

June 10, 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 (arrived at 8:45pm), Kinzler (arrived at 7:40pm) and Solicitor Bruce M. Gunn

ABSENT: Council member 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 2009 published in the Burlington County Times on December 29, 2008
- (b) Posting written notice on the official bulletin board on January 2, 2009

The minutes from May 6 and May 13 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 aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler absent and Mr. Cesaretti absent.

PLANNING/REDEVELOPMENT-Ms. Cairns Wells

ORDINANCE 4-09

AN ORDINANCE TO AMEND CHAPTER 128-52 OF THE RIVERTON BOROUGH CODE REGULATING ON AND OFF STREET PARKING AND STORAGE OF CONSTRUCTION EQUIPMENT (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. There being no public comment on this ordinance, 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 absent, Mr. Kinzler absent, and Mr. Cesaretti absent.

Ms. Cairns Wells reported that work on the Downtown Revitalization grant continues. Larry Waetzman of the Waetzman Group will be present at Council's July 8th meeting to brief Council and submit his firm's report.

Ms. Cairns Wells reported that the Planning Board will be considering an application from a company requesting permission to co-locate on the Cell Tower at their June 16th meeting.

MAYORAL APPOINTMENTS TO THE PLANNING BOARD

Mayor Martin reported that Planning Board member Keith Wenig has resigned. Mayor Martin announced the following Planning Board appointments: Jeff Myers will move up from serving as an alternate member to filling Mr. Wenig's unexpired term as a regular member of the Board. Mr. Myers' term will expire on December 31, 2012. Armand Bianchini moves up from Alternate No. 2 to Alternate No. 1, with his term expiring December 31, 2010. Joseph Threston is appointed to serve as Alternate No. 2 with his term expiring December 31, 2009.

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

Mr. Brown reported that there was nothing to report regarding the Zoning Board.

Mr. Brown read a report for the month of May that was submitted by Court Administrator Jackie Gleason. The total receipts for the month amounted to \$8,309.00. The total disbursed to Riverton amounted to \$3,921.26

Regarding Code Enforcement, Mr. Brown reported that a complaint filed by Michael Heine against MaryAnn Shea has been resolved. Ms. Shea has removed the trailer in question from her property. Mr. Brown reported that our Code Enforcement Officer sent letters (both registered and by regular mail-both returned) to the Horner's at 109 Bank Avenue. This pertains to the large amount of dirt they placed on Bank Avenue. Ms. Cairns Wells asked if the Horner's have started to work on their river wall. Mr. Brown responded no. Mr. Brown reported that our Construction Official issued a stop order to the Post Office for work being done at their new location without permits. Another issue that needs to be resolved is their violation of the Fire Codes pertaining to sprinklers.

Regarding the Park, Mr. Brown reported that the Riverton Improvement Association is looking into the possibility of having a dog park installed. They are also looking at getting the nature trail cleaned up.

RESOLUTION 42-09

A RESOLUTION AUTHORIZING THE HIRING OF PARK PERSONNEL FOR THE 2009 SUMMER PROGRAM AND SETTING FEES FOR THE PARK PROGRAM AND ARTS AND CRAFTS PROGRAM (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 absent, Mr. Kinzler aye, and Mr. Cesaretti aye.

SHADE TREE/BD OF HEALTH/RECYCLING

& ENVIRONMENTAL-Dr. Daniel (No Report)

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

Mr. Kinzler moved that the attached reports for the month of May 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 absent, Mr. Kinzler aye and Mr. Cesaretti absent.

ORDINANCE 5-09

BOND ORDINANCE PROVIDING FOR THE 2009 ROAD PROGRAM OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY APPROPRIATING THE AGGREGATE AMOUNT OF \$542,000 AND AUTHORIZING THE ISSUANCE OF \$344,000 BONDS OR NOTES TO FINANCE A PORTION OF THE COST (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Mr. Kinzler, 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. **Scott Reed, Public Works Manager**, commented that this Ordinance was for the Linden Avenue road project. There being no further comment on this Ordinance, 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 absent, Mr. Kinzler aye and Mr. Cesaretti absent.

ORDINANCE 6-09

ORDINANCE APPROPRIATING \$19,250 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A LAWMOWER AND IMPROVEMENTS TO BOROUGH AND POLICE OFFICES FOR AND BY THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY

(IN FULL IN RESOLUTION BOOK)

The above Ordinance was read by title only for the second time by Mr. Kinzler, 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 comment on this Ordinance, 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 absent, Mr. Kinzler aye and Mr. Cesaretti absent.

RESOLUTION 43-09

A RESOLUTION PERTAINING TO THE 2008 AUDIT REPORT

(IN FULL IN RESOLUTION BOOK)

The above resolution was read by title only by Mr. Kinzler, 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 absent, Mr. Kinzler aye and Mr. Cesaretti absent.

RESOLUTION 44-09

A RESOLUTION PERTAINING TO THE CORRECTIVE ACTION PLAN FOR THE 2008 AUDIT REPORT

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, 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 absent, Mr. Kinzler aye and Mr. Cesaretti absent.

