

Monday Evening
Riverside, NJ
February 24, 2020
Regular Meeting
7:00p.m.

STATEMENT:

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Riverside Township Committee in the following manner:

1. Posting written notice on the official bulletin board at the Riverside Township Administrative Office Building on January 8, 2020.
2. Written notice was delivered to the Burlington County Times and the Courier Post on January 8, 2020.
3. Filed written notice with the Clerk of the Township of Riverside on January 8, 2020.

The regular meeting of the Riverside Township Committee was held on the above date at the Riverside Township Municipal Building 1 W. Scott Street Riverside, NJ 08075.

ROLL CALL

Mrs. Weaver – present, Mrs. Hatcher – present, Mr. Kimble – present, Mr. Kirk – present, Mr. Frey – present.

Also present: Municipal Clerk Susan M. Dydek, Police Chief William Eliason, Attorney James Grace and Administrator Meghan Jack.

PROCLAMATIONS:

- 1) Honoring Liam Hunter Osborne. **Motion made by Mmes. Hatcher and Weaver adopting the aforementioned Proclamation carried.**
- 2) Honoring Zion Lutheran Church. **Motion made by Mmes. Hatcher and Weaver adopting the aforementioned Proclamation carried.**

APPROVAL OF MINUTES:

Motion made by Mr. Kirk and Mr. Kimble that the following minutes be approved: The Work Session Meeting of January 27, 2020, the Regular Meeting of January 27, 2020, the Closed Session Minutes of January 27, 2020 and the Work Session Meeting of February 3, 2020. Upon roll call the vote was as follows: Ayes – Messrs. Kirk, Kimble and Frey and Mrs. Hatcher. Nays – None. Abstain – Mrs. Weaver. Motion carried.

OPEN PORTION AGENDA ITEMS:

Mayor Frey opened the meeting to the public for agenda items only.

- 1) Michelle Higgenbotham – 222 Rancocas Avenue – Ms. Higgenbotham stated that she is voicing her concern for people that are not in attendance. Ms. Higgenbotham stated that the major concern is that the money is being moved from a truck reserve to fund the fire station budget. Ms. Higgenbotham stated that although their Public Notice was posted in the designated places, only 17 people voted for the Fire District’s Special Election. Ms. Higgenbotham questioned if the Fire District uses the truck money, how would they be able to purchase a new truck?
- 2) Kamilla DaSilva – 200 S. Fairview Street – Questioned when a new truck will have to be purchased? Fire Commissioner Conard Jr. stated that possibly 5 years. Ms. DaSilva questioned if the 3.5 million will be used for the new building? Commissioner Conard answered in the affirmative. Administrator Jack explained the budget procedure.
- 3) Mike Hart – 800 Devon Road – Mr. Hart questioned how much was approved for the new building? Commissioner George Conard Jr. stated that 3.5 million was approved. Mr. Hart questioned wouldn’t it have been easier to ask for the 3.7 million? Commissioner Conard Jr. answered stating that the voters specified that they did not want to go above 3.5 million.
- 4) Ann Law – 6 Grant Street – stated that she is a bookkeeper. Ms. Law voiced concern that the Fire District is taking money from their reserve and questioned if there is excess money, will it be replaced? Fire Commissioner Conard answered that if he is allowed by the Department of Community Affairs to return any excess money, he will. Ms. Law questioned how can the residents be ensured that they will get the best bid? It was stated that they have to take the lowest bid. Ms. Law questioned if the Professionals were appointed. Fire Commissioner Conard answered in the affirmative.

In seeing that no members of the public wishing to speak, **motion made by Mrs. Hatcher and Mr. Kimble to close Public Portion (Agenda Items Only) carried.**

ORDINANCES

The following Ordinance was introduced at the Regular Meeting of January 27, 2020 and advertised in the Burlington County Times on February 16, 2020. **ORDINANCE 2020 - #1 entitled, “RIVERSIDE TOWNSHIP ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.”**

Mayor Frey opened the Public Portion.

