

August 12, 2009

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

**PRESENT:** Council members Brown, Cairns Wells, Smyth, Kinzler, Myers, 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 2009 published in the Burlington County Times on December 29, 2008
- (b) Posting written notice on the official bulletin board on January 2, 2009

Mr. Brown moved that the open and closed session minutes from July 8<sup>th</sup> be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler abstained, and Mr. Myers aye.

**PRESENTATION BY MAYOR MARTIN TO FORMER COUNCILMAN RON CESARETTI**

Mayor Martin publicly acknowledged Mr. Cesaretti's service as a member of Borough Council from July 13, 2000 until July 1, 2009. Mr. Cesaretti was not in attendance.

**DISCUSSION: RECOMMENDED SAFETY CHANGES REGARDING NEXT YEAR'S DOWNHILL RACE-TRACEY FOEDISCH AND JOSEPH ZANESKI OF THE 4<sup>TH</sup> OF JULY COMMITTEE PRESENT**

Mrs. Foedisch stated that she was sure everyone knew that three children were injured (one severely) during the downhill race this year. Mrs. Foedisch explained that the 4<sup>th</sup> of July Committee wants to avoid accidents in the future. They established a committee and met in an effort to see how this race could be improved. They prepared a proposal of changes that they want to review with Council. Copies were distributed to Council and is on file with the Municipal Clerk. Mr. Gunn commented that we are trying to be pro-active in ways to better improve this event. He cautioned to keep this discussion in very generic terms because this discussion has nothing to do with the incident. We should not reference any issues from the past.

Mr. Zaneski reviewed the following proposals: **Good Neighbor Letter:** Do not include registration form for the downhill race. Instead, provide a number to call for more information. Mail or email the registration materials with detailed info, increase age from 3 to 5 years to participate; **Race Day:** Block off roads at 1:30, 2:00 inspection of vehicles done by a police officer and committee person, 2:15, police officer and committee members speak with parents, 2:15 drivers walk the course to get used to the crowds, see the track, have the finish line process explained to them and have safety emphasized by "bottom of the hill" team members, **Physical Layout suggestions/Proposed changes:** Snow fence (Not expensive) installed from Midway to below 7<sup>th</sup> Street on both sides. Ms. Cairns Wells suggested that the fence be placed further above Midway because people gather along that area. There is a possibility of hay bales being placed down both sides from Midway to below 7<sup>th</sup> (may be very costly but

will be investigated), hay bales possibly placed at the bottom of hill for last resort stopping, move starting line down the hill further to reduce speed, more committee members in green vests to patrol hill to keep crowd back, particularly at cross streets, need at least 4 police officers-1 and the top of the hill, 1 at midway, 2 at the bottom of the hill, **After the race:** Prizes are given out at the top of the hill, barricades are removed after crowds have left and all cleanup done and determined by the race committee. Mr. Zaneski stated that more volunteers are needed at Midway and 7<sup>th</sup> to keep people behind the barriers. Ms. Cairns Wells stated that another suggestion from the committee would be to have a better sound system to announce the race. Mr. Brown recommended that this whole proposal should be reviewed by someone from the underwriting department of our insurance company.

Mrs. Foedisch commented that it currently costs \$7.00 a bale of hay. We would need 350' on each side of the street. One hay truck carries 120 bales. We might be able to swing a deal with a farmer who is willing to take it all back for half of what we pay for it as long as it doesn't get rained on. The consensus of Council was that they liked this proposal. Council also acknowledged the need for many more volunteers to help.

Mr. Kinzler asked if all the property owners along the race route are okay with the people behind the snow fence near their property. Mr. Zaneski responded the with the exception of one property owner, all are okay with this and support this 100%.

Ms. Cairns Wells suggested that we revisit this proposal in the spring when the plan is more refined and additional volunteers are brought on board.

Mayor Martin brought up the safety issue regarding the grease pole. Mr. Zaneski stated that more volunteers are needed to act as catchers. Public Works Manager, Scott Reed suggested placing a pile of mulch around the pole. Council thought this was a very good suggestion.

