

October 12, 2011

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

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

ABSENT: Council members Katella and Smyth

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 September 14 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 absent, Mr. Kinzler aye and Mr. Myers aye.

TREE REMOVED BY COUNTY AT THE BROAD AND MAIN INTERSECTION

Barry Emens, Shade Tree Commission Chair, reported that some of the Crossing Guards at the Broad & Main location complained that a couple of people ran red lights at this intersection because the limbs from the tree in question were possibly blocking their sight. The Chief called the County to ask them to come out to trim the tree. He was also concerned that there was a safety issue because many school children cross at this location. The County came down and made a decision to remove the tree. Mr. Emens reported that this tree had been donated a number of years ago by a local businessman. Mr. Emens reported that even though this tree was on a County road, the Shade Tree Commission had trimmed it in the past. Mr. Emens was of the opinion that this tree could have been trimmed to correct the problem and that it did not have to be removed.

Mr. Emens reported that he sent an e-mail to the County Highway Department about two weeks ago asking why the tree wasn't just trimmed and also asking who made the decision to remove it. To date, Mr. Emens has not received a response back. After a short discussion, it was the consensus of Council that a letter should be sent to the County about how this issue was handled and the fact that they should have conferred with our Shade Tree Commission before the tree was removed. It was also the consensus that Mr. Emens and the Clerk draft this letter for the Mayor to sign.

REVIEW OF LETTER FROM THE JGSC GROUP ON BEHALF OF THE PALMYRA BUSINESS DISTRICT

Joe Getz, a representative from the JGSC Group stated that his firm serves as the executive director of the Palmyra Business District (BID) and was authorized to send this letter. Mr. Getz explained that Riverton, as well as other river towns, is being asked to participate in a regional consumer survey, which would enable the BID to identify ways to make the river towns more economically sustainable and appealing. Mr. Getz reported that BID is seeking funding from the Burlington County Bridge Commission to underwrite the cost of this survey. A discussion ensued with the consensus being that the Borough would be willing to participate conditioned on the fact that there would be no financial commitment on the Borough's part for this project.

RESOLUTION 58-11
RESOLUTION IN SUPPORT OF A REGIONAL CONSUMER SURVEY BY THE
PALMYRA BUSINESS IMPROVEMENT DISTRICT
(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 absent, Mr. Kinzler aye and Mr. Myers aye.

REPORT FROM THE RIVERTON IMPROVEMENT ASSOCIATION (RIA)

Ann Matlack, a member of the RIA reported that the Association's next project would be the restoration of the Riverton Eagle, which is chipping and peeling badly. Ms. Matlack provided Council with an overview of the artist selection process, the budget/funding aspect and the display and relocation of the eagle. Council expressed their appreciation to the RIA for taking on this project. Ms. Matlack also reported that painter, Pete Gray, touched up the gazebo in the plaza at no cost to the Borough.

FINANCIAL/ADMINISTRATIVE ITEMS: Mr. Kinzler & Ms. Cairns Wells
TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL

Mr. Kinzler moved that the attached reports for the month of September 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 absent, Mr. Kinzler aye and Mr. Myers aye.

2011 BUDGET UPDATE AND 2012 BUDGET PROCESS REVIEW

Mr. Kinzler reported that overall, from a cash flow standpoint, we look good. Mr. Kinzler cautioned that we have three more months of spending.

Mr. Kinzler reported that the legal line item is under pressure, the engineering line item looks okay but some funds will need to be expended for the roads program, and as of the end of September, the police overtime line item is at the budgeted amount, but we still need to get through October, November & December which will put us over the budgeted amount. The leaf disposal line item has not been spent but will be by the end of the year. The electricity line item needs to be addressed with PSE&G because we still have questions about how we are billed and credited to our accounts. The gasoline line item looks good, but Council acknowledged that Cinnaminson is behind billing us. Mr. Kinzler cautioned that overtime costs at the Wastewater Treatment Facility (WWT) need to be monitored. Ms. Cairns Wells commented that she thought there would be some money that had been budgeted for both the Planning & Zoning Boards that might not be needed. These monies from these line items could then be transferred (starting in November) to help those line items in need of funds. Mr. Kinzler raised concern over the line item for the WWT's professional service costs. It was the consensus that we obtain quotes from other companies for next year to determine if the costs can be reduced.

Mr. Kinzler distributed the proposed 2012 budget timeframe for Council's information and review. The Finance Committee is scheduled to meet with Department Heads before the end of this year to review their 2012 budget requests.

ORDINANCE 2011-11
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 24 TO
ADDRESS LIMITATIONS ON POLITICAL CONTRIBUTIONS BY MUNICIPAL
VENDORS AND ESTABLISHING A PROCEDURE FOR THE AWARD OF
PROFESSIONAL SERVICE CONTRACTS
(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. 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 absent, Mr. Kinzler aye and Mr. Myers aye.

