWER-Dr. Smyth

Dr. Smyth reported that we received written notification that the Federal Highway Administration authorized the additional funding amount of \$55,892.75, for a total of \$364,093.00 for the Broad Street Enhancement Grant. Dr. Smyth stated that his committee would be meeting with the Borough's Engineer to make sure that all grant guidelines have been followed before Council awards this contract. Council will be kept apprised of this issue.

PLANNING, REDEVELOPMENT & ECONOMIC DEVELOPMENT-Mr. Smyth

Mr. Smyth reported that the Planning Board would be hearing two major site plan applications at their May 16th meeting. One pertains to an expansion of Zena's Bakery and the other is from T-Mobile for the placement of a telecommunications tower at the sewer plant. Mr. Smyth stated that representatives from T-Mobile requested a letter from the Borough giving them status, in case we don't have an agreement with them. Mr. Gunn stated that he thought this was probably superfluous because the agreements are scheduled to be executed shortly. However, Mr. Gunn commented that it would be okay to do this letter.

Regarding redevelopment, Mr. Smyth stated that the site specific plan for the Nuway and Sitzler tracts is scheduled to be introduced later on tonight.

Regarding Economic Development, Mr. Smyth announced that the Riverton Business Association was able to put something together regarding the joint marketing effort by the County. They put together a summary of Riverton and a write-up on the shops in town.

ZONING, CODE ENFORCEMENT & PARK-Mr. Brown Mr. Brown announced that the Zoning Board would be meeting next week. Mr. Cesaretti stated that he has received calls questioning why the girls' high school softball team is still playing on Riverton's field. Mr. Brown stated that he would look into this.

SHADE TREE, HUMAN SERVICES & COURT-Dr. Daniel

In Dr. Daniel's absence, Mr. Smyth reported that he attended a recent Shade Tree Commission meeting and Human Services Meeting. Mr. Smyth reported that Florence Klein, our Welfare Director has submitted a letter of retirement effective July 1, 2006. Mr. Smyth stated that a formal Resolution is required to request that the County assume responsibilities for this department.

RESOLUTION 67-06
A RESOLUTION REQUESTING THE COUNTY OF BURLINGTON TO ASSUME THE
FUNCTION, POWERS AND DUTIES OF THE RIVERTON WELFARE DEPARTMENT
(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, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

A Municipal Court report for the month of March was submitted by Court Administrator Jacqueline Gleason. There were 56 Traffic tickets issued—6 for parking, 49

Moving and 1 DWI. There were seven criminal tickets issued—Summons 0, Warrants 0, and Local Ordinance 7. The total receipts for the month were \$7,140.00. The total disbursed to Riverton amounted to \$3,243.17.

MEETING OPEN TO THE PUBLIC

Margaret Wark, 406 Howard Street, read the attached letter which stated her opposition to Council's endorsement on May 3rd of a peace pole being planted in Riverton. Mrs. Wark believes Council made a mistake on this issue.

Muriel Alls-Moffatt, 202 Fulton Street, addressed Council about the peace pole issue. Mrs. Alls-Moffatt wanted to point out to Mr. Cesaretti that our President is giving tax payer's money to faith based organizations. Mrs. Alls-Moffatt believes Mr. Cesaretti's previous comments regarding the separation of church and state is not valid. Mrs. Alls-Moffatt asked what Mr. Cesaretti's point was for objecting to the placement of the peace pole on public property and not objecting to its placement on private property. Mrs. Alls-Moffatt feels that if you are for peace, and America is supposed to be for peace, it should be on public property.

James Rivard, 304 Shrewsbury, asked if there was anything in the 2006 budget for a revaluation/reassessment. Mr. Kinzler responded no, but informed Mr. Rivard that request for proposals have gone out and are schedule to be received on June 14th. Mr. Kinzler stated that if a bid is accepted by Council, the work would not start until 2007. It would be effective 2008. Mr. Rivard asked when the last revaluation was done. The response was 1989.

OLD BUSINESS-There was no old business discussed at this time.

NEW BUSINESS

ORDINANCE 7-06

AN ORDINANCE OF THE BOROUGH OF RIVERTON ADOPTING A REDEVLOPMENT PLAN PURSUANT TO THE PROVISIONS OF N.J.S.A.40A:12A-7

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on the Ordinance is scheduled for June 7th.

ORDINANCE 8-06

AN ORDINANCE AMENDING CHAPTER 74, ARTICLE 1, TO INCREASE THE PENALITES FOR LITTERING

The above Ordinance was read by title only for the first time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on the Ordinance is scheduled for June 7th.

ORDINANCE 9-96

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 by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. Second reading and a public hearing on this Ordinance is scheduled for June 7th.

RESOLUTION 67A-06

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. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that a personnel matter will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

MOTION ABOUT FIRE ARM PURCHASE

Mr. Cesaretti moved that Council approve the purchase of 10 new firearms for the Police Department at a total not to exceed \$3,104.00. The money will be found from one of the police budget line items and from the Police Forfeiture account. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 68-06

**A RESOLUTION THAT THE AUDITOR AND CHIEF FINANCIAL OFFICER HAVE
REVIEWED AND APPROVED THE 2006 MUNICIPAL BUDGET
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown abstained, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 69-06

**ADOPTION OF THE 2006 MUNICIPAL BUDGET
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown abstained, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**MAYORAL APPOINTMENTS TO THE ZONING BOARD AND PARK &
RECREATION COMMISSION**

Mayor Martin stated that he was appointing William Corbi to serve as an alternate member of the Zoning Board of Adjustment. Mr. Corbi's term will expire on December 31, 2006. Mr. Corbi fills the unexpired term of William C. Brown, Jr., who recently resigned from the Board

Mayor Martin stated that he was appointing Craig Greenwood to serve as a member of the Park & Recreation Commission. Mr. Greenwood's term will expire on December 31, 2008. Mr. Greenwood fills the unexpired term of William Corbi.

CORRESPONDENCE

Mr. Cesaretti announced that Patrolman John Shaw was recognized by Mothers Against Drunk Driving on May 8th for outstanding work in ending drunk driving during 2005.

Mr. Cesaretti read a letter from Erin Spinello-Scolow thanking Sgt. Furrer for all of his assistance when she was locked out of her car. Mr. Cesaretti announced that a letter of thanks regarding this issue was also received from Congressman Robert Andrews.

Merino awards

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

At this time Dr. Smyth moved that we return to closed session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that a personnel matter will be discussed.

At this time Mr. Cesaretti moved that we return to public session. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

Mary Longbottom, RMC
Municipal Clerk

June 7, 2006

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

PRESENT: Council members Daniel (arrived at 7:40pm and left the meeting at 9:40pm), Brown, Mr. Smyth, Kinzler, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council member Dr. 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 2006 published in the Burlington County Times on January 17, 2006
- (b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from May 3, May 10 and closed session minutes from May 3 and May 10 were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler abstained from the May 3rd minutes and voted aye for the May 10th minutes and Mr. Cesaretti aye.

TREASURER'S, FINANCE COMMITTEE AND BILL LIST FOR APPROVAL-Mr. Kinzler

Mr. Kinzler provided an overview regarding the Borough's finances to date. Mr. Kinzler voiced concern regarding the budget line item for legal expenditures. The Treasurer reported that the Shade Tree budget line item is overexpended by \$9,112.98. The Treasurer also reported that the Shade Tree Commission did not receive anticipated grant monies to help defray costs to their budget this year. Mr. Kinzler stated that this is cause for concern and that he would be asking Dr. Daniel to review this with the Shade Tree Commission.

Mr. Kinzler moved that the attached reports and bill list be approved for the month of May. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent. Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

DISCUSSION: BROAD STREET ENHANCEMENT GRANT AND FUNDING FOR PROJECT

Mr. Gunn reported that we still have not received authorization from the New Jersey Department of Transportation (DOT) to award this contract. Mr. Gunn explained that there is a required checklist that needs to be completed by the Engineer and submitted to the DOT for their approval. Mr. Gunn further reported that Paramount Enterprises, Inc. the lowest bidder for this project, previously consented to hold this bid open for an additional sixty (60) days until June 21, 2006. Mr. Gunn stated that the bid of Paramount Enterprises, Inc. can be held for consideration no later than July 5, 2006. Mr. Gunn stated that this would be subject to the consent of Paramount Enterprises, Inc. Mr. Gunn further stated that he hopes that the DOT will provide the Borough with their approval to award this contract prior to Council's July 5 meeting. After a short discussion, it was the consensus of Council to agree to the Solicitor's recommendation.

RESOLUTION 70-06
A RESOLUTION EXTENDING THE TIME FOR AWARDING THE CONTRACT
FOR THE BROAD STREET ENHANCEMENT PROJECT UNTIL JULY 5, 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 Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 6-06
AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO PROVIDE BY
REGULATION FOR THE CLOSING OF ANY STREET OR PORTION
THEREOF WHERE SUCH CLOSING IS NECESSARY FOR THE
PRESERVATION OF THE PUBLIC SAFETY, HEALTH OR WELFARE
(IN FULL IN ORDINANCE BOOK)

Mr. Gunn reported that he had initially thought that the Commissioner of Transportation needed to give his approval prior to the adoption of this Ordinance. However, Mr. Gunn has determined that this is not the case and that Council can now move forward with this Ordinance.

The above Ordinance was read by title only for the second time by Mr. Cesaretti, who moved for its adoption. This was seconded by Mr. Kinzler. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. **Gary Ford, 311 Bank Avenue**, asked if the Ordinance would impact County Roads. The response was no. 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, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 7-06
AN ORDINANCE OF THE BOROUGH OF RIVERTON ADOPTING A
REDEVELOPMENT PLAN PURSUANT TO THE PROVISIONS OF
N.J.S.A.40A:12A-7
(IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. 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 nay, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 8-06
AN ORDINANCE AMENDING CHAPTER 74, ARTICLE 1, TO INCREASE THE
PENALTIES FOR LITTERING
(IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Dr. Daniel. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. **Chuck Caruso, 500 Fulton Street**, supports this Ordinance. Mr. Caruso would like to see littering signs posted and more public trash cans placed at various locations. Mr. Caruso suggested that

a letter be sent home with every child attending our school to outline the reasons not to litter. There being no additional 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, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ORDINANCE 9-06

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 by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. Mr. Smyth stated that this Ordinance is only a guideline-it just lists the minimum and maximum salaries of the employees of the Borough. Anything related to the 3% salary increase proposed for the employees during the budget process is not on an across the board basis, but rather on an individual performance basis. Dr. Daniel questioned the salary range per annum for our Code Enforcement Official. Dr. Daniel commented that since it seems we cannot keep people in this position, he asked if there was a way of giving this person a bonus based on the number of citations that are issued. Mr. Gunn stated this could be made a merit based position. Mr. Gunn suggested that after a number of months, Council could review the individual's performance and decide at that time. Mr. Gunn further stated that by having the minimum and maximum thresholds, it provides Council with some leeway.

Questions were then raised as to why we have an Assistant Code Enforcement Officer, what his role is and whether this position was necessary. This issue was taken under advisement by Council. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. **Gary Ford, 311 Bank Avenue**, stated that he has dealt with many Code Enforcement Official's. Mr. Ford is of the opinion that this is a difficult job, with a lot of work that is never pleasant to do. Mr. Ford is of the opinion that people in this position go through a lot of grief when carrying out their duties. There being no further comment on the Ordinance, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Kinzler aye and Mr. Cesaretti aye.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of May that was submitted by Chief Norcross. Vehicle Mileage 3310, Gas Used (not available), Juvenile Arrests 1 (Assaults 0, Miscellaneous 0, Curfew 1), Adult Arrests 10 (Criminal Warrant 2, Criminal Summons 0, Traffic Warrants 7, DWI 1 and Other 0), Motor Vehicle crashes 8, Motor Vehicle Stops 89, Motor Vehicle Warnings 6, Motor Vehicle summons 84, Burglar Alarms 17, Asst. to other Police Departments 34, Animal Complaints 7, Fire Calls 14, Ambulance Calls (Riverton) 29, Unattended Deaths 1, Criminal Case 22, Domestic 2, Thefts 3, Burglaries 0, Assaults 0, Sexual Assault 0, Criminal Mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 28, Miscellaneous Calls 546 and Total Calls 904.

Mr. Cesaretti read a report for the month of May that was submitted by Fire Marshal, Robert Yearly. Fire calls for the month 13, drills 3, calls in town 8, calls out of town 5 and man hours for the month 115.4.

Mr. Cesaretti read a report for the month of May that was submitted by Animal Control Officer, M&R Wildlife. One baby raccoon and a stray kitten were removed. A skunk that was thought to be sick turned out okay.

KEEP KIDS ALIVE-DRIVE 25 CAMPAIGN

Mr. Cesaretti stated that we have received correspondence from some residents in town regarding speeding vehicles in Riverton.

Renee Azelby, 706 Thomas Avenue, Katy Roussos, 708 Thomas Avenue, and Jennifer Waldhauser, 710 Thomas Avenue, reported that there is repeated speeding along their block and on other streets in the Borough. They are seriously concerned with the safety of their young children. They have initiated a grassroots effort in Riverton to raise awareness of this issue and to develop a permanent solution to the problem. They informed Council that their goal is to solicit support and involvement of the governing body, police, school, etc. They stated that their efforts dovetail from the National Not for Profit Organization called "Keep Kids Alive Drive 25". They further stated that they have already placed lawn signs on their respective properties to raise awareness of the speed limit. They intend to hold a community meeting on Wednesday, June 21 at 7:30pm at the Riverton Health & Fitness Club. Mayor Martin asked if they were looking at the placement of stop signs at designated locations as a possible solution. The response was that that was a possible option. Public Works Manager, Scott Reed stated that the Department of Transportation (DOT) will not allow us to use stop signs as a way to slow drivers down. Mr. Kinzler believes there is speeding on a lot of streets in Riverton. He has noticed that this happens on the street where he lives (Lippincott Avenue), especially near the Baptist Home. Mr. Cesaretti commented that the speeding issue comes up periodically. Mr. Cesaretti believes that what people interpret as speeding sometimes isn't. Mr. Reed responded that that is true. A discussion then ensued. Mr. Smyth commented that he has been getting complaints of speeding on a lot of streets. He recently attended a meeting in Haddonfield and found out that they have the same kind of problem. They put in these low barriers at certain locations and it slowed people down. Mr. Smyth commented that we might want to consider this. Mr. Reed stated that we looked into the placement of speed bumps along our alley's and the DOT would not approve them. Dr. Daniel asked if there is a time of day when people are speeding on Thomas Avenue. The response was all day long, in particular contractor's, who use Thomas Avenue as a cut-through to go to other locations. Dr. Daniel, who lives on Lippincott Avenue, stated that you can set your watch to when the Baptist Home changes shifts, because people speed up Lippincott Avenue. Discussion resumed. Mr. Kinzler stated that he believes we need a strategy as to how we will handle the speeding issue. Mr. Reed commented that Mr. Cesaretti can tell the Chief that we should not give warnings-just ticket the offenders. It was the general consensus of Council that the speeding issues raised here tonight are important and should be addressed. Mr. Cesaretti thinks it would be appropriate to put the June 21st meeting date on the Borough's website. The clerk will inform the webmaster to do this.

Charles Caruso, 500 Fulton Street, would like a formal letter sent from Council to the Baptist Home about the need to counsel their employees about speeding issues.

Frank Cioci, 318 Amy Way, Cinnaminson supports these signs. He believes it will help people to be aware of their speeding. Mr. Cioci also believes that our children need to be protected.

Gary Ford, 311 Bank Avenue, commented that a number of years ago someone wrote down his license plate number and filed a complaint because he was driving too fast. While he didn't get fined, he did have to appear in court. It was very embarrassing to him.

STREETS, ROADS & SEWER-Dr. Smyth-No report

ZONING, CODE ENFORCEMENT & PARK-Mr. Brown

Mr. Brown reported that the Zoning Board meeting was canceled due to a lack of a quorum.

Regarding the park, Mr. Brown spoke to Stan Ozalis about the complaints concerning the holes in the fields where the Palmyra High School girls play softball. Mr. Ozalis indicated that the request to play on that field was over a year old. Mr. Ozalis indicated that next year, he will have them play on Palmyra's Legion Field to eliminate that problem. Mr. Brown reported that he and Mr. Reed walked the entire park. Both Mr. Reed and Mr. Brown reported that the soccer field is in bad shape. Various options were discussed including a possible moratorium. Mr. Brown reported that the area under the playground equipment is a safety issue. Mr. Reed is trying some options to remedy this problem. Mr. Reed reported that the astro turf in front of the basketball courts is worn down. Mr. Reed suggested the placement of asphalt at that area. Council agreed to this. Mr. Brown reported that a new fence was installed at the grandstand, the park was hydro seeded, the grass is being cut and trimmed and the hockey goals and nets were replaced.

PLANNING, ECONOMIC DEVELOPMENT & REDEVELOPMENT-Mr. Smyth

Mr. Smyth reported that the site plan application for the Nuway property was approved. The demolition will mostly likely take place sometime after the 4th of July celebration. Mr. Smyth reported that the Planning Board's June meeting has been changed to June 13th instead of the 20th. The Board is scheduled to hear a site plan application from T-Mobile regarding the placement of a telecommunications tower at the sewer plant. The Board will also consider a demolition application for the property at 2-4 Thomas Avenue. Mr. Smyth reported that the site plan application for Zena's bakery has been continued until the owners meet with County representatives to review their application.

Regarding the Smart Growth Grant, Mr. Smyth reported that he, the Mayor and Planner Tamara Lee will be meeting with representatives of the Office of Smart Growth on June 13th in Trenton. A change in the scope of work for this grant will be discussed at that time. Council will be kept informed.

Regarding Economic Development, Mr. Smyth reported that there was a great article on Riverton in the recent edition of South Jersey Magazine. Mr. Smyth attended a recent meeting at the Burlington County Bridge Commission with their improvement authority. Mr. Smyth reported that the improvement authority entered into an agreement with a preeminent grant writing firm in the State (Community Grants and Planning) David Gerkins, who is a Riverton resident is Vice President of this firm. The focus of this firm's work is to help local towns with potential grants which should be at zero costs. Mr. Smyth stated that this could be very beneficial to Riverton.

Mr. Smyth then provided an overview of some of the events scheduled for Victorian Day on June 17th. They are tree tours, vendors, two horse drawn carriages will give rides, an old time trolley will give approximately 7 tours of the historic districts. Mr. Smyth reported that the Mayor would now read a proclamation concerning Victorian day.

**PROCLAMATION-VICTORIAN DAY-JUNE 17TH, 2006
(IN FULL IN RESOLUTION BOOK)**

Mayor Martin read the proclamation in full.

SHADE TREE, HUMAN SERVICES & COURT-Dr. Daniel

Dr. Daniel reviewed the work the Shade Tree Commission and Tree Contractor are doing. Dr. Daniel acknowledged the Shade Tree budgetary over expenditures.

Dr. Daniel read a report for the month of May that was submitted by Welfare Director, Florence Klein. There were five clients on the rolls. Mrs. Klein attended the Annual Spring Conference in Middletown, New Jersey.

Dr. Daniel read a report for the month of April that was submitted by Court Administrator Jacqueline Gleason. There were 76 traffic tickets issued—25 for parking, 49 for moving and 2 DWI. There were 3 criminal violations issued—3 summons, 2 warrants and – Local Ordinance. The total receipts for the month amounted to \$8,075.00. The total amount disbursed to Riverton amounted to \$4,517.61.

MEETING OPEN TO THE PUBLIC

Renee Azelby, 706 Thomas Avenue, expressed concern over the vacant and neglected property located at 622 Thomas Avenue. Mrs. Azelby asked if anything could be done to address this issue. Council acknowledged that problems with this property were previously reviewed and addressed by former Code Enforcement Officer, Alan Adams. This issue will be brought to our present Code Enforcement Officer to address once again.

Frank Cioci, 318 Amy Way, Cinnaminson, New Jersey asked how long a property can remain vacant. Mr. Gunn responded that there is no time limit. Mr. Cioci commented that he thought our new Code Enforcement Officer, Mary Lodato was doing a very good job. Mr. Cioci stated that there are currently thirty (30) homes for sale in Riverton. Mr. Cioci commented that Council may want to review our present sign Ordinance.

RESOLUTION 71-06

**A RESOLUTION AUTHORIZING REMINGTON, VERNICK AND ARANGO TO
SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE FISCAL YEAR 2007 MUNICIPAL AID
PROGRAM**

(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. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 72-06
A RESOLUTION AUTHORIZING THE HIRING OF PARK PERSONNEL FOR
THE 2006 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. Brown, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 73-06
A RESOLUTION AUTHORIZING THE REFUND OF A PROPERTY TAX
OVERPAYMENT
(IN FULL IN RESOLUTION BOOK)

The above resolution was read by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

ROOM RESERVATIONS AND REGISTRATIONS FOR THE 2006 LEAGUE
CONFERENCE

The Clerk reported that she needed to know who would be attending the conference and how many rooms would be required. Mr. Kinzler cautioned Council about our budgetary constraints. Mr. Cesaretti stated that he would like to attend this conference and asked that a room for two nights be reserved for him. No other Council members present indicated that they would be staying overnight at the conference.

