

Monday Evening  
Riverside, NJ  
October 21, 2019  
**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 3, 2019.
2. Written notice was delivered to the Burlington County Times and the Courier Post on January 3, 2019.
3. Filed written notice with the Clerk of the Township of Riverside on January 3, 2019.

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, Mr. Higgins – present, Mr. Frey – present, Mr. Kimble – present, Mrs. Hatcher – present.

Also present: Municipal Clerk Dydek, Police Chief William Eliason, Attorney Albert Marmero and Administrator Jack.

**PROCLAMATIONS:**

None.

**APPROVAL OF MINUTES:**

Mayor Hatcher requested that it be noted in the minutes of the Regular Meeting of September 16, 2019 that a report was not received from the Delran Emergency Squad. Mayor Hatcher also noted that the spelling of two names that needed to be amended.

**Motion made by Mr. Frey and Mrs. Weaver that the following minutes be approved: The Work Session Meeting of September 16, 2019, the Regular Meeting of September 16, 2019, the Closed Session Minutes of September 16, 2019, the Special Meeting of October 4, 2019, the Closed Session Meeting of October 4, 2019 and the Work Session Meeting of October 7, 2019. Upon roll call the vote was as follows: Ayes – Messrs. Higgins, Kimble and Frey, Memes. Weaver and Hatcher. Nays – None. Abstain – None. Motion carried.**



**OPEN PORTION AGENDA ITEMS:**

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

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

**ORDINANCES**

The following Ordinance was introduced at the Regular Meeting of September 16, 2019 and advertised in the Burlington County Times on September 29, 2019. **ORDINANCE 2019 - #11 entitled, "AMENDING CHAPTER 243 OF THE TOWNSHIP CODE ENTITLED, "VEHICLES AND TRAFFIC."**

**Mayor Hatcher opened the Public Portion.**

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

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

**Ayes – Messrs. Higgins, Frey, Kimble, Mmes. Weaver and Hatcher.**

**Nays – None.**

**Abstain – None.**

**Motion carried.**

**CONSENT AGENDA**

Attorney Marmero said that a Resolution should be added to the Consent Agenda. Resolution 2019 - #140 was added to the Consent Agenda.

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

The following Resolutions were contained in the consent agenda:

- |             |   |
|-------------|---|
| 2019 - #130 | Riverside Township Overpayment Resolution.  |
| 2019 - #131 | Resolution of the Township of Riverside Authorizing an Extension to a Statutory Receiver. |
| 2019 - #132 | Approval for Handicapped Parking.   |

**RESOLUTION 2019- #130****RIVERSIDE TOWNSHIP OVERPAYMENT RESOLUTION**

**BE IT RESOLVED**, that the following overpayment be refunded and cleared from the records and checks drawn to clear the records:

<b>Name</b>	<b>Amount</b>	<b>Address</b>	<b>Reason</b>	<b>Department</b>
Marlene Klemm	\$250.00	914 Arndt Ave. Riverside, NJ 08075	Escrow Refund for Street Opening Permit #1168 for 914 Arndt Avenue	Municipal Clerk
Scott Dunlap	\$250.00	779 Thornwood Drive Mt. Laurel, NJ 08054	Refund for Vacant Vacant Property Fee for 545 Kossuth Street Property sold within 6 Months.	Municipal Clerk
Brian Mc Garvey	\$250.00	224 Delaware Ave. Riverside, NJ 08075	Escrow Refund for Street Opening Permit #1185 for 224 Delaware Avenue	Municipal Clerk

## RESOLUTION NO.: 2019 - #131

**RESOLUTION OF THE TOWNSHIP OF RIVERSIDE  
AUTHORIZING AN EXTENSION TO A STATUTORY RECEIVER.**

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RIVERSIDE AUTHORIZING AN EXTENSION TO A STATUTORY RECEIVER OF PLENARY RETAIL CONSUMPTION LICENSE NUMBER 0330-33-005-003 FROM JOHN BARRON ENTERPRISES, INC. TO DINO SPADACCINI, ESQ., STATUTORY RECEIVER FOR JOHN BARRON ENTERPRISES, INC.

