

November 9, 2011

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 2011 published in the Burlington County Times on December 30, 2010
- (b) Posting written notice on the official bulletin board on January 3, 2011

The minutes from October 12 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. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth abstained, Mr. Kinzler absent and Mr. Myers aye.

#### **FREEHOLDER LETTER SENT TO ALL RESIDENTS**

Mr. Smyth stated that all of our residents should have received a letter from Freeholder Garganio explaining that the County has awarded local municipalities grant dollars (Riverton was included) for local recreational projects and that these monies will be ongoing. Another round of grants will be available in the spring. Mr. Smyth reported that the Freeholders are asking our residents to complete an online Recreational Grant Survey.

#### **DISCUSSION: PROPOSED GRANDSTAND PROJECT (Joe Creighton and Jim Quinn present)**

Mr. Myers distributed printouts (one to reconstruct the existing building and the other for a new one story building) for Council to review. Both Mr. Myers and Mr. Quinn reported that a local structural engineer was asked to take a look at the existing grandstand. We learned that the building is not worth preserving. There are serious cracks all the way through the structure and it continues to deteriorate.

Mr. Myers reported that the printout for a new structure shows that it would be somewhat near the footprint of the old grandstand. The rough numbers for construction costs are close to \$300,000.00. This would include all paved areas being done in pavers and perhaps brick veneer. Mr. Myers asked for Council's input.

Mr. Smyth asked if there was an artist's rendition available. He wanted to know if the proposed building looks historic. Mr. Myers stated that we are not even at that stage yet. Mr. Myers reported that the committee did talk about a traditional finish and brick would do that. Ms. Cairns Wells asked if this proposal would call for a one story building with no bleachers on the top. Mr. Myers responded that was correct. Ms. Cairns Wells asked if we are talking about a flat top building. The response was a single sloped roof, rather than a peaked one, reminiscent of the one that is already there. Mr. Myers stated we would have to discuss inclusion of architectural details during the design process. Ms. Cairns Wells commented that she would like to see pavers that allow grass to grow through them. We wouldn't have to worry about run-off issues then. Mr. Smyth asked what the timeframe would be to get the project started. Mr. Myers stated that they would

like to go out to bid early next year. Mr. Myers asked that Council submit any comments to the committee over the next couple of weeks. Mr. Creighton commented that the committee tried to prioritize some items such as nice clean bathrooms and storage. The Committee had considered a snack bar, but decided against that. We would like to have more of a multi-use building as opposed to a single use facility that we have now.

Mr. Gunn informed Council that the State Historic Preservation Office will need to be notified of this project because we are on the historic register. Once that is done, they will usually notify our local Historical Society for any comments.

#### **ANNOUNCEMENTS**

Mr. Myers announced that the Tree Lighting ceremony will be held on Friday, December 2<sup>nd</sup> at 7:00pm at the plaza.

Mayor Martin announced that the Library's candlelight house tour will take place on Saturday, December 3<sup>rd</sup>. Ticket information can be obtained on the Borough's website and at the library.

Mr. Smyth announced that members of the VFW's honor guard will be at our War Memorial at 9:00am on Friday, November 11<sup>th</sup> in honor of Veterans Day. A ceremony acknowledging the placement of additional names on the War Memorial plaque will take place at that time.

**FINANCIAL ITEMS:** Ms. Cairns Wells and Mr. Smyth

#### **TREASURER'S FINANCE REPORT & BILL LIST FOR APPROVAL**

Ms. Cairns Wells moved that the attached reports for the month of October 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 64-2011**

#### **A RESOLUTION AUTHORIZING AFLAC OF HAMMONTON, NEW JERSEY TO SERVE AS THE ADMINISTRATOR OF THE BOROUGH'S FLEX SPENDING ACCOUNT (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 65-2011**

#### **A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT OF A SALT SPREADER FOR THE PUBLIC WORKS DEPARTMENT IN THE AMOUNT OF \$8,262.00 FROM DEJANA TRUCKING AND UTILITY EQUIPMENT COMPANY OF CINNAMINSON, NEW JERSEY (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.