DISCUSSION RE: RAIL ISSUES-HORN NOISE, VIBRATIONS, LANDSCAPING

Mr. Smyth reported that he received correspondence from Mr. Joe Burns of Burlington Township. Mr. Burns would like to form an environmental sub-committee regarding light rail issues such a, horn noise at the grade crossings, vibrations and landscaping in residential areas.

MEETING OPEN TO THE PUBLIC

Chuck Caruso, 500 Fulton Street, raised concern about the horn noise at the grade crossings. Mr. Caruso reported that he was informed by the County that we could report excessive use of the horns to the County Engineer's Office. Mr. Smyth commented that resident William Harris was trying to work with elected officials to see if the rail horns could be eliminated. It was suggested that both he and Mr. Caruso might want to assist Burlington Township in this endeavor also.

RESOLUTION 74-06
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. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and M. Cesaretti aye. It should be noted that contract negotiations and personnel matters will be discussed.

At this time, Mr. Smyth moved that we return to public session. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

Mary Longbottom, RMC
Municipal Clerk

June 19, 2006

A special meeting of the Riverton Borough Council to consider awarding the contract for the Broad Street Enhancement Grant was held on the above date. Mayor Martin presiding.

PRESENT: Council members Daniel, Brown, Dr. Smyth, Mr. Smyth and Solicitor Bruce M. Gunn

ABSENT: Council members Kinzler 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 this meeting published in the Burlington County Times on June 14, 2006

(b) Posting written notice on the official bulletin board on June 12, 2006

RESOLUTION 75-06

**A RESOLUTION AWARDING THE CONTRACT FOR THE BROAD STREET
ENHANCEMENT PROJECT TO PARAMOUNT ENTERPRISES, INC.**

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Dr. Daniel. Mr. Gunn commented that the Engineer (Dante Guzzi, Associates) received verbal approval from the State to award this contract. However, to date, we have not received written confirmation of this fact. Mr. Gunn stated that he worded this Resolution that the award was subject to written concurrence of the New Jersey State Department of Transportation. Mr. Gunn stated that Paramount Enterprises, Inc. the lowest responsible bidder for this project, previously consented to hold its bid open for consideration no later than June 21, 2006. Mr. Smyth asked if the Engineer had completed the State's required checklist. Mr. Gunn reviewed this with Council and commented that if we weren't in compliance with the checklist, we wouldn't have been given verbal approval to proceed. Dr. Smyth asked if Mr. Guzzi has met all of the requirements on his part. Mr. Gunn responded that he filled out, on behalf of the Borough, certain portions of this checklist. Mr. Gunn believes that Mr. Guzzi filled out the remaining portion. The Clerk reported that Mr. Guzzi has still not returned the original bids received for this project from the last time we bid it out. The Clerk further stated that Mr. Guzzi also has not submitted his Consulting Engineer contracts for 2006. The auditor will be looking for these required documents. Dr. Daniel asked what we can do if Mr. Guzzi does not comply. Mr. Gunn commented that we could hold back on some of the money that is owed him.

Mr. Gunn commented that if Council awards this contract, the next part will be the funding issue. This is a reimbursable grant; therefore, the funds need to be in place. A supplemental resolution regarding this issue will need to be done. Council can consider this at their July 5th meeting. The Clerk reminded Council of the ongoing problems with the Engineering firm regarding this grant. The Clerk stated that there are strict guidelines that have to be followed if the Borough is to be reimbursed. Mr. Smyth suggested that both he and Dr. Smyth (who is now the Council liaison for this project) meet with Mr. Guzzi at his office. Mr. Smyth commented that he has experience working with Engineers. Mr. Gunn commented that it would be okay to do this. Mr. Gunn provided an

overview of some of the other problems that have occurred in the past with Mr. Guzzi as it pertains to this grant. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent.

Ed Gilmore, 103 Main Street and former member of Borough Council addressed Council. Mr. Gilmore stated that the trouble with Mr. Guzzi is that he sat on the agreed plan for this project for two years. Mr. Gilmore also stated that Mr. Guzzi is very difficult to get a hold of. Mr. Gilmore offered to help with this project since he has been involved with it for the past 5 years.

There being no further discussion on this issue, Dr. Smyth move that the meeting be adjourned. This was seconded by Dr. Daniel, with all present voting in the affirmative.

Mary Longbottom, RMC
Municipal Clerk

July 5, 2006

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

PRESENT: Council members Daniel (left meeting at 9:50pm), Brown, Dr. Smyth, Mr. Smyth, Kinzler and Solicitor Bruce M. Gunn

ABSENT: Council member Cesaretti

The following statement was read by Mayor Martin:

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

(a) Having written notification of all meetings to be held in 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from June 7 and the closed session minutes from June 7 were then presented. Dr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

TREASURER'S, FINANCE REPORTS & BILL LIST FOR

APPROVAL-Mr. Kinzler

Mr. Kinzler moved that the attached reports for the month of June be approved as submitted. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

RECOGNITION OF FLORENCE KLEIN, RETIRING WELFARE DIRECTOR

Mayor Martin and Borough Council publicly recognized Mrs. Klein for her twenty years of service to the Borough as our Welfare Director. On behalf of Borough Council and the community of Riverton Mayor Martin presented Mrs. Klein with a gift in appreciation for her tenure with the Borough.

FINANCIAL ISSUES: Mr. Kinzler

Funding for the Broad Street Enhancement Grant. Mr. Kinzler reported that since this is a reimbursable grant from the State, the Borough needs to have the money in place to pay the contractor. Mr. Kinzler reported that we could either go out for a Grant Anticipation Note or cash in a Certificate of Deposit (CD). Mr. Kinzler stated that the recommendation from our Auditor to cash in the CD. After a short discussion, it was the consensus of Council to agree to this.

Mr. Gunn stated that since Council has now determined the appropriate funding for this project conditioned on reimbursement from the grant, another resolution must be done certifying the Broad Street Enhancement Grant project. Mr. Gunn further stated that this certification is subject to written approval of the New Jersey Department of Transportation.

RESOLUTION 76-06

A RESOLUTION CERTIFYING THE BROAD STREET ENHANCEMENT PROJECT CONTRACT (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

**PROPOSALS RECEIVED FOR THE REVALUATION/REASSESSMENT OF
ALL PROPERTIES**

Mr. Kinzler reported that two proposals were received, opened and publicly read by June 14th. They are as follows: Vital Services Group of Trenton, New Jersey \$69,900.00 and Renwick & Associates of Maple Shade New Jersey \$125,000.00. Mr. Kinzler stated that he needs to confer with our Tax Assessor regarding these proposals before a recommendation can be made to Council. Mr. Kinzler asked that this issue be placed on Council's August 2nd agenda for further discussion.

RESOLUTION 77-06

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LEASE
AGREEMENT WITH THE RIVERTON FIRE COMPANY, INC. FOR THE
YEARS 2006 AND 2007
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

It should be noted that at this time Dr. Daniel left the dais and building.

RESOLUTION 78-06

**A RESOLUTION PERTAINING TO THE CORRECTIVE ACTION PLAN FOR
THE 2005 AUDIT REPORT
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Authorization to open a separate interest bearing account at Farmers' & Mechanics Bank for payments in lieu of construction. Mr. Kinzler reported that opening this account is a requirement regarding the Council on Affordable Housing (COAH)

RESOLUTION 79-06

**A RESOLUTION AUTHORIZING THE TREASURER TO OPEN A SEPARATE
INTEREST BEARING ACCOUNT AT FARMERS' & MECHANICS BANK FOR
PAYMENTS IN LIEU OF CONSTRUCTION
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Part-Time Tax Clerk/Office Helper Position. Mr. Kinzler reported that after conferring with the Clerk and Treasurer, he is recommending the hiring of Dolores Rosso for this position. Mr. Kinzler stated that, if Council concurs, Ms. Rosso would be brought in on a trial basis for 90 days. During that time, Ms. Rosso will work no more than 19 ½ hours per week and will not be entitled to any benefits. Her hourly wage will be \$12.36. Mr. Kinzler stated that after the 90 day period, Ms. Rosso's job performance

would be reviewed. After a short discussion, it was the consensus of Council to agree to this recommendation.

RESOLUTION 80-06

A RESOLUTION APPOINTING DOLORES ROSSO AS THE PART-TIME TAX CLERK/OFFICE HELPER FOR THE BOROUGH OF RIVERTON ON A TRIAL BASIS

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by. Kinzler, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

It should be noted that at this time Dr. Daniel returned to the building and dais.

RESOLUTION 81-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH NETWORKS PLUS FOR COMPUTER CONSULTING SERVICES FOR THE RIVERTON POLICE DEPARTMENT

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Discussion: Centers of Place Grant. Joseph Augustyn of the Alaimo Group addressed Council. Mr. Augustyn stated that the Borough's application (which was prepared by former Councilman Ed Gilmore) included the potential for streetscape improvements (sidewalks) at the following locations: 1. Broad Street from Pompeston Creek to Fulton Street, Harrison Street behind the Bank and On the Southwest side of Main Street, from Block 801 Lots 33 to 39. The Borough received \$60,000 in grant money. Mr. Augustyn further stated that based on Council's consensus at their March 8th meeting, he met with members of the Architectural Review Committee (ARC) to get their input and opinion so that Council could make a final decision regarding this grant. Mr. Augustyn stated that the ARC is recommending that the grant money be utilized for the sidewalk from Cinnaminson to Fulton Sts. It would then tie in with the proposed development of the Nuway property. The ARC would also like to utilize brick to add a historic flavor. Mr. Augustyn reviewed possible pricing for this, which would be more than the grant allocation. We would have to go back to the Department of Transportation (DOT) to explain why we want to go with a more expensive design, to request additional funding and to stress the historic aspect of our town. Mr. Augustyn requested that representatives from Council attend a meeting with the DOT representatives. **Ed Gilmore, 103 Main Street** stated that the application for this grant was submitted to improve our downtown area. Mr. Gilmore is totally against going to DOT and asking to change the suggested location of the work. Mr. Gilmore believes we could complete maybe two of the suggested improvements originally outlined in the original application. We could then try and obtain additional grant funding to complete the other work. Mr. Mr. Gilmore believes this grant should have been completed by now. Mr. Augustyn stated that if Council would like to relocate the location for this grant money, they need to go back to the DOT. Mr. Augustyn's recommendation is for Council to do that. Mayor Martin commented that

he agreed with Mr. Augustyn. **Muriel Alls-Mofatt, 202 Fulton Street** commented that if you keep changing the grant nothing gets done. **Ann Matlack, 809 Thomas Avenue** questioned whether this suggested brick is in line with the planned pavilion at the center of town (Enhancement Grant Project). Ms. Matlack is concerned that the ARC's suggested location still leaves the National Casein area empty and it also leaves the area from Cinnaminson Street to Main Street not matching what is happening. Ms. Matlack concurred with Mr. Gilmore about the area around the bank needing to be re-done. She believes there is real validity to Mr. Gilmore's suggestion although she doesn't want to go against the ARC's recommendation. Ms. Matlack suggested that the Planning Board be asked to look at this. She is concerned about the big picture and making sure everything comes together without dramatically increasing costs for all of us. Mr. Smyth thinks it is a good idea to try and get additional funding from the DOT. If we can't, we can always go back to the original scope of work. Mr. Smyth wants to know what is available to us. Dr. Daniel agreed that while it makes sense to do the locations outlined in the grant application, he feels we should respect the recommendation from the ARC and Mr. Augustyn. **Gene Bandine, 522 Main Street** asked if additional bricks could be purchased at the apex in front of Zena's. Mr. Smyth commented that the bricks already there with names on them will be saved and used for the enhancement project.

MEETING OPEN TO THE PUBLIC

Joseph Augustyn, 634 Elm Terrace, publicly thanked Scott Reed and Keith Adams of the Public Works Department for removing a limb that had fallen on his car during the recent windstorm. There was no damage to his vehicle.

Gene Bandine, 522 Main Street, supports the Keep Kids Alive Drive 25 Campaign. Mr. Bandine also asked Council to consider adopting a noise ordinance. Mr. Bandine commented that there are cars in town that make a lot of noise. Chief Norcross and Mr. Gunn commented that Chapter 140 of the Borough's Code references the adoption of the Public Health Nuisance Code (1953). Mr. Gunn provided an overview of this Code. The Police Department should be contacted when a situation arises so that it can be properly addressed.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

In Mr. Cesaretti's absence, Dr. Smyth read a report for the month of June that was submitted by Chief Norcross. Vehicle Mileage 2948, Gas used (figure not submitted) Juvenile Arrests 0, Adult Arrests 8 (Criminal Warrant 0, Criminal Summons 0, Traffic Warrants 6, DWI 2, Other 0), Motor Vehicle Crashes 8, Motor Vehicle Stops 69, Motor Vehicle Warnings 11, Motor Vehicles Summons 60, Burglar Alarms 14, Asst. to other Police Departments 29, Animal Complaints 6, Fire Calls 24, Ambulance calls (Riverton) 23, Unattended Deaths 0, Criminal Cases 25, Domestic 2, Thefts 2, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 15, Miscellaneous Calls 658 and Total Calls 957.

During the month of June, the Borough's Animal Control Officer assisted the police with a dead dog and removed an injured opossum to the shelter.

Chief Norcross reported that there is a problem with large truck traffic on 4th Street. The same problem has occurred on Main Street when attempts are made by the truck driver's to turn onto Bank Avenue. Some property damage has occurred at these locations because the driver's cannot negotiate the streets. Chief Norcross wants to

purchase signs to be installed at the locations in question to curtail this traffic. Chief Norcross stated that this is covered by statues already on the books as well as in the Borough's code book. Chief Norcross believes that the problem lies with the directions the truck drivers are using to access the Baptist Home and the school for deliveries. Mr. Gunn reminded the Chief that we should have an exception for local deliveries.

Regarding the Riverton Drive 25 Campaign, Chief Norcross reported that he is recommending that Council consider giving this committee an exemption from the Borough's sign ordinance for the last two weeks in August through the entire month of September when school starts. Chief Norcross stated that a similar exemption has been made regarding curfew changes. Mr. Gunn stated that this potential sign exemption would require an amendment to our Zoning Ordinance and should be referred to the Planning Board for their review and recommendation. Mr. Smyth commented that he would raise this issue at the next Planning Board meeting.

Chief Norcross reported on the radar operation being run on Thomas and Lippincott Avenue. Chief Norcross stated that 10 tickets were issued on Thomas and 4 tickets for excessive speeding on Lippincott Avenue. Chief Norcross stated that his department would be working closely with the Riverton Drive 25 Campaign committee. Chief Norcross wanted those present to understand that while it may seem that drivers are speeding, they may not be.

ZONING, PARK, CODE ENFORCEMENT & MUNICIPAL COURT-Mr. Brown

Mr. Brown reported that maintenance continues at the park. Mr. Brown reported that he met with the Code Enforcement Officer, Mary Lodato regarding the vacant and neglected property located at 622 Thomas. Ms. Lodato will be contacting both County and State Health agencies to determine what can be done to address this issue.

Mr. Brown announced that Kady Iannacone will not be able to work as the Arts & Crafts Assistant for one of our summer programs. Mr. Brown stated that Chris Rago will be able to fill this position. Mr. Brown further stated that we need to amend our previous Resolution that authorized the hiring of summer park personnel to reflect this change.

RESOLUTION 82-06

**A RESOLUTION AMENDING RESOLUTION 72-06 CONCERNING THE
HIRING OF PERSONNEL FOR THE 2006 ARTS AND CRAFTS PROGRAM
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

The following Municipal Court report for the month of June was submitted by Court Administrator, Jacqueline Gleason. There were 89 traffic tickets issued—12 for parking, 76 moving and 1 DWI. There were 6 criminal violations issued—2 summons, 3 warrants and 1 local ordinance. The total receipts for the month amounted to \$9,977.14. The total disbursed to Riverton amounted to \$3,848.22.

STREETS, ROADS & SEWER-Dr. Smyth

Dr. Smyth announced that our Engineer for the Fulton Street project has discovered some items which either require correction or completion. The contractor for this project has been notified of these issues. Dr. Smyth reported that Adolph Schoemer will be retiring as our Wastewater Treatment Plant Operator later on this year. The

committee is in the process of discussing a recommended replacement. Council will be kept informed.

PLANNING, REDEVELOPMENT & ECONOMIC DEVELOPMENT-Mr. Smyth

Regarding the following site plan applications before the Board, Mr. Smyth reported that the expansion of Zena's Bakery is on a continuation basis, the Nuway project has been approved and it is now being reviewed by the County, T-Mobile's cell tower application has been approved and the demolition of the home at 2-4 Thomas Avenue has been approved.

Mr. Smyth announced that Mayor Martin, Planner Tamara Lee and himself met with representatives from the Office of Smart Growth to review the Borough's options for utilizing these funds. Mr. Smyth commented that the Borough does not want to lose this funding. Mr. Smyth stated that initially this funding was for a sustainable zoning ordinance and then changed to a possible redevelopment plan or traffic study. The Office of Smart Growth provided some options for the Borough to consider, which will be reviewed by the Planning and Zoning Board as well as our Environmental Commission before Council reaches a final decision. The Mayor has sent a letter to the Office of Smart Growth requesting a one year extension to the grant. Council will be kept informed.

Mr. Smyth announced that Victorian Day was a great success and that over 5,000.00 people attended. Our businesses benefited from it. Mr. Smyth read a citation from Assemblymen Connors and Conaway regarding this celebration. Mr. Smyth also showed Council a sample plaque indicating the Borough's placement on the National Register of Historic Places that will be placed at the clock after the completion of the enhancement grant.

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

Dr. Daniel read a report for the month of June that was submitted by Welfare Director, Florence Klein. There were five cases on the rolls. Dr. Daniel announced that the County would be taking over Riverton's Human Services cases when Mrs. Klein retires at the end of this month.

Dr. Daniel reported that he and Mr. Kinzler will be meeting with the Chair of the Shade Tree Commission to review and discuss the over expenditures of the 2006 Shade Tree budget. Council will be kept informed.

CORRESPONDENCE. There was no correspondence presented at this time.

RIVERTON'S DRIVE 25 CAMPAIGN. Katy Roussos, 708 Thomas Avenue

provided an overview of what the campaign has accomplished. Mrs. Roussos reported that 15 of their yard signs were stolen and that 13 were recovered at the golf course.

Renee Azelby, 706 Thomas Avenue and Mrs. Roussos reviewed the attached which details the Education and Awareness and Long Term Solutions for the campaign. Mr. Smyth asked if there was a way of informing every resident in town about this campaign. The Clerk and Treasurer suggested that an insert be placed with our tax bills. Ms. Roussos stated that the police are a very important element to the campaign pertaining to the enforcement of the speed limits in town. Mrs. Roussos wants Riverton to be one of those towns where you don't speed. Mayor Martin applauded their efforts. Mr. Smyth stated that potential grants may be an option to help with their campaign efforts. Resident David Gerkins, who is a planner and grant writer, might be able to assist the

Borough with this effort. Mr. Kinzler commented that at the last meeting the issue of contacting the Baptist Home was raised to discuss possible speeding issues by their employees. Mr. Smyth stated that he has spoken to their Director about the committee's campaign. Mr. Smyth informed her that there should be an employee meeting to discuss the speeding concerns. Mr. Kinzler asked the Chief for his overall assessment of the speeding issues, in particular along Lippincott Avenue. Chief Norcross stated that while you might assume that a particular vehicle is speeding; they may not be going as fast as you think. Dr. Daniel commented that he knows that the cars that speed along Lippincott Avenue are usually from the people that work for the Baptist Home. Chief Norcross asked for the list of cars and license plates and he would personally speak to the Baptist Home directly.

UPDATE RE: PEACE POLE. Dr. Smyth reported that the committee is still slightly short of their projected goal of \$600.00 for the purchase of the peace pole. Dr. Smyth stated that he would keep Council informed of their progress.

MEETING OPEN TO THE PUBLIC

Gene Bandine, 522 Main Street, reiterated his position that there needs to be additional trash receptacles placed at various locations in the Borough, in particular in front of the ice cream parlor and the bakery.

Eileen DellaPenna, 402 Linden Avenue, stated that she is a nurse for the Baptist Home (Riverview Estates). Mrs. Della Penna does not feel that the speeding issues raised tonight should be directed solely to the employees of Riverview Estates. She took exception to this. Mrs. Della Penna believes that the employees of Riverview Estates are being singled out. Mrs. Della Penna stated that other people speed at the locations mentioned tonight.