**Whereas**, pursuant to an order of the Superior Court on New Jersey, Dino Spadaccini, Esq. has been appointed as receiver for John Barron Enterprises, Inc. and is authorized to manage all assets of John Barron Enterprises, Inc., including Plenary Retail Consumption License Number 0330-33-005-003, heretofore issued to John Barron Enterprises, Inc.; and

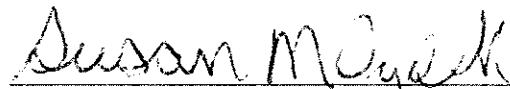
**Whereas**, it is necessary that the Township Committee of the Township of Riverside authorize the Extension to a Statutory Receiver; and

**Whereas**, the applicable Superior Court order establishing this receivership is attached as Exhibit A; and

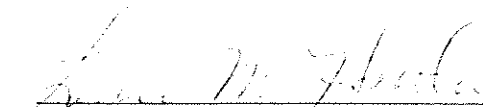
**Now, Therefore Be It Resolved**, that the Riverside Township Committee, does hereby approve, nunc pro tunc to June 30, 2019, the Extension to the Statutory Receiver hereby direct the Township Clerk to endorse the license certificate to as follows: "This license, subject to all of its terms and conditions, is hereby Extended to Dino Spadaccini, Esq., Statutory Receiver for John Barron Enterprises, Inc. nunc pro tunc to June 30, 2018."

**Effective Date:** This Resolution shall take effect immediately upon adoption.

Adopted by the Township Committee of the Township of Riverside on this the 21st day of October, 2019.



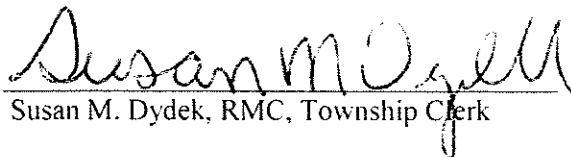
Susan M. Dydek, RMC, Township Clerk  
Riverside Township



Lorraine Hatcher, Mayor  
Riverside Township

**Certification**

Susan Dydek, Municipal Clerk of the Township of Riverside, hereby certifies the foregoing to be a true copy of a Resolution adopted by the Township Committee of the Township of Riverside, in the County of Burlington and State of New Jersey, at a meeting held on this the 21st day of October 2019.



Susan M. Dydek, RMC, Township Clerk

FILED WITH  
MAY - 1 2018

SALDUTTI LAW GROUP  
Williams F. Saldutti, III, Esquire (#034971984)  
Brian J. Schaffer, Esquire (#026261996)  
800 N. Kings Highway, Suite 300  
Cherry Hill, NJ 08034  
(856) 779-0300  
Attorneys for Plaintiff

SUSAN L. CLAYTON

APEX MORTGAGE CORP.,  
Plaintiff,

SUPERIOR COURT OF NEW JERSEY  
BURLINGTON COUNTY  
LAW DIVISION

v.

Docket No.: L-000620-18

RIVERSIDE EAST END HOTEL, INC.,  
JOHN BARRON ENTERPRISES INC.,  
JOHN BARRON,

*Civil Action*

Defendants.

ORDER APPOINTING A STATUTORY  
RECEIVER PURSUANT  
TO N.J.S.A 14A:14-2, ET SEQ. AND  
GRANTING OTHER RELIEF

THIS MATTER having been opened to the court by Saldutti Law Group, attorneys for Plaintiff, Apex Mortgage Corp., by way of application for an Order to Show Cause seeking the appointment of a statutory receiver pursuant to N.J.S.A. 14A:14-2 et seq., and notice of this application having given to Defendants in the within matter and the Court having examined the Verified Complaint and Memorandum of Law submitted herein, and Plaintiff, Apex Mortgage Corporation, having appeared before this Court on April 27, 2018 and for good cause having been shown;

IT IS ON THIS \_\_\_\_\_ day of May, 2018, ORDERED AND ADJUDGED as follows:

1. Dino Spadacinni, Esquire of The Spadacinni Law Firm is hereby appointed the Statutory Receiver for the Defendant Corporations, Riverside East End Hotel, Inc and John

Barron Enterprises Inc., during the pendency of this action and empowering the receiver to manage, oversee and operate each corporation, with the usual powers and duties as provided under New Jersey Law and to take any actions the receiver may deem necessary to fulfill his duties, including but not limited to demand, collect, and receive from persons or parties in possession of assets of each Defendant or any portion thereof, and to collect all issue and profits now due or to become due to each Defendant which are unpaid or hereafter become due; and that the Receiver be and is hereby authorized to institute and prosecute all legal proceedings necessary for the protection of each corporation, or to recover possession of any assets of each corporation, or to recover possession of any assets of each corporation which has been improperly transferred or conveyed; and to institute and prosecute actions for the collections of money due or thereafter to become due; and