RESOLUTION 59-2011
A RESOLUTION TO ESTABLISH GUIDELINES FOR BOROUGH OFFICIALS
IN THE USE OF ELECTRONIC COMMUNICATIONS IN COMPLIANCE WITH
THE OPEN PUBLIC MEETINGS ACT
(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. Myers. A poll vote was then taken. Mr. Katella absent, Mr. Brown aye, Ms. Cairns Wells aye, Mr. Smyth absent, Mr. Kinzler aye and Mr. Myers aye.

RESOLUTION 60-2011
A RESOLUTION AUTHORIZING THE BOROUGH'S ORIGINAL LINEN TAX
MAPS TO BE TURNED OVER TO LAND ENGINEERING, THE BOROUGH'S
STREETS AND ROADS ENGINEER
(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 absent, Mr. Kinzler aye and Mr. Myers aye.

RESOLUTION 61-2011
A RESOLUTION AUTHORIZING THE RELEASE OF THE LETTER OF
CREDIT FOR THE U.S. POST OFFICE PROJECT, BLOCK 904, LOS 4, 4.01,
4.02 AND 4.03 AND ACCEPTING A TWO-YEAR MAINTENANCE BOND
(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 absent. Mr. Kinzler aye 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

Chief Shaw read the following report for the month of September, 2011. Vehicle Mileage 1807, Juvenile Arrests 1, Adult Arrests 10 (Contempt 4, Possession of CDS 2, Simple Assault 1, Drug Paraphernalia 1, Harassment 1, & Theft by Deception 1), Motor Vehicle Accidents 4, Motor Vehicle Stops 68, Motor Vehicle Warnings 26, Motor

Vehicle Summonses (Riverton) 42, Alarms 9, Assistance to Other Agencies 24, Animal Complaints 6, Fire Calls 3, EMS Calls 26, Unattended Deaths 0, Criminal Cases 17, Incidents 254, Domestic 2, Thefts 3 (Bikes 2 and Theft by Deception 1), Burglaries 0, Assaults 1, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 137, Total Calls Dispatched 391, Incidents 254 and Quick Calls 137.

Mr. Brown read a report for the month of September that was submitted by Deputy Fire Chief, Robert Yearly. Fire Calls for Month 13, Drills 8, Calls in Town 8 and Calls Out of Town 5. Mr. Brown announced that a firemen's banquet was recently held at the Café Madison as a way to thank all the volunteers for everything they do.

Mr. Brown read a report for the month of September that was submitted by Court Administrator, Jackie Gleason. The total receipts for the month amounted to \$6,811.00. The total amount disbursed to Riverton amounted to \$4,205.18. Mr. Brown announced that Riverton court dates for 2012 will change and that the days and times would be placed on the Borough's website.

Mr. Brown reported that the Chief has completed evaluation reports on all the officers. Mr. Brown commented that this is the first time this has been done. Mr. Brown reported that Palmyra Borough will not be holding the annual Halloween parade this year. Mr. Brown reported that the bike sale will be scheduled soon. It will be advertised in the newspaper and on the Borough's website. Mr. Brown reported that new striping at Broad & Main Streets will be completed as soon as possible.

Mr. Brown announced that he has sent another letter to the Riverton Police Association to set up scheduled meeting days and times to commence the negotiation process for the new contract. The present contract expires at this end of this year. Mr. Kinzler asked if salaries would be frozen if a new contract is not in place by January 1, 2012. Ms. Cairns Wells stated that while she has not conferred with an attorney, she has spoken to other people who deal with public employee contracts, and the rule is that there are no increases, the contract stays the same. Mr. Gunn commented that there is no question that the old contract still controls, everything is frozen. Mr. Kinzler stated that while he agrees with this, he believes the last time we were negotiating, this was not the case. Mr. Brown and Ms. Cairns Wells emphatically stated that this would not happen this time around. Chief Shaw asked if just the salaries would be frozen. Ms. Cairns Wells and Mr. Brown stated that everything would be frozen if a new contract is not in place by January 1, 2012.

Mr. Brown reported that the Chief and the Public Safety Committee were approached by Palmyra's Police Chief to set up a meeting with each municipalities Public Safety Committee to discuss a possible police merger. A preliminary meeting was recently held with Mr. Brown and Mr. Myers attending from Council, along with Chief Shaw and Chief Pearlman of Palmyra. No specific cost savings were presented at that time. Mr. Brown stated that both Riverton and Palmyra's Public Safety Committees would be meeting on October 27th at the Riverton Fire House. Any information gathered will be brought back to Council for consideration and review.

Regarding Code Enforcement, Mr. Brown reported that our Code Enforcement Officer sent a violation notice to a resident on the 200 block of Bank Avenue pertaining to their cats being unlicensed and running at large. A violation notice was sent to a resident on the 500 block of Cinnaminson Street pertaining to overgrowth and debris issues. The County Board of Health will be issuing a summons, through the Police

Department, to tenants living at 403 Thomas Avenue pertaining to rat and roach and unsanitary conditions.