Hearing nothing from the public, **motion made by Mrs. Hatcher and Mr. Kirk that Public Portion be closed. Upon roll call, the vote was as follows: Ayes – Mrs. Hatcher, Messrs. Kirk, Kimble and Frey, and Mrs. Weaver. Nays – None. Abstain – None. Motion carried.**

Motion made by Mrs. Hatcher, seconded by Mr. Kimble that the foregoing Ordinance be passed on second and final reading. Upon roll call, the vote was as follows:

Ayes – Mmes. Hatcher Weaver, Messrs. Kimble, Kirk and Frey.

Nays – None.

Abstain – None.

Motion carried.

Mr. Kirk made a motion to adopt Ordinance 2020 - #2 entitled, “AN ORDINANCE OF THE TOWNSHIP OF RIVERSIDE AMENDING CHAPTER 255 OF THE TOWNSHIP CODE ENTITLED, “LAND USE” seconded by Mrs. Weaver. Upon roll call the vote was as follows: Ayes – Messrs. Kirk, Frey, Kimble and Mmes. Weaver and Hatcher. Nays – None. Abstain – None. Motion carried.

RESOLUTION:

Mrs. Weaver made a motion to table Resolution 2020 - #43 entitled, “RECOMMENDATION OF THE RIVERSIDE TOWNSHIP COMMITTEE REGARDING THE 2020 RIVERSIDE FIRE DISTRICT BUDGET” seconded by Mrs. Hatcher. Upon roll call the vote was as follows: Ayes – Messrs. Kirk, Frey, Kimble and Mmes. Weaver and Hatcher. Nays – None. Abstain – None. Motion tabled.

CONSENT AGENDA:

Mr. Kirk made a motion, seconded by Mr. Kimble that the Consent Agenda be approved carried.

The following Resolutions were contained in the consent agenda:

- | | |
|------------|---|
| 2020- #44 | Resolution of the Township of Riverside Authorizing Amicus Partnership and Funding Assistance in the Appeal of Verizon New Jersey Inc. v. Hopewell Borough. |
| 2020 - #45 | Handicapped Parking Approval. |

ACTION

- 1) Authorization to appoint Frank Kopec as Plumbing Sub-Code Official **approved on motion by Mrs. Hatcher and Mr. Kimble carried.**
- 2) **Mrs. Hatcher made a motion** authorizing to instruct the Township Clerk to issue letters to the contiguous property owners of 215 N. Fairview Street (a Township owned property) of the Township’s intentions to sell the property to the highest bidder **seconded by Mr. Kirk carried.**

SHADE TREE COMMITTEE REQUEST

- 1) Kamila Souza – 421 South Chester Avenue – Removal of four (4) trees.

RESOLUTION 2020 - #44

**RESOLUTION OF THE TOWNSHIP OF RIVERSIDE
AUTHORIZING AMICUS PARTICIPATION AND
FUNDING ASSISTANCE IN THE APPEAL OF
VERIZON NEW JERSEY INC.**

**V.
HOPEWELL BOROUGH**

WHEREAS, on January 28, 2018, the New Jersey Tax Court ruled in favor of Hopewell Borough (“Hopewell”) in the case of Verizon New Jersey Inc. v. Hopewell Borough (“Hopewell Litigation”), and affirmed the ten-year decision of the Mercer County Tax Board regarding Verizon’s obligation to pay business personal property tax to Hopewell for the year of 2008; and

WHEREAS, an appeal and cross-appeal have been filed by Verizon and Hopewell; and

WHEREAS, Verizon is challenging the constitutionality of N.J.S.A. 54:4-1, which requires the payment of personal property taxes by Verizon and certain other telephone service providers; and

WHEREAS, the outcome of the appeal will affect Riverside Township’s continued collection of personal property tax pursuant to N.J.S.A. 54:4-1; and

WHEREAS, Joel Shain, Esq., of the law firm of Shain Schaffer PC (“Shain Schaffer”) serves as Public Utility Counsel for the League of Municipalities (“League”); and

WHEREAS, the League is participating the Appeal as *Amicus Curiae* (“*Amicus*”) and has engaged Shain Schaffer to act on its behalf; and

WHEREAS, the League has requested that Riverside Township and other affected municipalities participate and share in the cost of the appeal by joining the League as *Amicus* and contributing \$2,000.00 toward its counsel’s fees; and

WHEREAS, joining the League in this appeal is in the public interest; and

WHEREAS, the Treasurer or Chief Financial Officer has determined that sufficient funds are available in the budget, in the amount of \$2,000.00, as evidenced by the Treasurer's Certification, a copy of which is annexed hereto as Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Riverside, County of Burlington, State of New Jersey that Riverside Township participate with the League of Municipalities as *Amicus Curiae* in the appeal of the Hopewell Litigation and pay the law firm of Shain Schaffer PC, \$2,000.00

BY ORDER OF THE RIVERSIDE TOWNSHIP COMMITTEE.

