

August 11, 2010

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

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

ABSENT: Council members Katella 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 2010 published in the Burlington County Times on December 27, 2009
- (b) Posting written notice on the official bulletin board on January 6, 2010

The minutes from July 14 were then presented. Ms. Cairns Wells moved that these minutes be approved as submitted. This was seconded by Mr. Smyth. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

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 July be approved as submitted. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

RESOLUTION 53-10

A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT OF TWO 2010 FORD EXPLORER'S-ONE FOR THE POLICE DEPARTMENT AND ONE FOR THE FIRE DEPARTMENT IN THE AMOUNT OF \$56,000.00 FROM WINNER FORD OF CHERRY HILL, NEW JERSEY (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. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

COMMITTEE REPORTS

PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown

UPDATE RE: 622 THOMAS AVENUE

Mr. Brown reported that we sent out five letters to demolition companies requesting quotes. **River Front quoted a lump sum of \$29,850.00, Winzinger Incorporated quoted \$22,400.00 and Hargrove Demolition quoted \$16,400.00 to demolish the residential structure only and \$18,900.00 to include the existing one car detached garage.** Mr. Brown reported that we had no response to our request for quotes from Paul Dengler, Jr., Inc. or Franchi Demo & Excavation. Each one of the quotes lists a scope of work. Mr. Myers commented that he thought the quotes were not apples to apples and would have to be thoroughly reviewed. Mr. Gunn informed Council that the Court Order for demolition only included the house and not the garage. The house was cited for violations by our Construction Official. We cannot do more than what the Court ordered. Mr. Gunn stated that if we decide on the low bidder, we would request that

they submit their proposed contract and insurance for review to make sure the Borough is fully covered.

Ed Sanderson of Thomas Avenue inquired as to whether we would have to go back to the court to have the order amended to include the garage. Mr. Gunn responded yes.

Mr. Gunn reported that he had contacted the foreclosure entity to check on the pending application for the judgment and was advised that the bank's (Financial Freedom) papers were returned at the end of June of this year because of deficiencies. Mr. Gunn then sent an e-mail on July 27th to the bank inquiring as to whether the paperwork was remedied and returned to Trenton and what the status of the foreclosure was. Mr. Gunn also informed the bank that the Borough was obtaining quotes for the demolition of this property. Mr. Gunn reported that there was no response from the bank.

A discussion took place regarding how we would pay for the demolition. One possibility would be to pay for this from the Construction Official's fund. Another possibility would be to consider asking the State to declare this to be an emergent situation via a Chapter 159 Resolution (emergency authorization). If approved, the costs for the demolition would come off the top of next year's budget. Council also discussed the lien process that would be placed against the property if the home is demolished. Ms. Cairns Wells was of the opinion that there are too many outstanding financial issues up in the air that need to be addressed. She suggested that the Finance Committee meet to review and consider all options first before Council decides.

Ed Sanderson stated that the resident's of the 600 block of Thomas Avenue had come before Council with the idea that demolition or some type of action would eventually take place. He doesn't recall anyone bringing up the cost concerns before. Ms. Cairns Wells stated that the issue of costs were raised and discussed. Mayor Martin concurred with Ms. Wells' suggestion about the Finance Committee meeting. Ms. Cairns Wells also suggested that the Construction Official be asked to inspect both the house and garage to determine if there is additional deterioration. Mr. Smyth thought he should also take a look at the possibility of whether or not there is an underground oil tank at this location that would have to be dealt with.

Ed Sanderson asked for a clarification as to where we are. Ms. Cairns Wells thought another letter should be sent to Financial Freedom advising them that we have received quotes for the demolition of this property and giving them one last time to respond by the end of the month. Mr. Gunn recommended that we also notify the record owners of this property. Mr. Gunn also suggested that we go back and ask Winzinger, Inc. one of the bidders, to separately quote for the demolition of the house and the garage. It was also the consensus that the Finance Committee meet prior to next month's meeting to review the Borough's financial options and what impact it would have on the Borough if Council decides to demolish this house.

Chief Willis read the following report for the month of July. Vehicle Mileage 2,026, Juvenile Arrests 4 (Miscellaneous 4), Adult Arrests 12 (Traffic Warrants 6, DWI 2, Other 3, DV 1), Motor Vehicle Accidents 2, Motor Vehicle Stops 66, Motor Vehicle Warnings 9, Motor Vehicle Summonses 57, Parking Summonses 3, Burglar Alarms 19, Assists to Other Police Departments 27, Animal Complaints 3, Fire Calls 4, Arson 0, Ambulance Calls (Riverton) 24, Unattended Deaths 1, Criminal Cases 25, Incidents 221, Domestic Violence 2, Thefts 6, Shoplifting 0, Burglaries 1 (From Vehicles 1), Assaults 1 (Civilian

1) Sexual Assaults 0, Criminal Mischief 2, Robberies 1, Motor Vehicle Thefts 0, Pedestrian Stops 21, Miscellaneous Calls 235, Total Calls Dispatched 235 and Quick 254.

Mr. Brown read a report for the month of July that was submitted by Court Administrator, Jackie Gleason. Total receipts amounted to \$8,518.00. The total amount disbursed to Riverton amounted to \$4,380.12.

RESOLUTION 54-10

A RESOLUTION TO APPROVE THE APPLICATION OF JOSEPH N. FRIES AS A MEMBER OF THE NEW JERSEY STATE FIREMEN'S ASSOCIATION (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. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

Regarding Code Enforcement issues, Mr. Brown reported that our Solicitor has gone to superior court and filed a civil action against the owner of 207 Bank Avenue. Mr. Brown reported that the Construction official has written to the County Board of Health requesting them to make an inspection of 309 Bank Avenue regarding many issues at this location.

