

December 8, 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, 2010

(b) Posting written notice on the official bulletin board on January 6, 2010

The open session minutes from November 3rd and November 10th and Closed Session minutes from November 3rd were then presented. Mr. Brown moved that these minutes be approved as submitted. This was seconded by Mr. Myers. 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.

UPDATE ON PROPOSED DATE (JUNE 12TH) FOR THE USA BICYCLING RACES-Carlos Rogers present

Ms. Cairns Wells reported that Mr. Rogers was unable to attend tonight's meeting. Ms. Cairns Wells reported that Mr. Rogers would like to hold this event on the above referenced date and is asking that Council give their endorsement. A discussion took place on this issue. The Solicitor recommended that the following requirements be met before this event can be held: appropriate insurance be submitted, an appropriate contract be signed between both parties, the event can begin no earlier than 1:00pm, the route will be acceptable to the Riverton Borough Police Department, appropriate notice will be provided to any residents whose home abuts the race route and that the sponsor obtain any and all county permits in the event that the route of travel will include county owned roadways. Council concurred with these recommendations.

RESOLUTION 76-10

**A RESOLUTION ENDORSING A USA CYCLING-SANCTIONED BICYCLE RACE IN THE BOROUGH OF RIVERTON ON JUNE 12, 2011
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, 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.

UPDATED DOG PARK PROPOSAL PRESENTED BY THE RIVERTON IMPROVEMENT ASSOCIATION

Paul Grena, 100 Park Avenue, President of the Riverton Improvement Association (RIA) addressed Council. Copies of the updated dog park proposal were distributed to Council. Mr. Grena reported that a feasibility study was done to determine what would be needed to accomplish this project. Mr. Grena stated that petitions (on file with the Municipal Clerk) were distributed around town and a level of interest supports this proposal.

Pat Brunker supports the dog park. She believes it would allow a wider range of people to use the park. Ms. Brunker stated that presently, there is no place for a dog to run because they must be on leashes.

Steve Antonavage 905 Cherry Lane stated that as a childless tax payer, he feels people like himself would feel more a part of the community having a place to take his dog and be in a social environment.

Joe Pro 403 Bank Avenue stated that since the last time this issue was brought to Council's attention, the location of the proposed dog park has changed. The RIA is now proposing its placement behind the existing playground, near the creek. It will not impede access to the current athletic fields. It would be about a ¼ of an acre. Mr. Pro then reviewed some specifics to the dog park. Mr. Pro believes a dog park would bring a lot of visitors to our downtown area.

Jill Capuzzo 835 Homewood, supports the dog park and believes dog owners are basically responsible people. She has been to many dog parks and thinks that people generally look out for one another. Ms. Capuzzo stated that there would be a full set of rules that would regulate the use, maintenance and protection of the dog park. Ms. Capuzzo distributed and reviewed a copy of a proposed set of rules for a dog park in Delanco for Council to review.

Mr. Smyth stated that he likes the size of the new proposed area for the dog park. Mr. Smyth asked about the other suggested alternative location (over by the RR fencing). Mr. Grena stated that it is his understanding that the grading at that location would not work for a dog park. There is no flat surface there.

Mr. Myers commented that there is a memorial tree at the proposed location. He has talked to the Shade Tree Commission about this. If a dog park were to be placed at this location, we would want to fence around this tree.

Ms. Cairns Wells stated that she does not like the location being proposed tonight. She doesn't like it next to the playground. She believes it is a huge area to take up back there. It cuts down a lot of the run around area for the kids. While Ms. Cairns Wells understands the RIA's concerns about the RR fence location, she thought consideration could be given to re-grade it. Mr. Smyth stated that we will be doing a lot of upgrades to the park in the near future. Perhaps something could be done with these upgrades to make the RR fence location work. Mr. Grena thought it would be cost prohibitive without obtaining grants and other means to defray the costs, etc.

Mr. Myers stated that if we were to have a dog park, he thought the proposed location tonight by the playground is more conducive to having it more a part of the community as opposed to being over by the RR tracks.

Heidi Winzinger stated that the RIA has learned a lot during this process about what people want and do not want.

Mr. Brown suggested changing the configuration of the proposed location to provide a buffer from where the children play and the fencing area.

Ms. Cairns Wells understands that Palmyra has a dog park but it is no where near the size proposed here. Ms. Winzinger stated that she has gone down to the Palmyra location and interviewed people about that park. Most people thought it was a very small park that could only accommodate one or two dogs.

Paul Grena questioned the access dirt roadway to this proposed location. He asked if this roadway could be modified. This was one of the drawbacks to the RIA's original proposed location for the dog park.

Ms. Cairns Wells suggested the street hockey area (near basketball courts) as another location for consideration. It already has a fence around it and you don't have to rip up the surface.