#### **CELL TOWER LEASE PURCHASE PROPOSAL**

Mr. Smyth reported that he received (and distributed to Council) a proposed option Agreement-lease Easement Purchase from Landmark Dividend, LLC regarding

the cell tower located at the Wastewater Treatment facility in the Borough. Mr. Smyth suggested that this issue be deferred to the Finance Committee for review and that Council might consider this proposal during the budget process next year. Council concurred with this suggestion.

#### **MEETING OPEN TO THE PUBLIC**

**Maiga Milbourne** from Yogawood reported that they would like to open the studio in conjunction with the tree lighting ceremony for a local business bazaar. It was the consensus of Council to agree to this suggestion.

**Joe Rainer** expressed his ongoing concerns regarding Milanese Pizza such as parking issues, the blocking of the street for deliveries, the usage of his parking lot, etc. Mr. Brown reported that both he and the Police Chief met with Mr. Rainer about his concerns and will continue to do this. Mr. Rainer stated that he might have to place a chain across his property at 515 Howard Street to prevent cars from using his lot as a turnaround.

Mr. Brown reported that he has also spoken to the owners of Milanese Pizza about all of these issues. Mr. Brown also reported that the owners have attempted to control the times of the food deliveries during the designated hours (9am and 11 am), but this is not really feasible and is still an ongoing concern. Mr. Brown also suggested permitting deliveries from 1:00pm and 2:30pm, while the children are still in school. Mr. Rainer complained that not only do the delivery trucks park illegally, so do the owners of the pizza shop. A discussion then ensued.

Ms. Cairns Wells felt that we need to continue meeting with both the Chief and the owners to right the situation as best we can. Mr. Brown concurred with this. Mr. Cairns Wells acknowledged that Mr. Rainer needs to do what he has to do to limit access to his parking lot. Discussion resumed. Ms. Cairns Wells stated that it is her understanding that Mr. Rainer's complaint about the deliveries is when they are parked in the middle of the street; however, if they are over to the side of the curb where the Chief has told these drivers to be, then there is no complaint because it is not impeding Mr. Rainer's property. Ms. Cairns Wells stressed the fact that the parking in the middle of the street is a safety issue on Howard Street for everybody. She asked the Chief to make this issue a priority with his department and either get them to move or issue a ticket. The Chief acknowledged that he would take care of this. Mr. Brown commented that Mr. Rainer needs to call the police when he sees infractions and not try to resolve them himself.

**Gene Bandine** was of the opinion that this area should be considered a school zone area. It is a hazardous location. It should be a 15mpr speed zone.

#### **COMMITTEE REPORTS**

##### **PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown**

Chief Shaw read the following report for the month of October. Vehicle Mileage 2258, Juvenile Arrests 1, Adult Arrests 14 (Contempt 12, Harassment 1, and Criminal Mischief 1), Motor Vehicle Accidents 3, Motor Vehicle Stops 119, Motor Vehicle Warnings 31, Motor Vehicle Summonses 88 (All Riverton) Alarms 10, Assistance to Other Agencies 31, Animal Complaints 8, Fire Calls 7, EMS Calls 27, Unattended Deaths 1, Criminal Cases 26, Incidents 286, Domestic 2, Thefts 3 (Theft of prescription drugs 1, Theft of documents 1, Theft of money and jewelry 1), Burglaries 2 (Residence 1 and Vehicle 1), Assaults 1, Sexual Assaults 0, Criminal Mischief 5, Robberies 0, Miscellaneous Calls 259, Total Calls Dispatched 545, Incidents 286 and Quick Calls 259)

Chief Shaw reported that the bike auction will take place on November 12<sup>th</sup> and that there were no issues on mischief night.

#### **REVIEW OF LETTER FROM FRANK URBANO REGARDING THE INTERSECTION OF 4<sup>TH</sup> & ELM STREETS**

Mr. Brown reviewed this letter (which was also sent to the Mayor of Palmyra Borough) with Council. Mr. Brown also reviewed Chief Shaw's response that acknowledges the dangerousness of this intersection and the need to address it as expeditiously as possible. Mr. Brown reported that we are in the process of looking into various options to remedy the problems, and since the area in question also incorporates Palmyra Borough, we would be working with Palmyra's Police Chief and their governing body. Mr. Brown reported that he would get back to Mr. Urbano and that Council would be kept apprised of this issue.