Mayor Martin also asked if more could be done to stress safety during the parade itself. Mr. Reed stated that the only problem he sees is when candy is thrown during the parade route. More should be done to keep the candy throwing as close to the curb as possible, to prevent the children from running into the streets.

Mrs. Foedisch stated that many of the items listed in the proposal could be incorporated in the 4<sup>th</sup> of July booklet distributed to all residents. Ms. Cairns Wells suggested placing this information on the Borough's website to reach a larger number of people. Ms. Foedisch asked if the 4<sup>th</sup> of July Committee can progress in planning for next year's event including the suggested changes presented. Ms. Cairns Wells and Mr. Brown cautioned that before the Dear Neighbor letter goes out next spring, representatives of the committee should come before Council to provide assurance that everything is progressing as it should. Ms. Foedisch asked what she should say if people inquire as to whether there will be a downhill race next year. The response is that we expect to.

**FINANCIAL ITEMS:** Mr. Kinzler

#### **TREASURER'S/FINANCE REPORT & BILL LIST FOR APPROVAL**

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

## **2009 BUDGET UPDATES**

Mr. Kinzler reported that we are doing well regarding the budget. Mr. Kinzler reviewed a few line items with Council, in particular the computer hardware/software issues for both the Police Department and Borough Offices. Mr. Kinzler reported that a new contract for these services was signed in June which should see a cost savings to the Borough. Mr. Kinzler stated that maintenance issues are still a concern. There was an unforeseen major sewer issue at Thomas and Park that had to be remedied. Mr. Smyth commented that he has been getting unsolicited feedback thanking Council for the 5% tax cut.

## **COMMITTEE REPORTS**

### **PUBLIC SAFETY/ZONING/CODE ENFORCEMENT/COURT-Mr. Brown**

Mr. Brown read a report for the month of July that was submitted by Court Administrator, Jackie Gleason. Total receipts for the month amounted to \$6,087.00. The total amount disbursed to Riverton was \$3,033.45.

Mr. Brown read a report for the month of July that was submitted by Deputy Fire Chief Robert Yearly. Fire Calls for the month 14, Drills 3, Calls in Town 5 and Calls out of Town were 9

Mr. Brown read a report for the month of July that was submitted by Officer in Charge, Matt Kirk. Vehicle Mileage 1894, Gas Used N/A, Juvenile Arrests 0, Adult Arrests 5 (Criminal Warrant 1, Criminal Summons 2 and Contempt 2), Breakdown of Arrests-Shoplifting 2, Traffic Warrant 1, DWI 0, Other 1, Burglary 1, Motor Vehicle Accidents 4, Motor Vehicle Stops 34, Motor Vehicle Warnings 20, Motor Vehicle Summonses 13 (Riverton Officers 13) Burglar Alarms 15, Assists to Other Police Departments 41, Animal Complaints 15, Fire Calls 6, Arson 0, Ambulance Calls (Riverton) 17, Unattended Deaths 0, Criminal Cases 23, Incidents 297, Domestic 0, Thefts 8, Shoplifting 4, Burglaries 2, (From Residences 1 Other 1) Assaults 0, Sexual Assaults 1 (Adult 1), Criminal Mischief 5, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Calls 393, and Total Calls Dispatched 438.

Mr. Brown reported that the Public Safety Committee will be meeting with Officer's Kirk and Willis every two weeks to review departmental issues. Both officers have expressed concern that the department does not have a Chief. Mr. Brown stated that right now the department is working, overtime is being kept at a minimum and that Council does not want to jump into anything.

Mr. Brown reported that we have advertised for a new Police Officer and Special Officer. We received numerous resumes. Mr. Brown stated that the priority will be to fill the Special Officer slot. Mr. Brown wants to meet with the Public Safety Committee to review resumes and determine a time when interviews can take place.

Mr. Brown reported that the committee needs to discuss equipment issues for the department, in particular, vests. Fire arms that are carried by the officers are in good shape.

