

July 14, 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, Kinzler, Myers and Solicitor Bruce M. Gunn

ABSENT: Council member Katella

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 open and closed session minutes from June 9 were then presented. Mr. Brown 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 aye and Mr. Myers aye.

UPDATE ON 622 THOMAS AVENUE-Jean and Harry Richman and Ed Sanderson, who reside on this block were present.

Mr. Brown reported that our Construction Official has supplied him with the names of three demolition companies. Mr. Brown will be writing each one to ask for an estimate to demolish this house. As soon as we get the estimates, they will be presented to Council for consideration. Mr. Brown indicated that he would ask that the estimates be received prior to Council's August 11 meeting.

Mr. Brown commented that we have not heard anything back from Financial Freedom Bank and the foreclosure process regarding this property. Mr. Gunn reported that when a letter was sent threatening demolition, he got a call from the property maintenance people. He informed them that our Construction Official requires an architect/engineer to re-evaluate the property and make recommendations to make the property safe. Permits would also be required. Mr. Gunn was told that the matter was in the hands of the bank.

Regarding the skunk issue at this property, Mr. Brown reported that he had our Animal Control Officer investigate. There is no sign of any nesting by any animals on or in the property.

Mr. Kinzler questioned how we would handle the possible demolition of this house from a budgetary standpoint. The Treasurer responded that since funds were not included in our budget for this, it would come right off the top of next year's budget. We would have to do a Chapter 159 Resolution and file that with the State for their approval. We would have to show that an emergent situation exists before we would be permitted to proceed. We would need to confer with our Auditor on this issue. Council took this issue under advisement.

FINANCIAL ITEMS: Mr. Kinzler

TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL

Mr. Kinzler moved that the attached reports for the month of June be approved as submitted. 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 aye and Mr. Myers aye.

ORDINANCE 4-10
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$260,775 THEREFOR, INCLUDING \$6,000 REAPPROPRIATED PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES, AND AUTHORIZING THE ISSUANCE OF \$241,900 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF (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 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. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye, and Mr. Myers aye.

UPDATE RE: PROPOSED PARK UPGRADES

Mr. Myers reported that we need a Resolution to authorize Land Engineering to move forward with the design plans and specifications for our park improvements at a cost not to exceed \$15,000.00. Mr. Myers reminded Council that the inspections will be done in house, thereby saving us \$8,000.00. Mr. Myers stated that these issues were previously discussed during Council's budget review.

Mr. Myers then reported that all of the municipalities in the County might be eligible for grants of up to \$250,000.00 under the Municipal Park Development Assistance Program. The possible funding can be used for the municipalities own recreation and open space efforts. There is no cost share or matching funds required under this program. The Burlington County Freeholders are scheduled to vote tonight on this issue. After a short discussion about how this potential funding could assist us with our park improvement program, it was the consensus to move forward with our original plans for the park at this time. Mr. Myers will find out what is required for the application process for this grant money if the Freeholders give their approval tonight.

RESOLUTION 50-10
A RESOLUTION AUTHORIZING LAND ENGINEERING TO PREPARE DESIGN PLANS AND SPECIFICATIONS 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 Mr. Kinzler. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

CERTIFICATE OF DETERMINATION AND AWARD

Mr. Kinzler reported that the following three quotes were received for the renewal of our Bond Anticipation Note: Colonial Bank 1.30%, Oppenheimer & Company 2.363% and Beneficial Bank 2.50%. Mr. Kinzler moved that we accept the quote from Colonial Bank. 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 aye and Mr. Myers aye.

2010 BUDGET UPDATES

Mr. Kinzler reported that he would have additional updates for next month's meeting. Mr. Kinzler commented that the legislature has amended the tax levy cap from 4% to 2%. Mr. Kinzler believes that pensions, benefits, debt service and capital issues are exceptions. Mr. Kinzler reported that we have a police contract that expires at the end of 2011 and will be up for re-negotiations. For this Cap law to really make sense, the State has to follow through on the police side. You can't place a 2% cap and then give the police 10% raises (usually through the arbitration process). This has been going on for ten years. Mr. Kinzler reminded Council that the Police budget is the biggest piece of the Local Municipal purpose tax.

PROPOSAL RECEIVED FROM CARLOS ROGERS RE: A USA CYCLING SANCTIONED BICYCLE RACE IN RIVERTON

Mr. Rogers provided an overview of his proposal, which was previously distributed to Council for their review. A copy is on file with the Municipal Clerk. This event will be sponsored by Mr. Rogers or his racing club in Philadelphia. The proposed dates are September 5 and September 19.