Phyllis Rodgers, 405 Lippincott Avenue, publicly thanked Borough Council and Borough Officials for all of their help in making the Victorian Day celebration a great success. Mrs. Rodgers stated that with Council's support, we hope to hold this event again next year.

RESOLUTION 83-06

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 Smyth, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent. It should be noted that litigation and personnel matters will be discussed. At this time Dr. Daniel left the meeting and was not present for the closed session.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

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

Mary Longbottom, RMC
Municipal Clerk

Components of Riverton's Drive 25 Campaign as of 6/22/06

Education & Awareness		Long-Term Solutions
Drive 25 Campaign	Traffic Calming	Police enforcement
Goal:	Goal:	Goal:
To educate community members and alert drivers	To work with and support the borough to determine if needed, where, which measures and funding options	To support the police through communication and collaboration with concerned citizens
Next Steps:	Next steps:	Next Steps:
Participation in 4 th of July parade & booth	Circulate petitions	Create a Public Safety liaison group
Awareness letters to business owners to influence employees	Research options for a traffic study	Work with police to develop strategies and communication procedures for community members to report and discuss concerns
Awareness letters to post on vehicles parked at Riverline station	Examine efforts in other communities	
Organize yard sign campaign (specific weeks in the year) and possible street sign campaign	Research grant options	
Collaboration with schools ("Safe Routes to School," "Walk to School Week," contests & incentives, drivers' ed. programs)	Collaborate with NJ DOT's Department of Bicycle and Pedestrian Safety (Sheree Davis)	
Investigate "Riverton Drive 25" merchandise & corporate sponsorships	Look into possible benefits of Riverton becoming a member of Cross County Connection to support our efforts	
Look into possibility of proclamation by Mayor		

August 2, 2006

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

PRESENT: Council members Daniel, Brown, Dr. Smyth, Mr. Smyth and Solicitor Bruce M. Gunn

ABSENT: Council members Kinzler 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 2006 published in the Burlington County Times on January 17, 2006
- (b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from July 5 and the closed session minutes from July 5 were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent.

TREASURER'S FINANCE REPORTS AND BILL LIST FOR

APPROVAL-Mr. Kinzler

In Mr. Kinzler's absence, Mr. Smyth moved that the attached reports for the month of July be approved. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent.

UPDATE RE: PROPOSALS RECEIVED FOR THE REVALUATION/REASSESSMENT OF ALL PROPERTIES IN RIVERTON

In Mr. Kinzler's absence Mr. Smyth reported that the Borough received, opened and publicly read two bids for this project on June 14th. They were as follows: **Vital Services Group \$69,900.00 and Renwick & Associates \$125,000.00.** Mr. Smyth reported that Mr. Kinzler is reviewing these bids with our Tax Assessor, Tom Davis. This issue will be placed on Council's September work session agenda for further discussion.

UPDATE RE: BROAD STREET ENHANCEMENT PROJECT

Mr. Smyth reported that the pre-construction meeting for this project is scheduled for tomorrow at 9:30am. We anticipate that work will commence as soon as possible. Council will be kept apprised of this situation.

SHADE TREE ISSUES- Dr. Daniel reported that Barry Emens, Chair of the Shade Tree commission has drafted a letter requesting that residents consider making tax free donations to the Shade tree Commission. Dr. Daniel stated that this is being done because the Shade Tree budget is in dire straights and there are still a large number of Borough Trees that need to be addressed because of hazardous conditions. Dr. Daniel stated that we have been receiving numerous calls from concerned citizens regarding tree issues in town. Council will be kept apprised of this issue.

UPDATE RE: RIVERTON'S DRIVE 25 CAMPAIGN

Mayor Martin stated that the Riverton Drive Campaign Committee is requesting that a Proclamation be done. Mayor Martin reported that he would be reading the Proclamation later on in the meeting. Mayor Martin stated that this Committee would

like to hang a banner across Main Street that says Riverton Drives 25-Please Slow Down. They would also like to hang promotional posts throughout town in public places. Mayor Martin asked for Council's concurrence on these requests. After a short discussion, Council concurred with these requests. Chief Norcross cautioned that the banner needs to be placed on trees and not the utility polls. You would then need PSE&G approval to do that. The Committee members will confer with the Public Works Manger regarding this issue. Committee member Katy Roussos reported that more of the committee's signs were stolen from people's lawns. Mr. Smyth stated that the Committee would like to obtain an application from the New Jersey Department of Transportations Department of Bicycle and Pedestrian Safety. A request needs to come from a member of Council before they will send the application. Mr. Smyth suggested that he contact them. Council agreed to this.

**PROCLAMATION
SUPPORTING THE RIVERTON DRIVE 25 CAMPAIGN
(IN FULL IN RESOLUTION BOOK)**

Mayor Martin read this proclamation in full.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

In Mr. Cesaretti's absence. Mr. Brown read a report for the month of July that was submitted by Chief Norcross. Vehicle Mileage 779, Gas Used 457.6, Juvenile Arrests 1 (Assaults 0 Miscellaneous 1 and Curfew 0), Adult Arrests 8 (Criminal Warrants 0, Criminal Summons 0, Traffic Warrants 4, DWI 4 and Other 0), Motor Vehicle Crashes 1, Motor Vehicle Stops 50, Motor Vehicle Warnings 6, Motor Vehicle Summons 56, Burglar Alarms 13, Asst to Other Police Departments 38, Animal Complaints 9, Fire Calls 18, Ambulance Calls (Riverton) 19, Unattended Deaths 0, Criminal Case 32, Domestic Violence 0, Thefts 5, Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 15, Miscellaneous Calls 491 and Total Calls 959.

M&R Wildlife, the Borough's Animal Control Officer submitted the following report for the month of July .Two stray cats and one stray dog were taken to the shelter. A dead opossum and raccoon were taken to the shelter.

ZONING, PARK, CODE ENFORCEMENT & COURT-Mr. Brown

Mr. Brown reported that the Zoning Board reviewed a setback application regarding the property at 214 Penn Street. Mr. Brown recently met with our Code Enforcement Officer regarding the property at 622 Thomas Avenue. Our local Board of Health has also been contacted about the state of this property. Mr. Brown reported that he will be contacting the owner of this property in California about all of the issues that need to be addressed. Mr. Gunn commented that he has conferred with our Construction Official regarding this property. There are problems with the chimney and there may be a raccoon problem.

Mr. Brown further reported that there have been complaints made to our Board of Health about Tony's Restaurant. It appears that trash at this location has been placed curbside too early and that the containers do not have lids, causing odors and flies. Board of Health Chair Judi Rossi has spoken to the owner about these issues. The owner will take care of these issues himself. Mr. Brown further stated that the owner wants to have a

professional pick the trash from behind the building but his neighbor is baulking about this.

Mr. Brown reported that our Public Works Manager made a repair on the crack that runs down the middle of the concrete bleachers. Mr. Brown spoke with the Athletic Director of the high school about the need to have the girl's softball team play on a different field from the little league baseball teams. They have been leaving their base supports in the ground causing a hazardous situation for the little children. The Athletic Director has agreed not to place these supports in the ground and/or move the softball games to another field. Mr. Brown reported that we might be able to store the base supports in our storage room for this.

The following Municipal Court report for the month of July was submitted by Court Administrator Jacqueline Gleason. There were 55 traffic tickets issued-1 for parking, 53 moving and 1 DWI. There were no criminal violations issued. The total receipts for the month amounted to \$10,831.00. The total disbursed to Riverton amounted to \$4,883.49.

STREETS, ROADS & SEWER-Dr. Smyth

Dr Smyth commented that with the exception of the update on the enhancement grant, there was nothing else to report.

PLANNING, REDEVELOPMENT & ECONOMIC DEVELOPMENT-Mr. Smyth

Mr. Smyth reported that the Planning Board finalized Resolutions for the Nuway development and the T-Mobile cell tower issue at their July 18th meeting. There is a 45 day clock that needs to run before construction begins on the cell tower can commence. The site plan application for Zena's Bakery was continued. A site plan application was reviewed for the property at 519 Howard Street (the old print shop). The applicant would like to place a pizza parlor on the 1st floor and an apartment on the second. A continuance was granted for this application.

Regarding the Centers of Place grant, Mr. Smyth met with Joe Augustyn of Alaimo Associates. They walked the locations in question. A meeting still needs to take place with representatives of the Department of Transportation to review what we want to do and to determine if there is a possibility of obtaining additional funding.

Regarding Smart Growth, we received notification from them that they have extended the grant until July 31, 2007. They have suggested that we do an environmental resource inventory. This is currently being reviewed by both the Environmental Commission and the Planning Board. Council needs to make a decision by their September meeting.

Mr. Smyth reported that work continues to be done on the Master Plan.

Mr. Smyth reported that the Riverline Advisory Committee updated our map to identify the two areas currently being redeveloped. We also submitted a website outreach response form.

SHADE TREE, BOARD OF HEALTH & RECYCLING-Dr. Daniel No additional reports for Board of Health & Recycling

MEETING OPEN TO THE PUBLIC

Rebecca and William Mifflin of Philadelphia, spoke on behalf of **Bunny Hunn, 2 Lippincott Avenue**, Mrs. Mifflin's mother. Mrs. Mifflin asked for the status of the hazardous tree out front of Mrs. Hunn's property. Dr. Daniel responded that he had conferred with the Chair of Shade Tree Commission and that the tree would be taken

down as quickly as possible. Dr. Daniel stated that there has been a tree urgency list that has been prioritized. Dr. Daniel stated that the Shade Tree Commission's budget is over expended. Dr. Daniel further stated that we will be soliciting donations from residents to assist us with our shade tree budgetary restraints. Mrs. Mifflin stated that they were here a little more than a year ago regarding the same tree issue. Mr. Mifflin is very much concerned that someone will get hurt from the falling limbs. Mr. Mifflin strongly stated that this tree should have been removed last year. Mrs. Mifflin also reminded Council that the Shade Tree budget was also short last year. Mrs. Mifflin stated that there is an elderly tree population in this town and tree maintenance should be a priority. Mr. Mifflin cited numerous instances of hazardous conditions with this tree. Mr. Mifflin has spoken at length with Mr. Emens about this tree. Mr. Mifflin does not feel that Riverton has a safe tree program in place. Mr. Mifflin stated that he has no comfort level that Dr. Daniel does not know when this tree will be taken down. Mr. Mifflin believes that intermediate steps could be taken, such as the removal of all of the limbs from this tree. Mr. Mifflin stated that the Borough is looking at a liability issue that goes far beyond a damaged car. Both Dr. Daniel and Mayor Martin stated that they would follow up with Mr. Emens to determine when this tree would be removed. Mrs. Mifflin put Council on record that if anything happens to her family or their property because of this tree, she will sue the town. She then raised strong displeasure with issues surrounding the property owned by Tom Dolecky that borders her mothers' property. Mr. & Mrs. Mifflin asked Dr. Daniel to be the point person from Council to keep them informed about this hazardous tree issue. **Muriel Alls-Moffatt, 202 Fulton Street**, stated that last year she tried to address this issue as a member of Borough Council. Mrs. Alls-Moffatt stated that we have the same situation today that was going on last year. She believes that at the very least the limbs should be removed.

Regarding the concerns about the property located at 622 Thomas Avenue, Mrs. Alls-Moffatt stated that these issues should have been resolved two years ago. She has all of the paperwork on this issue. She thought the property was sold. Mr. Brown stated that there is a reverse mortgage on the property and that the children do not want any involvement with the property. Mr. Brown will be addressing these concerns.

Mrs. Alls-Moffatt reported that the eight new drains on Fulton Street are wonderful when they are not clogged. She doesn't know if this is being caused by the recent torrential rainfalls or not. Dr. Smyth stated that when you get that quantity of water it affects the whole town. However, Mrs. Alls-Moffatt reiterated her opinion that the new drains are not working properly. This issue will be referred to our Public Works Manager.

James Moffatt 202 Fulton Street asked what time the preconstruction meeting for the Broad Street Enhancement project would be tomorrow. The Clerk responded 9:30am.

REQUEST FROM THE PALMYRA, RIVERTON, CINNAMINSON ROTARY CLUB

Council reviewed correspondence from the Rotary Club indicating that they are in a position to fund an additional project of approximately \$10,000.00 They are inviting all three towns, Palmyra, Riverton & Cinnaminson to present ideas for consideration. After a short discussion, Councilman Robert E. Smyth volunteered to be the point person to handle this request. Mr. Smyth will contact Earl Marks, President of the Rotary to review and discuss the Borough's options. Council will be kept apprised of this issue.

CORRESPONDENCE

Mayor Martin read a letter from Katy Roussos of the Riverton Drive 15 Campaign. Mrs. Roussos wanted to thank Mary Longbottom and Betty Boyle for all of their help distributing their campaign information to all of Riverton homeowners. This information was inserted with the Borough's tax bills.

Mr. Smyth reported that all Council members were invited to attend the POW-MIA memorial breakfast to be hosted by Assemblyman Jack Conners in September. Mr. Smyth reported that he would be attending this function.

RESOLUTION 84-06

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. Smyth, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent. It should be noted that litigation and personnel matters will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent.

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

Mary Longbottom, RMC
Municipal Clerk

September 6, 2006

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

PRESENT: Council members Daniel, Brown, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti 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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice in the official bulletin board on January 19, 2006

Recommendation from Finance Committee Re: Revaluation-Tom Davis, Tax

Assessor present. Mr. Kinzler reported that we received two bids for this project and that Vital Services Group was the lowest bidder at \$69,900.00. Mr. Kinzler reported that Mr. Davis is also requesting the purchase of hardware and imaging products from Vital Services Group. This would be in addition to the bid amount that was submitted by Vital. Mr. Davis stated that the purchase of these products would assist his office in the future, after this revaluation is completed. Mr. Davis provided Council with an overview of the process concerning the revaluation of all properties in the Borough. Mr. Davis stated that our tax maps must also be forwarded to the State for their review before the revaluation process can commence. Mr. Davis commented that once Council approves the revaluation program for the Borough, the company would probably start the work sometime in the Spring of 2007, with a completion date of December 31, 2007. Property owners would not see any charges to there tax charges until 2008. Mr. Gunn stated that he has reviewed Vital's contract and has asked them to incorporate the Borough's specifications into the contract. Mr. Gunn stated that the issue of purchasing hardware and imaging products should be handled separately from the revaluation contract. After a short discussion, it was the consensus of Council to move forward and authorize Vital Services Group to do the revaluation of all properties in the Borough.

ORDINANCE 10-06

AN ORDINANCE OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING A SPECIAL APPROPRIATION FOR THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION PROGRAM IN THE BOROUGH OF RIVERTON

The above Ordinance was read by title only for the first time by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for October 4.

RESOLUTION 85-06

A RESOLUTION AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION TO FUND THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION PROGRAM IN THE BOROUGH OF RIVERTON (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Discussion: Letter of Credit regarding the Nuway Development-Mr. Gunn

Dave Oberlander, Attorney for James Brandenberger addressed Council. Mr. Oberlander reported that a performance guarantee needed to be posted for this project. Mr. Oberlander stated that Madison Bank, a division of Leesport Financial, posted an Irrevocable Standby Letter of Credit for this project. Mr. Oberlander stated that an issue has arisen because Madison bank is not a New Jersey bank. Mr. Oberlander believes Council can accept a letter of credit from an out of state bank. Mr. Oberlander further stated that representatives from Burlington County have verbally indicated that they would accept a letter of credit from this bank. Mr. Gunn stated that the Borough's Engineer for this project (Rick Arango) had recommended that a performance guarantee or letter of credit be issued from a New Jersey bank. Mr. Gunn stated that once we received the letter of credit from an out of state bank, it really was not in compliance with the Engineer's requirement. Mr. Gunn stated that Mr. Arango has now reconsidered and indicated that we would have the option of accepting this letter of credit. Mr. Gunn wants to make sure that Council is satisfied that the out of state bank is a viable institution. Mr. Gunn explained that if there were a default, we would have to go over to Pennsylvania. Mr. Gunn stated that we do have a letter from Madison Bank stating that they do business in New Jersey. Mr. Gunn felt that the governing body should be aware of this and make the decision. Mr. Gunn asked Mr. Oberlander if they had proof of Madison Bank's financial stability. Mr. Oberlander presented financial reports from the last two years. Mr. Gunn stated that this letter of credit is for one year. If the project goes on past that time, Mr. Gunn believes that a renewal of the letter or credit would need to be done. Mr. Oberlander responded yes. Mr. Kinzler asked who would monitor this. Mr. Gunn responded that our Construction Official, Ed Schaefer, should do that. Mr. Kinzler asked who would know to ask a year from now. Mr. Gunn responded that that was a good question. Mr. Gunn suggested that Council liaison (Planning) with respect to this project would be a likely choice. Mr. Gunn stressed that this date needs to be watched, especially if the project goes on past August 1, 2007. Mr. Kinzler asked if this project is scheduled to go beyond that date. Mr. Brandenburger responded that the project should be substantially completed by that timeframe; however, there will still be some issues that will last beyond that. Mr. Gunn suggested that 60 days from the expiration date of the letter of credit that a new one will be issued. If Council would like, Mr. Brandenberger could see if this letter of credit can be-drafted to include the extension. Mr. Oberlander reported that in case of a default, Riverton would not have to go to Pennsylvania. We could sue them in the New Jersey court system. Mr. Smyth asked if an amendment could be obtained to the letter of credit now to extend the time-frame. Mr. Oberlander responded that that would not be likely. Mr. Gunn suggested leaving it up to Mr. Arango as far as what to require of the applicant since he sets the requirements as the Borough's Engineer for this project. Mr. Brandenberger stated that he does not have a signed site plan because of the issues surrounding the letter of credit. Mr. Brandenburger cannot move forward until this is resolved. A discussion ensued.

RESOLUTION 86-06
A RESOLUTION AUTHORIZING ACCEPTANCE OF THE LETTER OF
CREDIT FOR THE SHOPS AT RIVERTON, LLC AND AUTHORIZING THE
BOROUGH CLERK TO SIGN THE PLANS FOR THE PROJECT
(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. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. **Update from James Brandenberger Re: Nuway Site.** Mr. Brandenberger stated that he is proposing a granite lock curb for all interior areas of this project. The approved plans called for a standard type of concrete curbing. Council did not voice any objection to this change. However, Mr. Brandenberger needs to submit a written request for this change to the Borough's Engineer and Planner for their review.

Mr. Brandenberger reported that he wants to do a sub-division of this development for the purposes of financing. This does not change the project at all. It just makes this project easier to finance on a permanent level. Mr. Brandenberger would like to break the CVS up into one lot, the bank would be on one lot, and the residential component, including the basement would be on one lot. This is fairly typical-it happens all the time in these situations. Mr. Brandenberger reported that he is just presenting this for Council's information. Mr. Brandenberger stated that there also has to be cross access easements through this project which would need to be worked out and presented. Mr. Brandenberger indicated that there is an area on this project which could be a lot next to the Barth property on Fulton Street. Mr. Brandenberger stated that he could sub-divide a residential building lot at this location. He wants to build a house there and donate the proceeds to charities to benefit Riverton. Mr. Brandenberger stated that the amount could be in the neighborhood of \$100,000.00. If Council thinks they like his idea, he will prepare a formal presentation. Mr. Brandenberger believes he would probably need additional variances. Mr. Oberlander stated that he would have to review the Borough's site specific redevelopment plan to determine where his client would have to go for approval. Mr. Oberlander thought it would either be the Planning Board or the Governing Body. Mayor Martin stated that he thought we needed more time to digest what Mr. Brandenberger has presented here tonight. Mayor Martin believes the Planning Board should also review this. A discussion then ensued, with Council taking this presentation under advisement.

Mr. Brown raised concern that there was no fencing around this construction site. Mr. Brown has received complaints from residents on this issue. While Mr. Brown understands that there was nothing in the approving site plan resolution about this, he is addressing his concern to Mr. Brandenberger. Mr. Brown asked Mr. Brandenberger what will be done when construction commences. Mr. Brandenberger stated that they would not fence the area; however, the area will be policed, it will be secured and signs would be posted. Mr. Smyth also raised concern over the lack of fencing at the site. Mr. Oberlander commented that he didn't think it was standard to have fencing placed at construction sites.

Mr. Oberlander stated that another letter of credit from Madison bank will be posted for the project to be done on the "Sitzler property. Mr. Oberlander hopes they don't have to come back before council for this. Mr. Gunn responded that he didn't think

that would be necessary, but reminded Mr. Obelander that Mr. Arango would still need to review the issue.

