

December 9, 2009

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

**PRESENT:** Council members Daniel, Brown, Cairns Wells, Smyth, Myers and Solicitor  
Bruce M. Gunn

**ABSENT:** Council member Kinzler

The following statement was read by Mayor Martin:

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

- (a) Having written notification of all meetings to be held in 2009 published in the  
Burlington County Times on December 29, 2008
- (b) Posting written notice on the official bulletin board on January 2, 2009

#### **PROCLAMATION**

#### **A PROCLAMATION HONORING JOE ZANESKI'S CONTRIBUTIONS TO THE BOROUGH OF RIVERTON AND ITS 4<sup>TH</sup> OF JULY CELEBRATIONS (IN FULL IN RESOLUTION BOOK)**

The above Proclamation was read in full by Ms. Cairns Wells and then presented  
to members of Mr. Zaneski's family.

The minutes from November 4th were then presented. Ms. Cairns Wells moved  
that these minutes be approved as submitted. This was seconded by Mr. Brown. A poll  
vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth  
aye, Mr. Kinzler absent and Mr. Myers aye.

**FINANCIAL ITEMS:** Mr. Kinzler

#### **TREASURER'S FINANCE REPORT AND BILL LIST FOR APPROVAL**

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

#### **RESOLUTION 71-09**

#### **TRANSFER RESOLUTION**

#### **(IN FULL IN RESOLUTION BOOK)**

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

#### **COMMITTEE REPORTS**

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

Mr. Brown read a report for the month of November that was submitted by Chief  
Willis. Vehicle Mileage 2,046, Juvenile Arrests 0, Adult Arrests 7 (Contempt 7-  
Breakdown of Arrests-Traffic Warrants 6, DV 1), Motor Vehicle Accidents 4, Motor  
Vehicle Stops 40, Motor Vehicle Warnings 9, Motor Vehicle Summonses 22 (Riverton  
Officers 22), Burglar Alarms 18, Assists to Other Police Departments 21, Animal  
Complaints 5, Fire Calls 5, Arson 0, Ambulance Calls (Riverton) 19, Unattended Deaths  
0, Criminal Cases 9, Incidents 246, Domestic 2, Thefts 6, Shoplifting 0, Burglaries 4  
(From Residences 4), Assaults 2 (civilians 2) Sexual Assaults 1 (Juvenile 1), Criminal

Mischief 4, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Calls 339, Total Calls Dispatched-incidents 246 and Quick 290.

Mr. Brown read a report for the month of November that was submitted by Deputy Fire Chief, Robert Yearly. There were 9 fire calls for the month, 3 drills, 5 calls in town and 6 calls out of town.

Mr. Brown read a report for the month of November that was submitted by Court Administrator, Jackie Gleason. The total receipts for the month amounted to \$3,871.00. The total amount disbursed to Riverton amounted to \$2,161.92.

Regarding Code Enforcement, Mr. Brown reported that our Code Enforcement Officer sent a letter to the owners of 109 Bank Avenue informing them that they were in violation of Chapter 128-52 of the Borough Code. This pertains to construction equipment, specifically a high lift that has been stored at this property. The owners were given 10 days from the receipt of this letter to have the equipment removed or face violations in Municipal Court.

Mr. Brown reported that the Zoning Board will be hearing a use variance application regarding the Post Office property on Main Street. They will also be hearing a variance application regarding 211 Elm Avenue.

#### **ORDINANCE 9-09**

### **AN ORDINANCE FOR THE BOROUGH OF RIVERTON AMENDING CHAPTER 123-15 TO DESIGNATE FOUR-WAY STOP AND ADDITIONAL STOP SIGN INTERSECTIONS IN SCHEDULE IX, CHAPTER 123-31 (IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time 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. **Robin McGinnis** asked why no stop signs were being placed on the upper portion of Thomas Avenue. Ms. McGinnis stated that the bicycle/pedestrian study had suggested that traffic calming measures be placed along this road. Ms. Cairns Wells reported that the possibility of reducing the speed limit on this road to 15 mph had been discussed at a previous Council meeting. We are waiting for a recommendation from the Borough's Engineer. Ms. McGinnis commented that if you place stop signs at the cross streets, then people have to slow down.

Mr. Gunn reported that because Thomas Avenue goes into Cinnaminson Township it's under a separate category. We would have to get the concurrence of Cinnaminson Township. Thomas Avenue is not a self-contained road. Mr. Gunn explained that this issue came up previously when Council was considering the placement of a three-way stop sign at Thomas and Park. The ordinance that Council is now considering pertains to the placement of stop signs on self-contained roads. Ms. Cairns Wells stated that the reason these stop signs are being done first was that they are all self-contained, we didn't have to go to another town or the commissioner of transportation, and the required engineer's study was budgetarily very minor. Council thought it best to at least get these done first and then go back to do the others.

Ms. Cairns Wells commented that we also discussed speed bumps and speed humps many times. Mr. Smyth stated that he would obtain costs involved for this. Ms. Cairns Wells suggested that he also talk to Cinnaminson Township.

Mr. Myers asked if the study referenced the placement of stop signs on Thomas at Midway, Harrison and Seventh. Ms. McGinnis responded yes, but that Park was also included. A discussion ensued on the stop sign issues, speed humps as opposed to speed bumps as well as the possibility of installing traffic cameras.

**Renee Azelby** asked if due diligence was done regarding the stop signs referenced in this Ordinances. Ms. Cairns Wells responded yes.

**Gary Ford** reported that there is only one 15mph speed sign on the first several blocks of Bank Avenue. He would like to see more installed. Mr. Smyth stated that he would look into this.