COMMUNITY EMERGENCY RESPONSE TEAM (CERT) REQUEST. Chief Norcross reported that the Burlington County Office of Emergency Management submitted a request to Investment Justifications to purchase \$25,000.00 in equipment (additional CERT trailers) in the FY-2008 Homeland Security Grant. If successful the additional trailer(s) would be a beneficial asset to the Palmyra, Riverton & Cinnaminson area. Chief Norcross asked that Council consider doing a letter of support for this issue. After a short discussion, Mr. Brown moved that the Mayor be authorized to send a letter in support. This was seconded by Mr. Kinzler. A poll vote was then taken. Dr. Daniel aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Cesaretti absent.

PUBLIC SAFETY-Mr. Cesaretti

In Mr. Cesaretti's absence, Mr. Brown read a report for the month of May that was submitted by Chief Norcross. Vehicle Mileage 2855, Gas Used 426, Juvenile Arrests 0, Adult Arrests 9, Motor Vehicle Accidents 6, Motor Vehicle Stops 56, Motor Vehicle Warnings 27, Motor Vehicle Summons 36 (Riverton Officers 36, GD Grant 0, NJ Transit

N/A, BCSD UN), Burglar Alarms 11, Assists to Other Police Departments 40, Animal Complaints 8, Fire Calls 7, Arson 0, Ambulance Calls (Riverton) 25, Unattended Deaths 0, Criminal Cases 24, Incidents 217, Domestic 1, Thefts 3, Shoplifting 2, Burglaries 3 (From Residences 0, From Vehicles 3, and Other 0), Assaults 0, Sexual Assaults 0, Criminal Mischief 4, Robberies 0, Motor Vehicle Thefts 0, Miscellaneous Complaints 11, Miscellaneous Calls 542 and Total Calls 1,032.

RESOLUTION 45-09

**A RESOLUTION AUTHORIZING THE ORGANIZATION OF A TOWN WATCH COMMITTEE IN THE BOROUGH OF RIVERTON
(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 absent, Mr. Kinzler aye and Mr. Cesaretti absent.

REVIEW OF DRAFT ORDINANCE TO AMEND CHAPTER 45 (ANIMALS) Re: PROVIDING DEFINITIONS OF AN OWNER AS LISTED IN ARTICLE II. In Mr. Cesaretti's absence, it was the consensus of Council to table any review of this Ordinance until the July 8th meeting.

UPDATE: FEASIBILITY STUDY-POLICE CONSOLIDATION. It was the consensus of Council to table this until our July 8th meeting when Mr. Cesaretti will be present.

UPDATE RE: CHIEF'S POSITION-Mr. Kinzler commented that this is in process but it is not where we want it to be. Mr. Brown concurred with this.

STREETS/SEWER/GRANTS/ECONOMIC DEVELOPMENT-Mr. Smyth

The Clerk reported that Riverton was awarded a Centers of Place grant through the New Jersey Department of Transportation at the end of last year in the amount of \$90,000.00. The original scope of work for this grant application included sidewalk work to be done from Lippincott to Main, Harrison Street to Main and Lippincott from Harrison to East Broad. ADA curb ramps are also included. The Clerk reported that a municipal match (10% engineering design, specs bid/award, admin etc.) is a requirement to this grant. Council then reviewed the proposal for this work submitted by Alaimo Associates. They are estimating that the municipal match will be \$8,180.00. Concern was raised that while the grant allocation was placed in our budget for this year, the municipal match estimated costs were not included in this year's engineering line item. After a short discussion, it was the consensus of Council that a determination be made as to whether we can hold off on this project until early in 2010. Council will be kept informed.

RESOLUTION 46-09

**A RESOLUTION AUTHORIZING REMINGTON, VERNICK & ARANGO TO PROVIDE MUNICIPAL STORMWATER MANAGEMENT CONSULTING SERVICES IN CONNECTION WITH THE BOROUGH'S MS4 PERMIT OBLIGATIONS
(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. Kinzler. A poll vote was then taken. Dr. Daniel

aye, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Cesaretti absent.

MEETING OPEN TO THE PUBLIC

Gene Bandine asked that a flag be placed at the apex at Broad & Main. Mr. Bandine would also like to see this flag pole painted. Mr. Bandine was informed that that was private property and permission would have to be obtained from the owner. Mr. Bandine expressed concern that the sidewalk between Lippincott and Church Lane on Broad Street is deteriorating and is a hazardous situation. Mr. Smyth responded that this location will be addressed when we do the Centers of Place grant project.

OLD BUSINESS

ORDINANCE 7-09

AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN A PORTION OF MAIN STREET BETWEEN THE NORTHERLY LINE OF BANK AVENUE AND THE RIVER WALL AT THE EDGE OF THE DELAWARE RIVER IN THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

The above Ordinance was read by title only for the first time by Ms. Cairns Wells, 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 aye and Mr. Cesaretti absent. Second reading and a public hearing on this ordinance is scheduled for July 8th.

NEW BUSINESS

CORRESPONDENCE

Mayor Martin read a letter from Christ Church thanking the Governing Body for sending a letter in support of their preservation planning grant application.

RESOLUTION 47-09

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 aye and Mr. Cesaretti absent. It should be noted that a personnel matter concerning Council will be discussed.

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

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