

January 11, 2012

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

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

The following statement was read by Mayor Brown:

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 2012 published in the Burlington County Times on December 28, 2011

(b) Posting written notice on the official bulletin board on January 3, 2012

The open and closed session minutes from December 14th were then presented.

Ms. Cairns Wells moved that these minutes be approved as submitted. This was seconded by Mr. Myers. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

FINANCIAL ITEMS: Mr. Kinzler

RESOLUTION 13-12

A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT OF A 2012 CHEVY TAHOE FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$35,000.00 FROM MALL CHEVROLET OF CHERRY HILL, NEW JERSEY

(STATE CONTRACT NUMBER (A78763)

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye, and Mr. Myers aye.

TAX COLLECTION UPDATE

Mr. Kinzler reported that we did not have a good collection month in December. We had struck a collection rate of 97.5% for the 2011 budget; however, we finished at 96.52%. We had talked a number of months ago about doing things to affect a better tax rate and we didn't get it done. On the bright side of this, Mr. Kinzler stated that an awful lot of effort was put forward in the last 5 to 10 days of the year to get us to our goal, which wasn't met. This issue lies collectively with the Finance/Admin function. We need to be taking a hard look as to whether we have the right approach, the right resources and the right oversight. Mr. Kinzler estimates that this will be about a \$70,000 to \$75,000 hit to the 2011 tax performance, which will affect our 2012 budget. Mr. Kinzler understands economic times are hard and we heard a lot of that when calls were made to delinquent taxpayers trying to get them to pay by December 31, 2011. Mr. Kinzler will be conferring with our Auditor to determine how best to proceed. Council will be kept apprised of this issue.

TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL

Mr. Kinzler moved that the attached reports for the month of December be approved as submitted. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

RESOLUTION 14-12
TRANSFER RESOLUTION
(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Creighton. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

2012 BUDGET UPDATE

Mr. Kinzler reported that the Finance Committee met with all department heads to review their 2012 budget requests at the end of December. Some more work still needs to be done concerning the police budget. We appear to be in pretty good shade with the exception of health insurance (anticipated 20% increase in the premiums). We will need to take a look at other possible opportunities regarding this issue for the future. The other area of concern is the reserve for uncollected taxes issue which was previously discussed. Mr. Kinzler stated that we still need to determine what we want to do from a salary and wage standpoint. Mr. Kinzler will prepare a draft budget for Council's review at next month's meeting.

MEETING OPEN TO THE PUBLIC

Doug Cowan, 416 Thomas Avenue, addressed Council regarding the program called Sustainable Jersey, which many municipalities have signed up for. Mr. Cowan distributed brochures for Council's review. A copy is on file with the Municipal Clerk. Mr. Cowan stated that he is a licensed Professional Planner in New Jersey and a Licensed Landscape Architect in New Jersey and two other states.

Mr. Cowan explained that Sustainable Jersey is a certification program for municipalities in New Jersey that want to go green, save money and take steps to sustain their quality of life over the long term. Mr. Cowan reviewed the bronze and silver levels of certification with Council, many of which Riverton has already accomplished. Mr. Cowan reported that registering Riverton is the first step toward achieving Sustainable Jersey certification. Mr. Cowan further stated that Sustainable Jersey registered and certified communities gain priority access to many New Jersey grant programs and are eligible to apply for the Sustainable Jersey Small Grant Program.

Mr. Kinzler asked what the grants are for. Mr. Cowan responded implementation of various sustainable actions. Mr. Kinzler asked if the grants are for full funding or partial funding. Mr. Cowan thought that detailed information on that question could be obtained at their website at www.SustainableJersey.com

Mr. Cowan reported that 354 municipalities in New Jersey have registered for this program. Ms. Cairns Wells stated that she has previously spoken to Mr. Cowan about this program. She thinks the concept makes a lot of sense. Ms. Cairns Wells would like the Planning Board and the Environmental Commission to get involved to share this information and garner support to see if we should move forward. It was the consensus of Council to agree to this.

Mary Jane Wittmeyer was here to complain again about the lack of property maintenance at 701 10th Street. When she called our Code Enforcement Officer about the leaves never being raked or picked up at this location, she was told that there was no Ordinance in place that requires a property owner to clear their property of leaves. Mrs. Wittmeyer was told by the Code Enforcement Officer that the Borough was in the

process of updating their ordinances to take care of a property like this. Mrs. Wittmeyer reported that she found out that both Medford Lakes and Willingboro have updated their ordinances to address similar property maintenance issues in their respective municipalities. Mrs. Wittmeyer is frustrated that someone can walk away from their property and there is nothing we can do. Mrs. Wittmeyer would rather see this property demolished than the way it is now.

Mr. Creighton asked if we had such an ordinance in place which was enforced, would the Borough be able to get back any expenses we might incur. Mr. Gunn provided an overview of Chapter 52 (Brush, Weeds, Debris & Litter) and explained the parameters of placing a lien against a property should the owner not comply. Mr. Gunn also stated that while Chapter 52 does not cover leaves, if a situation gets to the point where the leaves start to decompose, you might have a public safety issue. Ms. Cairns Wells stated that, in addition to the leaf issue, she has noticed some other things around town that we might want to consider incorporating in Chapter 52. She will review her concerns with our Code Enforcement Officer for possible recommendations to Council.

Jim Wittmeyer also reported that the entrance to 701 10th Street is not secure. Mr. Wittmeyer thinks we have had an inordinate amount of people spending their time and energy on this property just because the owners have walked away from it. Mr. Wittmeyer believes the value of his property is going down due to the deterioration of 701 10th Street.

