

February 11, 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, Cesaretti and Solicitor Bruce M. Gunn

ABSENT: Council members Daniel and 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

Peace Pole presentation

Anne Creter presented Council with a pictorial album commemorating the Riverton Peace Pole Dedication Ceremony held on September 21, 2008. Mrs. Creter acknowledged Gary F. Blanchard, who photographed and produced the album.

The minutes from January 7th, January 14th and closed session minutes from January 14th were then presented. Mr. Brown moved that these minutes 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 absent and Mr. Cesaretti voted aye for the January 14th minutes and abstained from the January 7th minutes.

TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL-Mr. Smyth

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

COMMITTEE REPORTS

PUBLIC SAFETY-Mr. Cesaretti

There was no police report submitted for the month of January.

Mr. Cesaretti read a report for the month of January that was submitted by Deputy Fire Chief, Robert Yearly. There were 17 fire calls for the month, 3 drills, 10 calls in town and 6 calls out of town.

Mr. Cesaretti read a report for the month of January that was submitted by Animal Control Officer M&R Wildlife. Two stray dogs were taken to the shelter and one was quarantined.

Mr. Cesaretti announced that Chief Robert Norcross has submitted his written intent to retire from the Department effective July 1, 2009. Mr. Cesaretti made a motion that Council accept the Chief's retirement notice. This was seconded by Mr. Brown. A poll vote was then taken. Dr. Daniel absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Cesaretti aye.

Mr. Cesaretti reported that we received another parking request from J.R Parry, Architects, the new owner of 509 Howard Street. Mr. Cesaretti reported that his plan still has the parking spots listed that Council has had issues with. Ms. Cairns Wells reported that when Mr. Parry submitted initial formal plans to the Planning Board during their site

plan application process, it did not include those four parking spaces. However, Mr. Parry's second set of plans did have them. Because this issue presented a potential right of way easement that wasn't ironed out, the Planning Board could only give Mr. Parry a variance for the no parking spaces, and that's what the Board did. Ms. Cairns Wells stated that Mr. Parry's site plan application was approved with a variance for parking. Ms. Cairns Wells stated that there is the potential for a couple of parking spaces in the back of his property. If an easement/right of way can be worked out, Mr. Parry was asked to follow up with the Borough's parking committee to further explore this issue and see if it can go anywhere. Mr. Cesaretti will set up a parking committee meeting to review this and make a recommendation to Council at their March 11th meeting. He will write a letter to Mr. Parry.

STREETS/SEWER/GRANTS/ECONOMIC DEV/SHARED SERVICES-Mr. Smyth

Mr. Smyth stated that the proposed Linden Avenue road project will be discussed at length during the budget process.

Mr. Smyth reported that Metro PCS will be submitting a site plan application to co-locate on our cell tower.

Mr. Smyth reported that we are looking into the possibility of obtaining grant funding from the Community Development Block Grant office to make our polling place (Riverton School) handicapped accessible for all elections. We need to confer with the program supervisor to determine if this proposed project meets the grants criteria.

Mr. Smyth reported that we submitted a request to Congressman Andrews' Office for potential funding (stimulus package) for upgrades at the park.

Mr. Smyth announced that the next shared services meeting would be on February 19th. There will be a review of what towns have submitted for economic stimulus.

Mr. Smyth announced that we still need to meet with representatives from Palmyra and Cinnaminson to review the RFP's submitted for the police consolidation feasibility study. Mr. Cesaretti stated that we should know by Thursday when the meeting will take place.

Mr. Smyth announced that representatives from the Borough would be meeting with New Jersey Transit representatives to discuss our continuing request for the light rail bell zone waiver. To date we have heard nothing from the Federal Railroad Administration regarding this request. Council will be kept apprised of this situation.

ZONING/CODE ENFORCEMENT/PARK & COURT-Mr. Brown

Mr. Brown reported that the Zoning Board recently held their reorganization meeting. The Park & Recreation commission will be meeting on February 24th. There was no court report. Mr. Brown reported that we are still researching to determine if there are any ordinances presently in force in other municipalities that prohibit large construction equipment being permitted to be placed on private property.

PLANNING/REDEVELOPMENT-Ms. Cairns Wells

Ms. Cairns Wells reported that the draft ordinance pertaining to escrow fees and the required escrow agreement is still pending. She will be discussing this issue with the Planning Board on Tuesday. She has also asked that the Zoning Board discuss this at next Thursday's meeting.

Ms. Cairns Wells reported that the Planning Board recently held their reorganization meeting and approved a site plan application submitted by the new owners of 509 Howard Street.