2. Defendants and each of its officers, directors, agents and/or employees, are to immediately turnover and deliver to the receiver or cause to be delivered all corporate documents, financial books and records, asset lists, liquor license and applications, tax returns, financial statements, keys, alarm codes and other documents or materials in their possession, custody, and/or control, as may be further requested by the receiver pertaining to the operation of the Defendant Corporations; and

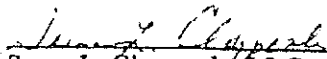
3. The Receiver is further authorized to operate, manage, and administer the assets and business opportunities of each Defendant in accordance with the provisions of N.J.S.A. 14A:14-5, et seq. and report to this Court on a monthly basis as to collection of all income and other assets of each Defendant as well as the management and operation of said Defendant Corporations; and

4. The Receiver shall be and is hereby directed to offer for sale any of the business assets, real estate, personal property and liquor license of the Defendants; however, any such sale of the Defendants' assets shall be subject to the further approval of this Court; and

5. The Receiver shall not be required to post any surety bond with regard to Receiver's responsibilities under this Order; and

6. The Receiver and any party in interest hereto, at any time may apply to this Court for further direction and for such further powers as may be necessary to enable the Receiver to fulfill his duties; and

**IT IS FURTHER ORDERED** that a copy of this Order shall be served upon the Defendants within 7 days of the entry of this Order.

  
\_\_\_\_\_  
Susan L. Claypoole, J.S.C.



**RESOLUTION 2019 - #132**  
**APPROVAL FOR HANDICAPPED PARKING**

**WHEREAS**, pursuant to Riverside Township Code, Chapter 243-47, et seq., the Riverside Township Committee has received a request for handicapped parking spot; and

**WHEREAS**, the Township Police Department has reviewed the request 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 spot is authorized at:

<u>Street</u>	<u>Street Number</u>	<u>Name of Requestor</u>
Filmore Street	710	James Traekner Sr. PD - approved

**RESOLUTION 2019 - #133**

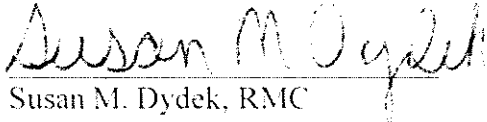
**A RESOLUTION OF THE TOWNSHIP OF RIVERSIDE AUTHORIZING THE  
CANCELLATION OF PROPERTY TAX OVERPAYMENTS OR DELINQUENT  
AMOUNTS LESS THAN \$10.00**

**WHEREAS**, N.J.S.A. 40A:5-17 allows for the cancellation of refunds or delinquent amounts in the amounts of less than \$10.00; and

**WHEREAS**, the Township of Riverside may authorize a municipal employee chosen by said body to process, without further action on their part, any cancellation of refunds or delinquencies of less than \$10.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Riverside that the Riverside Township Tax Collector is authorized to cancel said amounts as deemed necessary for the tax year 2019

**I HEREBY CERTIFY** that the foregoing Resolution was adopted by the Township Committee of the Township of Riverside, in the Township of Riverside, County of Burlington, State of New Jersey, at a Regular Meeting held on November 19, 2018.

  
Susan M. Dydek, RMC  
Municipal Clerk

**RESOLUTION 2019 - #134**  
**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 TO THE**  
**CONTRACT BETWEEN THE TOWNSHIP OF RIVERSIDE AND**  
**PIONEER GENERAL CONTRACTING FOR**  
**THE INTERSECTION IMPROVEMENTS PROJECT.**

**WHEREAS**, the Township Committee by Resolution No. 2019 - #78 dated May 20, 2019 awarded a contract of total amount of \$187,623.50 to Pioneer General Contracting, PO Box 67 Bradley Beach, NJ 07220 for the Intersection Improvements Project (Hereinafter called "Project;") and

**WHEREAS**, the Township Engineer, Pennoni Associates, determined that an increase is needed in the original project bid to include final quantity adjustments; and

**WHEREAS**, the Township Engineer, Pennoni Associates recommended Change Order No. 3 in the amount of (3,734.50) decreasing the total contract amount to \$198,389.00; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Riverside that Change Order No. 3 to the contract with Pioneer General Contracting decreasing the total contract amount by (3,734.50) to a total amount cost of \$198,389.00 is hereby approved and the Township Committee authorizes the aforementioned Change Order be executed on this 21<sup>st</sup> day of October 21, 2019.

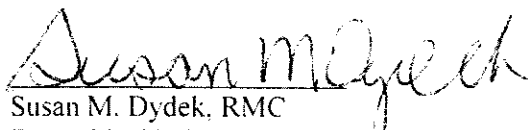
Adopted the 21<sup>st</sup> day of October 2019 at the Regular Meeting of the Township of Riverside.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Township Chief Financial Officer.

