

January 12, 2011

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

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

ABSENT: Council members Cairns Wells 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 December 8th 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 aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

FINANCE REPORT AND BILL LIST FOR APPROVAL

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

The Treasurer reported that there would not be a Treasurer's Report or Transfer Resolution this month.

RESOLUTION 12-11

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SHARED SERVICES AGREEMENT FOR THE PURCHASE OF GASOLINE AND DIESEL FUEL FROM THE TOWNSHIP OF CINNAMINSON
(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 aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

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

COMMITTEE REPORTS

PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Mr. Brown

There was no police report submitted for the month of December.

Mr. Brown read a report for the month of December that was submitted by Deputy Fire Chief, Robert Yearly. Fire calls for the month 17, drills 4, calls in town 6 and calls out of town 11.

Mr. Brown read a report for the month of December that was submitted by Court Administrator Jackie Gleason. Total receipts for the month amounted to \$9,072.11. The total amount disbursed to Riverton amounted to \$4,611.16.

RESOLUTION 13-11

**A RESOLUTION APPOINTING COURT PERSONNEL
(IN FULL IN RESOLUTION BOOK)**

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

STREETS/SEWER/ ECON DEV/RECYCLING-Mr. Smyth

Mr. Smyth reported that representatives from Hutchison Mechanical were out on Monday to do an energy audit of the municipal building and the wastewater treatment facility. The funding is coming from the stimulus package from the Federal government. There was no charge for the audit. We will probably find in their report that there will be some improvements to be made, such as new lighting, a new air conditioning system, etc. Council will be kept apprised of this issue.

PLANNING/REDEVELOPMENT/SCHOOL-Ms. Cairns Wells

REQUEST RECEIVED FROM TWO MEMBERS (WALTER CROFT AND ELMER ADAMS) OF THE ARCHITECTURAL REVIEW COMMITTEE (ARC) TO ELIMINATE THEIR COMMITTEE

Mayor Martin read this letter in full (copy on file with the Municipal Clerk). Mayor Martin reported that this issue was discussed at the recent Planning Board, who asked for Council's input.

Mr. Smyth commented that this issue was talked about a number of years ago and that the argument was that the ARC was really an advisory committee. Mr. Smyth thinks there is a value in having the ARC whether or not there is any "teeth" in what they recommend. Mr. Smyth thought it might be time to change some of the people who serve on the ARC. Maybe these members are burnt out.

Mr. Katella commented that a lot of the development we have had in recent years has been done with respect to the character of the town. In general, people have approached the Planning Board in a manner that they were willing to work with us even on a level of design. Mr. Katella stated that that's not always been the case. Mr. Katella believes the ARC plays a vital role in assisting the Borough in this regard. Mr. Katella agrees with Mr. Smyth that maybe we do need some new members.

Mr. Brown asked if the ARC had by-laws. The Clerk responded that there is an Ordinance on the books which spells out their responsibilities.

Mr. Smyth thought we shouldn't disband the ARC but thought we could reformulate it.

Mr. Myers stated that he is not one for over regulation, but after listening to this discussion, he feels good points were made and maybe some new blood pumped into the committee would make a difference.

Mr. Katella also suggested meeting with these members to go over what can be done to keep the committee more viable. Mayor Martin will bring these suggestions back to the Planning Board for further review.

SHADE TREE/PARK & RECREATION-Mr. Myers

Mr. Myers reviewed the scope of work for the park upgrade project for Council's information. Mr. Myers reported that the Borough has received a reimbursable grant from the County for this project in the amount of \$250,000.00.

Mr. Myers reported that we had placed a large percentage of the projected costs for these upgrades in our capital budget before we knew that we would be receiving this grant amount. Our Auditor has indicated that Council can authorize Land Engineering to advertise for the receipt of bids for this project; however, we will need to decide at some

point (prior to any payment to a contractor) if we want to borrow the additional required monies from ourselves or go out for a Bond Anticipation or a Grant Anticipation Note.

RESOLUTION 14-11

**A 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 Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

BANK & LINDEN AVENUE POCKET PARK UPGRADES

Mr. Myers reported that a letter was sent to the Bridge Commission (they will be funding this project) in November requesting that the materials to be used be upgraded to closely match what we have in the Borough. Mr. Myers has been in contact with the Engineer for this project who confirmed that the Bridge Commission approved this request. Hopefully, the upgrades will be done by the 4th of July celebration.