I certify that the foregoing Resolution No. 2020 - #44 is a true and correct copy of a resolution adopted by the Township Committee of the Township of Riverside at a Regular Meeting held on February 24, 2020.


 Susan Dydek, RMC
 Municipal Clerk

Record Vote of the Township Committee on Final Passage					
Committee Member	Yes	No	Abstain	Absent	Motioned By:
Weaver	X				
Hatcher	X				
Kimble	X				2nd
Kirk	X				1st
Frey	X				

RESOLUTION 2020 - #45

HANDICAPPED PARKING SPACE APPROVAL

WHEREAS, pursuant to Riverside Township Code, Chapter 243-47, et seq., the Riverside Township Committee has reviewed requests for handicapped parking spots; and

WHEREAS, the Township Police Department has reviewed the requests and determined that there is sufficient on-street parking to honor this request; and

WHEREAS, the Township Committee has the authority to honor these requests by Resolution pursuant to Chapter 243-49.1B.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Riverside that resident handicapped on-street parking spots are authorized at:

<u>Street</u>	<u>Street Number</u>	<u>Name of Requestor</u>
Kossuth Street	323	Ristow, Bruce PD - approved

CORRESPONDENCE:

None.

REPORTS:**DEPARTMENT OF PUBLIC SAFETY:**

Chief Eliason reported the Police Activity for January 2020: Incidents – 885, Investigations – 105, Adult Arrests Total – 80, Motor Vehicle Summons – 276, Motor Vehicle Accidents – 13, Juvenile Charges – 8, Curfew Violations – 0, Protective Custody – 0, Stationhouse Adjustments – 0, Summons for False Alarms – 0, False Alarm Calls – 20, False Alarm Warning Letters – 0. Chief Eliason reported on the various trainings that the Officers attended, the various programs in which the officers and the Chief participated in, and various awards and commendations that the police officers received. The report is on file in the Municipal Clerk's Office.

Mayor Frey reported that an EMS report was not received.

DEPARTMENT OF PUBLIC WORKS:

Mrs. Hatcher reported on following services that were provided by the Public Works Department: Two additional passes for bagged leaf pickup were done. Leaf pick-up has now ceased. Christmas Tree pickup has ceased, street patching was be performed as needed, the new tote trash cans are being delivered and they have started cleaning up all Township properties and ball fields.

DEPARTMENT OF REVENUE AND FINANCE AND ECONOMIC DEVELOPMENT:

Mr. Kirk reported on the Tax Collector's Monthly Report. The Current Collections are as of December 31, 2019 - \$18,868.35. The Collection Rate is 95.57%.

DEPARTMENT OF RECREATION:

Mr. Kimble reported that the race is live as of today and all the proceeds will be donated to Lt. Fisher with NJ TIP. Mr. Kimble is finishing up procuring food trucks, a band and a disc jockey.

DEPARTMENT OF PUBLIC EVENTS:

Mrs. Weaver stated that Read Across America will begin in March. The next Township event will be the Easter Egg Hunt on April 4th at Whomsley Field.

SOLICITOR'S REPORT:

Solicitor Grace had no report.

ENGINEER'S REPORT:

The Engineer's Report has been submitted and a copy of the report is on file in the Municipal Clerk's Office.

ADMINISTRATOR'S REPORT:

Administrator Jack reported that the Budget Meetings will commence in March. The Township has not received any figures from the State regarding aid. The Stormwater Catch Basin cleaning has commenced. The 2019 Annual Stormwater Report was submitted and there are no comments to date. The Township was awarded the following grants: NJ DOT Phase XIII in the amount of \$245,000.00 and the NJ DCA Small Cities Grant for ADA curb cuts was awarded in the amount of \$400,000.00. The TCDI Grant Application was submitted February 21, 2020.

