

November 14, 2012

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

PRESENT: Council members Layton (arrived at 7:34pm), Creighton, Cairns Wells, Corbi, Myers and Solicitor Bruce M. Gunn

ABSENT: Council member Kinzler

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

The minutes from October 10 were then presented. Ms. Cairns Wells moved that these minutes be approved as submitted. This was seconded by Mr. Creighton. A poll vote was then taken. Ms. Layton absent, Mr. Creighton aye, Ms. Cairns Wells aye. Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers abstained.

FINANCIAL ITEMS: Ms. Cairns Wells

TREASURER'S, FINANCE REPORTS AND 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. Corbi. A poll vote was then taken. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

TRANSFER RESOLUTION-The Treasurer reported that this Resolution will be deferred until Council's December meeting.

REVIEW OF QUOTES RECEIVED FOR THE POSSIBLE DEMOLITION OF THE GRANDSTAND

Mr. Myers reported that we solicited quotes from three (3) demolition contractors and two proposals were received as follows: **Winzinger Incorporated of Hainesport, NJ \$9,300.00, "The Original" W. Hargrove Demolition, Inc. of Camden, NJ \$16,800.00.** Mr. Myers reported that Land Engineering has recommended that this contract be awarded to Winzinger Incorporated. Mr. Myers stated that Mr. Kinzler, Chair of the Finance Committee, has asked that the demolition process not begin until after January 1, 2013 so that we can get the needed funding into next year's budget. Mr. Myers stated that we need to go back to Winzinger to find out if they can hold the price for us until then. Mr. Myers further commented that having the demolition work done after the first of next year will not affect the timetable for the grandstand project. After some discussion, it was the consensus to award the contract to Winzinger, contingent upon them agreeing to perform the demolition work, back filling and grading after January 1, 2013 at their quoted price. This verbiage will be included in the authorizing resolution.

RESOLUTION 83-2012

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO
WINZINGER INCORPORATED OF HAINESPORT, NJ FOR THE
DEMOLITION OF THE EXISTING GRANDSTAND AT RIVERTON
MEMORIAL PARK
(IN FULL IN RESOLUTION BOOK)**

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

INSURANCE CLAIM REGARDING 718 CINNAMINSON STREET

Ms. Cairns Wells reported that on February 20, 2012 this home had a sewer system backup problem. Ms. Cairns Wells and the Public Works Manager met with the homeowner. There is a history with the property with this type of occurrence happening before. The homeowner had taken us to court and won. Ms. Cairns Wells stated that homeowners insurance covered all of the clean-up with the exception of the deductible, which was a thousand dollars. The homeowner requested that the Borough pay that portion. Ms. Cairns Wells reported that she has spoken to the clean-up company and asked them if they would accept \$500.00 and the response was yes. Ms. Cairns Wells recommended that Council agree to this. Ms. Cairns Wells stated that we need to do a formal resolution and a general release that both the company and the homeowner must sign. After some discussion, it was the consensus to agree to this.

RESOLUTION 84-2012

A RESOLUTION TO APPROVE PAYMENT TO PUROCLEAN CERTIFIED RESTORATION IN THE AMOUNT OF \$500.00 IN CONNECTION WITH A SEWER BACKUP AT 718 CINNAMINSON STREET (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. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

MEETING OPEN TO THE PUBLIC

JEFF BLATZ addressed Council regarding 1005 Beechwood. He understands that the home was going to be sold and that a group home would be placed there or perhaps low income housing. He understands that the sale did not go through and asked Council for any updates. Ms. Cairns Wells reported that there was something in the contract for the sale of this property that wasn't correct and that afforded the present homeowner to back out of the sale. Ms. Cairns Wells clarified that the property had been under contract for sale to Quality Management of Palmyra, NJ. They provide housing to mentally and physically disabled adults. There is no criminal element it is not a halfway house or anything like that. This property would have had a deed restriction for 30 years that it could only be used for low to moderate income families under the COAH guidelines. Quality Management previously purchased a home at 815 Homewood that operates as a group home. There is a caretaker/manager who is on the premises 24/7.

COMMITTEE REPORTS

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

Chief Shaw read a report for the month of October. Vehicle Mileage 2221, Juvenile Arrests 2 (Possession of CDS), Adult Arrests 14 (Contempt 12, Shoplifting 1, Theft 1, Possession CDS and Drug Paraphernalia 2) Motor Vehicle Accidents 4, Motor Vehicle Stops 125, Motor Vehicle Warnings 47, Motor Vehicle Summonses 78 (all Riverton), Alarms 12, Assistance to Other Agencies 34, Animal Complaints 5, Fire Calls 0, EMS 19, Unattended Deaths 0, Criminal Cases 20, Incidents 307, Domestic 1, Thefts

3 (Theft 2 and Shoplifting 1), Burglaries 1, Assaults 0, Sexual Assaults 0, Criminal Mischief 0, Robberies 0, Miscellaneous Calls 220, Total Calls Dispatched 527, Incidents 307 and Quick Calls 220.