Streets, Roads & Sewer Issues-Dr. Smyth a. **Storm water Regulations and Requirements.** Dr. Smyth reported that Council previously adopted an Ordinance Establishing Stormwater Management Requirements and controls for major development on March 8, 2006. Mr. Smyth further reported that the County is requiring that we re-introduce this Ordinance to eliminate typographical errors on Page 22, Section 8:B.I.C. Dr. Smyth reviewed these errors with Council. Dr. Smyth stated that Council needs to re-introduce this Ordinance at next week's meeting. After a short discussion, it was the consensus of Council to agree to this.

b. Change Order No. 1 Re: Fulton Street project. Dr. Smyth reported that our Engineers for this project, Remington, Vernick & Arango are recommending that Council approve this Change Order. Dr. Smyth stated that the original contract price for this project was \$376,827.25. Dr. Smyth stated that this Change Order reflects the fact that all the Base Bid Items in the contract were not used for this project, causing a decrease of \$20,127.97, resulting in an adjusted contract price of \$356,699.27. After a short discussion, it was the consensus of Council to agree to this.

RESOLUTION 87-06

A RESOLUTION OF THE BOROUGH OF RIVERTON APPROVING CONTRACT CHANGE ORDER NO. 1 REGARDING THE RECONSTRUCTION OF FULTON STREET (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Update re: Placement of the Peace Pole. Dr. Smyth reported that the Peace Pole Committee ordered the pole but it was damaged during the mailing process. Dr. Smyth stated that location for the placement of the peace pole has not been determined. Dr. Smyth suggested placing the pole at the park. Mr. Smyth suggested it be placed at the school because the children raised pennies for the peace pole. Mr. Cesaretti stated that he has done a computer search and has found out that 300 towns are in litigation over the placement of peace poles on public property. Dr. Daniel asked who would not be for peace. He believes the peace pole should be placed in the park, next to the flag and the memorial. Dr. Smyth stated that since the Borough owns the park, don't we have the prerogative to place the pole at that location? Public Works Manager cautioned that if it is placed at the park, it should go where it is well lit because of possible vandalism. Dr. Smyth stated that he would like to bring back a recommendation to Council concerning a location for the peace pole at next week's meeting. Dr. Daniel asked Mr. Cesaretti what the lawsuits were regarding peace poles. Mr. Cesaretti stated it goes beyond separation of church and state, it can be interpreted as a prayer pole. Mr. Cesaretti stated that the Peace Pole committee previously informed Council that a peace pole was placed at the Pentagon. However, Mr. Cesaretti stated that this pole is in the Pentagon's chapel, which is manned 24 hours by a non-denominational priest. Dr. Daniel stated that the pole is a symbol of peace and he doesn't understand who wouldn't want this. Mr. Smyth stated that he has no issue with it. However, he is being told by people in town that they have a

problem with it being placed on public property. With no disrespect intended, Dr. Daniel believes the people that are having an issue with it are interpreting a peace pole that's something of a religious nature. Dr. Daniel stated that it can be whatever you want it to be. Mr. Cesaretti stated towns that have put them in, especially if they are placed at a Veteran's Memorial Park, have had anti-war rallies around these poles. This is a smack in the face to the Veteran's Memorial Park. Mr. Smyth read about the lawsuit in a town in Michigan and that is a big thing. It is splitting that town a part. Dr. Daniel commented that an anti-war rally is not a bad thing. Mr. Brown suggested the playground area at the school on 4th street. Mr. Reed suggested placing it down on the Borough property at Linden and Bank Avenue. Mr. Smyth is opposed to this. Mr. Smyth believes the school is a great place for it to be placed. Mr. Smyth will talk to the Superintendent about this. Mr. Gunn cautioned using public funds for private purposes. For example if it goes on public property, who maintains the pole. Dr. Smyth stated that the pole is privately funded, not owned. Mr. Gunn stated that if the pole were to be placed at the park, we would have to check on whether there are any deed restrictions for this. Dr. Smyth stated that he would bring some options for Council to consider at next week's meeting.

Renee Azelby, 706 Thomas, believes Council needs to perform due diligence as to where the peace pole is placed. Ms. Azelby doesn't want the Borough to withstand the expense of a law suit because of this issue.

Scott Reed, Public Works Manager asked for a consensus of Council as to which members are willing to put the pole up or not. Mr. Reed believes Council should decide that tonight. Mayor Martin stated that we need to reach a consensus on the placement issue first. Mr. Smyth does not believe it is a vote on whether to do it or not. He believes it depends on the location, which is important to him. Mr. Gunn stated that the Resolution passed a number of months ago, stated that we would help the peace pole committee find an appropriate location for the pole. This issue was taken under advisement.

Planning & Economic Issues-Mr. Smyth a. Smart Growth Grant-changing scope of the work. Mr. Smyth reported that the Planning Board and Environmental Commission have recommended the use of the Smart Grant funds to pursue an Environmental/Natural Resource Inventory Study. Mr. Smyth stated that we need to authorize our Planner, Tamara Lee, to re-write the scope of work for the grant to utilize the monies for this. Mr. Smyth asked Council for a consensus for him to ask Ms. Lee to move forward with this. After a short discussion, it was the consensus of Council to agree to this. Mr. Smyth further stated that once Ms. Lee re-writes the scope of work, Council must approve it and forward it onto the Office of Smart Growth. Council will be kept apprised of this issue.

b. Required report regarding planning activities since Center Designation. Mr. Smyth reported that Eileen Swan, executive Director of the Office of Smart Growth is requesting that we provide a report regarding Riverton's planning activities since receiving Center Designation on April 28, 1999. Mr. Smyth reported that the Office of the Director (Mark Remsa) of the Burlington County Department of Economic Development and Regional Planning has indicated their willingness to assist Riverton with this report. Mr. Smyth further stated he and the Clerk would be meeting with a representative from Mr. Remsa's office to review what documentation needs to be prepared to help them complete this report. Council will be kept apprised of this issue.

c. River Route Marketing Efforts. Mr. Smyth reported that the Burlington County Times will be running approximately 14 articles to promote the River Route. Riverton is scheduled to be featured the week of November 20th. We should provide an overview to include recent successes, current projects, potential projects and our community's vision for the future. The County will provide an opening article to include an over-view of the Rt. 130 Corridor process. In addition to this there will also be videos done on the communities along the River Route. The first segment will include Palmyra, Riverton and Cinnaminson. Each community will have approximately 7 minutes to highlight their community. Mr. Smyth stated that he needs input from Council concerning who would be represent Riverton to tout our community, etc. Mr. Smyth asked that Council get back to him by next week with their suggestions.

d. Centers of Place Grant-amending original project. As previously discussed, Mr. Smyth reported that the grant does not allow for all three sites to be improved. Mr. Smyth reported we would like to make a request of the Department of Transportation to amend the original proposal to include one of the original sites, plus an extension of that site. These two sites are as follows: Along the north side of Broad Street from Fulton Street to Main Street and along the west side of Main Street from Block 801, Lot 34 to Lot 39. A discussion ensued with Council concurring with this amendment.

RESOLUTION 88-06

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE SA-96 FORM DESCRIBING A MINOR AMENDMENT TO RIVERTON'S APPROVED CENTERS OF PLACE PROJECT (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, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

e. Update re: Broad Street Enhancement Grant. Mr. Smyth reported that this project has commenced and it is anticipated that it will take 60 days to complete. Mr. Smyth reported that the recently installed curbing has to be torn out. Mr. Smyth further stated that since Broad Street was repaved last year, the elevations changed. There will be no charges to the Borough to re-doing the curbs for this project. Mr. Smyth reported that all of the donated bricks have been saved and will be placed at the site. Mr. Smyth also reported that the clock was hit by the contractor's backhoe and damaged. It has been taken to the sewer plant. The contractor will pay for the repairs and/or replacement. Mr. Smyth also reported that we reached an agreement with the owners of Zena's Bakery to move the bulletin board off of her property. It will be placed at a new location on the plaza. Mr. Smyth also stated that the owners of Zena's bakery will repave their parking lot at their cost.

Meeting open to the public

Katy Roussos 708 Thomas Avenue, provided Council with an overview regarding the Riverton Drive-25 Campaign's ongoing efforts, such as a poster contest, handing out related material to commuters riding the Riverline, the purchase of window clings, working on the bicycle/pedestrian grant, etc. Mrs. Roussos asked that a member of Council and the Police Department be present at the school tomorrow for the 1st day of

class to reinforce the campaign's work. Mrs. Roussos raised concern that the campaigns' lawn signs were stolen once again.

Scott Reed, Public Works Manager, reported that that the park is being fully used for soccer. Mr. Reed thought we had agreed not to do this. Mr. Reed indicated that Palmyra Borough stopped the league from using their Charles Street and Legion fields. Mr. Reed understands that Riverton only has 105 kids playing soccer, yet Palmyra has over 300 and Palmyra. Mr. Reed is concerned that they are utilizing Riverton's field for their games. Mr. Reed believes Council needs to take a stand on this issue. Mr. Brown stated that he will schedule a meeting with our Park & Recreation Commission to review this issue.

Mr. Reed believes that any proceeds from the house that Mr. Brandeberger might build on the Nuway site should go to the park and not the school. Mr. Reed believes the school gets enough of the taxpayers money. The littering concerns at the park during the soccer games were raised by Mr. Kinzler. Mr. Reed responded that he would inform the league personnel of the necessity for them to clean up after their games.

Renee Azelby, 706 Thomas Avenue asked for a status report on the deterioration of the property at 622 Thomas Avenue. Mr. Brown reported that the children own the property but the bank owns the lien. The property is scheduled to be examined once our Code Enforcement Officer hears from the owner and the bank.

Discussion: Shade Tree Contract Issues for 2007 & 2008-Dr. Daniel. Dr. Daniel asked that this issue be tabled until he can review this with the Shade Tree Commission. Council agreed to this.

Discussion, Deterioration of curbs on Cedar Street at the park. Mayor Martin reported that resident William Sauers brought this issue to his attention. Council reviewed a photo that Mr. Sauers took of the area. A discussion ensued with Council acknowledging the need to address this. Given the present budgetary restraints, it was the consensus that this issue be discussed further during next year's budget process. The Mayor will inform Mr. Sauers of this.

Preliminary agenda for September 13. The Clerk reviewed this with the Governing Body.

RESOLUTION 89-06

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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that personnel and contract negotiations will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

Mary Longbottom, RMC
Municipal Clerk

September 13, 2006

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

PRESENT: Council members Daniel, Brown, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti 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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from August 2 and the closed session minutes from August 2 were then presented. Dr. Smyth move that these minutes be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler abstained, and Mr. Cesaretti abstained. At this point of the meeting, Dr Smyth left the dais.

TREASURER'S & FINANCE REPORTS AND BILL LIST FOR APPROVAL-Mr. Kinzler

Mr. Kinzler moved that the attached reports for the month of August be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Mr. Kinzler then provided Council with a status concerning budgetary issues. Mr. Kinzler commented that a close watch is being done regarding all expenditures. Mr. Kinzler stated that we will need to start doing preliminary work on next year's budget very soon.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of August that was submitted by Chief Norcross. Vehicle Mileage 2,923, Gas Used (not reported), Juvenile Arrests 2-Assaults 0, Miscellaneous 2 (Theft of Bikes) Curfew 0, Adult Arrests 11-Criminal Warrant 0, Criminal Summons 1, Traffic Warrants 9, DWI 1 and Other 0, Motor Vehicle Crashes 04, Motor Vehicle Stops 98, Motor Vehicle Warnings 05, Motor Vehicle Summons 134-Riverton Officers 112, NJ Transit 22, Burglar Alarms 10, Asst. to other Police Departments 49, Animal Complaints 05, Fire Calls 5, Ambulance Calls (Riverton) 20, Unattended Deaths 0, Criminal Cases 22, Domestic 0, Thefts 5, Burglaries 0, Assaults 1-Police officers 0, Firefighters/EMT 0, Civilian 1, Sexual Assault 0, Criminal Mischief 1, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 10, Miscellaneous Calls 511 and Total Calls 888.

Mr. Cesaretti read a report for the month of August that was submitted by Fire Marshal Robert Yearly. Fire calls for the month 19, Drills 2, Calls in Town 12, Calls out of town 7, and man hours for the month 305.7

Mr. Cesaretti announced that Brian Johnson, who was sponsored by the Borough to attend the Police Academy, is graduating tonight.

Mr. Cesaretti announced that it was reported in the Philadelphia newspapers that a Riverton man had been charged with sexual assault and rape. That was a misprint. It was Riverside.

Mr. Cesaretti reported that there was an article in the Burlington County Times today about the Riverton Drive 25 Campaign.

Mr. Cesaretti reported that the Chief received a letter from the Business and Civic Association. They thanked the Police Department for all of their efforts during the first Victorian Day celebration in June. Mr. Cesaretti read a letter from the Mayor acknowledging the Chief efforts in assisting a resident with the recent birth of her child. Mr. Cesaretti read a letter from a resident for the Police Departments and Public Works Department thanking them for their help during recent storm when his windshield was damaged.

STREETS, ROADS & SEWER-Dr. Smyth

Dr. Smyth asked Mr. Smyth to provide an update regarding the Broad Street Enhancement Project. Mr. Smyth reported that the curbing issue should be resolved by early next week so that work can continue. Mr. Reed stated that we will have a construction schedule provided to assist us with this project.

Dr. Smyth reported that there will be a discussion regarding some personnel changes at the Wastewater Treatment Facility in closed session tonight.

ZONING, PARK, CODE ENFORCEMENT & COURT-Mr. Brown

Mr. Brown reported that the Zoning Board will meet on September 20. Mr. Brown will be having a Park & Recreation Commission meeting on September 26. Regarding the deterioration of the property at 622 Thomas Avenue, Mr. Brown reported that it has come to his attention that there have been reports of raccoons in this property. Both the Borough's Animal Control Officer and a representative from the communicable disease section of the County Board of Health are of the opinion that there doesn't appear to be an imminent health threat because of this. Mr. Brown stated that our Code Enforcement Officer will check this out. Mr. Cesaretti stated that he would also confer with our Animal Control Officer on this issue.

Mr. Kinzler asked what kind of condition the park was in since the soccer season commenced last weekend. Public Works Manager Scott Reed responded that it appears things are okay. Mr. Kinzler stressed the need to address the littering issues during the games. He would like every team and the coaches to bring trash bags to the games and make sure that all of the litter is picked up.

The following Municipal Court reports for the months of July and August were submitted by Court Administrator Jacqueline Gleason. In July there were 50 traffic tickets issued-2 for parking, 44 moving and 4 DWI. There were 2 criminal violations issued-1 summons 0 warrant and 1 local ordinance. The total receipts for the month of July amounted to \$5,094.00. The total disbursed to Riverton amount to \$2,427.68. In August there were 134 traffic tickets issued—42 for parking, 91 for moving and 1 DWI. There was 1 criminal violation—summons 0, warrant 0 and local ordinance 1. The total receipts for the month amounted to \$4,672.00. The total disbursed to Riverton amounted to \$2,141.24.

PLANNING, REDEVELOPMENT & ECONOMIC DEVELOPMENT-Mr. Smyth

Mr. Smyth reported that the Planning Board is working on the following issues: hearing a site plan application regarding the property located at 519 Howard Street. Mr.

Smyth stated that the owners are requesting permission to open a pizza parlor on the first floor and an apartment on the second floor. Mr. Smyth reported that the Planning Board would be reviewing minor amendments to the Stormwater Management Plan. The Board continues to work on the re-examination of the Master Plan.

Mr. Smyth reported that the construction of the cell tower at the Wastewater Treatment Facility is scheduled to commence next week and should take 3-4 weeks to complete.

Mr. Smyth reported that Planner Tamara Lee, is preparing the new scope of work for the Smart Grown grant funds. The County may be of help to us with this preparation. It is hoped that Council would be reviewing this at their October 4th meeting.

Mr. Smyth reported that the Centers of Place grant has been amended and sent to the Department of Transportation for their review and approval.

Mr. Smyth reported that our Center Designation report is underway. Both he and the Clerk provided the County with the required information to complete the report.

SHADE TREE & BOARD OF HEALTH-Dr. Daniel

Dr. Daniel reported that he met with the Shade Tree Commission on Monday. Dr. Daniel stated that the water tank obtained from Moorestown Township was used on a number of occasions to water trees. Dr. Daniel reported that our Shade Tree Commission volunteers their time, averaging 30 hours per month. This is important to know regarding certain Shade Tree grants that require in kind services. Dr. Daniel reported that he would be sending a letter of thanks to the Cinnaminson's Public Works Department for utilizing their bucket truck for the removal of limbs from hazardous trees in the Borough. It has been determined that we would need two full days of our tree contractor's time to address the critical tree trimming in town. Another day will also be needed to then top the trees off. Dr. Daniel stated that the Borough trees with an orange dot on them are on the endangered species list. There are 34 of them in town. The tree work to be done in town does not include those trees. Dr. Daniel reported that the Shade Tree Commission would like to generate two contracts for tree services beginning next year- one as written now with the exception that removal and stump grinding will go to a non Certified Tree Expert group. Dr. Daniel reported that the Shade Tree Commission is looking at obtaining some grants to offset shade tree budgets issues. Dr. Daniel reported that the Shade Tree Commission would like to place a list of do's and don'ts on the website, which could be adjusted on a monthly basis.

Discussion: Possible waiver of the inspection escrows for PSE&G for Street

Excavations. Mr. Gunn reported that PSE&G has requested a waiver of the inspection escrow fees pursuant to Article 6, Chapter 111, Section 19B of the Riverton Borough Code. Mr. Gunn stated that PSE&G routinely inspects its road openings a minimum of three times per opening and the restoration work that is performed by PSE&G contractors is guaranteed for five years. Mr. Gunn further reported that the escrow fees, if paid by the utility would be passed onto Borough residents. Public Works Manager, Scott Reed reported that the Borough has not experienced any difficulty in the excavation repair by Public Service for these street openings. Mr. Gunn stated that the Borough Engineer, who has the responsibility for issuing written permits for these excavations, has agreed that this waiver is appropriate and that the inspections would be delegated to PSE&G. Mr. Gunn stated that should Council agree to this waiver, he would recommend that it would only become effective upon a signed agreement between the Borough and PSE&G

reflecting the terms of this Resolution. The form of which would be approved by Mr. Gunn. Mr. Gunn recommended that the agreement only be effective for two years subject to renewal at the conclusion thereof. Mr. Gunn informed Council that New Jersey American Water had not yet requested a waiver from these inspection fees. A discussion ensued.

RESOLUTION 90-06

A RESOLUTION TO WAIVE THE INSPECTION ESCROWS FOR PUBLIC SERVICE ELECTRIC & GAS COMPANY FOR STREET ESCAVATIONS (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Kinzler. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti nay.

MEETING OPEN TO THE PUBLIC

Michael Robinson, 6 Second Street, recognized Scott Reed for all of his efforts.

Gene Bandine, 522 Main Street, addressed Council about the proposed development at Broad & Main, across from Farmer's and Mechanics Bank. Mr. Bandine asked if the owners of the proposed residential portion of this development could come back and asked for sound barriers to block the noise coming from the riverline. Mr. Gunn stated that nothing was concealed when the applicant went before the Zoning Board. Mr. Gunn also stated that presumably, you would purchase a property with your eyes open.

Mr. Bandine asked where we originally purchased the bricks from that were placed at the triangle area. The Clerk stated that she would check her files for this information. Mr. Smyth commented that we are looking into the possibility of having people donate funds for the placement of two lamps at the plaza (Broad Street Enhancement project).

Muriel Alls-Moffatt, 202 Fulton Street, expressed concern, once again, about the clogging and flooding problems coming from the new drains on Fulton Street. Public Works Manager commented that the reason that they are not draining property is because the State came out with new Stormwater Runoff Regulation standards that must be followed. There is nothing his Department can do about it.

Mrs. Alls-Moffatt understands that the clock was hit by the contractor's working on the Broad Street Enhancement project. Mr. Reed stated that it will either be repaired or replaced by the Contractor.

William Harris, 502 Cinnaminson, complained about the noise coming from the equipment utilized by a contractor hired by the school to cut the grass. Mr. Harris asked if we could initiate a noise ordinance for these types of equipment (blower rakes).

Mr. Harris reported that he was ticketed recently by a member of Riverton's Police Department for not stopping at the end of Cinnaminson Street to enter onto Broad Street. Mr. Harris believes the police acted vengefully towards him.

James Rivard, 304 Shrewsbury, asked for an update regarding a revaluation of all properties in Riverton. Mr. Kinzler stated that at last week's meeting Council introduced an Ordinance that authorized this project. Mr. Kinzler further stated that an authorizing Resolution was also adopted by Council last week. Mr. Kinzler reported that work on this project would commence in 2007.

OLD BUSINESS

River Route Advisory Marketing Issues. Mr. Smyth commented that he is serving on this committee, which was previously called the Route 130 Corridor Advisory Group.

Videos about the communities along this route will be done and then televised.

Representatives from Riverton will be asked to comment on economic development, Riverton's development successes, why Riverton is a great place to live, highlighting Riverton's history, etc. Freeholder Aubrey Fenton will be doing the interviewing. Mr. Smyth reported that he and the Mayor would be making statements about Riverton. Gary Ford of our Business and Civic Association will speak about Riverton's businesses and James Brandenberger will speak about his development projects in the Borough.