Mr. Brown reported that representatives from Patriot Consulting (firm doing the police consolidation feasibility study) have not gotten in touch with our department to determine when they will meet. Mr. Brown does not know what the delay is. He will contact the firm.

Mr. Brown asked if the Sheriff's Department is still coming into Riverton once a week to patrol. Officer Willis responded that it is at their discretion. Mr. Brown

announced that CVS still has a retail theft issue and that people are still skateboarding at this location.

Mr. Smyth reported that he has received a complaint from a resident at 5<sup>th</sup> & Fulton Streets concerning all of the trash and broken bottles being left at this location. This issue needs to be addressed.

Mr. Brown reported that the Police Department is doing an inventory of equipment in headquarters and the storage area.

Mr. Brown reported that he has received a vehicle maintenance report which will be reviewed with his committee.

Regarding Code Enforcement issues, Mr. Brown reported that 423 Lippincott has been sold. Mr. Brown asked the Solicitor to give an update on 622 Thomas Avenue. Mr. Gunn reported that we are getting ready to have Harry Richman appointed as the administrator of this property. We should then get a monetary judgment in favor of the Borough. Regarding 108 7<sup>th</sup> Street, Mr. Brown reported that work is being done but the owners never got the required permits. Mr. Brown reported that our Construction Official is still requiring that the owner submit a letter from an engineer and/or architect stating that the structure has been examined. Mr. Brown stated that fines are still accruing on this property. Regarding 523 Howard Street (Devastation University), Mr. Brown reported that no site plan application has been filed. The Clerk reported that they have submitted the required fees to go before the Zoning Board for a use variance. Mr. Brown reported that there is a poison ivy issue at 410 Main Street which is being addressed.

#### **STREETS/SEWER/SHARED SERVICES/ECONOMIC**

##### **DEVELOPMENT-Mr. Smyth**

Mr. Smyth reported that he will be attending the Riverton Route Advisory committee meeting on August 20, 2009. It will be held in Riverton at Riverline Realty at 7:00pm.

Mr. Smyth reported that the Burlington County Chamber of Commerce has offered Riverton a complimentary Municipal Membership. Mr. Smyth stated that he would be filling the application out

##### **PLANNING/REDEVELOPMENT/SCHOOL-Ms. Cairns Wells**

Ms. Cairns Wells reported that we received notification from Karen Trommelen of the Community Development Block Grant Department that the Freeholder's have approved our request for funding to install a handicapped accessible ramp at the school for election purposes. Ms. Trommelen has begun the process of satisfying all the other regulatory concerns before the project can formally be started.

Ms. Cairns Wells reported that representatives from the Borough (herself, Municipal Housing Liaison Muriel Alls-Moffatt, Planner Tamera Lee, and Planning Board Solicitor Tom Coleman) would be meeting with COAH representatives on Thursday to review possible suggestions and plans for the Borough's COAH obligations. Council will be kept informed.

Ms. Cairns Wells reported that one outstanding escrow account for a previous Planning Board site plan application has been resolved and payment was made. Ms. Cairns Wells commented that with the new escrow fee ordinance in place, which incorporates the requirement that an escrow agreement to be signed by an applicant, many of these ongoing escrow problems should be resolved.

## **MAYORAL APPOINTMENTS TO THE PLANNING BOARD**

Mayor Martin announced the following appointments:

Armand Bianchini becomes a regular member filling the unexpired term of Jeff Myers (12/31/12), Joseph Threston will move up to Alternate No. 1 filling the unexpired term of Armand Bianchini (12/31/10) and Cheryl Progin would be appointed to serve as Alternate No 2 filling the unexpired term of Mr.Threston (12/31/09). Mayor Martin further announced that Joseph Threston would serve as the Planning Board representative to the Environmental Commission.