Mr. Smyth asked who would insure compliance with the rules and regulations of a dog park. Mr. Smyth is not sure that the Borough wants to do that. Mr. Grena responded that the RIA would not be doing that. Their history is raising the capital necessary to enact the projects as a service to the Borough. Mr. Grena stated that the Borough would have to determine how that would be done. A suggestion was made that an association of dog park users be formed. Mr. Smyth thought it would be great to have more of a volunteer basis, taking turns to make sure the rules and regulations are followed. The same would be true for the maintenance aspect of the proposed park.

Mayor Martin was of the opinion that since Council members Katella and Kinzler were absent tonight, we should table this discussion until our January 12th meeting.

Mr. Grena asked what Council was looking for on January 12th. Ms. Cairns Wells would like to see us taking a look at Mr. Brown's suggestion to reconfigure the RIA's proposed site and how that would impact the access road, and entertaining the street hockey site as a possible location and its impact.

Cara Vandy is concerned that we are jumping to the point that we are not talking about if there is going to be a dog park to where it will be located. Ms. Cairns Wells stated that Council has not said yes-we are asking for more information on possible locations. Ms. Vandy stated that she doesn't think the proposal has really gotten out to the public. She believes there should be strong evidence that the majority of the residents want this. Ms. Vandy believes that the placement of a dog park gives up some space in the park and eliminates some of the openness and walking aspect of the park. This proposed park is small in size. Dog parks are normally an acre with buffer areas. While not opposed, she doesn't think it is feasible in the space that we have for Riverton park.

FINANCIAL ITEMS

RESOLUTION 77-10

A RESOLUTION APPROVING CHANGE ORDER NO. 2 FOR THE CENTERS OF PLACE PROJECT (IN FULL IN RESOLUTION BOOK)

The above Resoluton as 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.

RESOLUTION 78-10

A RESOLUTION TO RESCIND RESOLUTION 66-95 PROVIDING FOR A DEDICATION BY RIDER OF REVENUES ANTICIPATED DURING THE YEAR FROM THE CONSTRUCTION CODE OFFICIAL PURSUANT TO N.J.S.A.40A:4-39 (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, Mr. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

RESOLUTION 79-10
A RESOLUTION AUTHORIZING THE REFUND OF A PROPERTY TAX
OVERPAYMENT
(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.

RESOLUTION 80-10
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 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.

TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL

Mr. Smyth moved that the attached reports for the month of November 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.

ORDINANCE 8-10
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 26,
ARTICLE X, PUBLIC RECORDS TO REFLECT THE NEW AMENDMENTS TO
THE OPEN PUBLIC RECORDS ACT, N.J.S.A. 47:1A-2
(IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Mr. Smyth, 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 public comment, Mayor Martin closed this portion of the meeting to the public. 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 stated that Bob Moccia's properties at 525 Main, 531 Broad and 502 Broad were cited by the state for violations and Mr. Moccia is having a hard time obtaining the required permits. Mr. Brown reported that he would confer with our Construction Official on this issue.

COMMITTEE REPORTS

PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown

Mr. Brown read a report for the month of November that was submitted by Chief Willis. Vehicle Mileage 1,969, Juvenile Arrests 1, Adult Arrests 24, Motor Vehicle Accidents 5, Motor Vehicle Stops 101, Motor Vehicle Summonses 82, Parking Summonses 1, Burglar Alarms 16, Assists to Other Police Departments 13, Animal Complaints 0, Fire Calls 8, Arson 0, Ambulance Calls (Riverton) 17, Unattended Deaths 0, Criminal Cases 23, Incidents 215, Domestic 0, Thefts 1, Shoplifting 2, Burglaries 0,

Assaults 0, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Motor Vehicle Thefts 0, Pedestrian Stops 30, Total Calls Dispatched-Incidents 215 and Quick 173.

Mr. Brown read a report for the month of November that was submitted by Deputy Fire Chief Robert Yearly. Fire calls for the month 14, drills 4, calls in town 6, and calls out of town 8.

Mr. Brown reported that the owners of 718 Main Street wanted to rent out rooms in their home and had placed an advertisement in the newspaper. The owners were informed by our Code Enforcement Officer that renting out rooms is prohibited.

Regarding 622 Thomas Avenue, Mr. Brown reported that we have a signed contract and the proper insurance has been submitted. Demolition of this house should commence very soon.

Mr. Brown reported that so far we have received 8 resumes for Class II Special Officers. The Public Safety Committee will be reviewing these and will hold interviews as quickly as possible.

Mike Veneziano reported that with the placement of stop signs along the upper portion of Thomas Avenue, traffic has increased along Linden and Elm Terrace. He asked that something be done to address this. Mr. Brown responded that he would confer with the Chief on this issue and have radar run at these locations.