Mr. Myers reported that during the demolition of 622 Thomas Avenue, one of the contractor's trucks damaged a Borough Tree. Mr. Gunn reported that the contractor has paid the \$200.00 damage fee.

Mr. Myers reported that Barry Emens has been asked to join the New Jersey Board of Certified Tree Experts as the only non certified tree expert of the Board. That's quite an accomplishment and speaks of how well he is respected throughout the state.

Mr. Myers provided a summary of the 2010 Shade Tree activity for Council's information.

REQUEST RECEIVED FROM BOB SCIARROTTA & DAVE ZAUN TO HOLD A RECREATION SUMMER DAY CAMP IN THE PARK

Mr. Myers reported that the above referenced Riverton School teachers are once again requesting permission to host a recreation summer day camp at Riverton Park in 2011. After a discussion, it was the consensus to permit this camp to be held after the agreement and required insurance documents are signed and submitted to the Borough.

RESOLUTION 15-11

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN ROBERT SCIARROTTA AND DAVID ZAUN FOR THE OPERATION OF THE 2011 RECREATION SUMMER DAY CAMP
(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. Katella. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

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

Mr. Katella reported that a 2011 budget request has been submitted by the Chair of the Zoning Board of Adjustment.

Mr. Katella reported that the Zoning Board had to revisit the application of BWC, Inc. regarding the construction of three houses on Cinnaminson Street. The original application did not include a request for setback relief.

OLD BUSINESS-None

NEW BUSINESS

RESOLUTION 16-11

A RESOLUTION AUTHORIZING THE SOLICITOR OF THE BOROUGH OF RIVERTON TO FILE APPEALS, OMITTED AND ADDED ASSESSMENT APPEALS, AND ROLLBACK COMPLAINTS WITH THE BURLINGTON COUNTY BOARD OF APPEALS (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. Myers. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye.

REQUEST TO HOLD ONLY ONE COUNCIL MEETING IN FEBRUARY

Mayor Martin reported that he is asking Council to consider having only one meeting in February. Mr. Kinzler, Chair of the Finance Committee, has indicated that he does not think we will need a detailed review of the budget for next month. We are still waiting to find out how much state aid (if any) we will be receiving. Mayor Martin informed Council that Mr. Kinzler would be unavailable for the February 9th meeting; therefore, if Council concurs, it is being requested that we only hold the February 2nd meeting. Council concurred with this. The Clerk will advertise the cancellation of this meeting in the Burlington County Times.

RESOLUTION 17-11

A RESOLUTION AUTHORIZING THE CANCELLATION OF BOROUGH COUNCIL'S FEBRUARY 9, 2011 MEETING (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 aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent, and Mr. Myers aye.

CORRESPONDENCE-NONE

MEETING OPEN TO THE PUBLIC

CARA VANDY asked if there was a meeting last week. Mayor Martin responded that it was the reorganization meeting. The dog park issue was not discussed at that meeting. **GENE BANDINE** complemented the Public Works Department for their efforts in the removal of the snow during the recent storm.

Mr. Bandine complained that recycling at 522 Main Street hasn't been picked up. Mr. Bandine was informed that he should contact the County regarding this issue.

RESOLUTION 18-11

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 Mr. Smyth, with all present voting in the affirmative. It should be noted that a personnel matter (Police Chief) Attorney/Client privilege would be discussed.

At this time Mr. Brown moved that we return to public session. This was seconded by Mr. Katella, with all present voting in the affirmative.

RESOLUTION 19-11

**A RESOLUTION ACCEPTING THE RESIGNATION OF GREGORY WILLIS
AS CHIEF OF POLICE
(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 Mr. Smyth. A poll vote was then taken. Mr. Katella aye, Mr. Brown aye, Ms. Cairns Wells absent, Mr. Smyth aye, Mr. Kinzler absent and Mr. Myers aye. Mr. Brown reported that, until further notice, Patrolman John Shaw would be the Officer in Charge of the Police Department.

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

Mary Longbottom, RMC
Municipal Clerk