	WEAVER	HIGGINS	FREY	KIMBLE	HATCHER
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					
MOTION			IST	JNJ	

**CERTIFICATION**

I, Susan M. Dydek, RMC, Riverside Township Clerk, hereby certify that the foregoing resolution was duly adopted by the Riverside Township Committee at its Regular Meeting held on the 21<sup>st</sup> day of October, 2019.

  
 Susan M. Dydek, RMC  
 Township Clerk

**Resolution 2019 - #135****A Resolution of the Township of Riverside authorizing the closeout of Municipal Park Development Program Grants.**

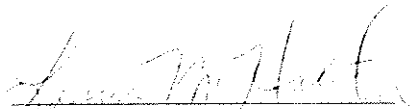
WHEREAS, in 2012 and 2013, the Township of Riverside received a Municipal Park Development Program Grant from the County of Burlington in the amount of \$125,000.00 and \$250,000.00 for the Whomsley Field Improvement Projects; and

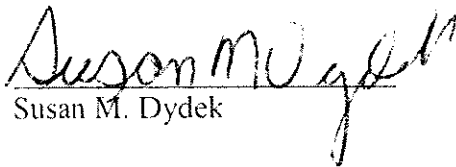
WHEREAS, a contract(s) was awarded to Sussman Enterprises for performance of the work described above; and

WHEREAS, work under the contract was complete in July, 2016 and the Township's Engineer did inspect and certify that the work was complete in conformance with contract plans and specifications and all other applicable requirements and has authorized final payment to the contractor; now, therefore, be it

RESOLVED by the Mayor and Township Council of the Township of Riverside, County of Burlington, State of New Jersey that the scope of work associated with the 2012 and 2013 Burlington County Park Development Program Grants are complete; and be it

FURTHER RESOLVED that the submission to the County of Burlington of the documents necessary to receive final reimbursement of grant funds is hereby authorized.

  
Lorraine M. Hatcher

  
Susan M. Dydek

**RESOLUTION 2019 - #136**  
**A RESOLUTION OF THE TOWNSHIP OF RIVERSIDE AUTHORIZING AND**  
**ESTABLISHING THE PROFESSIONAL SERVICES BUDGET FOR VARIOUS**  
**PROJECTS.**

**WHEREAS**, the Township of Riverside has authorized funding for the 2019 Inlet Repairs; and

**WHEREAS**, the project will require professional engineering services; and

**WHEREAS**, the Township of Riverside has appointed Pennoni Engineering as the Engineer for the year 2019; and

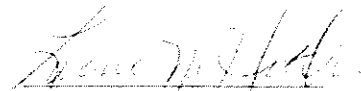
**WHEREAS**, the scope of work has been received from Pennoni Engineering as referenced in the attached Proposals for Professional Services, with a budget not to exceed the following:

Task 1 – Design and Bidding - \$8,300.00


Task 2 – Construction Phase Services - \$8,700.00

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of Riverside hereby authorizes and establishes the professional services budget for the projects as outlined herein.

Adopted the 21<sup>st</sup> day of October 2019 at the Regular Meeting of the Township of Riverside.



Lorraine M. Hatcher  
Mayor



Susan M. Dydek, RMC  
Municipal Clerk

**RESOLUTION 2019 - #137**  
**A RESOLUTION OF THE TOWNSHIP OF RIVERSIDE AUTHORIZING THE**  
**TAX COLLECTOR TO PLACE MUNICIPAL LIEN AGAINST**  
**CERTAIN BLOCKS AND LOTS.**

WHEREAS, the Township has identified certain blocks and lots, as a public nuisance due to failure to maintain the property; and

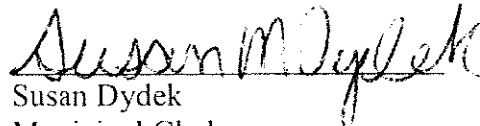
WHEREAS, the Codes of the Township of Riverside has made provisions in the event that the owner and/or tenant or person in possession shall refuse or neglect to abate or remedy the condition complained of after said notice, whereas the Township Committee may cause the condition complained of to be abated and remedied and shall thereafter certify the cost thereof to the Collector of Taxes of the Township of Riverside to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes; and

WHEREAS, the Township has identified the attached blocks and lots as properties that failed to maintain the grass and/or weeds; and

WHEREAS, the Township has abated the conditions and hereby places the cost of abatement as a lien against the attached blocks and lots in the amounts shown.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Riverside approves such action.

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 the Regular Meeting held on October 21, 2019.

