

September 12, 2012

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

Mayor Brown presiding

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

ABSENT: Council member Kinzler

A moment of silence was held and Mayor Brown then read a Proclamation prepared by the Governor's Office in remembrance of September 11, 2001.

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 minutes from August 6 and August 8 were then presented. Ms. Cairns Wells commented that under the Police Contract update (August 8th minutes), it's referenced that Mr. Wells has a lot of experience in negotiating these types of contracts. Ms. Cairns Wells asked that the minutes reflect that Mr. Wells has experience in negotiating contracts. The Clerk stated that this change would be made before the minutes are placed on the Borough's website. Mr. Corbi then moved that these minutes be approved as amended. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Ms. Layton abstained, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

PRESENTATION OF AMERICAN FLAG TO THE BOROUGH BY SPECIAL OFFICER ANDREW EINSTEIN

Special Officer Einstein presented Council with a Flag that he carried with him during a mission when he was in Afghanistan. This flag means a lot to Special Officer Einstein. Special Officer Einstein then read a certificate that explains the significance of the Flag. Certificates were given to both Borough Council and the Riverton Police Department.

FINANCIAL ITEMS: Ms Cairns Wells

TREASURER'S, FINANCE REPORT AND BILL LIST FOR APPROVAL

Ms. Cairns Wells moved that the attached reports for the month of August be approved as submitted. 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.

REVIEW OF BEST PRACTICES WORKSHEETS

Council reviewed the answers to this year's required best practices works sheets from the State. A copy is on file with the Municipal Clerk. Ms. Cairns Wells reported that she met with our Chief Financial Officer (who needs to sign off on this document), Clerk and Treasurer to review and prepare the Borough's responses. After calculating the Borough's answers, it was determined that we should receive 100% of the final 5% allocation of our state aid, which is good news. Ms. Cairns Wells reported that the Borough does just about everything the state deems as a best practice. Ms. Cairns Wells provided an overview of some of the areas where we should consider implementing policies, such as having a policy that prohibits personal use of municipal vehicles and

providing annual employment practice liability training for elected, officials, managers, administrators, department heads and supervisors.

**A RESOLUTION TO MEMORIALIZE THE DISCUSSION OF THE BEST PRACTICES WORKSHEETS AT THE SEPTEMBER 12, 2012 BOROUGH COUNCIL MEETING
(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. Ms. Layton aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

**RESOLUTION 74-2012
A RESOLUTION CANCELLING TAXES ON BLOCK 1004 LOT 13
(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. Ms. Cairns Wells explained that the owner of this property is a totally disabled veteran and that Tax Assessor approved this status in accordance with the State statute N.J.S.A. 54:4-3.30 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

Mr. Creighton reported that the Shade Tree Board met this past Monday. Our Solicitor was in attendance at this meeting. Mr. Creighton reported that our Tree and Maintenance contact is expiring at the end of this year and Mr. Gunn is assisting us with the specifications for this. Mr. Creighton reported that the Board reviewed our current Tree ordinance for possible amendments which would make it clearer to the public as to which trees are Borough owned as opposed to private. Mr. Gunn commented that if Council decides to amend this Ordinance (Chapter 118), it would be a good idea to incorporate this chapter with Chapter 35 which spells out the establishment and parameters of the Shade Tree Board.

Mr. Gunn stated that he has prepared the specifications for a two year contract that includes tree removals, trimming and maintenance. Ms. Cairns Wells stated that she was under the impression that we were going to go back to having a separate contract for tree removals and then one for the maintenance aspect as this would be more cost effective. Barry Emens commented that in the years that we had separate contracts, there were high numbers of removals to be addressed. When you have that, it is much better to have separate contracts. Ms. Cairns Wells asked Mr. Emens how many removals we anticipate now. Mr. Emens responded probably in the twenty's or thirty's. Ms. Cairns Wells questioned again why it wouldn't make sense to do a separate contract for removals. She still thinks it would save the Borough money doing it this way. Mr. Myers concurred with Ms. Cairns Wells.

Mr. Gunn stated that if Council decides to have two separate contracts, we don't have to go out to bid for removals because the amounts haven't been over the bid threshold. We could obtain three estimates if Council wants to go that route. Ms. Cairns Wells asked if these proposed specs also include the specified trees earmarked for removal. Mr. Emens responded no. Ms. Cairns Wells does not understand why they wouldn't be included. Mr. Myers commented that when we previously bid out tree

removals, the bidders knew exactly what trees had to be removed as opposed to bidding on an unknown which is the basis for our maintenance contract. Mr. Myers feels we got a lower bid for removals by bidding it separately. Mr. Myers feels it is definitely cost effective to go with a separate tree removal contract and pull the removal aspect out of the maintenance specs and that contract.