Regarding 108 7th Street, Mr. Brown reported that our Solicitor has filed a complaint and order to show cause in Superior Court directing the owner to appear in Court on November 4 to explain why he has not complied with the Construction Official's prior order. Council will be kept apprised of this situation.

Regarding 207 Bank Avenue, Mr. Brown reported that a trial date is scheduled in Superior Court for November 14. Council will be kept apprised of this situation.

RESOLUTION 62-11

A RESOLUTION AUTHORIZING A CURFEW FOR OCTOBER 28, OCTOBER 29, OCTOBER 30 AND OCTOBER 31, 2011 IN THE BOROUGH OF RIVERTON (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 absent, Mr. Kinzler aye and Mr. Myers aye

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.40:55D1-ET. SEQ.), INCLUDING THOSE PREVIOUSLY EXERCISED BY THE ZONING BOARD OF ADJUSTMENT

The above Ordinance was read by title only for the first time 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 absent, Mr. Kinzler aye, and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for November 9.

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

Ms. Cairns Wells announced that the following bids were received, opened and publicly read on October 5, 2011 for the 2011 various road improvements:

Arawak Paving Company of Hammonton, New Jersey	\$161,600.00
SJA Construction Co, Inc. of Marlton, NJ	\$171,365.00
American Asphalt Co., Inc. of W. Collingswood Heights, NJ	\$179,770.00
Kehoe Construction, Inc. of Bridgeport, Pa.	\$206,999.99

Mr. Gunn reported that he had reviewed the two lowest bids and that Arawak Paving failed to supply their financial statement, which is a non-waivable defect. Mr. Gunn also reported that the second lowest bidder, SJA Construction Co. Inc. failed to list any information relative to the equipment and experience statement as to a sub-contractor, which may also be defective. After a short discussion, it was the consensus of Council to reject all of these bids and authorize Land Engineering to re-advertise immediately.

RESOLUTION 63-2011
A RESOLUTION REJECTING THE BIDS FOR VARIOUS ROADWAY
IMPROVEMENTS IN THE BOROUGH OF RIVERTON, AND AUTHORIZING
THE BOROUGH STREETS AND ROADS ENGINEER TO ADVERTISE FOR
NEW BIDS FOR THE PROJECT
(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 absent, Mr. Kinzler aye and Mr. Myers aye.

SHADE TREE/PARK-Mr. Myers

Mr. Myers reported that the last meeting held to discuss the grandstand issue was well attended by members of the Riverton Historical Society. Mr. Myers reported that the Historical Society's position is that they have determined that the grandstand structure is not historically significant. The Historical Society does not have a position that they want to see it protected.

Mr. Myers reported that Hank Croft, Joe Creighton, Jim Quinn, other members of the public and himself have been working on the grandstand issue and have come up with two scenarios for Council's consideration. One scenario would be to keep and repair the existing structure. If this is done, we would need to put in another building or shed elsewhere in the park for storage. New bathrooms would also be an important part of any reconstruction or rebuilding of the grandstand. The other scenario would be to take down the existing structure, but what do we put in its place? Mr. Myers questioned whether we would want to put back what is essentially obsolete already. Mr. Myers stated that if the Borough deems that this structure is worthy of being demolished, we would like to rebuild something that is near and dear to everybody's heart. Mr. Myers stated that the committee came up with a proposed plan whereby a new building would be placed in the same type of footprint as the grandstand that is already there, but would not have the seating above on the roof. Mr. Myers provided Council with a suggested overview of what a new grandstand might look like. Mr. Myers stated that, to date, no real drawings have been done. Mr. Myers stated that the snack bar would also be eliminated because the committee does not feel that the County grant money should be used for this. Public Works Manager, Scott Reed, commented that if Council decides to keep the existing structure, a structural engineer needs to make a determination if can keep the grandstand and that it is safe.

Mr. Myers stated that it is estimated that it could cost between 50% to 100% more to keep the existing grandstand. Mr. Kinzler raised concern about these costs and reminded Council that we have received a \$250,000.00 grant from the County for this proposed project. Mr. Kinzler is of the opinion that we should not consider spending anymore.

Mr. Myers asked Council for guidance that the committee is going in the right direction. A discussion ensued with the consensus being that it wouldn't be economically viable to fix up what is already there. Ms. Cairns Wells commented that she liked the direction the committee was going in terms of the proposed design of a new grandstand. She would like us to respect and echo what is already there pertaining to roof lines, architectural interest and details, etc. Mr. Myers stated that he would go back to his

committee to review what the consensus of Council is with them. Mr. Myers hopes to have drawings available for Council's review and consideration before the end of this year.

OLD AND NEW BUSINESS

Mayor Martin asked if the Christmas Tree lighting ceremony would be held on the first or second Friday in December. Mr. Myers responded that this will be confirmed by next month's meeting.

Mayor Martin asked Council to decide when to hold the holiday luncheon this year. After some discussion, it was the consensus that the luncheon be held on Thursday, December 22 from noon to 2:00pm in Borough Hall.

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