**John Shaw** asked if a stop sign would be placed at 8<sup>th</sup> & Cedar. Mr. Brown responded yes.

Mayor Martin commented that this Ordinance puts forth everything we want to do, with the exception of Thomas Avenue. He asked if we should move forward and consider adopting this Ordinance. Mr. Gunn responded yes, we can always introduce another ordinance for Thomas Avenue next year. Council concurred.

A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

#### **ORDINANCE 10-09**

### **AN ORDINANCE AMENDING CHAPTER 45 OF THE RIVERTON BOROUGH CODE TO PROVIDE FOR ADDITIONAL DEFINITIONS OF AN OWNER IN ARTICLE II**

#### **(IN FULL IN ORDINANCE BOOK)**

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

#### **DISCUSSION: REQUEST TO PROVIDE ADDITIONAL HANDICAPPED PARKING AT CALVARY PRESBYTERIAN CHURCH ALONG 4<sup>TH</sup> STREET FROM 8:30AM-1:00PM**

Mr. Brown read a request from Reverend Cerra asking Council to consider the above request so that members who have handicapped plates may find parking closer to the front door of the church. Mr. Smyth reported that he was approached by one of the church's parishioner, who uses a walker, and he made this request to him. Mr. Smyth stated that there are presently two handicapped spaces across from the Church on Fourth Street. Mr. Smyth believes the time listed on the signs is from 8:30am until noon. Mr. Smyth thinks there may be enough space for the addition of three or four handicapped spots. Mr. Gunn stated that a similar request was submitted previously by Christ Church on Main and Fourth. Mr. Gunn reported that when he researched this issue, he found that you cannot have a handicapped parking space for a limited time. It has to be 24/7. Mr. Gunn reported that there is no reference to the handicapped spots already in place along Fourth Street in our codebook. Mr. Gunn thought they may have been grandfathered in, but he would have to check that out. Dr. Daniel thought we should ask the church how many members are currently requiring handicapped parking. Ms. Cairns Wells suggested we have our parking committee review this request. Council concurred.

**STREETS/SEWER/SHARED SERVICES/ECONOMIC DEVELOPMENT-Mr. Smyth**

Mr. Smyth reported that the Linden Avenue project is almost near completion. Mr. Smyth reported that Borough Council would be considering the submission of another Department of Transportation grant application during the 2010 budget process for another road project.

Mr. Smyth reported that we have received a request from PSE&G to provide an energy audit of Borough facilities. Mr. Smyth reported that he would be reviewing this request with representatives from PSE&G to ascertain more information. Mr. Smyth reported that the Burlington County Bridge Commission had previously asked if we would like to participate in their Local Government Energy Audit Program. Mr. Smyth stated that he would be comparing both for Council's consideration in January.

Mr. Smyth reported that the Burlington County Chamber of Commerce (BCCOC) will be holding a Meet BCCOC Event. They would like to invite businesses in our community to come and meet the county chamber at our municipal building to discuss ways that they can help them grow their business. Mr. Smyth will keep Council apprised.

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

**ORDINANCE 11-09**

**AN ORDINANCE TO AMEND CHAPTER 128 OF THE RIVERTON BOROUGH ZONING CODE REGULATING NON-CONFORMING STRUCTURES, DEMOLITION OR MOVING OF STRUCTURES, SETBACKS FOR ACCESSORY BUILDINGS, AND TO PERMIT MOBILE SIGNS IN BUSINESS DISTRICTS**

**(IN FULL IN ORDINANCE BOOK)**

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

**PARK/RECREATION-Mr. Myers**

Mr. Myers announced that the tree lighting ceremony was a success. Mayor Martin publicly thanked everybody who was involved with this celebration.

Mr. Myers reported that the park will be winterized. A door at the park has been vandalized. We are obtaining quotes for a replacement.

**SHADE TREE/BD.OF HEALTH/RECYCLING/ENVIRONMENTAL-Dr. Daniel**

**RESOLUTION 72-09**

**A RESOLUTION AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR REMOVAL OF TREES AND STUMPS FOR THE YEAR 2010 AND AUTHORIZING THE BOROUGH CLERK TO READVERTISE WITH REVISED SPECIFICATIONS**

**(IN FULL IN RESOLUTION BOOK)**

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

**RESOLUTION 73-09**  
**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT**  
**WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL**  
**PROTECTION RELATIVE TO THE GREEN CITIES ARE COOL**  
**CITIES INITIATIVE**  
**(IN FULL IN RESOLUTION BOOK)**

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

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

**OLD BUSINESS-NONE**

**NEW BUSINESS**

**RESOLUTION 74-09**  
**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF**  
**RIVERTON AUTHORIZING THE DAY AND TIME FOR THE 2010**  
**REORGANIZATION MEETING**  
**(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 aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**RESOLUTION 75-09**  
**A RESOLUTION AUTHORIZING THE DAYS AND TIMES OF ALL COUNCIL**  
**MEETINGS FOR 2010**  
**(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 aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

**DRAFT: 2010 COUNCIL COMMITTEE ASSIGNMENTS.** Council reviewed another draft of next year's Council Committee Assignments. A final decision should be reached by the 2010 Reorganization meeting.

**HOLIDAY LUNCHEON** Mayor Martin announced that the holiday luncheon would be held at his home on December 21, 2009 from 12 noon until 2:00pm.

**CORRESPONDENCE**

Mayor Martin read a letter from Herman Trout of the Residents' Council of Riverview Estates. They are providing a Shop Rite gift card that they would like Council to give to a family in need. Mayor Martin asked for some suggestions. Gene Bandine suggested giving it to the Food Pantry/Bank. It was the consensus of Council to concur with this suggestion.

**RESOLUTION 76-09**  
**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 aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye. It should be noted that a personnel matter will be discussed on the possible hiring of a full-time Police Officer.

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

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

Mary Longbottom, RMC  
Municipal Clerk