  
Susan Dydek  
Municipal Clerk

PAGE 1 ATTACHMENT TO RESOLUTION 2019-#137

The amount of \$100.00 shall be charged to the following addresses:

532 Taylor Street -- Block 3002, Lot 17

**RESOLUTION 2019 - #138**  
**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**

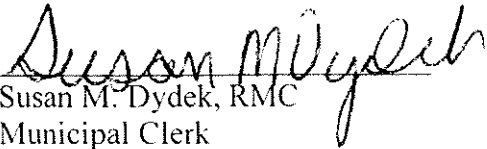
**WHEREAS**, the Township Committee of the Township of Riverside is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

**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 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 October 21, 2019 that an Executive Session closed to the public shall be held during the Special Meeting of the Township Committee on October 21, 2019 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 October 21, 2019.

  
Susan M. Dydek, RMC  
Municipal Clerk



**RESOLUTION 2019 - #139**  
**A RESOLUTION OF THE TOWNSHIP OF RIVERSIDE ESTABLISHING A**  
**CURFEW FOR THE EVENING COMMONLY KNOWN AS MISCHIEF NIGHT**  
**AND DESIGNATING HOURS FOR HALLOWEEN**

WHEREAS, the Township of Riverside has determined it is in the best interest of the Township residents to establish a curfew for the evening commonly known as Mischief Night and designate hours for Halloween.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Riverside, in the County of Burlington, in the State of New Jersey, that the curfew hour of 8:00P.M. will be in effect for all residents under the age of 18 unless accompanied by a parent or guardian for October 30, 2019 commonly known as "Mischief Night" and 8:00P.M. will be designated as the end of time for knocking on doors for Trick – or - Treating on October 31, 2019, commonly known as Halloween.

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RIVERSIDE  
AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP AND  
PROPERTY OWNER REGARDING VACATION OF FORECLOSURE**

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**WHEREAS**, Riverside conducted a tax sale of the Owner's Property on October 17, 2018 resulting in the issuance of Tax Sale Certificate #: 18-00011 and recorded the Certificate on December 7, 2018 in Book 13366, Page 2667; and

**WHEREAS**, on May 9, 2019, Riverside filed an *In Rem* Foreclosure action in the Superior Court of New Jersey, Foreclosure Unit, under Docket No.: SWC-F-008811-19 and obtained a Final Judgment on September 26, 2019; and

**WHEREAS**, subsequent to the entry of Final Judgment Owner contacted Riverside and requested the privilege of paying all past and current charges and/or liens for taxes and other charges against the Property and for title to be vested back to Owner.

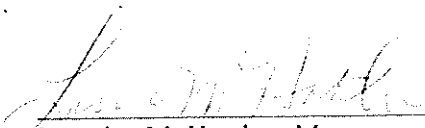
**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Riverside Committee, County of Burlington, State of New Jersey, as follows:

1. That the governing body does hereby authorize the execution of the Agreement between the Township and Owner whereby the Owner will pay all taxes to the Township and the Township will vacate the Final Judgment returning the Property to the Owner. A copy of said Agreement is attached hereto.

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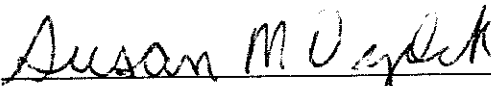
**CERTIFICATION**

The foregoing Resolution was duly adopted at a Committee Meeting of the Township of Riverside held on the 21 day of October, 2019.

  
\_\_\_\_\_  
Lorraine M. Hatcher, Mayor  
Riverside Township

**Certification**

Susan Dydek, Municipal Clerk of the Township of Riverside, hereby certifies the foregoing to be a true copy of a Resolution adopted by the Township Committee of the Township of Riverside, in the County of Burlington and State of New Jersey, at a meeting held on this the 21 day of October, 2019.

  
\_\_\_\_\_  
Susan M. Dydek, RMC  
Riverside Township Municipal Clerk

**AGREEMENT BETWEEN THE TOWNSHIP OF RIVERSIDE, BURLINGTON  
COUNTY AND CARLOS GONZALEZ, JR.**

This Agreement (the "Agreement") is made by and between the Township of Riverside, Burlington County (hereinafter "Riverside") and Carlos Gonzalez, Jr. (hereinafter "Gonzalez") and/or collectively "The Parties."