Motion made by Mr. Kirk and Mr. Kimble to approve all the reports that were given and submitted, carried.

BILLS AND EXPENDITURES:

Motion made by Mr. Kimble and Mr. Kirk to approve the bills and expenditures for payment carried.

PUBLIC PORTION:

Mayor Frey opened the Public Portion.

- 1) Ann Law – 6 Grant Street – questioned when the residents will be able to get smaller totes? Administrator Jack stated the smaller totes should be ready in 5 weeks and stated that Ms. Law is on the list for a smaller tote.
- 2) Herm Maurer – Trustee with the Riverside Historical Society – The Township is celebrating the 125th Anniversary. The Historical Society has published a book on the 19th Century of Riverside Township.
- 3) Anthony Marzulli – 540 Bridgeboro Street – Questioned if recycling carts can be used for trash? Administrator Jack answered in the negative.
- 4) Michelle Higgenbotham – questioned the fees for the Legalized Games of Chance Fees. Municipal Clerk Dydek stated that the Committee voted to waive all fees for the school.
- 5) Richard Naylor – 300 Whittaker Street – Questioned where he can purchase Girl Scout Cookies. Mrs. Frey stated that she is a Girl Scout Leader and stated that she will speak to Mr. Naylor after the meeting.
- 6) Kamilla Da Silva – 200 S. Fairview Street – questioned the Township Website. Mayor Frey stated that the Township Website is currently being upgraded. Ms. Da Silva questioned how much the Township will pay a person to perform this. Administrator Jack answered that the IT Company is working on the upgrade.

- 7) Diane Port – 221 Whittaker Street – Stated her concern for people parking in her driveway. Mayor Frey stated that this must be called in to the Police. Mrs. Port stated that there is constant speeding up and down the street.
- 8) Dan Cunningham – 130 Jefferson Street – Questioned if there is an ordinance regarding commercial vans parking overnight. Chief Eliason stated that there is an ordinance but it doesn't apply to vans. The vehicles must be over 5000lbs.
- 9) Don Nesbitt – Riverside Fire Chief – The Fire Company will be hosting a Citizens Fire Academy and they have 2 positions open.


Hearing nothing further from the public, motion made by Mrs. Hatcher and Mr. Kimble to close Public Portion carried.

RESOLUTION

Mrs. Hatcher made a motion to adopt Resolution 2020-#46 entitled, "A RESOLUTION OF THE TOWNSHIP PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12" seconded by Mrs. Weaver. Upon roll call, the vote was as followed: Ayes – Messrs. Frey, Kimble, Kirk and Mmes. Hatcher and Weaver. Nays – None. Motion carried.

Motion to reopen the meeting made by Mr. Kimble and Mr. Kirk carried.

There being no further business to attend to, motion made by Mrs. Hatcher and Mr. Kirk that the meeting be adjourned carried.


Susan M. Dydek, RMC
Municipal Clerk

RESOLUTION 2020 - #46
A RESOLUTION OF THE TOWNSHIP OF RIVERSIDE PROVIDING FOR A
MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE
PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT,
N.J.S.A. 10:4-12

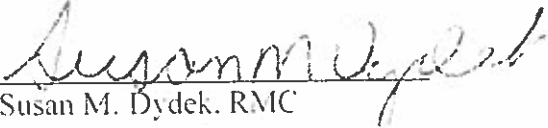
WHEREAS, the Township Committee of the Township of Riverside is subject to certain requirements of the Open Public Meetings Act. N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act. N.J.S.A. 10:4-12. provides that an Executive Session. not open to the public. may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Riverside to discuss in a session not open to the public certain matters relating to Personnel. the Acquisition of Real Property. Litigation and Matters involving Attorney Client Privilege.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Riverside, assembled in public session on February 24, 2020 that an Executive Session closed to the public shall be held during the Regular Meeting of the Township Committee on February 24, 2020 in the Township Municipal Building. 1 West Scott Street Riverside, New Jersey for the discussion of matters relating to the specific items designated above. It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Committee of the Township of Riverside, County of Burlington, State of New Jersey, at a Regular Meeting held on February 24, 2020.


Susan M. Dydek, RMC
Municipal Clerk

