

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 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