Request from Rotary Club. Mr. Smyth suggested asking the Rotary to donate one of the following, a lamp to be placed at the plaza, a bench, something for our park or help with our shade trees. Mr. Smyth will run these suggestions by the club members and will let Council know how the rotary reacts to these suggestions. Dr. Daniel believes it is important to let the public know that we are seeking donations. It was suggested to place something on the Borough's website.

Update Re: Placement of the Peace pole. Dr. Smyth reported that we have a group here today that have been working for a number of months to raise funds to obtain a peace pole. Anne and Dennis Creter are heading this group. The other members of this group were then introduced. The peace pole was brought in to show Council. Mrs. Creter stated that the following languages were represented on the pole: 2 in English, Spanish, Portuguese, Serb Croatian, Arabic, German, Italian, Hebrew, Swahili, Vietnamese and Delaware Leni-Lenape. Mrs. Creter believes these languages are germane to Riverton. Dr. Smyth stated that we are now in the process of finding a location to place the pole.

James Rivard 304 Shrewsbury asked why the French language was not included on the pole. Dr. Smyth stated that these languages were a representation of our community. Mrs. Creter stated that the Riverton school children contributed to a third of the expense of the pole (their pennies for peace campaign). Mrs. Creter stated that the pole was damaged by Fed-Ex on delivery. There is big crack in it. It will be sent back and re-made. Mrs. Creter hopes that we will have the pole back in time for the State mandated School Violence Awareness week program at the school during the third week in October. Hopefully it will be back by that event.

NEW BUSINESS

ORDINANCE 11-06

AN ORDINANCE TO ESTABLISH STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS FOR MAJOR DEVELOPMENT

The above Ordinance was re-introduced and read by title only for the first time by Mr. Cesaretti, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent (left dais during this portion of the meeting), Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for October 11th.

SHARED SERVICES UPDATE. Mr. Smyth will be attending the next shared services meeting on September 26. State Assemblyman Joseph Malone, who sits on the

Government Consolidation Shared Services Committee will speak on this issue. Mr. Smyth will report back to Council at our meeting in October.

MEETING OPEN TO THE PUBLIC

James Moffatt, 202 Fulton Street asked who our Emergency Management Coordinator was. Scott Reed stated that he is filling in temporarily until the position is filled. Mr. Moffatt raised concern over the possibility of a pandemic flu epidemic.

Muriel Alls-Moffatt, 202 Fulton Street commented that one of the reasons former Emergency Management Coordinator Tom Schneider left his position was that he wanted to get paid for what he was doing. Would there be any money in the budget to pay a person to do this job? Mayor Martin feels that we are trying to fill that position on a volunteer basis.

RESOLUTION 91-06

**A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A
MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN
PUBLIC MEETINGS AT C.231 P.L. 1975
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that personnel and contract negotiations will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

There being no further business to discuss, Dr. 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 4, 2006

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

PRESENT: Council members Daniel, Brown, Dr. Smyth (arrived at 7:40pm), Mr. Smyth, Kinzler, Cesaretti 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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

Financial Issues-Mr. Kinzler

ORDINANCE 10-06

AN ORDINANCE OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING A SPECIAL APPROPRIATION FOR THE PREPARATION AND EXECUTION OF A COMPLETE REVALUATION PROGRAM IN THE BOROUGH OF RIVERTON (IN FULL IN ORDINANCE BOOK)

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

Budgetary Updates. Using the numbers as of August 31st, Mr. Kinzler reported that we still look to be in good shape. Mr. Kinzler reported that the engineering line item looks favorable. While we had budgeted for \$39,000.00, we have only spent \$142.00. Mr. Kinzler asked if there were going to be additional engineering costs by the end of the year. Mr. Gunn stated that we have not settled the engineering expenses pertaining to the design phase of the Broad Street Enhancement Grant. We have asked Mr. Guzzi to itemize his costs. Mr. Kinzler reviewed other line items that seem to be doing okay, such as police overtime and electricity costs. Based on discussions with Dr. Daniel, Mr. Kinzler stated that he layered in the cost assumptions for the shade tree work at \$75,000.00 to get us through this year. Mr. Kinzler stated that if things stay on trend, we should be able to absorb that amount. Mr. Kinzler stated that at the November meeting, he will give an update based on the September 30th figures. Dr. Daniel stated that he thought Mr. Kinzler's budgetary process was a sound one. Dr. Daniel commented that the number we came up with for shade tree work isn't a number that we are asking for on an annual basis. Dr. Daniel believes that we will use every bit of the \$75,000.00 to get us back on track to aggressively manage tree problems. Once that occurs, Dr. Daniel believes we can then go back to a very reasonable annual shade tree budget, with the understanding that if we get hit with some storms, that the Council would be flexible and understand that we are trying to keep things safe in the Borough. Mr. Kinzler stated that first Council needs to be comfortable with the \$75,000.00 figure. We would then have to transfer funds to offset this during the specified transfer period. Mr. Kinzler also reported that we have paid \$400,000.00 down in debt-this will help during next year's budget preparation.

Streets, Roads & Sewer Issues-Dr. Smyth

Discussion: Pompeston Creek Regional Stormwater Management Plan

Dr. Smyth reported that this regional plan is the ongoing study by Rutgers University. Dr. Smyth also reported that we have been attending at least some of their meetings and that Dr. Chris Obrupta is the lead. Dr. Smyth reported that Terry Vogt, the Borough's Engineer for Stormwater Management has approved the agreement. Mr. Vogt also indicates that the Borough will be subject to the recommendations of this plan when approved either way. Mr. Gunn stated that he has reviewed the agreement and has no problem with it. Dr. Smyth stated that Scott Reed would be Riverton's representative.

RESOLUTION 92-06

A RESOLUTION TO PARTICIPATE IN THE POMPESTON CREEK REGIONAL STORMWATER MANAGEMENT PLAN (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Request from James & Laura Kyle, the owners of 606 Linden Avenue for a reduction in their sewer charges. Dr. Smyth stated that Mr. & Mrs. Kyle have requested a reduction in their sewer charges from two units to one unit. Council reviewed the September 20, 2006 written documentation from Construction Official, Edward Schaefer. Mr. Schaefer did an inspection of 606 Linden Avenue and would declare this property as a single family home and that it is no longer being used as two properties. Council also reviewed Mr. & Mrs. Kyle's request for a credit for the excess sewer charges that were paid at closing. Their home was sold to them on August 29, 2005. After a discussion, it was the consensus that Council would agree to the reduction of the sewer charges from two to one effective the date of Mr. Schaefer's inspection. Council did not agree to give Mr. & Mrs. Kyle a credit for sewer service for this property from the period 8/29/05 to 12/31/05.

RESOLUTION 93-06

A RESOLUTION AUTHORIZING THE REDUCTION IN SEWER CHARGES ON THE PROPERTY LOCATED AT 606 LINDEN AVENUE (BLOCK 1001, LOT 6) RIVERTON, NEW JERSEY (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. At this time Dr. Daniel left the dais.

Request from Brandenberger/Sheridan for a waiver of sewer charges during the construction process at the Nuway site

Mr. Cesaretti stated that he had to recuse himself from this discussion. Mr. Kinzler asked how much money we were talking about. The Treasurer stated that they are basic bills (13) at \$175.00 per unit at that site. There are no consumption charges at that site. The Treasurer stated that sewer charges are billed twice a year (April & October). Questions were then asked about when the actual demolition took place at this location. Mr. Smyth asked if the sewer charges at this location were paid in April. The Treasurer responded yes. Mr. Smyth was of the opinion that this waiver should be given. After a short discussion, it was the consensus of council to agree to this.

RESOLUTION 94-06

A RESOLUTION AUTHORIZING THE SUSPENSION OF SEWER CHARGES FOR THE SEWER CONNECTIONS ON BLOCK 1501, LOTS 20, 21, 22 AND 23 (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye and Mr. Kinzler aye. It should be noted that Mr. Cesaretti reused himself from this vote.

At this time Dr. Daniel returned to the dais.

Request from Brandenberger/Sheridan for a waiver of sewer charges during construction at 4 Thomas Avenue

Dr. Smyth stated that Mr. Brandenberger is also asking Council to waive the sewer charges during construction at this site. The demolition took place a couple of weeks ago. Mr. Cesaretti stated that he was recusing himself. Mr. Kinzler stated that he thought all of these costs would have been taken into consideration by the developer when developed the project. Mr. Kinzler stated that the sewer charges are in place to maintain the plant. Mr. Smyth thinks that when you have a demolition and disconnect from the sewer that you shouldn't pay sewer charges. Dr. Daniel questioned why we would consider this waiver. Dr. Daniel would like to know what other communities do before we reach a decision. Mayor Martin suggested tabling this issue on both properties until next week. The Solicitor stated that Council would first have to rescind their Resolution suspending the sewer charges at the Nuway site .

RESOLUTION 95-06

A RESOLUTION RESCINDING THE SUSPENSION OF SEWER CHARGES FOR THE SEWER CONNECTIONS ON BLOCK 1501, LOTS 20, 21, 22 AND 23 (IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth nay, Mr. Smyth aye and Mr. Kinzler aye. It should be noted that Mr. Cesaretti recused himself from this vote.

Award received for the train station. Mayor Martin announced that the Pennsylvania Horticultural Society has presented their 2006 Suburban Greening Award to the Riverton Train Station. Mayor Martin reported that their evaluators had visited over 32 nominated sites before choosing Riverton as the winner. There will be a reception on November 12 to receive either a plaque or certificate. Mayor Martin publicly thanked Pat Brunker and all of the other volunteers who made this possible.

Meeting open to the public

Bob Moccia, 304 Broad Street, informed Council that the owners of Zena's Bakery are looking into purchasing this property from him (304 Broad Street) to expand their business. Mr. Smyth stated that he will be contacting the Planning Board Chair to discuss what process needs to be followed. It needs to be determined whether this would be a minor site plan application or whether it would require a major site plan review

Gene Bandine, 522 Main Street, expressed concern once again about the need for permanent trash cans to be placed outside of the ice cream parlor and at the gazebo. Public Works Manager, Scott Reed stated that if we want to place trash receptacles at the gazebo, a decision needs to be done promptly because of the work being done on this project. Mr. Smyth commented that he would confer with Mr. Reed on this issue.

Mr. Kinzler then asked how the trash situation was working out at the park. Mr. Reed stated that things are working out fine. His department has chained some trash cans to prevent theft. His department is up at the park every week to remove trash.

Soccer Update. Mr. Cesaretti reported that he followed up on the issue of the soccer leagues not being able to use any of the fields in Palmyra. Mr. Cesaretti spoke to a representative from the Palmyra Board of Education, who is in charge of this. Mr.

Cesaretti was informed that the soccer leagues are allowed to play on Palmyra's legion field, but the league doesn't like to play there because it is too dusty. Mr. Cesaretti believes there is a big difference in not being allowed to play as opposed to the field being too dusty. Mr. Cesaretti believes we should take this under consideration when giving permission for the leagues to use our park. Mr. Reed reported that he and Councilman Brown met with our Parks & Recreation Commission last week. For spring soccer, the games will be along the creek at our park. Mayor Martin feels we need to try and work everything out.

Katy Roussos, 708 Thomas Street, addressed Council about the bicycle and pedestrian grant. Mrs. Roussos reported that Governor Corzine has approved 75 million dollars to be allocated specifically to improve bike and pedestrian safety in towns. Mrs. Roussos would encourage Council to find out how to acquire some of that money in the future. Mrs. Roussos then thanked everybody for their help with Riverton's Drive 25 program at the school. Dr. Daniel asked Mrs. Roussos if she has noticed a difference regarding the speeding since the program's inception. She commented that she is not seeing a huge difference on Thomas Avenue. Dr. Daniel commented that on his street (200 block of Lippincott Avenue) he knows the exact times of day that cars speed (going more than 25 mph) along his street. Mr. Kinzler, who lives on the same street, concurred with Dr. Daniel's statement. Dr. Daniel believes they are drivers going and coming to the Baptist Home. Dr. Daniel believes that posting speed limit signs is not enough. People must be hit in their wallets. Mrs. Roussos stated that the Drive 25 campaign is twofold- the awareness campaign and the long term solutions. That's why the bike and pedestrian grant is so important. The Chief reported that the County Sheriff's Department will be having their people in town running radar on any street we request. They will not issue any warnings.

Gene Bandine 522 Main Street asked if four way stop signs could be placed at the locations of our churches in town and at Park and Thomas Avenues. The Chief reported that the regulations have changed whereby you don't need a traffic study to do this. However, the Chief reported that this cannot be done for speed enforcement. It can only be done for safety reasons. The Chief stated that he and Mr. Reed would contact representatives from the State to ask them to come down and go around town and make recommendations. Mr. Reed commented that if we ever re-pave the lower portion of Lippincott Avenue, the dip at 4th street needs to be removed. The Chief spoke to the County Engineer about speed bumps (around \$8,000.00 each), which are still illegal. The Chief stated that he sent a letter to the school informing them that his department would heavily be enforcing the Ordinance regarding the stop-no stopping in front of the school. The Chief reported that he will be sending a letter to the Baptist home Administrator advising her of what steps will be taken for the drivers speeding along Lippincott Avenue. No more warnings will be given to speeders along this street.

Smart Growth, Shared Services & Consolidation Updates-Mr. Smyth

Review of scope of work for the Smart Growth Grant. Mr. Smyth reported that both the Planning Board and Environmental Commission reviewed the revised scope of work for this project. This pertains to the Environmental Resource Inventory, with Corresponding Open Space and Recreation Plan and Environmental Protection Ordinances. Mr. Smyth is requesting that Council also approve this scope of work so that the project can move forward. After a short discussion, it was the consensus of Council to agree to this.

RESOLUTION 96-06

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 Mr. Smyth, who moved for its adoption. This was seconded Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. **Proposed shared services request received from the Borough of Palmyra regarding Trash Collection and the Police Department**

Mr. Smyth, who is the shared services liaison from Council to the County, attended a September 26th meeting. The key topic of discussion was government consolidation and shared services. Mr. Smyth reported that the State is really pushing for shared services. Mr. Smyth reported that we received a letter from Mayor Gural of Palmyra asking us to consider looking into shared services for our Police Departments and trash collection. On trash collection, both Riverton and Palmyra's respective trash contracts expires on December 31, 2007. Mr. Smyth feels there maybe a benefit to look considering this.

Regarding the Police Department, Mr. Smyth has looked into and talked to representatives from the Department of Community Affairs about grants and/or feasibility studies for this. Since our Fire Department is voluntary, that would not be applicable to Riverton. Mr. Smyth reported that there are grants available for a feasibility study (with a consultant) for up to \$20,000.00, with a match of 10 percent of the requested grant amount. There could be supplemental funding if the study proves to be more costly. Planner Dave Gerkens (Riverton resident) has a contract with the Burlington County Bridge Commission. We may be able to get funding from the Bridge Commission that would help cover the match. Mr. Smyth is proposing that Council proceed with the feasibility study. Mr. Smyth suggested that we ask the Bridge Commission to help fill out the application to get the grant for three towns--Riverton, (being the lead agent) Palmyra and Cinnaminson. Mr. Kinzler asked how long the feasibility study would take. Mr. Smyth responded that he did not know. Mr. Cesaretti stressed the importance of including the school when we talk about shared services and consolidation. Dr. Daniel is not saying that the feasibility study is a bad idea, but how do you decide that we want to consolidate our Police Department. Dr. Daniel asked how this would financially benefit all parties involved. Dr. Daniel believes our townspeople will ask this. Dr. Daniel asked why we weren't considering other shared services options. Mr. Smyth stated that the Triboro towns already have mutual aid agreements with the other Police Departments; we normally share emergency medical services and fire services. Dr. Daniel believes our residents will ask why we decided to do the Police Department instead of combining other things. Mr. Smyth responded that we are going to consider combining other areas such as trash, public works functions, etc. However, Mr. Smyth reiterated that this particular feasibility study is for police and fire only. Mayor Martin likes the identity of Riverton and would like to keep it as much as possible. He would very much like to know what the average citizen thinks. Mr. Smyth stated that by doing the study it doesn't mean that a decision has been reached. Mr. Cesaretti stated that he is reserving comment until he sees the result of an impartial study. Mr. Kinzler stated that from a fiduciary standpoint we will be addressing the issue. It is due diligence. Mr. Smyth also stated that there are legislator's putting together a list of towns to be consolidated. Mr. Smyth does not support that. Mr. Smyth also stated that the State is looking into the consolidation of school districts. Mr. Smyth asked that Council consider doing the feasibility study.

RESOLUTION 97-06

A RESOLUTION AUTHORIZING A FEASIBILITY STUDY FOR THE SHARING OF PUBLIC SAFETY SERVICES WITH THE COMMUNITIES OF PALMYRA AND CINNAMINSON (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, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti abstained because he works for the Bridge Commission.

Update Re: Rotary Club. Mr. Smyth reported that we have been asked to submit suggestions for possible donations from the Rotary Club. Previously Council considered asking the Rotary Club to assist Riverton with the purchase of an electric lamp to be placed at the Broad Street Enhancement locations. The Chief recommended that Council consider asking the Rotary Club to help with the purchase of defibrillators for the Borough. A discussion ensued, with the consensus being that the defibrilators being the better choice. Mr. Smyth will review this option with the Rotary Club and get back to Council.

Victorian day. Mr. Smyth announced that next year's Victorian day celebration is scheduled for June 2, 2007.

Video and article on Riverton Mr. Smyth reported that Freeholder Aubrey Fenton interviewed the Mayor, Gary Ford, Jim Brandenberger and himself regarding development and business issues pertaining to Riverton. Council will be able to review the video before it airs. Mr. Smyth also reported that the Burlington County Times will be running an article on Riverton in November.

Review of proposed Shade Tree contract(s) specifications-Dr. Daniel reported that the goal of having two contracts (one for care and maintenance and the other for the removal of trees and stumps) is to save money. Mr. Gunn reported that these specs would be bid out separately. Mr. Gunn explained that we took out the Certified Tree Expert requirement for the removal of trees and stumps. Dr. Daniel reviewed the specs and believes it would be prudent to get Barry Emens to approve them. Dr. Daniel thought there should be some changes in the wording of these specs; however, he wanted to confer with Mr. Emens first. Mr. Kinzler suggested the possibility of shared services for trees. Dr. Daniel thought that was a very good idea. He will review this suggestion with Mr. Emens. The shade tree specifications will be placed on Council's agenda for discussion at next week's meeting.

Bicycle/Pedestrian Grant Application Resolution-Mr. Brown

Mr. Brown reported that we are making application for Technical Assistance to conduct a comprehensive, community-wide pedestrian and bicycle circulation study in the Borough. Mr. Brown reported that a Resolution needs to be done to authorize the application.

RESOLUTION 98-06

**A RESOLUTION TO APPLY FOR GRANT FUNDING FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR LOCAL BICYCLE AND PEDESTRIAN PLANNING ASSISTANCE
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Brown, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Preliminary agenda for October 11. The Clerk reviewed this with the Governing Body.
Curfew Resolution Request. Chief Norcross requested that Council authorize a curfew (9:00pm) for October 28, October 29, October 30 and October 31, 2006. This is something that Council has done the last two years. Chief Norcross commented that the Halloween parade will most likely commence this year from the school's playground.

RESOLUTION 99-06

A RESOLUTION AUTHORIZING A CURFEW FOR OCTOBER 28,

**OCTOBER 29, OCTOBER 30 AND OCTOBER 31, 2006 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. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye

Meeting open to the public

Katy Roussos, 708 Thomas Avenue, stressed the importance of the identity of Riverton. Council should think about the reasons why our homes are worth more than the houses in Palmyra and Cinnaminson.

RESOLUTION 100-06

**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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that personnel issues will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

Mary Longbottom, RMC
Municipal Clerk

October 11, 2006

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

PRESENT: Council members Daniel (arrived at 7:34pm and left the meeting at 8:45pm), Brown, Dr. Smyth, Mr. Smyth, Kinzler (arrived at 7:45pm), Cesaretti 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 2006 published in the Burlington County Times on January 17, 2006

(b) posting written notice on the official bulletin board on January 19, 2006

The minutes from September 6, September 13 and closed session minutes from September 6 and September 13, 2006 were then presented. Dr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti 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 2853, Gas Used 411, Juvenile Arrests 4-Assaults 4, Miscellaneous 0, Curfew 0, Adult Arrests 9-Criminal Warrants 0, Criminal Summons 0 Traffic Warrants 8, DWI 1 and Other 0, Motor Vehicle Crashes 03, Motor Vehicle Stops 125, Motor Vehicle Warnings 05, Motor Vehicle Summons 121—Riverton Officers 121, NJ Transit ?? (listed like this in report), Burglar Alarms 08, Asst to other Police Departments 24, Animal Complaints 08, Fire Calls 24, Ambulance Calls (Riverton) 21, Unattended Deaths 0, Criminal Case 20, Domestic Violence 0, Thefts 0, Burglaries 0, Assaults 1-Police officers 0, Firefighters/EMT 0, Civilian 1, Sexual Assault 0, Criminal Mischief info not submitted on report, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 13, Miscellaneous Calls 376 and Total Calls 762

Mr. Cesaretti read a report for the month of September that was submitted by Animal Control Officer, M&R Wildlife. One stray cat was taken to the shelter on September 22.