Mayor Brown believes that the maintenance of trees should be the priority and planting should be secondary. Mayor Brown stated that he doesn't feel we should be planting anything until we get done taking down the hazardous trees. Mayor Brown reiterated the fact that maintenance is key and planting secondary. He believes we can skip a year of planting. Mr. Emens disagreed. He feels that for every year you don't plant, you fall behind. Mr. Myers commented that as he understands it, there are three components to our urban forestry program, which consists of removals, planting and maintenance. There always needs to be a balance. Ms. Cairns Wells stated that if we have a more cost effective program in place to remove trees, we'll have more money to plant trees. After additional discussion it was the consensus of Council that there will be two separate contracts-one for removals and one for maintenance. Council can either consider doing a formal bidding process or go the request for proposal route for tree removals. The maintenance contract will have to be done through the formal bidding process. It was also the consensus that a projected list of the trees to be removed be provided by the Shade Tree Board to Council by the October meeting. Council will also review the proposed specs for tree maintenance at the October meeting.

Mr. Emens reported that he will be taking a tour of the 911 site tomorrow in New York. As a member of the New Jersey Forestry Council, he will be looking at the landscaping that will be done at the new site.

Mr. Emens announced that the National Arbor Day Foundation is the body that takes care of the Tree City USA Designations. On the back of their newsletter, Crepe Myrtle trees were featured. Mr. Emens hopes that everyone is enjoying all of the Crepe Myrtle trees that are blooming along the railroad on Broad Street. Mr. Emens reported that we are interjecting some more of these trees throughout the Borough as well.

Mr. Emens provided an overview of how the species of trees are chosen for planting. Mr. Emens also reported that there are problems with the sugar maples.

Mr. Emens reported that a letter was included with the tax bills requesting Shade Tree donations. Mr. Emens reported that some donations have already been received. Mr. Emens reported that Council might want to consider floating some bonds to defray the costs for maintaining and removing our Shade Trees. Mr. Emens stated that Montclair Township has agreed to do this as a way for them to generate money for their trees.

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

COMMITTEE REPORTS

Mayor Brown stated that he wanted to reinforce the importance that each Council Committee should be meeting to discuss relevant issues and coming to a consensus at that level before bringing those issues back to Council for our review. Mayor Brown stressed the fact that each Council committee Chairperson must take charge of their respective committee. They are the ones who should be reporting their committee's issues, concerns and recommendations to Council. Mayor Brown stated that there shouldn't be committee discussions at Council meetings.

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

Chief Shaw read the following report for the month of August: Vehicle Mileage 2573, Juvenile Arrests 0, Adult Arrests 14 (Contempt 12, Other 1 and Terroristic Threats 1), Motor Vehicle Accidents 6, Motor Vehicle Stops 68, Motor Vehicle Warnings 22, Motor Vehicle Summonses 46 (All Riverton), Alarms 6, Assistance to Other Agencies 23, Animal Complaints 8, Fire Calls 4, EMS Calls 13, Unattended Deaths 0, Criminal Cases 16, Incidents 274, Domestic 3, Thefts 1 (moveable property), Burglaries 0, Assaults 0, Sexual Assaults 0, Criminal Mischief 0, Robberies 0, Miscellaneous Calls 209, Total Calls Dispatched 483, Incidents 274 and Quick Calls 209). Mr. Creighton reported that an elderly resident, who recently was going on vacation, wanted to thank the Police Department for all their assistance in providing her with and helping her submit the proper form so that her residence would be monitored while she was away.

Ms. Cairns Wells read a report for the months of June, July & August that were submitted by Deputy Fire Chief Robert Yearly. Fire Calls 51, Drills 9, Calls in Town 26 and Calls Out of Town 25.

Ms. Cairns Wells read a report for the month of July that was submitted by Court Administrator Jackie Gleason. Total receipts for the month amounted to \$8767.00. The total disbursed to Riverton amounted to \$4629.74.