### **PARK & RECREATION-Mr. Myers**

Mr. Myers reported that we are looking into possibly obtaining some grant money for the park improvements. Mr. Smyth reported that we are still waiting to hear from Congressman Andrews' office about the stimulus application we made for potential grant money for park upgrades. Mr. Reed suggested that if we don't get any grant money, we should look at bonding some money for these improvements. Council took that suggestion under advisement

### **SHADE TREE/BD.OF HEALTH/RECYCLING/**

**ENVIRONMENTAL-Dr. Daniel-No Report**

### **MEETING OPEN TO THE PUBLIC**

**Michael Heine** commended the Shade Tree Commission for all of their efforts. Mr. Heine informed Council that a street sign at Carriage House and Morgan Avenue is missing and should be replaced. Mr. Heine understands from the Court Report that net revenue out of the municipal court was approximately \$3,000.00 this month. Mr. Heine asked what the Court's average net was when it was conducted in Riverton. The Mayor responded zero. Mr. Kinzler commented that the Court receipt information received is not the net of what the expenses are. Mr. Heine asked if the Borough had shopped around regarding the rate for our Bond Anticipation note renewal. Mr. Kinzler responded that we do that every year. Regarding the recent bicycle thefts in town, Mr. Heine inquired how deep into the properties people are going. Patrolman Willis responded into resident's yards and/or unlocked garages. Mr. Heine stated that there appears to be about 25 yards of fill dumped at the corner of Bank and Thomas Avenue, which has been at this location a long time. Mayor Martin stated that the owner has been cited for this as have other property owners along this road who have done the same thing. Mayor Martin stated that the owner of 109 Bank Avenue is getting very close to building his wall.

### **OLD BUSINESS**

Mr. Gunn reported that developer Jim Brandenberger received written engineering approval for a CO for the bank project at the Shoppes at Riverton. Mr. Brandenberger has asked for a release of the remaining funds and to also obtain the required maintenance bond, the amount to be determined by the engineer. Mr. Gunn reported that we will need to approve the maintenance bond when we get the amount from the engineer. Since we have not received anything in writing from the Engineer, Mr. Gunn recommended that we wait until next month's meeting to resolve this issue. Mr. Gunn stated that we should also look at any outstanding escrow amounts Mr. Brandenberger might have for the initial site plan application and the additional application made for the installation of solar panels at the bank location. Council concurred with this.

**NEW BUSINESS**

**ORDINANCE 8-09**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 26-16 OF THE RIVERTON BOROUGH CODE TO DELINEATE DUTIES, RESPONSIBILITIES AND QUALIFICATIONS OF THE CHIEF OF POLICE  
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read for the second time by title only by Mr. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment, Mayor Martin closed this portion of the meeting to the public. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

**CORRESPONDENCE**-There was no correspondence presented at this time.

**STOP SIGN ISSUE** . Mr. Brown stated that he understands that we no longer need approval from the Department of Transportation for the placement of stop signs on our local roads. With this information, Mr. Brown asked Council to discuss the possibility, once again, of the placement of stop signs at various locations in the Borough. Mr. Gunn informed Council that before any stop signs can be installed an ordinance is required. In addition, our Engineer has to certify and sign off on the suggested locations. This might require traffic surveys to be done. After some discussion, it was the consensus that stop signs be placed at the following locations: two way stop signs along Carriage House Lane and to make the intersections at 4<sup>th</sup> & Lippincott, 4<sup>th</sup> & Thomas and 8<sup>th</sup> & Cedar four way stop intersections. Mr. Brown also recommended that we stripe the pedestrian crosswalk at the playground. Council concurred with this.

**TAX SALE UPDATE**

Treasurer Betty Boyle announced that our tax sale is scheduled for September 17<sup>th</sup>.

**RESOLUTION 52-09**

**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. Brown, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye. It should be noted that Personnel (Police Issue) and a potential Litigation item will be discussed.

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

**RESOLUTION 53-09**

**A RESOLUTION EXTENDING THE PROBATIONARY STATUS OF PATROLMAN JOSEPH STEINMAN  
(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, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

There being not further business to discuss, Mr. Brown moved that the meeting be adjourned. This was seconded by Ms. Cairns Wells, with all present voting in the affirmative.

Mary Longbottom, RMC  
Municipal Clerk