Mr. Brown provided an overview of how the Public Safety Committee is handling the review of the Chief of Police's performance, which is presently under probationary status. Council will be kept informed.

UPDATES ON PROPOSED USA BICYCLING BICYCLE RACES

Carlos Rogers reported that he anticipates that the races would take place next year, maybe in May or June. He stated that inclusion of Main Street as one of the routes for the races would be crucial; therefore, a permit would have to be obtained from Burlington County to do this.

Mr. Gunn reported that he spoke to our insurance broker and there would be no additional premium for this event. Mr. Gunn explained that the Borough would enter into a contractual agreement with Mr. Rogers' club and that the Borough would be named an additional insured. Mr. Gunn explained that should an incident arise and it's not covered by the policy, then the Borough's insurance rate would be impacted the following year. Mr. Gunn stated that there might be other issues that need to be addressed also.

Mr. Rogers provided Council with a sample racing flyer for the upcoming bicycle races to be held in Medford for their review. Mr. Rogers asked for confirmation from Council to move forward for next year. Mr. Gunn suggested giving preliminary approval by consensus, subject to the sponsor entering into a contract with the Borough outlining all of the parameters. Council concurred. Mr. Gunn also stated that that we would need something in writing from Mr. Rogers' bicycle club before Council can consider giving formal approval by Resolution. Mr. Rogers will confer with Ms. Cairns Wells regarding the proposed dates for the races next year. Council will be kept apprised of this issue.

STREETS/SEWER/SHARED SERVICES/ECON. DEV.-Mr. Smyth

UPDATES ON GARBAGE/TRASH ISSUES

Mr. Smyth announced that we have advertised for the receipt of bids for a new garbage/trash contract. Our present contract expires at the end of this year. The bid opening will take place at 10:00am on September 8, 2010.

Mr. Smyth reported that he has reached out to Rob Willis regarding the possibility of participating in the Regional Municipal Residential Trash Collection Services to set up a meeting to discuss this issue. To date, this has not occurred. Mr. Smyth will reach out to Mr. Willis once again. Council will be kept informed.

UPDATES ON CENTERS OF PLACE GRANT PROJECT

Mr. Smyth reported that our Engineer for this project (Alaimo Associates) informed us that this project now needs to be reviewed and approved by the New Jersey State Historic Preservation Office. Information has been forwarded onto them. Mr. Smyth raised concern that the grant parameters require the Borough to award a contract for this project no later than September 11, 2010, so time is of the essence. Mr. Smyth will keep in contact with our Engineer regarding this issue.

UPDATE: UPGRADES TO THE LINDEN AVENUE POCKET PARK

Mr. Smyth reported that we have received notification that construction on this location will start in 3 or 4 weeks. Mr. Smyth reported that funding for this will be paid by the Burlington County Bridge Commission.

ORDINANCE 6-10

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 99 OF THE RIVERTON BOROUGH CODE TO PROVIDE FOR THE RECYCLING OF DESIGNATED RECYCABLE MATERIALS AND MODIFYING FOR VIOLATIONS THEREOF AND ESTABLISHING THE DESIGN OF CONTAINMENT AREAS FOR RECYCLING STORAGE LOCATIONS AND RECYCLING CONTAINER STORAGE

The above Ordinance was read by title only by Mr. Smyth, who moved for its adoption. This was seconded by Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for September 8.

DUMPSTER ISSUE

Public Works Manager, Scott Reed informed Council that Contractor's who have been hired by respective residents to do work have been utilizing the 30 cubic foot dumpster we have at the plant to dump the debris. Mr. Reed stated that there is nothing in writing (via our ordinance) that would prevent this from happening. Mr. Reed stated that something needs to be done about this issue because it is costing the Borough a lot of money to continue on like this. After a short discussion, it was the consensus of Council that the Solicitor be asked to research and recommend possible amendments to our specific Ordinance to address this issue for consideration at next month's meeting.

RESOLUTION 55-10

A RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE VARIOUS ROADWAY IMPROVEMENTS PROJECT IN THE BOROUGH OF RIVERTON (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 Mr. Brown. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

PLANNING/REDEVELOPMENT/SCHOOL-Ms. Cairns Wells

Ms. Cairns Wells reported that the Planning Board would be hearing the site plan/variance application regarding the former bank building on Main Street this month.

Ms. Cairns Wells reported that she spoke at length with a resident from Homewood Drive about the group home that will be operating there.

ZONING/BD. OF HEALTH/ENVIRONMENTAL-Mr. Katella-No Report

SHADE TREE/PARK& RECREATION-Mr. Myers

RESOLUTION 56-10

**RESOLUTION AUTHORIZING LAND ENGINEERING TO ADVERTISE FOR
BIDS FOR RIVERTON PARK IMPROVEMENTS
(IN FULL IN RESOLUTION BOOK)**

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

MEETING OPEN TO THE PUBLIC

Gene Bandine raised concern over the new blue recycling containers. He believes people are placing glass bottles in them and not just the required cardboard and papers. Mr. Bandine reported that some of the trees in the plaza have died and should be replaced. Mr. Bandine reported that there is a loose piece of railroad track near the post office.

OLD BUSINESS-None

NEW BUSINESS-None

CORRESPONDENCE

Mayor Martin reported that there have been three major water main breaks on Lippincott Avenue. As a result, numerous complaints have been received about the condition of this street. Mayor Martin reported that he wrote a letter to New Jersey American Water Company formally requesting that the repairs to this street be done as quickly as possible.

There being no 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