#### **UPDATE ON STARTING POLICE CONTRACT NEGOTIATIONS**

Mr. Brown reported that the first meeting to negotiate the new police contract has been scheduled for November 18<sup>th</sup>.

#### **UPDATE ON POSSIBLE POLICE DEPARTMENT MERGER WITH PALMYRA**

Mr. Brown reported that Ms. Cairns Wells, Mr. Myers, Chief Shaw and himself met with Palmyra's Chief, Mayor and Public Safety Committee to preliminarily discuss this issue. Mr. Brown reported that if a merger were to take place, an offer of Lieutenant would be made to our Police Chief and he is agreeable to that. Although no concrete financial figures were presented, Palmyra believes there would be a reasonable cost savings by a merger. Mr. Brown believes that all of our officers would be accepted under the provisions of Palmyra's contract and that they would retain their seniority. Special officers would also be accepted as well as the secretary. Riverton would maintain the same vehicles and uniforms so no additional costs would be incurred and this would allow Riverton to maintain its identity. Riverton would close our police headquarters and this could result in a cost savings as far as the Borough's lease payments to the Fire Company are concerned. We would no longer need to be a part of the Cinnaminson court system because Palmyra has their own. Overtime would be reduced and there would be a joint Public Safety Committee. Operational standards would be improved with street supervisors on every shift, plus a detective bureau which would take over investigations and arrests.

Mr. Smyth referenced that the previous shared services feasibility study looked at a possible merger between the Cinnaminson, Riverton and Palmyra Police Departments and what the savings would be. Mr. Smyth stated that the end result of that study was no action because they couldn't find substantial savings. Mr. Smyth asked if Palmyra approached us. Mr. Brown responded yes. Mr. Smyth raised concern that Cinnaminson is not involved.

Mr. Brown stated that we are strictly in a preliminary stage with this issue. Mr. Brown reported that the Department of Community Affairs (DCA) will offer a free, in depth study of both Police Departments. They are currently involved in the study of the Pennsgrove and Carney's Point Police Departments. There is no cost for this study but in order to initiate it, they require a letter from each municipality. The study usually takes between 30 to 45 days to complete. When completed, they get back to us with a power point presentation.

Ms. Cairns Wells stated that the last feasibility study was less than informative. It was a study that basically asked the police officers in each department if they wanted to merge. They all said no because their departments were all different. That study was also severely lacking in any financial data. The difference now is that it's just between Palmyra and Riverton. Mr. Smyth believes that if we want to re-visit this, it should include all three towns.

Ms. Cairns Wells stated that at the preliminary meeting with Palmyra, it was decided that we would like to take it a step further, get the DCA involved and give us a perspective of just these two towns. Mayor Martin asked if Cinnaminson was going to be included. Mr. Brown responded that when we were approached by Palmyra about a possible merger, they did not include Cinnaminson. He believes that including Cinnaminson should be initiated by Palmyra. Mr. Smyth stated that if it is determined that we should merge; it should go out to referendum for the people to decide. Mr. Brown responded that it definitely would. Mr. Brown stated that are trying to save some money in the police department. Mayor Martin suggested that we go to Cinnaminson to ask them if they are interested.

Mr. Myers stated that if we look at the day to day operations of the Police Department, that Riverton and Palmyra already work closely together. Mr. Myers agreed that the previous police merger feasibility study was lacking in financial information. It was a cultural study but not a detailed financial analysis. Mr. Myers was of the opinion that the average Riverton citizen would not notice a change in service if a police merger with Palmyra were to take place. Mr. Myers believes that service would improve. Mr. Myers also commended our Chief for the job he does. Mr. Myers stated that this department cannot continue to function in the size that it is and the Borough of Riverton cannot continue to fund it any larger. Right now this Department is carried on John Shaw's shoulders. Mr. Myers stated that there is this thought in town that we have this community Police Department. What we've got is Chief Shaw. We cannot continue to go on with the department as it is. Mr. Brown agreed that we cannot continue budget wise or personnel wise with the Department. Ms. Cairns Wells concurred with Mr. Myers' observations.