Chief Shaw reported that a Pedestrian detail event was recently held from Broad and Thomas Streets.

Chief Shaw reported that an arrest was made regarding the recent lewdness case.

Chief Shaw reported that we received grant money to be used for body armor.

Ms. Cairns Wells read the following reports for the months of September and October that were submitted by Court Administrator Jackie Gleason. The total receipts for the month of September amounted to \$9215.00. The total amount disbursed to Riverton amounted to \$5557.43. The total receipts for the month of October amounted to \$8398.00. The total amount disbursed to Riverton amounted to \$4525.66.

Ms. Cairns Wells reported that our Construction Official has been out due to illness. Bob Yearly has been able to pick up on most of the construction/building inspections and we have out sourced the electrical inspections.

REVIEW OF MINOR CHANGES TO PROPOSED ORDINANCE 2012-4

Mr. Gunn stated that the Ordinance had referenced fees established by the Department of Insurance. That regulation was repealed and it is now within the local jurisdiction to set fees. Mr. Gunn reported that he eliminated those references from the ordinance. The Ordinance now needs to be amended to reflect the removal of those provisions and a couple of typos that he also found. This doesn't have to be re-published because it doesn't affect the substance of the ordinance. A public hearing needs to be held on the amendment before final adoption.

AMENDING ORDINANCE 2012-4

AN ORDINANCE ESTABLISHING REQUIREMENTS AND PROCEDURES FOR THE LICENSING OF TOWING SERVICES FOR THE RIVERTON BOROUGH POLICE DEPARTMENT AND TO ESTABLISH UNIFORM FEES FOR TOWING AND STORAGE SERVICES (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Ms. Cairns Wells, who moved that the amendments be adopted. This was seconded by Ms. Layton. At this time, Mayor Brown opened this portion of the meeting to the public for any comments on this ordinance and the minor amendments. There being no public comment, Mayor Brown closed this portion of the meeting to the public. A poll vote was then taken. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

Ms. Cairns Wells then moved for the final adoption of Ordinance 2012-4. This was seconded by Mr. Myers. A poll vote was then taken. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

RESOLUTION 85-2012

A RESOLUTION TO ESTABLISH BASIC TOWING AND STORAGE FEES PURSUANT TO CHAPTER 122-11 OF THE RIVERTON BOROUGH CODE (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. Ms.

Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent, and Mr. Myers aye.

RESOLUTION 86-2012
A RESOLUTION APPOINTING ADDITIONAL PERSONNEL FOR THE
MUNICIPAL COURT
(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. Ms. Cairns Wells stated that Cheryl Spano would be serving as the Violations Clerk for the Court. A poll vote was then taken. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

SHADE TREE/PARK-Mr. Creighton

RESOLUTION 87-2012
A RESOLUTION AUTHORIZING THE CLERK TO ADVERTISE FOR BIDS
FOR THE REMOVAL OF TREES AND STUMPS FOR THE YEAR 2013
(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 Mr. Myers. A poll vote was then taken. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye. Mr. Kinzler absent, and Mr. Myers aye.

RESOLUTION 88-2012
A RESOLUTION AUTHORIZING THE CLERK TO ADVERTISE FOR BIDS
FOR THE CARE AND MAINTENANCE OF TREES FOR THE
YEARS 2013-2014
(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 Mr. Myers. A poll vote was then taken. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

POSSIBLE AMENDMENTS TO SHADE TREE ORDINANCES (CHAPTER 35 AND 118)

Mr. Gunn and Mr. Creighton explained that the Shade Tree Board is recommending that we incorporate Chapter 118 (Care and Maintenance of Trees) into Chapter 35, which established the Shade Tree Board and its advisory role to Borough Council in the regulation of trees. Another amendment will also define the area of private property within the Borough's Right of Way for planting of trees and shrubs. After a short discussion, it was the consensus of Council to agree to these recommended amendments and to introduce an Ordinance reflecting same.

ORDINANCE 2012-5
AN ORDINANCE FOR THE BOROUGH OF RIVERTON AMENDING
CHAPTER 35 (SHADE TREE BOARD) TO INCORPORATE AND AMEND
CHAPTER 118 (TREES)

The above Ordinance was read by title only for the first time by Mr. Creighton, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye,

Mr. Kinzler absent and Mr. Myers aye. Second reading and a public hearing on this Ordinance is scheduled for December 12.