**BACKGROUND**

**WHEREAS**, this Agreement pertains to the property located at 115 S. Pavillon Ave., Block 905, Lot 32, Township of Riverside, Burlington County, New Jersey 08075 (the "Property"); and

**WHEREAS**, Riverside conducted a tax sale of the Property on October 17, 2018 resulting in the issuance of Tax Sale Certificate #: 18-00011 in the amount of \$91.91, plus statutorily authorized interest, and recorded on December 7, 2018 in Book 13366, Page 2667; and

**WHEREAS**, on May 9, 2019, Riverside filed an *In Rem* Foreclosure action in the Superior Court of New Jersey, Foreclosure Unit, under Docket No.: F-008811-19 and obtained a Final Judgment on September 26, 2019; and

**WHEREAS**, subsequent to the entry of Final Judgment Gonzalez contacted Riverside and requested the privilege of paying all past and current charges and/or liens for taxes and other charges against the Property and for title to be vested back to Gonzalez; and

**WHEREAS**, the total due and owing to satisfy all outstanding charges and/or liens for taxes against the Property through October 21, 2019 is \$8,509.09; and

**WHEREAS**, Riverside has expended legal fees and costs associated with this Agreement. Gonzalez hereby agrees to pay all legal fees that Riverside has expended in order to effectuate this Agreement in the amount of \$400.00, which includes a \$50.00 Superior Court

Motion filing fee and \$50.00 recording fee for the Burlington County Clerk's Office, resulting in an overall total of \$8,909.09.

**NOW, THEREFORE**, in mutual consideration of the promises and covenants that hereinafter follow, the Parties wish to enter into an Agreement to reserve and hold in trust the amount of \$8,909.09, representing outstanding charges and/or liens for taxes against the Properties paid by Gonzalez, pending the Township of Riverside Committee approval or denial of the request for redemption.

### TERMS

#### 1. Consideration

1.1 In exchange for and in consideration of the Parties' promises as set forth above and below, the Parties agree as follows:

a) Gonzalez shall remit a payment of \$8,909.09 to the Township of Riverside no later than October 21, 2019 via certified check or money order to the Riverside Township Tax Collector.

b) Riverside shall hold the funds provided by Gonzalez in escrow pending the final decision by the Township of Riverside Committee's response to Gonzalez's request for redemption that shall take place at the regularly scheduled meeting on or about October 21, 2019.

c) Should the Riverside Committee approve Gonzalez's request, the funds will then be taken from escrow and applied against the charges and/or liens for taxes against the Property; and

i. Upon confirmation that the funds have cleared, Riverside's *In Rem* Foreclosure Counsel, Grace Marmero, shall prepare and file a Motion to Vacate Final

Judgment of Foreclosure *In Rem* as to the Property only and a proposed Order Vacating Final Judgment with the Superior Court of New Jersey, Foreclosure Unit and with the Burlington County Clerk's Office; and

ii. Upon Grace Marmero receipt of the filed Order Vacating Filed Judgment, it shall then forward same to the Burlington County Clerk and Tax Assessor's Office and request that title be transferred back to Gonzalez.

d) Should the Riverside Committee deny Gonzalez's request, the funds previously provided will immediately be returned to Gonzalez and title shall remain in the name of the Township of Riverside.

## 2. Entire Agreement

2.1 The Parties also warrant and agree that this Agreement constitutes the entire agreement between the Parties. The Parties understand and acknowledge that no other promise or agreements have been made to or with one another or with any other person or entity on their behalf other than those set forth herein, and that there is no written or oral understanding or agreement between Riverside, Gonzalez or any other Party which is not specifically recited or referenced herein. In deciding to sign this Agreement, the Parties have not relied on any statement that is not specifically and expressly set forth in this Agreement. In fact, the Parties specifically acknowledge that they had the opportunity to review this Agreement with their attorney prior to executing same.

## 3. Severability and Construction of Terms

The Parties agree that the terms of this Agreement are severable, and that if any provision of this Agreement is held to be illegal, invalid or unenforceable, that provision shall not be a part of this Agreement but all other terms shall remain in full force and effect at the sole option of

Riverside. The legality, validity and enforceability of the remaining provisions of this Agreement shall not be affected by a determination that any provision of this Agreement is illegal, invalid or unenforceable. The parties also agree that because Gonzalez was given an opportunity to be represented by counsel of his own choosing at his own cost to negotiate this Agreement, the terms of this Agreement shall not be construed against Riverside in any respect.

4. Assignment

This Agreement shall not be assigned by Gonzalez but it shall be binding upon his heirs, executors, administrators, agents, and legal representatives. This Agreement shall be freely assignable by Riverside without restriction, and shall be deemed automatically assigned by Riverside with Gonzalez's consent. This Agreement shall be binding upon, and shall inure to the benefit of, Riverside's successors and assigns.