Mr. Cesaretti read a report for the month of September that was submitted by Deputy Fire Chief Robert Yearly. There were 18 fire calls-11 in town and 7 out of town. The man hours for the month were 92.

Mr. Cesaretti mentioned that the Sheriff's Department will have people in town running strict traffic (radar) enforcement. There will be zero tolerance with this Department. Mr. Cesaretti stated that the streets to be monitored are Thomas Avenue-both sides of the tracks, Lippincott Avenue, Bank Avenue, and Main Street

E-MAIL ACCOUNTS FOR ELECTED OFFICIALS AND DEPARTMENT HEADS

Mr. Cesaretti reported that he would like to establish these accounts on the Borough's website. There would be no charge for this. After a short discussion, it was the consensus of Council to agree to this. Mr. Cesaretti will get together with the Borough's webmaster and the Clerk to determine how best to proceed with this. Mr. Cesaretti will

bring additional information back to Council at their November 1 meeting as to how Borough Official's would be able to access their e-mail.

STREETS, ROADS & SEWER-Dr. Smyth

Dr. Smyth reported that Morgan Avenue, between 2nd and Bank Avenue is jointly owned by both Riverton and Palmyra. Dr. Smyth stated that this street is in bad shape and needs to be repaved. We have received a lot of complaints about its condition. Dr. Smyth reported that the Borough had put a sum of money into a Bond Ordinance a number of years ago to help defray the Borough's costs for their share of the work. Dr. Smyth stressed the importance of reopening discussions with the Palmyra to determine how best to proceed to get this street repaved. Concern was also raised that we may not have enough money to do the project now. Council took this issue under advisement.

REQUEST FROM BRANDENBERGER/SHERIDAN FOR SEWER WAIVERS AT THE NUWAY SITE AND 4 THOMAS AVENUE.

Dr. Smyth stated that this issue was previously discussed last week. Dr. Smyth spoke with reps from Palmyra and Delran to determine what their municipalities did. Dr. Smyth reported that Palmyra holds back on billing as long as the sewer is not in operation. Delran's sewage authority discontinues sewer charges at a specific location after receiving formal notification from the required Township officials. Sewer charges are resumed once re-connected to the sewer line. Mr. Reed commented that Cinnaminson Township charges a hook-up fee once a property is reconnected and then the sewer charges commence again. Council then reviewed and discussed the Borough's Ordinance (Chapter 106 of the Borough's Code) regarding sewer hook-ups, charges etc. Mr. Smyth asked if we could consider this waiver based on a demolition and total disconnect of sewer service. Mr. Gunn stated that our Ordinance is silent regarding any suspension of service. If Council wants to justify this request, we would have to indicate in the authorizing Resolution that the buildings on these sites have been demolished and the sewer connections are not being presently utilized, but will be reconnected once the proposed buildings on the site are constructed. Dr. Daniel stated that he may be contradicting what he stated last week; however, if it is truly a demolition, then he feels that Mr. Brandenberger shouldn't be paying sewer charges. When the building is constructed he should then pay for the hook-up charges. Since our ordinance specifies that there is a \$750.00 hook-up fee, then that is what it is. After another protracted discussion, it was the consensus of Council to agree to the sewer waivers at these locations. It was also the consensus of Council to consider increasing the amount we presently charge for a sewer hook-up.

RESOLUTION 101-06

A RESOLUTION AUTHORIZING THE SUSPENSION OF SEWER CHARGES FOR THE CONNECTIONS ON BLOCK 1501, LOTS 20, 21, 22 AND 23 AND ON BLOCK 204 LOT 12

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti abstained.

TRIMMING THE TREES AT THE SCHOOL ISSUE. Mr. Reed reported that the school wanted to trim the Borough trees on the side of the school. Mr. Reed stated that while he gave them permission to this, their contractor trimmed them back too far. Mr. Reed reported that the Chair of the Shade Tree Commission, Barry Emens was very upset about this. Mr. Reed wanted Council to be aware of this situation.

ZONING, PARK CODE ENFORCEMENT & COURT-Mr. Brown

Mr. Brown reported that one application before the Board was continued because all of the property owners within 200' were not properly notified. Mr. Brown reported that the Chair of the Zoning Board received a letter from Freeman Moorhouse indicating his intent to resign from the Board. Regarding the Cedar Lane Mews development, Mr. Brown reported that there has been no official development at this site since the deeds were signed.

Mr. Brown reported that Fred DeVece, a member of the Zoning Board, raised the issue that business owners are placing sidewalk signs at their establishments which are in violation of our zoning code. Mr. Brown reported that our Code Enforcement Officer would be reviewing this issue with the respective property owners. Mr. Brown stated that the Ice Cream Parlor and Antique store's sidewalk signs are on Borough property. Mr. Brown believes that these business owners will be coming to the next Zoning Board meeting to voice their concerns over this issue. Mr. Smyth asked if we would permit the business owners to have these signs. Mr. Brown stressed the need for control. Mr. Cesaretti stated that if this is permitted, you have to let everybody do it. A discussion ensued with concerns being raised about liability and safety issues. Mr. Gunn reviewed the portion of our codebook that covers this particular signage issue. Mr. Gunn commented that the business owner(s) could request a variance from the Zoning Board. For the time being, this issue was taken under advisement.

Regarding the deterioration of the property at 622 Thomas Avenue—there are bids out for contractor's to come in and seal up the house and repair the chimney as required by our Construction Official. Mr. Brown understands that this property will be up for sale by the beginning of next year. Dr. Daniel asked if the entire house had to be boarded up. Mr. Brown responded that only the rear portion, because of the deterioration. Mr. Brown stated that the house is going through the foreclosure process.

Mr. Brown reported that the Riverton Improvement Association is being reactivated. Riverton Resident Paul Grena is on board with this and will be holding their first fund raiser for the Borough early next year.

Mr. Smyth reported that residents are asking that there be more code enforcement regarding the deterioration of some properties in town. Mr. Smyth is also receiving complaints that the Borough's inspectors, do not always show for the scheduled inspection. Mr. Smyth asked Mr. Brown to speak with residents Gary Ford and Mary Ann Shea and Hank Croft on these issues.

Mr. Cesaretti requested that a park calendar be placed on our website that would list when all of the teams play on our field. We should also have a link to our park usage application. Mr. Cesaretti will confer with the Borough's webmaster on this issue.

Mr. Kinzler stated that the receipts for the court are starting to tail off. He asked Mr. Brown to find out about that.

REVIEW OF SPECS FOR 2007 & 2008 SHADE TREE CONTRACTS. Council reviewed these specifications once again, making additional changes and/or modifications. Dr. Smyth asked if Council had given any thought to deeding the Borough trees to the property owners. Dr. Daniel commented that Mr. Emens thought that was a bad idea. It might prevent us from keeping our "Tree City" status. Dr. Smyth stated that he was just suggesting this fundamentally from an economical point of view and not from an aesthetic one. At this time Dr. Daniel left the meeting. The Clerk reminded Council of the need to go out to bid as soon as possible for tree services for 2007 and 2008. Mr. Kinzler stated that he still has some monetary questions about the shade tree budgetary issues that he needs to address with both Dr. Daniel and Mr. Emens first.

UPDATE ON BUDGETARY ISSUES-Mr. Kinzler reported that our expenses for September were quite high, in particular legal fees. Mr. Kinzler stressed the need to

thoroughly review the legal bills. We only have \$11,000.00 remaining in the legal line item. Mr. Kinzler reported that police overtime costs went up big time in September. Mr. Kinzler then questioned fire expenses. Fire Chief Scott Reed stated that most of this was from the required matching funds for the recently received fire grant. Mr. Kinzler also commented that expenses at the Wastewater Treatment Facility were also high during September.

**TREASURER'S, FINANCE REPORTS & BILL LIST FOR
APPROVAL-Mr. Kinzler**

Mr. Kinzler moved that the above reports for the month of September be approved as submitted. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye

**RESOLUTION 102-06
A RESOLUTION AUTHORIZING A REFUND OF A PROPERTY TAX
OVERPAYMENT
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**PLANNING, REDEVELOPMENT, ECONOMIC DEVELOPMENT
AND SHARED SERVICES-Mr. Smyth**

Mr. Smyth reviewed the proposal received from Tamara Lee Consulting regarding the revised scope of work for the Smart Grown Grant. Mr. Smyth requested that Council authorize the Mayor to execute this agreement. After a short discussion, it was the consensus of Council to agree to this.

**RESOLUTION 103-06
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN
AGREEMENT WITH TAMARA LEE CONSULTING, LLC FOR THE REVISED
SCOPE OF WORK FOR THE SMART GROWTH PLAN 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. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Mr. Smyth reported that the County is still working on completing the Center designation report for us. The report is due October 15th.

Mr. Smyth reported that the Planning Board heard a site plan application regarding 519 Howard Street. The first floor will be Milanese pizza and the 2nd floor will have an apartment. A conditional approval was granted by the Board. Parking issues at 519 Howard Street were raised at the meeting. Mr. Smyth asked if we could designate a parking space in front for pick-up and deliveries. We want to eliminate a possible double parking issue. Mr. Gunn stated that Council would have to amend our code. Mr. Cesaretti will confer with the Chief on this issue. Mr. Cesaretti asked if we would be considering a time limit, such as ten minutes. The response was yes. Public Works Manager, Scott Reed reminded Council that we already have time limits at various locations that are not enforced now. This issue was taken under advisement for now.

Mr. Smyth reported that the Planning Board amendment to the Master Plan pertaining to Stormwater Management.

Mr. Smyth reported that a site plan application will be heard regarding the property at 515 Main Street at this month's Board meeting. Mr. Smyth was not sure if the Board would hear an application from the owners of Zena's bakery's to expand their business.

Mr. Smyth reported that we anticipate that the Broad Street Enhancement project will be completed by the end of October.

Mr. Smyth reported that T-Mobile is constructing the new cell tower at the Wastewater Treatment Facility and it should be operational by November 1st. Lease payments have started to be received as of September 18th.

Mr. Smyth reported that Nellie Bly's Ice Cream Parlor received a "Best of South Jersey" award.

Mr. Smyth reported that the Rotary Club has asked that a letter be sent requesting their support in providing two defibrillators for our Police Department.

Mr. Smyth shared an article from the Courier Post about legislator's trying to force town mergers. Mr. Smyth stated the Riverton is focusing on shared services.

MEETING OPEN TO THE PUBLIC

James Moffatt, 202 Fulton Street asked when the leaf collection would commence. Public Works Manager Scott Reed responded October 30th. The leaf schedule will be published in the Burlington County Times and placed on our website. Mr. Moffatt raised concern over drainage problems on Fulton Street. Mr. Moffatt understands that this problem has to do with the new stormwater mandates imposed on the municipalities. Mr. Reed suggested that complaints be sent to the EPA about this.

Mr. Smyth commented that we still get a lot of ponding around 2nd & Howard Street. Mr. Reed commented that this problem has persisted since the water company re-did the line at that location. Mr. Reed would like the water company held accountable for this. After a discussion, it was the consensus of Council to have the Solicitor write the water company a letter. Mr. Smyth also commented that the water company still has not done repair work to their riverwall.

UPDATE RE: DOLECKY LITIGATION. Mr. Gunn reported that Mr. Dolecky's attorney has moved for summary judgment. On behalf of the Borough, Tom Coleman, Esquire will be writing a brief in opposition. The Judge will then notify us when oral arguments will be heard for this case. Mr. Gunn stated that he thinks Mr. Dolecky's attorney will try and ascertain that the State has preempted the field so therefore the Borough's ordinance (Bulkhead) wouldn't apply. Council will be kept apprised of this issue.

NEW BUSINESS

ORDINANCE 11-06

AN ORDINANCE TO ESTABLISH STORMWATER MANAGEMENT REQUIREMENTS AND CONTROLS FOR MAJOR DEVELOPMENT (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Dr. Smyth, 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 absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

MOTION TO APPROVE REQUEST FROM SACRED HEART CHURCH TO HOLD RAFFLES

Mr. Brown moved that this request be approved. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth abstained, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti nay.

CORRESPONDENCE-There was no correspondence presented at this time

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

Mr. Cesaretti announced that he would not need to discuss a personnel matter in closed session tonight.

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

Mary Longbottom, RMC
Municipal Clerk

November 1, 2006

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

PRESENT: Council members Daniel (left meeting at 7:50pm), Brown, Dr. Smyth, Mr. Smyth, Kinzler (arrived at 7:45pm), Cesaretti 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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

Review of Shade Tree Specifications-Authorization to go out to bid for tree services for 2007 & 2008-Dr. Daniel Mr. Gunn reported that the specifications have been reviewed and completed. After a short discussion, it was the consensus of Council to go out to bid for tree services.

RESOLUTION 104-06

A RESOLUTION APPROVING THE SEPARATE SHADE TREE SPECIFICATIONS FOR THE REMOVAL OF TREES AND STUMPS AND FOR THE CARE AND MAINTENANCE OF TREES AND AUTHORIZING THE ADVERTISEMENT FOR THE RECEIPT OF SEPARATE BIDS FOR THIS WORK (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. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

Budgetary Updates and Transfer Resolution-Mr. Kinzler is trying to size up how much the Shade Tree Commission needs to get priority work done this year. Dr. Daniel responded that while there are 30 trees that need to be removed from a safety standpoint, there are 6 that are expiring and need to be addressed as soon as possible. Dr. Daniel will speak with Mr. Emens to review and clarify these issues. Dr. Daniel believes part of the problem is that our present tree contractor is not available to come into the Borough to do this work—it appears to be a scheduling problem for them—they service other municipalities. Mr. Emens feels that it is a problem because our tree contractor is not local. Mr. Smyth asked if it would benefit the Borough by possibly utilizing Palmyra's tree contractor. Mr. Reed commented that he thinks Palmyra does not use a certified tree expert.

Mr. Kinzler reported that the Clerk distributed requests to all Department Heads to submit their 2007 Budget requests by December 1st. Mr. Kinzler stated that we will also have to determine what type of capital projects to include in next year's budget. Public Works Manager, Scott Reed, reminded Council that we had applied to the New Jersey Department of Transportation for their 2007 Municipal Aid Program for possible grant money for the

reconstruction of 7th Street. We should here sometime this month whether we got the grant or not.

Mr. Kinzler reported that police overtime costs came in higher than previous months. Chief Norcross reported that it will also be a high month for his Department's operating budget.

Mr. Reed asked who would be paying for the two lights to be placed at the plaza. Mr. Smyth responded that these lights were not in the scope of work for the enhancement project, but Mr. Reed was told to go ahead and order them. Mr. Smyth asked if anyone has stepped forward to donate the lights. Mr. Smyth stressed the urgency aspect of this. Mr. Brown responded that nothing can be done until early next year. Paul Grena, who will be taking over the Riverton Improvement Association, won't be available to start the fund raising process until that time. Mr. Smyth asked how we would be paying for these lights. Public Works Manager, Scott Reed, suggested that we go back to the Department of Transportation and ask for additional funding for the lamps under the Borough's Broad Street Enhancement Grant. After a short discussion, it was the consensus to do this.

Possible amendments for Borough Code: Chapter 106-38 Sewer

Connection Fees-Mr. Gunn reported that this issue was discussed last month in connection with the request from Brandenberger/Sheridan, Inc. for sewer charge waivers during their construction work at the former Nuway and former Ruff property (Thomas Avenue). Based on the Borough's present ordinance, we can only charge \$750.00 for a sewer connection fee. Mr. Cesaretti suggested having two separate fees—one for commercial properties and one for residential. After discussing the issue, it was the consensus that our Sewer Engineer be asked to submit his recommendations regarding the sewer connection fee. Mr. Smyth volunteered to contact Mr. Arango about this issue. Council will be kept apprised of this issue.

Review and approval of application form for sewer connection. Mr. Gunn reported that the Borough had no application form for a sewer connection. After conferring with the Borough's Sewer Engineer and Construction Official, Mr. Gunn asked Council to review and approve this form. Mr. Gunn stated that the fee would be calculated either by the Engineer or our Plumbing Inspector. After a short discussion, it was the consensus to approve the new application for a sewer connection.

RESOLUTION 105-06

**A RESOLUTION TO APPROVE THE FORM OF A SEWER CONNECTION
APPLICATION IN THE BOROUGH OF RIVERTON
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Chapter 123-10 Vehicles & Traffic - parking space in front of 519 Howard Street-

Mr. Cesaretti stated that he feels that the owner or tenant at this location should make a request to Council. Mr. Cesaretti stated that Council has previously turned down other residents on the 5 hundred block of Howard Street who also wanted their own parking space. Mr. Smyth stated that this issue came up at the Planning Board's review of the owner's site plan application. This space would be for dropping off and loading only and to prevent double parking at the pizza shop to be operating at this location.

While Mr. Cesaretti understands the rationale for this, he doesn't agree with the premise of granting someone a personalized parking space on a public street. Mr. Cesaretti asked to defer further discussion on this issue until he meets with the parking committee.

Update Re: E-Mail addresses for elected officials and department heads on Borough's website-Mr. Cesaretti reported that our webmaster is still working on the details regarding this issue. Our webmaster is also working on a new webpage for park information, specifically usage of the fields). Council will be kept apprised of this issue.

Tree lighting and dedication of plaza. Mayor Martin announced that the tree lighting (placed in the gazebo) ceremony would be held on December 1, 2006 at 7:00pm. This ceremony will be held in conjunction with the dedication of the new plaza in front of Zena's Bakery.

Holiday Luncheon. Mayor Martin announced that this year's luncheon for Borough employees and officials would be held at his home on Thursday, December 21st from 12 noon until 2:00pm.

Men's Basketball program Mayor Martin stated that he has been asked by Robert Hoag, who is the Director, if this program could be placed under the Borough's Parks & Recreation umbrella for insurance purposes. Mayor Martin indicated that our insurance carrier states that there would not be an additional expense to the Borough's insurance policy. Both Mr. Brown and Mr. Kinzler expressed strong concern about the liability issue. This issue was taken under advisement.

MEETING OPEN TO THE PUBLIC

Scott Reed, Public Works Manager, reported that he has calculated the costs to run his Streets and Roads Department and has determined that it runs around \$275,000.00 per year (included salaries, benefits and services). This averages out to be \$285.00 per home for all of the services we provide. Mr. Reed doesn't know how we would save money by merging.

Frank Cioci, Economic Development Committee member, reported that due to safety concerns, candy was not to be distributed (thrown along the street for the children to retrieve) at the recent Halloween parade. However, Mr. Cioci reported that he saw a lot of shaving cans on the street after the parade and he feels this was more dangerous than throwing candy to the children on the streets. Chief Norcross stated that he has no control over this parade because it is run by the Borough of Palmyra.

Mr. Cioci asked if there has been any consideration to removing the parking ordinance in the neighborhood business zone on existing buildings. Mr. Cioci explained that this pertains to how many seats a restaurant or an office can have. Mr. Cioci stated that there is no parking in the Borough; therefore, why do we still have this Ordinance on the books? Mayor Martin commented that the Planning Board has discussed this issue. Mayor Martin stated that he believes the ordinance will stay—he doesn't believe it is a deterrent to businesses because variances have been granted. Mr. Cesaretti asked if any business has been denied a variance because of a parking or seating issue. Mayor Martin didn't believe so. Mr. Gunn stated that this issue must go to the Planning Board for review because any change could affect the master plan. Mr. Smyth suggested that this item be placed on the next Planning Board meeting for discussion.

Katy Roussos, 708 Thomas Avenue, reported that her car was destroyed by a Borough tree in front of her home. Mrs. Roussos has concerns about the Shade Tree Commission and how they address tree issues. Mrs. Roussos stated that Title 59, which protects municipalities, requires that when these types of incidences occur, negligence has to be proven on the part of the Borough. Mrs. Roussos reported that proof would also have to be shown that the Borough used the money that could have been spent on fixing the problem on something else that was less significant. Mrs. Roussos reported that back in 2002 a Shade Tree Commission member looked at the tree in question, and branches were trimmed off of it. Mrs. Roussos believes there should be a process by which an annual review should have been done on that tree. Mrs. Roussos wanted to know what the requirements are by which the Shade Tree Commission prioritizes trees for removal. Mrs. Roussos thinks that maybe the practices and procedures of the Shade Tree Commission can be streamlined better to have a continued and efficient method of reviewing the trees in town. Mrs. Roussos understands that the Shade Tree Commission has run out of money halfway through the year. This concerns her because then tree concerns cannot be addressed and therefore the Borough is probably not liable for any tree issues then. Mrs. Roussos believes that the list of trees scheduled for removal should be a public record and available at Borough Hall. A discussion then ensued. Public Works Manager, Scott Reed stressed the fact that unanticipated storms and damage also have an impact on the Shade Tree Commission's budget. Mayor Martin believes it is the consensus not to spend as much on planting and other maintenance until the trees scheduled for removal are taken down. Council took Mrs. Roussos concerns under advisement.