RESOLUTION 89-2012

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
BETWEEN ROBERT SCIARROTTA AND DAVID ZAUN FOR THE
OPERATION OF THE 2013 RECREATION SUMMER DAY CAMP
(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. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

STREETS/SEWER/ECONOMIC DEVELOPMENT/RECYCLING-Mr. Myers

Mr. Myers reported that we might need to purchase a new loader bucket. This will be discussed further during the budget process for next year. Mr. Creighton referenced the receipt of a letter from a resident on Cinnaminson Street who inquired as to whether we could consider starting leaf pickup in late September or early October. Public works Manager responded that he has already spoken to the resident and informed them that if they want to bring the leaves down to the Public Works Department, they can. He also informed them that the leaf schedule is formulated to pick-up the bulk of the leaves at one time.

Mr. Myers asked if we have heard anything from New Jersey American Water as to when then will be starting work to replace water mains in town. Public Works Manager Reed responded next week. New Jersey American Water will be notifying impacted residents.

Mr. Myers reported that District 611, a new restaurant is scheduled to open this weekend.

Public Works Manager Reed inquired as to whether Martha's Lane (a paper street) is still the Borough's. Ms. Cairns Wells responded yes. Mr. Reed stated that the owner of the property where the new restaurant is going might want to increase the parking availability at that location. Ms. Cairns Wells responded that he would have to go back to the Planning Board for a possible amendment to his original site plan application.

PLANNING/REDEVELOPMENT-Mr. Corbi

Mr. Corbi reported that he recently attended a Countywide Bicycle Master Plan meeting. This is in conjunction with the Cross County Connection. Mr. Corbi reported that they are surveying all of Burlington County trying to make one continuous link of a bicycle trail. They submitted maps for Riverton that shows designated bicycle lanes on the following streets in Riverton: all of Broad Street, right on Fulton Street, left of Carriage House Lane, right on Howard and then down to the river. Mr. Corbi informed them that this would not work for us. Our streets are very narrow and there are parking issues also. He suggested having people bike down Broad Street to the light rail place where you can park your bike, visit our shops and then move on. Mr. Corbi reported that he would stay on top of this and that there is another scheduled meeting in January. Council will be kept informed.

Mr. Corbi reported that at a recent Planning Board meeting and application was deemed incomplete and had to be continued. Mr. Corbi reported that the Board also

discussed a request form Quality Management for additional funding. It was recommended not to do this.

**SCHOOL/ENVIRONMENTAL/BOARD OF HEALTH-Ms. Layton-No Report
OLD BUSINESS**

FORMATION OF A CABLE COMMITTEE

Ms. Cairns Wells reported that both she and Mr. Creighton would serve as the Council representatives on this committee starting in January of next year. She and Mr. Creighton will be reaching out to both the Board of Education and the Riverton Library to solicit their representation on the committee. Ms. Cairns Wells stated that we would also reach out to interested residents to serve. The current cable franchise with Comcast expires at the end of January, 2014.

NEW BUSINESS

Mayor Brown announced that the Veteran's Day ceremony at the War Memorial went very well. He thanked resident Bob Smyth for all of his help.

**COMPAINTS RECEIVED REGARDING LATE NIGHT/EARLY AM TRAIN
TRACK CONSTRUCTION WORK**

Mayor Brown reported that complaints were received from residents about all the noise from this work. Mayor Brown contacted Rae Hutton, Senior Director, Legislative Affairs from NJ Transit who explained that because Riverton only has one track, this required track work (for safety purposes) can only be done at night.

**SAFE PEDESTRIAN CROSSINGS ALONG THE LIGHT RAIL LINE IN
RIVERTON**

Mayor Brown reported that he also spoke to Ms. Hutton about the need for safe pedestrian crossings (push button controls) along the light rail line in Riverton. Ms. Hutton referred him to Commissioner James S. Simpson. Mayor Brown reported that he sent a letter to Mr. Simpson requesting his assistance in finding a way to have these push button controls installed at Elm, Thomas and Cedar Streets. To date, the Mayor has not received a response. Council will be kept apprised of this situation.

**NEW JERSEY TRANSIT'S PROPOSED SAFETY IMPROVEMENTS TO THE
RIVERTON STATION**

As part of the safety improvement initiative to prevent trespassing, Ms. Hutton informed the Mayor that New Jersey Transit is scheduled to be adding fencing and landscaping to the light rail alignment at several locations, including Riverton's train station. However, Mayor Brown reported that this may or may not happen based on budgetary constraints.

RESOLUTION 90-2012

**A RESOLUTION AUTHORIZING THE CLERK TO ADVERTISE FOR 2013
REQUESTS FOR PROPOSALS FOR PROFESSIONAL SERVICES
(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 Mr. Corbi. A poll vote was then taken. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye. Ms. Cairns Wells stated that this information would also be placed on the Borough's website.

HOLIDAY LUNCHEON Mayor Brown announced that this year's luncheon would be held at Borough Hall on Thursday, December 20 from noon until 2:00pm.

CORRESPONDENCE-None

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



Mary Longbottom, RMC
Municipal Clerk