Mr. Wittmeyer asked a question on the finance side. He inquired as to whether the \$75,000.00 previously mentioned was on the revenue or disbursement side. Mr. Kinzler responded that it is a revenue problem but the way to make up for it is through the expense side.

COMMITTEE REPORTS

PUBLIC SAFETY/CODE ENFORCEMENT/COURT-Ms. Cairns Wells

Chief Shaw read a report for the month of December. Vehicle Mileage 1917, Juvenile Arrests 0, Adult Arrests 13 (aggravated assault & endangering the welfare 1, DUI 1, Contempt 8, Credit Card fraud 1, Endangering the welfare of a minor 1, Borough Ordinance 1), Motor Vehicle Accidents 2, Motor Vehicle Stops 51, Motor Vehicle Warnings 7, Motor Vehicle Summonses 44 (all Riverton), Alarms 13, Assistance to other Agencies 21, Animal Complaints 6, Fire Calls 4, EMS Calls 32, Unattended Deaths 0, Criminal Cases 18, Incidents 278, Domestic 2, Thefts 3 (theft of credit card 1, theft of jewelry and money 1 and shoplifting 1), Burglaries 1 (Residence), Assaults 0, Sexual Assaults 0, Criminal Mischief 1, Robberies 0, Miscellaneous Calls 130, Total Calls Dispatched 408, incidents 278 and Quick Calls 130.

Ms. Cairns Wells read a report for the month of December that was submitted by Deputy Fire Chief Robert Yearly. Fire calls for the month 16, drills 3, calls in town 7, calls out of town 9.

RESOLUTION 15-12

A RESOLUTION APPOINTING COURT PERSONNEL (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. Creighton. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

PUBLIC WORKS/SEWER/ECONOMIC DEVELOPMENT-Mr. Myers

Mr. Myers reported that the road(s) improvement project will start towards late spring. Council will be kept apprised of this situation.

PLANNING/REDEVELOPMENT-Mr. Corbi NO REPORT

PARK/RECREATION/SHADE TREE-Mr. Creighton

Mr. Myers provided Council with a summary of the tree maintenance, removal and planting issues from 2011 for their information.

SCHOOL/ENVIRONMENTAL/BOARD OF HEALTH-NO REPORT

OLD BUSINESS-NONE

NEW BUSINESS

RESOLUTION 16-12

**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. Creighton, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

RESOLUTION 17-12

**A RESOLUTION IN OPPOSITION TO THE RATE INCREASE REQUESTED BY NEW JERSEY AMERICAN WATER
(IN FULL IN RESOLUTION BOOK)**

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

RESOLUTION 18-12

**A RESOLUTION ENDORSING A USA CYCLING-SANCTIONED BICYCLE RACE IN THE BOROUGH OF RIVERTON ON JUNE 10, 2012
(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. Corbi. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

RESOLUTION 19-12

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN ROBERT SCIARROTTA AND DAVID ZAUN FOR THE OPERATION OF THE 2012 RECREATION SUMMER DAY CAMP
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Creighton, who moved its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

RESOLUTION 20-12

**A RESOLUTION AUTHORIZING THE EXECUTION OF THE RIVERTON BOROUGH POLICE DEPARTMENT RULES AND REGULATIONS BY THE CHAIRPERSON OF THE PUBLIC SAFETY COMMITTEE AND/OR DIRECTOR OF PUBLIC SAFETY
(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. Creighton. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

**ANNOUNCEMENT OF FORMER CHIEF OF POLICE, THOMAS GILBERT'S
PASSING ON DECEMBER 28, 2011**

Mayor Brown stated that Chief Gilbert was employed by the Borough for 37 years and served as a Police Officer, Sergeant and Chief of Police. Chief Gilbert retired on February 1, 1998. A memorial donation will be made in Chief Gilbert's name to the Calvary Presbyterian Church.

CORRESPONDENCE

Mayor Brown read the attached letter from Alfred DeVece, Riverton's Republican Municipal Chairman. Mr. DeVece presented the names of three good standing Riverton Republicans for one to be chosen to serve the unexpired term of Joseph Katella, who resigned from Borough Council on December 13, 2011. The names presented were as follows: Douglas Davis, 634 Linden Avenue, Armand Bianchini, 803 Main Street and Amanda Layton, 800 Thomas Avenue.

RESOLUTION 21-12

**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 Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Corbi. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye. It should be noted that litigation issues arising from the Municipal Vacancy Law will be discussed.

At this time, Ms. Cairns Wells moved that we return to public session. This was seconded by Mr. Corbi. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

Mr. Kinzler stated that we had wanted a qualified woman to be chosen to fill the vacancy on Council for balance and that a woman candidate is listed on the letter from the Riverton Republican Committee. Council could appoint that person. Mr. Kinzler also stated that the other option is for us to do nothing and then the Riverton Republican Committee will choose from their selected candidates. Mr. Myers stated that at this point, he would be inclined to select Amanda Layton as the candidate. He believes it would be irresponsible of Council not to pick one of the candidates submitted. Mr. Kinzler agreed with Mr. Myers. Mayor Brown stated that we owe it to the public to pick one of these candidates and that by making this selection, Council has a choice.

RESOLUTION 22-12

**A RESOLUTION APPOINTING AMANDA LAYTON TO FILL A VACANCY ON
BOROUGH COUNCIL UNTIL DECEMBER 31, 2012
(IN FULL IN RESOLUTION BOOK)**

The above Resolution was read by title only by Mr. Kinzler, who moved for its adoption. This was seconded by Mr. Corbi. A poll vote was then taken. Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

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

A handwritten signature in blue ink, appearing to read "Mary Longbottom".

Mary Longbottom, RMC
Municipal Clerk