5. Governing Law

This Agreement is governed by, and shall be construed and enforced, in all respects, in accordance with the laws of the State of New Jersey, exclusive of any choice of law rules. Any dispute concerning this Agreement shall be brought in, and the parties hereby consent to the personal jurisdiction of, the Superior Court of New Jersey.

6. Acknowledgement

Gonzalez acknowledges that (1) he has carefully read this Agreement; (2) he has had the opportunity to have his attorney explain the contents of the terms of this Agreement to him; (3) he fully understands what this Agreement means; (4) he is physically and emotionally competent and of sound mind to execute this Agreement; and (5) he is signing this Agreement knowingly and voluntarily, of his own free will, act and deed.

7. Counterparts

This Agreement may be executed in counterparts with each part being an original, and together constituting an entire Agreement. Signatures by facsimile are acceptable.

**IN WITNESS WHEREOF**, of sound mind and intending to be forever legally bound hereby, the parties have executed this Agreement, being seven (7) pages in length, and on the date(s) set forth below.

Carlos Gonzalez, Jr.:

Carlos Gonzalez

Date: 10-18-19

STATE OF NEW JERSEY )

ss.

COUNTY OF \_\_\_\_\_ )

SWORN TO and SUBSCRIBED before me by Carlos Gonzalez, Jr., who is personally known to me or has produced ( \_\_\_\_\_ ) as identification.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

NOTARY PUBLIC, State of \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Typed or Printed Name of Notary Public



Township of Riverside:

Morj  
Print Name

Date: 10/22/19

STATE OF NEW JERSEY )

ss.

COUNTY OF BURLINGTON )

SWORN TO and SUBSCRIBED before me by Meghan Jack who is personally known to me or has produced ( \_\_\_\_\_ ) as identification.

DATED this 22<sup>nd</sup> day of October, 2019.

NOTARY PUBLIC, State of NJ  
Susan M Dydek  
Signature of Notary Public  
**SUSAN M. DYDEK**  
Notary Public of New Jersey  
My Commission Expires April 17, 2020  
Typed or Printed Name of Notary Public

- 2019 - #133 A Resolution of the Township of Riverside Authorizing the Cancellation of Property Tax Overpayments or Delinquent Amounts Less than \$10.00.
- 2019 - #134 Authorizing Change Order No. 3 to the Contract Between the Township of Riverside and Pioneer General Contracting for the Intersection Improvements Project.
- 2019 - #135 A Resolution of the Township of Riverside Authorizing the closeout of Municipal Park Development Program Grants.
- 2019 - #136 A Resolution of the Township of Riverside Authorizing and Establishing the Professional Services Budget for Various Projects.
- 2019 - #137 Municipal Lien.
- 2019 - #139 A Resolution of the Township of Riverside Establishing a Curfew for the Evening Commonly Known as Mischief Night and Designating Hours Halloween.
- 2019 - #140 A Resolution Authorizing a Redemption Agreement between the Township and a Property Owner.

### ACTION

- 1) Authorization to approve Peddler's/Solicitor's License for Derek Estrada to solicit for Clean Energy **was denied on motion made by Messrs. Frey and Higgins carried.**
- 2) **Mr. Frey made a motion** authorizing the hiring of Seasonal Public Works Laborers **seconded by Mrs. Weaver carried.**

### SHADE TREE COMMITTEE REQUEST

- 1) Kurt Clauss – 517 Greenwood Avenue – Tree Removal.
- 2) Stephanie Kelly – 624 Arndt Avenue – Tree Removal.

### CORRESPONDENCE

- 1) New Jersey Courts – Proposed partnership with the Municipal Courts, Local Governing Bodies, and community-based organizations.
- 2) New Jersey Warehousemen & Movers Association – Public Movers Act.
- 3) Burlington County Bridge Commission – Request for a Pre-Petition Meeting (Sent to the Office for Planning Advocacy, New Jersey Department of State.)

### REPORTS:

#### DEPARTMENT OF PUBLIC SAFETY:

Chief Eliason reported the Police Activity for September 2019: Incidents – 572, Investigations – 96, Adult Arrests Total – 75, Motor Vehicle Summons – 278, Motor Vehicle Accidents – 3, Juvenile Charges – 2, Curfew Violations – 0, Protective Custody – 0, Stationhouse Adjustments

– 0, Summons for False Alarms – 2, False Alarm Calls – 10, 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 Hatcher reported on the Delran Emergency Squad Report: Total EMS requests to Riverside - 33, Total patients transported - 19, Total refusals - 7, Total cancel requests - 2, Total stand-bys - 2, Dead on scene – 0, Missed calls – 3. The report is on file in the Municipal Clerk's Office.