SHADE/PARK & RECREATION-Mr. Myers

Mr. Myers reported that one bid was received, opened and publicly read on November 30th for Tree Services for 2011 and 2012. The lone bid was from the **Paul May Tree Service, Inc. of Delran, New Jersey. Their bid was as follows: \$65.00 per hour per man for trimming, mulching and planting of trees and tree removals (small trees, including stumps, to a depth of 6" below ground level. Mr. Myers explained that a small tree is defined as one under thirty (30) inches diameter breast height and four one-half (4 1/2) feet above ground level, \$75.00 per hour per man for stump removal, including operating personnel and towing vehicle and \$75.00 per hour for Certified Tree expert consulting services.** The Solicitor reported that he has reviewed the bid and everything is in order and Council can award the contract.

RESOLUTION 81-10

A RESOLUTION AWARDING THE CONTRACT FOR THE CARE AND MAINTENANCE OF TREES FOR 2011 AND 2012 TO PAUL MAY TREE SERVICE, INC.

(IN FULL IN RESOLUTON BOOK

The above Resolution was read by title only by Mr. Myers, 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.

Mr. Myers reported that the tree lighting ceremony was a success.

Regarding the pocket park upgrades (to be paid by the Burlington County Bridge Commission) at Bank Avenue & Linden, Mr. Myers reported that he and the Mayor had met with the engineer for this project to review samples of materials for pavers and benches. Since they didn't match anything in town, the Engineer was asked to take a look at what was placed at the gazebo. Mr. Myers was asked to write a letter requesting this be done. Mr. Myers anticipates the work being done by this spring.

Mr. Myers announced that the Burlington County Board of Freeholders awarded Riverton a Municipal Park Development Program grant in the amount of \$250,000.00. Mr. Myers will be meeting with the Borough's engineer to hammer out the scope of work as quickly as possible.

**STREETS/SEWER/SHARED SERVICES/RECYCLING/ECON.DEV.-Mr. Smyth
RESOLUTION 82-10**

**A RESOLUTION TO AUTHORIZE THE BOROUGH TO PARTICIPATE IN
THE NEW JERSEY BOARD OF PUBLIC UTILITIES 2010 DIRECT INSTALL
PROGRAM AND THE ENERGY EFFICIENCY AND CONSERVATION BLOCK
GRANT REBATE PROGRAM
(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.

PLANNING/REDEVELOPMENT/SCHOOL-Ms. Cairns Wells

Ms. Cairns Wells reported that work continues to be done on proposed amendments to our Zoning and Land Use Codes to present to Council for their consideration.

MAYORAL APPOINTMENTS TO THE PLANNING BOARD

Mayor Martin reported that Muriel Alls Moffatt recently resigned from the Board and as Municipal Housing Liaison. Mayor Martin made the following appointments to the Planning Board. Cheryl Progin moves up from serving as an alternate to a regular member, filling Ms. Alls-Moffatt's term of expiration of 12-31-12. Robert Bednarek will move up from Alternate No. 2 to Alternate No 1, taking Ms. Progin's place. The term of expiration for this appointment is 12-31-11.

Mayor Martin announced that Cheryl Progin has agreed to serve as the Borough's Municipal Housing Liaison, with an annual stipend of \$1.00. Mayor Martin asked and Council concurred to officially to make this appointment.

RESOLUTION 83-10

**A RESOLUTION APPOINTING CHERYL PROGIN AS MUNICIPAL HOUSING
LIAISON PURSUANT TO CHAPTER 128
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, 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.

ZONING/ENVIRONMENTAL/BD. OF HEALTH-Mr. Katella

The Clerk reported that the Zoning Board would be hearing a variance application from BWC Realty Associates regarding the three homes scheduled to be built at 608, 610 & 612 Cinnaminson Street at their December 16th meeting.

OLD BUSINESS-None

**NEW BUSINESS
HOLIDAY LUNCHEON**

Mayor Martin announced that the holiday luncheon for all Borough employees, officials and volunteers would be held on Wednesday, December 22, 2010 from noon-2:00pm in Borough Hall.

RESOLUTION 84-10

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
RIVERTON AUTHORIZING THE DAY AND TIME FOR THE 2011
REORGANIZATION MEETING
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Ms. Cairns Wells, 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.

RESOLUTION 85-10

**A RESOLUTION AUTHORIZING THE DAYS AND TIMES OF ALL COUNCIL
MEETINGS FOR 2011
(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.

**REVIEW OF PROPOSED 2011 COUNCIL COMMITTEE ASSIGNMENTS &
REVIEW OF PROPOSED 2011 PROFESSIONAL SERVICE APPOINTMENTS**

Mayor Martin asked that Council review these proposed assignments and appointments for next year and to let Council know if there should be any suggested changes. Final assignments and appointments are scheduled to be made at Council's reorganization meeting.

CORRESPONDENCE-None

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