Mr. Rogers explained that most of the expenses for the race would come from police marshalling (3 or 4 police needed) and monies needed for the prize list (would come from potential sponsors). Mr. Rogers indicated that he would cover any additional police or other overtime costs (would need agreement with the Borough on this issue). Ms. Cairns Wells asked if it is anticipated that all the different categories of races could be competed in one day. Mr. Rogers responded that he hopes to complete the entire event within four hours time.

Mr. Rogers stated that he would need approval from Council to close the racing routes for a specific amount of time. Mr. Brown asked if practice days were included with the proposal. The response was no. Mr. Brown asked if Mr. Rogers was looking to make this an annual event. Mr. Rogers responded yes. Mr. Brown asked if vendors would come in. Mr. Rogers responded yes that could happen. Ms. Cairns Wells asked how many riders were anticipated. Mr. Rogers responded maybe 125. Ms. Cairns Wells raised concern over the logistics of the races, such as parking and staging. Ms. Cairns Wells questioned the routes chosen, since most of the roads suggested are County roads. Mr. Gunn thought County approval would have to be obtained first. It was suggested that Mr. Rogers change the routes so that only Borough roads would be used for the races.

Mr. Gunn then raised liability concerns. Mr. Gunn stated that we would want to be named as an additional insured and would want to be indemnified for everything including our own negligence. Mr. Gunn stated that after reviewing the proposal there is an indication that there is some responsibility on the promoter to make sure that any volunteers have release forms. Mr. Gunn asked Mr. Rogers if he would be working under the entity of USA Cycling. Mr. Rogers responded yes. Mr. Gunn asked if they would be willing to enter into an agreement with the Borough for indemnification purposes. Mr. Rogers responded yes. Mr. Gunn suggested that the Borough's insurance broker review the policy and approve that. Mr. Kinzler asked who would handle the clean-up from the race. Mr. Rogers responded that his volunteers would take care of this. Ms. Cairns Wells thinks this proposal is positive and is an exciting event. However, she

voiced concern over the liability issues. She would prefer waiting until we have all the information to review at our August 11th meeting. Council concurred.

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

COMMITTEE REPORTS

PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown

Chief Willis read the following Police Report for the month of June 2010: Vehicle Mileage 2,354, Juvenile Arrests 4 (Miscellaneous 4), Adult Arrests 13 (Traffic Warrants 5, DWI 4, Other 3, DV 1), Motor Vehicle Accidents 3, Motor Vehicle Stops 76. Motor Vehicle Warnings 9, Motor Vehicle Summonses 86& Parking Summonses 3 (Riverton Officers 89), Burglar Alarms 11, Assists to Other Police Departments 32, Animal Complaints 3, Fire Calls 7, Arson 0, Ambulance Calls (Riverton) 25, Unattended Deaths 1, Criminal Cases 13, Incidents 257, Domestic 2, Thefts 4, Shoplifting 1, Burglaries 1 (From Vehicles 1), Assaults 0, Sexual Assaults 0, Criminal Mischief 0 Robberies 0, Motor Vehicle Thefts 0, Pedestrian Stops 19, Miscellaneous calls 271, Total Calls Dispatched 257 and Quick 271.

Mr. Brown reported that Patrolman Shaw apprehended a suspect accused of robbing Beneficial Bank twice. Chief Willis provided an overview of the events leading up to the arrest. Mr. Brown asked that Patrolman Shaw be recognized at next month's meeting.

Mr. Brown read a report for the months of May and June, 2010 submitted by Court Administrator Jackie Gleason. For May the total receipts amounted to \$10,876.00 and the total disbursed to Riverton amounted to \$4,888.08. For June, the total receipts amounted to \$11,729.00 and the total disbursed to Riverton amounted to \$4,836.16.

Mr. Brown read a report for the month of June 2010 that was submitted by Deputy Fire Chief Robert Yearly. Fire Calls for the Month 15, Drills 3, Calls in Town 6 and Calls out of town 9.

Regarding Code Enforcement, Mr. Brown reported that notice was sent to the owners of 103 Bank Avenue about the large piles of dirt on their property that need to be removed. Mr. Brown reported that since all of the dirt has not been removed, our Code Enforcement Officer will send another notice to the owner.

Mr. Gunn reported that he sent notice to the owner of 207 Bank Avenue on June 14th concerning his failure to comply with our Construction Official's prior Notices of Unsafe Structure and Notices of Order of Penalty. To date there has been no response from the owner. Mr. Gunn was instructed to file suit in Superior Court. Council will be kept apprised of this situation.

STREETS/SEWER/SHARED SERVICES/ECON.DEV/GRANTS-Mr. Smyth **UPDATES RE: GARBAGE TRASH AND SLUDGE CONTRACTS**

Mr. Gunn reported that he is almost finished preparing the specifications for a new garbage/trash contract. He indicated that Council could authorize us to advertise for the receipt of bids.