Mayor Hatcher questioned if the LPRs are up and running and asked Chief Eliason to give a report. Chief Eliason answered in the affirmative and stated that the LPRs check for non-registered vehicles, child support non-payments etc.

#### **DEPARTMENT OF PUBLIC WORKS:**

Mr. Higgins reported that the street sweeper is running again. Mr. Higgins reported on that brush pick – up will end on November 1, 2019, grass cutting and street patching are being performed as needed, Friday morning sweeps will end on November 1, 2019 and Leaf pick – up will begin on November 4, 2019. Mr. Frey questioned if there is a storm inlet clean up schedule? Administrator Jack stated that the Public Works Department was out today clearing the inlets in anticipation of tomorrow's storm. Mr. Frey questioned how frequently trash is picked-up in the downtown area? Administrator Jack answered that the Code Enforcement Officer monitors the trash and lets the Public Works Department know if it should be collected.

#### **DEPARTMENT OF REVENUE AND FINANCE AND ECONOMIC DEVELOPMENT:**

Mr. Frey reported on the Tax Collector's receipts: total amount collected as of September, 2019 – \$223,258.74 and Year to Date Collection – \$12,187,033.73. Mr. Frey reported that that the Developer Kaplan was at the last meeting of the Planning Board and the redevelopment plans have been changed. Kaplan is now proposing to build 170 two (2) bedroom apartments.

#### **DEPARTMENT OF RECREATION:**

Mr. Kimble reported that the planning has begun for the 2020 5k and stated that he is looking for a local artist to design the shirts and he would like to create a Planning Committee for this event.

#### **DEPARTMENT OF PUBLIC EVENTS:**

Mrs. Weaver reported that preparations are being done for the Trunk-or-Treat on Saturday. There will be 15 vehicles participating, a game truck, a disc jockey, Riverside Drama Club will be present and there would be a haunted tent.

#### **SOLICITOR'S REPORT:**

Solicitor Marmero 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 Friday morning sweeps will end on November 1, 2019 and the next residential sweep will start along with the fall leaf collection. The Tax Sale was held on October 16, 2019 and 18 properties were sold and the amount received from outside lienholders was \$67,050.68. 2 properties were struck off to the Township. Since the due date for the taxes will fall on a Sunday and the following Monday is a holiday, taxes will be due on Tuesday November 12, 2019. The weather will be monitored for the Trunk or Treat event.

**Motion made by Mr. Kimble and Mrs. Weaver to approve all the reports that were given, carried.**

**BILLS AND EXPENDITURES:**

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

**PUBLIC PORTION:**

Mayor Hatcher opened the Public Portion.

- 1) Ally Stone – 24 Ridgley Street Mt. Holly, NJ – Stated that she was the Township's Animal Control Officer in the past while she worked for New Jersey Animal Control (NJAC). Ms. Stone stated that she has submitted her resignation to NJAC because of the way the owner treated animals. Ms. Stone also stated that NJAC has overbilled Riverside Township in the past.
- 2) Mr. Brian Rhode – 222 S. Fairview Street – Mr. Rhode questioned why Resolution 2019 - #140 was not on the agenda? Mayor Hatcher stated it was just recommended by the Township Attorney to approve at the Work Session Meeting. Mr. Rhode questioned if the Spot-A-Pot will be considered? (Mr. Rhode has requested in the past that the Township permanently place a portable toilet in the Township parking lot as he must urinate in public because he cannot make it to a bathroom when exiting the Light Rail Line.) Mayor Hatcher answered in the negative. Mr. Rhode said that he will, "Continue to do what he does then." Mr. Rhode mention the School Board Liaison. Mayor Hatcher said that the School Board Liaison apologized to the School Board for his attitude when he was present at the last Township Meeting, but he has not apologized to the Township Committee. Mr. Rhode questioned if the sign has been updated? Mayor Hatcher said that an employee will be updating the sign.

**Hearing nothing further from the public, motion made by Mr. Higgins and Mrs. Weaver to close Public Portion carried.**

**RESOLUTION**

Mr. Frey made a motion to adopt Resolution 2019-#138 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 Mr. Kimble. Upon roll call, the vote was as followed: Ayes – Messrs. Frey, Kimble, Higgins and Mmes. Weaver and Hatcher. Nays – None. Motion carried.

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

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

  
Susan M. Dydek, RMC  
Municipal Clerk