Updates Re: Grants, Shared Services, Cell Tower and projects-Mr. Smyth

Mr. Smyth reported that he understands the Borough will be getting the Bicycle/ Pedestrian Safety Grant. The application was submitted by Dave Gerkens of the Community Grants Planning firm.

Mr. Smyth reported that there is a grant available from the Department of Transportation called Safe Routes to School Program. This potential grant can be used for such things as new construction of pedestrian facilities that promote school safety. It would also include construction or reconstruction of sidewalks, walkways, bikeways, crosswalks traffic signals, pedestrian signs, warning devices, traffic calming, and intersection improvements. Mr. Smyth stated that this grant could possibly offset the costs incurred from recommendations made from the Pedestrian and Bicycle Safety Grant study. Mr. Smyth asked that we authorize Mr. Gerkens to submit the application for this grant. Mr. Smyth stated that there would be no cost to the Borough to submit this application.

RESOLUTION 106-06
A RESOLUTION AUTHORIZING AN APPLICATION TO THE NJ DOT SAFE
ROUTES TO SCHOOL PROGRAM
(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti abstained.

Mr. Smyth reported that we are still waiting to hear from the Department of Transportation regarding the submission of an amendment to our Centers of Place Grant.

Regarding Shared Services, Mr. Smyth reported that we received a municipal shared survey from the Department of Community Affairs, which will be reviewed and completed. We will be listing what we are doing now and what we are considering. Mr. Smyth reported that there is a State incentive plan proposed to give one million dollars to the first town in New Jersey that creates a joint Police Department and also a joint Fire Department. Mr. Smyth reported that we have applied for feasibility study funds from the New Jersey Department of Community Affairs to study a joint Police Department between Riverton, Cinnaminson and Palmyra. We want to do this before we may be directed from the State to do it. After the study is completed, we will share results with the public. Mr. Smyth commented that we might want to get this issue on the ballot by next November as a question to the voters. Mr. Cesaretti raised concern that the State may take the results of the feasibility study and mandate us to move forward. Mr. Smyth stated that they can't do that. Public Works Manager believes something needs to be done about how much it costs to run the schools. We shouldn't just focus on municipalities.

Mr. Smyth reported that the cell tower is now generating revenue. We are working with T-Mobile to look at other co-locators.

Request from NJ American Water Company for a waiver from escrow and inspection fees for Street Opening Permits- Mr. Gunn reported that he has received this request from the Water Company. Mr. Gunn stated that Council previously granted a similar waiver to PSE&G. After a short discussion, it was the consensus of Council to grant this waiver.

RESOLUTION 107-06

**A RESOLUTION TO WAIVE THE INSPECTION ESCROWS FOR NEW JERSEY
AMERICAN WATER COMPANY FOR STREET EXCAVATIONS
(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. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Preliminary agenda for November 8, 2006. The Clerk reviewed this with the Governing Body.

ROTARY CLUB DONATION Mr. Smyth reported that the Rotary Club has generously agreed to donate two defibrillators to the Borough.

RESOLUTION 108-06

**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. Smyth, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that personnel, contract negotiations & litigation will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

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

Mary Longbottom, RMC
Municipal Clerk

November 8, 2006

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

PRESENT: Council members Daniel (left meeting at 10:20pm), Brown, Dr. Smyth (arrived at 8:00pm), Mr. Smyth, Kinzler (arrived at 8:20pm) Cesaretti 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 published in the Burlington county Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from October 4, October 11 and the closed session minutes from October 4th were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

Mr. Cesaretti read a report for the month of October that was submitted by Police Chief Robert Norcross. Vehicle Mileage 2808, Gas Used 444.5, Juvenile Arrests 5 –Assaults 0, Miscellaneous 5, Curfew 0, Adult Arrests 15- Criminal Warrants 1, Criminal Summons 0, Traffic Warrants 11, DWI 3, Other 0, Motor Vehicle Crashes 3, Motor Vehicle Stops 109, Motor Vehicle warnings 6, Motor Vehicle Summons 93-Riverton Officers 93, NJ Transit ?? (listed like this in report) Others ?? (listed like this in report), Burglar Alarms 4, Asst. to other Police Departments 38, Animal Complaints 4, Fire Calls 10, Ambulance calls (Riverton) 26, Unattended Deaths 0, Criminal Case 33, Domestic 3, Thefts 1, Burglaries 1-From Residents 0, From Vehicles 1, Assaults 0, Sexual Assault 0, Criminal mischief 3, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 0, Miscellaneous Calls 610 and Total Calls 964.

Mr. Cesaretti read a report for the month of October that was submitted by Animal Control Officer M&R Wildlife. One dead cat was removed from 4th & Howard Streets and one stray sick cat was removed at 105 2nd Street.

Mr. Cesaretti read a report for the month of October that was submitted by Deputy Fire Chief, Robert Yearly. There were 20 fire calls for the month, 4 drills, 15 calls in town, 5 calls out of town and 263 man hours for month.

RECOGNITION TO POLICE DEPARTMENT

Chief Norcross presented Patrolman Tommy Merino with a plaque commemorating his bravery during a December 13, 2005 domestic-violence incident in Palmyra. The Burlington County Prosecutor's Office inquiry determined that Patrolman Merino's use of force was justified. Patrolman John Shaw was honored for his dedication to juvenile and domestic violence programs. Patrolman Matt Kirk was honored for his administration of traffic and firearms programs. Chief Norcross and Patrolman Greg Willis were honored

for assisting in the delivery of a baby in July at a Borough residence. Susan Wompierski was honored for her administrative assistance in the Police Department. The Borough's Public Works Department was honored for outstanding response and dedication and reliable assistance.

ZONING, PARK, CODE ENFORCEMENT & COURT-Mr. Brown

Mr. Brown read a report for the month of September that was submitted by Court Administrator Jacqueline Gleason. There were 150 traffic tickets issued—8 for parking, 141 for moving and 1 DWI. There were no criminal warrants or summonses issued during the month. The total receipts for September amounted to \$13,752.00. The total disbursed to Riverton amounted to \$6,315.92.

Mr. Brown reported that the Zoning Board met on October 18th and heard variance requests. The Board discussed the issue of the placement of business signs on the sidewalks. Code Enforcement Officer, Mary Lodato, has gone to all of the businesses concerning these signs. We want to do the best we can regarding the enforcement of this issue. Research has shown that other towns do permit these signs. Mr. Brown stated that a business owner could apply for a variance in reference to the signs. Mr. Brown reported that the Zoning Board's attorney (Janet Zoltanski Smith) feels that there would probably be an option on a variance but she advises against this, because variances go with the property and not with the business. This could raise the issue that while appropriate for one business, such signs might not be appropriate for others. Ms. Smith believes the ordinance needs to be reviewed and if warranted, revised to allow the use of these types of signs and to provide the appropriate rules for their use. Council took this issue under advisement.

Regarding the development of the former Sitzler property on Main Street, Mr. Brown reported that the final plans have been signed and filed with the County, Engineer, Borough and Board. Construction at this site is underway.

Mr. Brown reported that Zoning Board member, Freeman Moorhouse, has submitted his written intent to resign from the Board.

PLANNING, ECONOMIC DEVELOPMENT, REDEVELOPMENT AND SHARED SERVICES-Mr. Smyth

Mr. Smyth reported that the Planning Board met on October 17th. A site plan application was heard regarding an addition in the side storage area of the property located at 515 Main Street. This hearing was continued until next month's meeting. The owners of Zena's bakery came in for an informal request/review regarding an expansion of their business.

Mr. Smyth reported that our Environmental Resource Inventory Study (Smart Growth Grant) is going very well. We are meeting with various stakeholders throughout the town to gather information. Suzanne Wells of Planning Board is the main coordinator for this project, Tamara Lee our Planner, is also a consultant on this project and Mr. Smyth is serving as the Council representative. After the information is gathered, town meetings will be held.

Mr. Smyth reported that the Broad Street Enhancement project is a little behind schedule. Mr. Smyth provided an overview of the work schedule. Mr.

Smyth reported that we are looking at having this project completed at least one week before the tree lighting ceremony and dedication of this plaza on December 1, 2006 at 7:00pm.

Mr. Smyth reported that the cell tower is now up and operational. We want to market additional space on the cell tower. This will generate additional royalty money for the Borough.

Mr. Smyth attended the First Tri-County Economic Summit. An award was given by Freeholder Aubrey Fenton to the River Route Advisory committee to the 12 communities along the Delaware waterfront for working together to revitalize their towns.

Mr. Smyth reported that Riverton will be featured in an article in the Burlington County Times in November. The video we did for the Comcast service station should be available for us to edit in approximately two weeks.

Mr. Smyth reported that we have received the Bicycle & Pedestrian Assisted Planning Grant. We will be looking at traffic calming issues and other things to improve safety. We are working with the Riverton Drive 25 Committee on this.

Mr. Smyth requested that the Mayor sign a letter requesting the Burlington County Bridge Commission assist the Borough in seeking the NJDOT Safe Routes to Schools funding by authorizing the Community Grants and Planning firm to prepare the Borough's grant application. Council reviewed the draft letter and the Resolution adopted last week that authorized an application for this grant. After a discussion, Mr. Smyth moved that the Mayor be authorized to sign this letter. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth absent, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Cesaretti aye.

SHADE TREE & BOARD OF HEALTH—Dr Daniel

Dr. Daniel reported that 4 new trees have been delivered to the new plaza area in front of Zena's Bakery. The Shade Tree Commission has a short list of trees prioritized from a safety standpoint for removal. After conferring with Mr. Emens, Dr. Daniel reported that we will be expanding the involvement of the volunteers who serve on the Shade Tree Commission to address complaints from the community more acutely.

CORRESPONDENCE

Mayor Martin read a letter from the Pompeston Creek Watershed Association thanking the Borough's Licensed Wastewater Treatment Facility Operator, Brad Young, for his informative tour of the Riverton Sewage Treatment Plant at their annual meeting.

Mayor Martin read a letter from Phyllis & Brian Rodgers informing Council that the 2nd annual Victorian Day celebration is scheduled for June 2, 2007. Mayor Martin also announced that Phyllis & Bryan Rodgers donated the 12 fall flags hanging in the center of our town.

MEETING OPEN TO THE PUBLIC

Anne Creter, 9 Laurel Road, read the attached statement regarding the placement of a Peace Pole in the Borough. Mrs. Creter asked that this statement be entered into the record.

Regarding issue #1, Mr. Cesaretti stated that he was referring to 300 computer hits regarding litigation. He further stated that although he didn't save his search, he believes it was a Westlaw search. He indicated he would go back and try to replicate his findings. Mrs. Creter asked for a clarification as to whether it was litigation and actual court cases that he got "hits" on. Mr. Cesaretti responded that it was not court cases. Mrs. Creter asked him to name some of the towns of the 300 hundred. Mr. Cesaretti stated that the town of Holland, Michigan was definitely one. Mr. Cesaretti stated he would be glad to get back to Mrs. Creter on these issues and work with her as well.

Mr. Smyth addressed issues #3 & #5. Mr. Smyth reiterated his position that he doesn't have an issue with it, he supports the Peace Pole. When the public placement issue came up in this context, it was related to the possible placement of the Peace Pole at the War Memorial or at the park. Mr. Smyth supports placing the pole at the school. Mr. Smyth doesn't know if the placement of the pole at the park would be a problem, but he doesn't think it should be next to the War Memorial. Mr. Smyth commented that his knowledge of the Peace Pole issue in Holland Michigan was very minor in terms of the older lawsuit.

Regarding # 6 Mr. Gunn responded that the clock was donated to the Borough and the Robbins family paid for the installation. The clock was not actually placed on Borough property. It was the Bridge Commission's right of way. Mr. Gunn is unsure as to whether the Peace Pole would be a donation to the Borough. If it becomes Borough property then you don't have the private issue. The State constitution prohibits any municipality from putting public funds towards maintaining something owned by a private group. Mr. Gunn stated that we had to obtain permission from the State's Historic Preservation Department for the placement of the clock. Mrs. Creter commented that she thought the Peace Pole would be donated to the Borough.

Mayor Martin stated that he wouldn't be opposed to a public forum to discuss this issue. Mayor Martin believes the location of the pole is a concern.

Mr. Smyth asked Mrs. Creter what the committee's preferred location would be. Mrs. Creter responded in front of the War Memorial in the center of town would be the 1st preference, then the park. Mr. Smyth asked how she felt about it being placed at the school. Mrs. Creter responded that she understands that the Superintendent of the school did not want to be responsible for the pole. Mr. Smyth asked if it were permitted to be placed at the school would the Peace Pole committee maintain it? Mrs. Creter responded that Council's Resolution states that the committee has agreed to maintain it.

Dr. Daniel believes the location for the Peace Pole is an issue. Dr. Daniel stated that a number of people in town who are veterans have indicated to him that they take offense to the Peace Pole. With no disrespect to them, Dr. Daniel stated that it's purely out of ignorance on their part because they haven't been educated as to what the Peace Pole stands for. Dr. Daniel believes he was one of those people until Mr. & Mrs. Creter came to a Council meeting and explained it. Dr. Daniel thought the pole was an anti war display and he was originally against it. The purpose of gathering a group would be to provide

education. Dr. Daniel takes exception to placing the pole in the park, but not next to the War Memorial as though it represents something bad. It is peace. Mr. Smyth stated that he was concerned that if it were placed at the War Memorial, other radical groups may come in and request other things at that location.

Mr. Brown asked Mrs. Creter if she thought the school would be responsive to this now. Mr. Brown suggested getting the children to sign a petition that they want the pole placed at the school. Dr. Daniel believes the best location is the school. It sets an example of how to work through a problem. Mrs. Creter stated that the sense she previously got from the Superintendent was she would prefer that it wasn't at the school because it would be one more thing she would have to be involved in. Mrs. Creter stated that the committee did an informal survey regarding the Peace Pole over the summer. The majority of people would like it placed at the War Memorial in the center of town. The 2nd popular place was the park, then at Zena's and then at the library. People mentioned the Porch Club also.

Mr. Cesaretti doesn't want to speak for Council, but he doesn't feel that anyone here is against the pole-- we are trying to figure out the proper location for it. He wants due diligence done so the Borough doesn't potentially face any litigation over this issue. Mr. Gunn commented that the Borough owns the War Memorial property and the Fire Company maintains the War Memorial. Mrs. Creter will explore the possibility of placing the pole at the school.

MEETING OPEN TO THE PUBLIC

Linda Hayes, 407 Midway, commented that she believes the school superintendent's hesitance is that there would be people in town opposed to the pole. She doesn't think the superintendent wanted to be criticized for placing the pole at the school. Mrs. Hayes thinks a public forum would be a good thing. She also thinks the school is a good location for the pole.

Carol Crawford, 101 Midway Mrs. Crawford stated that the property at 105 Midway has been put under contract for sale. Mrs. Crawford understands that the potential purchaser is intending to build a second residence on part of this property. Mrs. Crawford submitted a signed list of specific property owners in town who oppose this. A copy of this is on file with the Municipal Clerk.

James Moffatt, 202 Fulton Street, asked when the clock would be operational. Mr. Smyth thought it would be up and running by the December 1st deadline for the project. Mr. Moffatt congratulated Dr. Daniel and Mr. Brown on their victory.

Gene Bandine, 522 Main Street commented that residents would like the opportunity to purchase additional personalized bricks for the placement at the plaza in front of Zena's. Mr. Bandine stated that this would be a continuation of what was previously initiated by the Riverton Improvement Association. Public Works Manager Scott Reed stated that if more bricks are purchased, they must be evenly placed at this location. He needs to tell the contractor to leave additional space for these new bricks at the site. We could leave one end open for any additional bricks. Mr. Reed stressed that a decision regarding this needs to be done tonight. After a short discussion, it was the consensus of Council to agree to this.

Erica Saia, 401 Martha's Lane (National Casein Manager) reported that the water run-off at Fulton Street and 3rd Street (the back of National Casein's property) was significant during a recent storm. Mr. Saia knows that the owners of National Casein have previously complained about the stormwater run-off problems in the past, but actions have never been taken to stop the problem. Mr. Reed stated that at one time we talked about installing a French drain at the 3rd street location to absorb some of the water. Mr. Reed explained that in order for us to run a pipe from the end of 3rd street to the Pompeston Creek, we'd have to get an easement through their property to do this. We need to get our engineer to shoot elevations. Mr. Reed thinks the creek may be too high for us to run a pipe through there. A discussion then ensued. It was the consensus of Council that Mr. Reed contact our engineer to obtain quotes as to what it would cost to solve this problem. Council will then review this information at next month's meeting.

Mr. Saia reported that there have been project problems (unauthorized access to National Casein's property, stormwater issues, etc.) with the development of the Nuway site. Mr. Saia was asked to contact the Keith Wenig the Project Manager to address these concerns.

REMOVAL OF DOG WATERING FOUNTAIN FROM WAR MEMORIAL LOCATION.

Mr. Cesaretti reported that this fountain was removed because of the construction going on near this location. Mr. Cesaretti reported that Dennis Eversmeyer had raised concern about this. Mr. Eversmeyer's son had done an Eagle Scout project at the War Memorial location.

STREETS ROADS & SEWER-Dr. Smyth

Dr. Smyth reported that we are making progress on the enhancement project.

TREASURER'S, FINANCE REPORTS & BILL LIST

FOR APPROVAL-Mr. Kinzler

Mr. Kinzler moved that the attached reports for the month of October be approved as submitted. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**RESOLUTION 109-06
TRANSFER RESOLUTION
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Cesaretti. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

**RESOLUTION 110-06
A RESOLUTION TO APPOINT DOLORES ROSSO AS THE PART-TIME DEPUTY
TAX COLLECTOR, ALTERNATE REGISTRAR OF VITAL
STATISTICS AND OFFICE HELPER
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Dr. Smyth. A poll vote was then taken. Dr.

Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

RESOLUTION 111-06
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. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye. It should be noted that litigation and personnel matters will be discussed.

At this time, Dr. Smyth moved that we return to public session. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

There being no further business to discuss, Dr. 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 6, 2006

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

PRESENT: Council members Daniel, Dr. Smyth, Mr. Smyth, Kinzler, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council members Brown 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 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

Shade Tree Issues: Dr. Daniel

Bids received for the Removal of Trees & Stumps for 2007. Three bids were received, opened and publicly read on November 28, 2006. The bids are as follows: **Eastern Environmental, LLC of Delran New Jersey \$18,675.00, Elite Tree Service of Manalapan, New Jersey \$25,075.00 and Paul May Tree Service of Delran, New Jersey \$24,000.00.** The Solicitor reported that he has reviewed these bids with the Shade Tree Commission. The recommendation is to award this contract to Eastern Environmental. After a short discussion, it was the consensus of Council to agree to this.

RESOLUTION 113-06

A RESOLUTION TO AWARD A CONTRACT TO EASTERN ENVIRONMENTAL LLC FOR THE REMOVAL OF TREES AND STUMPS FOR 2007 (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, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti aye.

Bids received for the Care & Maintenance of Trees for 2007 & 2008. Three bids were received, opened and publicly read on November 28, 2006. The bids are as follows: **Elite Tree Service of Manalapan, New Jersey, Eastern Environmental, LLC of Delran, New Jersey and Paul May Tree Service of Delran, New Jersey.** Copies of the detailed bids are attached. Mr. Gunn commented that being a Certified Tree expert was a requirement for this proposed contract. Mr. Gunn stated that while Eastern Environmental appears to be the lowest bidder, they have not included the required information pertaining to this. Mr. Gunn recommended holding off on awarding this contract until we receive a clarification on this issue and he can render an opinion to Council. It was the consensus of Council to agree to this.

Financial Issues: Mr. Kinzler

Mr. Kinzler provided a detailed budgetary update for Council's information. Mr. Kinzler stated that he would like to start working on the 2007 municipal budget by the end of December.

RESOLUTION 114-06
A RESOLUTION AUTHORIZING THE REFUND OF A PROPERTY TAX
OVERPAYMENT
(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Transfer Resolution-Mr. Kinzler asked that this resolution be deferred until next week's meeting. Mr. Kinzler needs additional time for review before presenting this to Council for action.

RESOLUTION 115-06
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 2006
(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Light update at the plaza Mr. Smyth stated that he has placed a call to the Department of Transportation asking for a change order for the Broad Street Enhancement project for additional funding for the two lights that were placed at this location. These lights were not part of the original project; therefore the Borough paid for them. The total costs were approximately \$6,000.00. Council will be kept informed.