Mr. Smyth reminded Council that we had participated in a feasibility study regarding Municipal Regional Residential Trash Services (MRRTS). We have been informed that this program is moving forward and that we might see a substantial cost savings if we participate. Mr. Smyth and Mr. Reed thought it would be beneficial to have the representative from MRRTS (Rob Willis) come to the next meeting to review everything in detail with Council. Ms Cairns Wells was of the opinion that this should be

handled by Council's Public Works Committee and that they should report back to Council with their findings and recommendation. Council concurred. Mr. Smyth stated that he would set up a meeting with Mr. Willis. It was also the consensus of Council to move forward and start the advertising process for garbage and trash bids on our own.

It was also the consensus of Council that we authorize our Wastewater Treatment Facility Engineer to prepare the specifications for sludge removal for the Borough. Our present contract ends this year. It was also the consensus of Council that the proposed specifications provide for a three year contract, with an option for a fourth or fifth year.

RESOLUTION 51-10

A RESOLUTION AUTHORIZING THE ADVERTISEMENT OF BID SPECIFICATIONS FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES

(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 aye and Mr. Myers aye.

RESOLUTION 52-10

A RESOLUTION AUTHORIZING T&M ASSOCIATES TO PREPARE SPECIFICATIONS FOR THE DISPOSAL OF WASTEWATER SLUDGE 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 absent (left dais before vote and returned afterwards), Mr. Smyth aye, Mr. Kinzler aye and Mr. Myers aye.

ORDINANCE 5-10

AN ORDINANCE TO AMEND CHAPTER 110 OF THE RIVERTON BOROUGH CODE TO REQUIRE THE RETROFITTING OF PRIVATE STORM DRAIN INLETS AND TO ESTABLISH REQUIREMENTS FOR DUMPSTERS AND OTHER REFUSE CONTAINERS IN THE BOROUGH OF RIVERTON

(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 Mr. Myers. 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 aye and Mr. Myers aye.

PROPOSED AMENDMENTS TO OUR RECYCLING ORDINANCE

The Clerk reported that these proposed Ordinances were being presented tonight for the first time for Council's review and consideration at their August 11th meeting. Mr. Smyth stated that these amendments are required by the County and the NJDEP. Mr. Gunn referenced a second ordinance that would amend our land development ordinances. This would pertain to the design of containment areas for multi-family dwelling areas with more than 20 residential units, condos, etc. Mr. Gunn does not see anything in our present land development ordinances on recycling. Mr. Gunn recommended

incorporating this with the other model ordinance from the County. After a short discussion, Council concurred with the Solicitor's recommendation.

NOTICE RECEIVED FROM THE D.O.T THAT GRANT APPLICATIONS ARE BEING ACCEPTED FOR MUNICIPAL AID, BIKEWAY, CENTERS OF PLACE, SAFE STREETS TO TRANSIT & TRANSIT VILLAGE PROGRAMS

After discussing these potential grants, it was the consensus of Council that our Engineer (Land Engineering) be authorized to make an application for Municipal Aid (for potential roads projects). The Public Works Committee will make recommendations to Council for their approval regarding which designated roads will be included with the application to the DOT prior to the application deadline.

PLANNING/REDEVELOPMENT/SCHOOL-Ms. Cairns Wells

Ms. Cairns Wells reported that we will be going to mediation regarding the recent challenge to our submission to COAH for substantive certification. Ms. Cairns Wells will keep Council up to date as more information is forthcoming

Ms. Cairns Wells reported that the Planning Board will be hearing a site plan application regarding the former Beneficial Bank building on Main Street at their July 20th meeting. The Board also continues to work on making recommendations for revising some of our Ordinances.

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

SHADE TREE/PARK & REC-Mr. Myers

Mr. Myers reported that we have grant funding left for trimming trees. Mr. Myers also reported that PSE&G has a sub-contractor coming into the Borough to trim trees from around various power lines. Mr. Myers reported that our Shade Tree Commission will be meeting with representatives from Gloucester County pertaining to the landscaping at the Riverton train station. A new rail line is scheduled to run in Gloucester County in the near future and they are interested in seeing what we have done to beautify our station.

MAYORAL APPOINTMENTS TO THE PARK & RECREATION COMMISSION

Mayor Martin named the following people to serve on the Park & Recreation Commission: Joseph Creighton, Jeff Elliott & Jim Quinn. These people will fill expired terms of Dolly DeFreitas, Steve Gilbert and Elmer Adams, all of which have recently resigned from this Commission.

OLD BUSINESS-None

NEW BUSINESS-None

CORRESPONDENCE

Mayor Martin read a thank you note from Freeman Moorhouse's family for the donation the Borough made to the Riverton Fire Company in Mr. Moorhouse's memory.

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