Mr. Brown reiterated that there has been no commitment of any kind with Palmyra, just preliminary discussions. Mr. Myers stated that we have an offer from the State to do a real analysis of both Police Departments, done by retired Chief's of Police.

Mayor Martin and Mr. Smyth reiterated their positions that Cinnaminson should be included in the study. Ms. Cairns Wells responded that they would talk to Palmyra about this. Ms. Cairns Wells stated that it was Palmyra's initial request to consider a merger between Riverton and Palmyra. They didn't say anything about including Cinnaminson. Mr. Brown reiterated the fact that there would be a referendum and that the people of Riverton would decide whether any merger takes place or not. Mr. Brown and Mr. Myers reported that they thought Palmyra's Council would probably make the decision on their own and not go to referendum in their municipality. The issue of a possible police merger with Palmyra was then taken under advisement by Council.

**STREETS/SEWER/ECON. DEV/SHARED SERVICES/RECYCLING-** Mr. Smyth  
**REVIEW OF 2<sup>ND</sup> ROUND OF BIDS FOR THE VARIOUS ROAD**  
**IMPROVEMENTS PROJECT**

Mr. Smyth announced that three bids were received, opened and publicly read on October 28<sup>th</sup> at 10:30am. They are as follows:

<b>Arawak Paving Company</b>	<b>\$154,900.00</b>
<b>SJA Construction Co., Inc.</b>	<b>\$163,085.00</b>
<b>American Asphalt Company</b>	<b>\$178,125.00</b>

Mr. Smyth reported that the Engineer has recommended that Arawak Paving Company of Hammonton, New Jersey be awarded the Various Roadway Improvements Contract. Mr. Gunn reported that he has reviewed Arawak's bid package and everything is in order.

**RESOLUTION 66-2011**

**A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO ARAWAK PAVING COMPANY, INC. FOR VARIOUS ROADWAY IMPROVEMENTS IN THE BOROUGH OF RIVERTON IN THE AMOUNT OF \$154,900.00 (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

**ORDINANCE 2011-12**

**AN ORDINANCE TO DISSOLVE THE RIVERTON ZONING BOARD OF ADJUSTMENT AND TO INCREASE THE MEMBERSHIP OF THE BOROUGH PLANNING BOARD TO PERMIT IT TO EXERCISE ALL LAND USE POWERS AS PERMITTED BY THE MUNICIPAL LAND USE LAW (N.J.S.A.40:55D-1 ET. SEQ.), INCLUDING THOSE PREVIOUSLY EXERCISED BY THE ZONING BOARD OF ADJUSTMENT (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. Smyth. At this time Mayor Martin opened this portion of the meeting to the public for any comment on this Ordinance. **Joseph Threston**, a member of the Planning Board stated that he thought this decision was the right way to go. There being no further 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.

Ms. Cairns Wells reported that information pertaining to our 2012 Requests for Proposals for Professional Service Contracts will be placed on the website shortly. We will also place a notice in the Burlington County Times to inform people to check our website for this information.

Ms. Cairns Wells reported that she took a tour of the creek with members of the Pompeston Watershed Creek Association.

Ms. Cairns Wells announced that the Borough now has a Facebook page and asked the public to check it out.

**ZONING/ENVIRONMENTAL/BD OF HEALTH-Mr. Katella-No report**  
**OLD BUSINESS-None**  
**NEW BUSINESS**

**RESOLUTION 67-2011**

**A RESOLUTION APPROVING THE FOLLOWING RAFFLE AND BINGO  
APPLICATIONS FOR THE PORCH CLUB: RA 1, RA 2, RA 3 AND RA 4 AND  
BA 1 AND BA 2**

**(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.

**CORRESPONDENCE-None**

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



Mary Longbottom, RMC  
Municipal Clerk