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

In Dr. Daniel's absence, Gene Bandine, a Shade Tree Commission member, reported that PSE&G employees are in town trimming specific tree limbs that are near or touching their wires.

MEETING OPEN TO THE PUBLIC

Gene Bandine asked when we were going to make recycling mandatory. Mr. Bandine was informed that it already was and there is an ordinance on the books. Mr. Bandine thanked the police for all their efforts in keeping the plaza area quiet. Mr. Bandine stressed the fact that a trash receptacle needs to be placed near the Moccia properties on Main Street. Mr. Smyth responded that that would be looked into. Mr. Bandine asked that the police strictly enforce the cell phone laws.

Richard Rauth concurred with Mr. Bandine's request for a trash receptacle. Mr. Rauth stated that he has seen people throw bottles on the ground. Mr. Rauth asked if the Borough had its own chipper. The response was yes. Mr. Rauth thought we might be able to save some money with our garbage/trash fees by utilizing the chipper more.

Michael Heine, 206 Carriage House Lane provided copies of his proposed commercial property maintenance code for Council's consideration. Mr. Heine urged Council to pass this Ordinance.

OLD BUSINESS

108 7th STREET ISSUE-STRUCTURAL ENGINEER/ARCHITECT RECOMMENDATION

Mr. Gunn reported that our Construction Official does not have any one person in mind for this. We are looking for someone to inspect the unsafe structure on this property and provide us with an estimate to repair and/or demolish. We can then give the owners thirty days notice to go ahead and get the repairs done. Mr. Gunn thought we could go to one of our existing engineering firms for this. They would most likely have a structural engineer and/or architect on their staff.

Mr. Brown stated that there was concern that when our Public Works Department initially cleaned up this property that we were starting a precedence. Mr. Brown is concerned we are doing the same thing here. Mr. Brown doesn't feel the Borough should be in the business of fixing people's properties up. Mr. Gunn stated that our Construction Official also has these concerns. Mr. Gunn stated that after a decision is reached by a structural engineer and/or architect on whether the structure should be completely demolished or repaired, Council would then have to decide on what direction to take to get this work done. Mr. Brown asked what it would cost to have an engineer do this evaluation. Mr. Gunn stated that if we use one of our consulting engineers, their contracts would list what they charge per hour. These monies would then be assessed to the lien against this property if that is what Council decides. Mr. Brown stated that he can understand doing the evaluation because it would provide us with the condition of the home. It was the consensus of Council that Mr. Smyth contact a few of our engineering firms to determine if they have a structural engineer and or architect on staff and what they would charge to do this inspection. Mr. Gunn stated that once Council determines which firm will do the inspection, we need to notify the property owner. If they decline then we would have to go back to court for an order.

THE FORMATION OF A SUB-COMMITTEE TO REVIEW A PROPOSED COMMERCIAL PROPERTY MAINTENANCE CODE

Mr. Smyth reported that he thinks we should form a task force and not a sub-committee to review this document prepared by Michael Heine. It was suggested that the task force be made up of Mr. Smyth, Mr. Heine, a Planning Board member, a Zoning Board member and a commercial property owner. Mr. Smyth stated that he has reviewed the file on this proposed ordinance, which was originally presented to Council and reviewed by the Planning Board in 2003. Mr. Smyth stressed the importance of the rest of Council to review this file.

NEW BUSINESS

MAYORAL APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT

Mayor Martin announced that he was moving Joe Della Penna from alternate status to serve as a regular member of the Zoning Board of Adjustment. Mayor Martin also appointed Charles Veasey to serve as Alternate No. 1. Mayor Martin reported that he still needs to fill the Alternate No. 2 slot as soon as possible.

BOROUGH DIRECTORY UPDATE

Mr. Smyth reported that Gary Ford of the Riverton Business and Civic Association and Mary Longbottom would be preparing the 2009 Borough Directory.

PUBLIC SAFETY COMMITTEE MEETING SET FOR FEBRUARY 19TH. Mr. Brown made the above announcement.

CORRESPONDENCE

Mayor Martin reported that resident Jim Quinn has sent him written notice of his willingness to lend assistance to our residents regarding the digital television transition. Professionally, Mr. Quinn deals with such technologies. Mayor Martin thought the website would be a good way of letting people know of Mr. Quinn's willingness to assist them. The Clerk will contact Mr. Quinn to determine what information will be placed on our website.

Mr. Cesaretti reported that resident Ann Marie Bearint sent written notice of her recent concern regarding the light rail guard rails that come down at least every five minutes when she tries to cross the tracks. Mr. Cesaretti reported that the Chief is aware of this ongoing problem and has contacted New Jersey Transit to remedy this situation.

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

Mary Longbottom, RMC
Municipal Clerk