Rotary Club donation of two defibrillators. Mr. Smyth announced that he would be officially accepting the Rotary Club's check for \$5,000.00 for these items.

Updates Re: Shared Services, Grants, Economic Development and Projects- Mr. Smyth announced that he will be attending a shared services meeting tomorrow and would have updates for Council at next week's meeting. Mr. Smyth reported that we did receive the Bicycle and Pedestrian Safety Assistance Planning Grant. Mr. Smyth announced that the Burlington County Bridge Commission approved our Safe Routes to Schools grant application. Resident Dave Gerken will be assisting the Borough with this. Mr. Smyth reported that there was no status update regarding our Public Safety feasibility study application.

Our Economic Development Committee suggested changes to the ordinance regarding the placement of business signs on sidewalks. These suggestions will be forwarded to the Planning Board for their review and recommendation to Council. The Economic Development Committee will also be preparing the Borough Directory for 2007 and have asked for a \$600.00 donation for the Borough's contribution, which is the same as last year's.

The enhancement grant (downtown project) is now completed. There was a great turnout for the tree lighting and dedication of the plaza. The feedback has been excellent.

3rd Street drainage update at National Casein location. Public Works Manager, Scott Reed reported that we would probably look at installing French drains to remedy this problem. A perk test would need to be done. Council will have to review proposed costs before making a final decision.

Water issue in front of 441 Fulton Street. Mr. Reed reported that he has contacted our Streets and Roads Engineer to review the ponding issue at this location. Mrs. Costigan, who lives at this location, stated that water does not run off properly at her property. It can stay there for days. Mrs. Costigan reported that due to this problem she had a tremendous backflow into her crawl space. Mrs. Costigan stated that there is no corner on her portion of the street. There is also a small cement block which is not handicapped accessible on her side. Mrs. Costigan stated that if the Borough wanted to use that portion (on her property) for handicapped accessibility, she would have no problem with that. Council took this suggestion under advisement.

Meeting with Water Company Re: 2nd street and riverwall. Solicitor Bruce Gunn reported that we are trying to schedule a meeting with the Water Company representatives to discuss these issues.

Main Street parking update and Visibility Issue at Broad & Cedar Mr. Reed reported that from the Borough's parking lot on Main Street and continuing up this block, both he and the Chief of Police made 7 parking spots. People will have to park in the areas designated. Mr. Reed explained that people were concerned about customers backing out of Zena's bakery onto Main Street. They took one spot away from her driveway for better visibility.

Mr. Reed indicated that complaints have been received about the rose bushes obstructing the view for drivers' entering Broad Street off of Cedar Avenue. Mr. Reed reported that former Councilman Ed Gilmore would be taking care of cutting back these bushes.

Announcement of horticultural award. Mayor Martin announced that the Pennsylvania Horticultural Society recognized the Riverton Train State for an outstanding public planting—improving the quality of life through horticulture.

Meeting open to the Public

Dennis Eversmyer, 400 Fulton Street, stated that his son had an Eagle Scout project that was previously approved to enhance the area surrounding the Riverton War Memorial. Mr. Eversmyer was shocked when he found out all of the work had been torn out during the recent development of the neighboring property. Even the tree that was planted was basically destroyed. Mr. Eversmyer was very disappointed over how this situation was handled. He and his family were never informed that this would happen. Mr. Eversmyer would have thought someone from the Borough would have known the property lines before giving his son permission to move forward with this project. Mr. Eversmyer doesn't know what the Borough's intentions are at this point. Mr. Eversmyer stated that this was a nationally registered Eagle Scout project. His son worked very hard on it and people had made donations towards this

project. **Keith Wenig, 206 Cinnaminson Street** and the Project Manager for the development of the neighboring property stated that he talked to former Councilman Ed Gilmore weeks in advance and asked who would address this before everything was removed. Mr. Wenig stated that he was told by Mr. Gilmore to remove the tree, and place the bricks in a pile. Mr. Eversmyer also reported that the night before his son was to start this project, Mr. Gilmore told them that since a handicapped ramp was going in at that location, they would have to move the project to where it was eventually placed and then removed. Mr. Reed commented that he feels that nothing intentional was done here. Mr. Eversmyer reiterated his position that Borough Official's should have known the property boundaries before giving his son the go ahead with this project.

Robert Fenton, 16 Morgan Avenue, commented that while he was all for this project, he believes it was placed at the wrong location. That's a memorial for veterans of foreign wars.

Dennis Eversmyer, 400 Fulton Street stated that Mr. Gilmore had promised approximately \$500.00 in donations towards this project. Mr. Eversmyer stated that Mr. Gilmore did not come through. Dr. Smyth stated that he would look into this whole situation and get in touch with Mr. Eversmyer. Mr. Smyth also volunteered to help out.

Robert Fenton 16 Morgan Avenue also stated that he is not against a peace pole; he just doesn't want it at the War Memorial.

Joanne Costigan 441 Fulton Street asked who owns the property where the veteran's war memorial is. Mr. Gunn stated that the Borough owns it but the Fire Company maintains it. Mrs. Costigan asked if the World War II memorial in the park is also owned by the Borough. The response was yes. Mrs.

Costigan wants to know how all the organizations like the Vietnam veteran's get to decide what all of the residents would like to have in the Borough. Mr. Fenton responded that he was stating his opinion, but he also knows other veterans are unhappy about a peace pole being placed at the war memorial.

James Moffatt, 202 Fulton Street commented that Mr. Gilmore is not present to respond to the criticisms that were made about him tonight. Mr. Moffatt believes he should be afforded this opportunity.

Setting day and time for 2007 Reorganization Meeting. Dr. Smyth suggested that Council hold their 2007 Reorganization meeting on Wednesday, January 3, 2007 at 7:30pm in Borough Hall. It was the consensus of Council to agree to this.

RESOLUTION 116-06

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF RIVERTON AUTHORIZING THE DAY AND TIME FOR THE 2007 REORGANIZATION MEETING (IN FULL IN RESOLUTION BOOK)

The above resolution was read by Dr. Smyth, who moved for its adoption. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Setting the days and times of all council meetings for 2007. After a short discussion, it was the consensus that all Council meetings for 2007 be held on

the 1st and 2nd Wednesday of each month at 7:30pm in the Municipal Building with the caveat that Council will meet once a month (2nd Wednesday) during the months of June, July and August of 2007.

RESOLUTION 117-06

A RESOLUTION AUTHORIZING THE DAYS AND TIMES OF ALL COUNCIL MEETINGS FOR 2007

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Dr. Smyth, who moved for its adoption. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

RESOLUTION 118-06

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. Smyth, who moved for its adoption. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent. It should be noted that contract negotiations will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Mr. Kinzler. A poll vote was then taken. Dr. Daniel aye, Mr. Brown absent, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Cesaretti absent.

Review of potential professional service appointments and Council committee assignments for 2007. Dr. Smyth distributed the current listing of our Professional Service Appointments. Dr. Smyth asked that Council review this list. A decision should be reached by Council's 2007 Reorganization meeting.

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

Mary Longbottom, RMC
Municipal Clerk

December 13, 2006

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

PRESENT: Council members Daniel, Brown, Dr. Smyth, Mr. Smyth and Solicitor Bruce M. Gunn

ABSENT: Council members Kinzler and Cesaretti

Mayor Martin read the following statement:

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

(a) Having written notification of all meetings to be held in 2006 published in the Burlington County Times on January 17, 2006

(b) Posting written notice on the official bulletin board on January 19, 2006

The minutes from November 1, November 8, and closed session minutes from November 1 and November 8th were then presented. Dr. Smyth moved that these minutes be approved as submitted. This was seconded by Mr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent.

TREASURER'S, FINANCE REPORT AND BILL LIST FOR

APPROVAL-Mr. Smyth

In Mr. Kinzler's absent, Mr. Smyth moved that the attached reports for the month of November be approved as submitted. This was seconded by Dr. Smyth. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent.

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

In Mr. Cesaretti's absence, Mr. Brown read the following police report for the month of November that was submitted by Chief Norcross. Vehicle Mileage 2913 Gas Used 467.5, Juvenile Arrests 2 (Assaults 0, Miscellaneous 2 (Arson) & Curfew 0), Adult Arrests 25 (Criminal Warrant 0, Criminal Summons 2, Traffic Warrants 20, DWI 3 and Other 0, Motor Vehicle Crashes 4, Motor Vehicle Stops 117, Motor Vehicle Warnings 8, Motor Vehicle Summons 107 (Riverton Officers 107, NJ Transit and Others??-listed like this in report), Burglar Alarms 15, Asst. to other Police Departments 50, Animal Complaints 3, Fire Calls 15, Arson 1, Ambulance Calls (Riverton) 24, Unattended Deaths 1, Criminal Case 40, Domestic 3, Thefts 2, Burglaries 1, (from Residents 1, From Vehicles 0), Assaults 2 (Police Officers 0, Firefighters/EMT 0 Civilian 2), Sexual Assault 0, Criminal Mischief 4, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 2, Miscellaneous Calls 594 and Total Calls 1,044.

In Mr. Cesaretti's absence, Mr. Brown read the following report for the month of November that was submitted by Deputy Fire Chief Robert Yearly. Fire Calls for the Month 13, Drills 3, Calls in Town 9, Calls out of Town 4 and Man Hours for the month 281.8.

STREETS, ROADS & SEWER- Dr. Smyth

Dr. Smyth reported that there has been a problem with ponding water which resulted from New Jersey American's placement of a water line at 2nd &

Howard Streets a couple or years ago. We will be setting up a meeting with representatives of New Jersey American Water Company to discuss the appropriate resolution of this issue. Council will be kept informed. Mr. Smyth announced that the Enhancement grant project is now completed.

ZONING, CODE ENFORCEMENT & PARK-Mr. Brown

Mr. Brown reported that the Zoning Board recently heard setback variance applications at their last meeting.

Mr. Brown reported that our Code Enforcement Officer has been working with the County Board of Health and our Solicitor to resolve certain issues at the property located at 300 Main Street.

Mr. Brown reported that a litter issue still exists when the fields are utilized. He will be addressing this issue with the coaches and Directors of these programs.

Mr. Brown reported that he met with Joseph Powell NJDOT Project Manager and Laura Torchio, Senior Planner for the RBA Group regarding the Borough's approved application for Technical Assistance for the Pedestrian/Bicycle Study to review the required process. Mr. Brown reported that a scope of work should be submitted for review by the end of January. Council will be kept informed.

Mr. Brown read the following Municipal Court reports submitted by Court Administrator, Jacqueline Gleason. For the month of October there were 63 traffic tickets issued-2 for parking, 60 moving and 1 DWI. There was 1 criminal warrant issued. The total receipts for the month amounted to \$10,654.00. The total amount disbursed to Riverton amounted to \$5,604.60. For the month of November there were 148 traffic tickets issued-8 for parking, 137 moving and 3 DWI. There were 3 criminal summonses issued and 1 warrant issued. The total receipts for the month amounted to \$10,642.00. The amount disbursed to Riverton amounted to \$5,008.16.

PLANNING, ECONOMIC DEVELOPMENT, SHARED SERVICES

AND REDEVELOPMENT-Mr. Smyth

Mr. Smyth reported that the Planning Board recently heard 3 minor site plan applications. The Planning Board is scheduled to hear a sub-division application for the property located at 815 Homewood Drive at their December 19th meeting. Mr. Smyth reported that work continues on the Borough's response to the requirements for Riverton's COAH certification under Round Three. The response is due by January 22, 2007.

Mr. Smyth announced that Khara Ford, who previously worked in the Office of Smart Growth is now working as the Regional Planner for the Burlington County Department of Economic Development. She replaces Robert Kull. Mr. Smyth reported that the Economic Development Committee has submitted suggested amendments to the Borough's sign Ordinance. The Planning Board will be reviewing these suggestions before making a recommendation to Council. Mr. Smyth also reported that the Economic Development Committee would be preparing the 2007 Borough Directory. They are once again asking that the Borough contribute the same amount as last year (\$600.00) for the Borough's portion. Mr. Smyth reported that he has

been attending various meetings regarding shared services. Mr. Smyth noted that we have not heard yet about the Borough's application for feasibility study funds regarding a possible merger of public safety functions.

SHADE TREE & BOARD OF HEALTH-Dr. Daniel. Dr. Daniel stated that Council would be discussing the care and maintenance tree contract in closed session later in the meeting.

MEETING OPEN TO THE PUBLIC

Muriel Alls-Moffatt, 202 Fulton Street asked how many special police officers we have. Mr. Brown responded three, but one is on suspension. Mrs. Alls-Moffatt asked for a status report regarding Sergeant Gerry Furrer. Mr. Gunn stated that this issue is still under investigation by the County. Mrs. Alls-Moffatt asked for a status report on the Fulton Street water problem. Dr. Smyth referred her to Public Works Manager, Scott Reed.

Dr. Smyth reported that we have received an agreement from resident Jim Brandenberger to provide space on his property at Broad & Main for the placement of the peace pole. Dr. Smyth stated that the peace pole could not be placed there until construction is completed at this location.

Ken Parkar, Fire Company President. Mr. Parkar provided written documentation regarding the War Memorial and what can and cannot be placed at that location. A copy is on file with the Municipal Clerk. The Riverton Fire Company is responsible for maintaining the names listed at that memorial. The land was deeded to the Borough with the stipulation that if its usage as a commemorative memorial to the veteran's of wars would no longer apply; it would revert back to the donor or his heirs. Mr. Parkar stated that if the suggestion of placing the pole at the war memorial had initially been brought to the Fire Company's attention, they would have put an end to the problems surrounding this suggestion. Mr. Gunn stated that he has reviewed the deed and if there is a use that is not in accordance with the donor's request, a possible a challenge could occur. Mr. Gunn further stated that the only thing he feels that could possibly be placed at this location would be enhancing landscaping.

Linda Hollins, 706 Cedar Street, heard that there was an offer to place the peace pole at the Porch Club. Dr. Daniel stated that the Porch Club Board met and turned down that suggestion. Ms. Hollins commented that she believes that the people who want this peace pole raised purposely want it right near that war memorial.

Muriel Alls-Moffatt, 202 Fulton Street sits on the board of the Porch Club. This issue was brought up the President, who indicated that a letter would be sent to Borough Council suggesting that if no other place was found for the peace pole, she would take it to the members to vote on it. Mrs. Alls-Moffatt doesn't feel that the peace pole would be placed at the Porch Club.

Robert Fenton, 16 Morgan Avenue, stated that the peace pole should not be placed at the War Memorial.

Dr. Smyth commented that if the peace pole is placed on the Brandenberger property, he thinks it would be about 20 feet away from the memorial. Mr. Smyth commented that he is very sensitive to the peace pole issue. If it should be

placed at the park, there should be caveats, such as not near the Flag and not near the World War One memorial stone.

Jim Gross, 203 Fulton Street, stated that if the peace pole goes on Borough property we are opening the door to opposing points of view being expressed. Mr. Gross would like to see a victory pole placed in the Borough for those people who support the war. Speaking as a veteran, Dr. Daniel commented that the peace pole does not oppose the war. He believes the pole has nothing to do with the war. Dr. Daniel believes it is a symbol of communication. Dr. Daniel believes that the definition of the peace pole is to promote peace and communication and open discussion. Mr. Smyth commented that he did research and determined that many peace poles are either placed in parks or at schools.

Margaret Wark, 406 Howard Street took issue with Dr. Daniel's comments. She cited Holland, Michigan and how their officials handled the peace pole issue. Mrs. Wark stated that their Resolution indicates that they were replacing an existing peace pole that was in their park; it was a compromise with various stipulations. Also stated in their Resolution was the fact that the Holland Michigan peace pole people were adamantly anti-war. The reason a plaque was not permitted on the pole was because of the peace pole people's anti-war activities. Mrs. Wark believes a lot of the people promoting this peace pole in town are anti-war and have attended anti war demonstrations.

William Harris, 502 Cinnaminson Street stated that he has three older brothers who served in the Korean War and they have never been honored by Riverton by having their names on a plaque at the War Memorial.

Ken Park, Riverton Fire Company President stated that papers specifically say that the memorial that is there is for all personnel who have served, who will serve and who had given their lives from the Borough of Riverton. Mr. Parkar stated that up until now we had not known that that was its full mention; however, it wasn't the Fire Company's misunderstanding. The determinations of who goes onto that memorial have always been left in the hands of the Veteran's Memorial Post. Mr. Parkar stated that Mr. Harris can be provided with a copy of the deed for his information.

Terry Pierce, 628 Lippincott Avenue supports the Peace Pole. Mr. Pierce is a member of an Aikido group and one of the founders (from Japan) was on the main peace pole committee. Mr. Pierce explained that Aikido is based on the teaching of martial arts. They teach harmony and how to redirect energy rather than fighting and killing. The idea is for peace. It doesn't mean you are against the Army or war. You are just trying to improve things. It stresses trying to learn to how discuss things and to get rid of conflict rather than going through the actual battle.

Jim Gross, 203 Fulton stated that in its broadest sense the peace pole is a political statement. Mr. Gross is in favor of its placement on private property. However, if it is placed in the park Mr. Gross asked if Council is prepared to give space to a group like the Ku Klux Klan to put up their message. Mr. Gross feels the peace pole does not belong on Borough property.

Mr. Gunn stated that before considering the park we would have to see if there are any deed restrictions. Mr. Gunn explained that because we are on the Historic Register, we would have to go to SHIPPO to get permission to place it on public property. If it does go on public property he recommends that there be a conveyance from the peace pole group to the Borough.

Mr. Smyth raised concern that we might be setting a precedent if the peace pole were to be placed in the park.

Ken Parkar, Riverton Fire Company President had concerns about placing the pole on private property and if it would meet our regulations and ordinances.

Mr. Gunn stated that he would have to do some research to determine if the placement of a peace pole on private property would require a permit or a variance application. Mayor Martin commented that he thought Mr. Gunn should review the park deed to determine if there are any restrictions before a final decision is reached.

Margaret Wark, 406 Howard Street asked if historic restrictions would apply to placing the pole on Mr. Brandenberger's property. Mr. Gunn responded no.

Gene Bandine, 522 Main Street wants a four way stop sign and Lippincott and 4th street. Mr. Bandine commented that he believes the Chief thinks this is justifiable. Mr. Smyth reported that the Safe Routes to Schools grant would deal with these types of issues.

Muriel Alls-Moffatt, 202 Fulton Street believes people are getting bent out of shape over where this peace pole goes.

Robert Fenton, 16 Morgan Avenue represents about 500 combat veterans. He wants to respect his fellow comrades at the War Memorial.

Anne Creter, 9 Laurel Road stated that one of the things about the peace pole is that it should remind people to speak more respectfully to one another. Mrs. Creter stated that she learned a lot from Mr. Fenton about why people were against placing the peace pole at the war memorial. Mrs. Creter no longer feels comfortable with the pole being placed there. Responding to Mrs. Wark's statement about the Holland, Michigan peace pole issue, Mrs. Creter read excerpts from their Resolution on peace pole issue. This document is on file with the Municipal Clerk. In response to Ms. Hollins comments, Mrs. Creter stated that the peace pole committee is not plotting; they are just looking to find a location for the peace pole. Mrs. Creter stated that she likes the options of placing the peace pole in the park or on Mr. Brandenberger's property. Mrs. Creter also suggested placing it somewhere in the new plaza in front of Zena's bakery.

Margaret Wark, 406 Howard Street stated that what Mrs. Creter previously read was not the whole Resolution. There was a portion stated whereby the pole could be removed at anytime. There are other issues in the Resolution which Mrs. Wark believes Council should read.

William Harris, 502 Cinnaminson Street, suggested that Council do a Resolution to form a racket squad here to eliminate war.

Jim Gross, 203 Fulton Street stressed the fact that this pole should not be placed on public property.

James Moffatt, 202 Fulton Street praised both Dr. Smyth and Dr. Daniel and Mrs. Creter for their work on the peace pole. It has not been easy or popular. Mr. Moffatt thanked everybody who helped in getting the new plaza done. Mr. Moffatt also thanked the Public Works Department for their work in removing the leaves.

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

NEW BUSINESS

**RESOLUTION 119-06
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. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent.

CORRESPONDENCE-There was no correspondence presented at this time.

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

**RESOLUTION 120-06
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. Smyth, who moved for its adoption. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent. It should be noted that contract negotiations will be discussed.

At this time Dr. Smyth moved that we return to public session. This was seconded by Dr. Daniel. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti absent.

**RESOLUTION 121-06
A RESOLUTION REJECTING BIDS FOR THE CARE AND MAINTENANCE OF
TREES AND AUTHORIZING THE BOROUGH CLERK TO READVERTISE FOR NEW
BIDS
(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. Brown. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Dr. Smyth aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Cesaretti absent.

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

Mary Longbottom, RMC
Municipal Clerk