RECOMMENDATION FROM ENGINEER REGARDING THE 4TH & ELM STREET INTERSECTION

Ms. Cairns Wells reported that Land Engineering has reviewed this intersection for both Riverton and Palmyra and is recommending that two additional stop signs be installed at this location to create a four-way traffic stop. Ms. Cairns Wells reported that Palmyra Borough has already introduced the required Ordinance and Riverton needs to do the same. Council concurred with this.

ORDINANCE 3-2012

AN ORDINANCE FOR THE BOROUGH OF RIVERTON AMENDING CHAPTER 123-15 TO DESIGNATE FOUR-WAY STOP SIGN INTERSECTIONS IN SCHEDULE IX, CHAPTER 123-31

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. 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. Second reading and a public hearing on this Ordinance is scheduled for October 10.

REVIEW OF DRAFT TOWING ORDINANCE

Ms. Cairns Wells reported that basically this proposed ordinance will do three things for us. It establishes procedures for licensing individuals and entities providing towing and storage services to the Borough Police Department, it establishes, in the interest of Public Safety, a uniform policy for the towing and storage of motor vehicles towed and stored at the request of the Borough Police Department and it establishes uniform fees for towing and storage services.

Ms. Cairns Wells explained that because we do not have an Ordinance in place for towing, the companies we would call can charge just about anything they want. Ms. Cairns Wells stated that we did basic towing services fees as well as storage fees. Ms.

Cairns Wells expressed her concern that if the fees should change, it would cost us additional money because the Ordinance would have to be amended every time we want to change the fee schedule. A discussion ensued on this issue and how we can remedy it without costing the Borough money. Mr. Gunn asked that Council defer any action on this proposed Ordinance so he can work on rewording the language pertaining to the schedule of fees so we won't be in a position to having to amend this portion of the ordinance from time to time.

UPDATE RE: POLICE CONTRACT NEGOTIATIONS

Ms. Cairns Wells reported that the Public Safety Committee has had two productive negotiating meetings with the Riverton Police Association. Ms. Cairns Wells is not sure when we will meet next since the September 18 scheduled meeting has been cancelled.

**STREETS/SEWER/ECONOMIC DEVELOPMENT/RECYCLING-Mr. Myers
A RESOLUTION CONSENTING TO THE PROPOSED QUALITY
MANAGEMENT PLAN (WQM) AMENDMENT ENTITLED: BURLINGTON
COUNTY FUTURE WASTEWATER SERVICE AREA MAP
(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 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.

UPDATE RE: GRANDSTAND PROJECT

Mr. Myers reported that the architectural design is complete and it has been handed over to our Engineering firm, who is working on their end of it. Council will review the final plans at the October meeting. Mr. Myers stated that we anticipate bidding for the project by the end of October or early November. Barring any potential problems with the bids received that would prevent us from awarding the contract, work should commence after the New Year. Mr. Myers reported that the roof deck will not be pre-cast and will not be pre-fab. It will be cast in place, which could make us more susceptible to weather constraints.

Regarding Economic Development, Mr. Myers reported that a new restaurant is scheduled to open up at the Shops of Riverton location sometime in early Fall.

PLANNING/REDEVELOPMENT-Mr. Corbi

Mr. Corbi reported that the Planning Board did not have any applications to consider at their last meeting. The Board did touch on the issue of COAH. Mr. Corbi reported that the Borough has done everything we were required to do. We are still on a wait and see basis with both Quality Management and Habitat for Humanity.

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

Mr. Creighton reported that he recently met with a representative from the Cinnaminson Sewerage Authority. They would like to re-visit the issue of a possible Shared Service agreement with us for sewer treatment usage. Ms. Cairns Wells commented that there had only been one initial meeting to discuss this possibility. Mr. Myers stated that he would contact Cinnaminson about this issue. Council will be kept apprised of this.

NEW BUSINESS

RESOLUTION 76-2012

**A RESOLUTION APPROVING APPLICATION REQUESTS FROM THE
PORCH CLUB OF RIVERTON TO HOLD RAFFLE AND BINGO EVENTS IN
RIVERTON**

(IN FULL IN RESOLUTION BOOK)

The above Resolution was read by title only by Ms. Layton, who moved for its adoption. This was seconded by 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.

2012 LEAGUE CONFERENCE REGISTRATIONS

The Clerk announced the League Conference would be held November 13 through 16 in Atlantic City. Mr. Creighton asked if there was anything required he needed to attend. The Clerk responded no, but he should wait until the complete schedule comes out and then decide if there is anything he would be interested in attending. The rest of Council members in attendance were not interested in attending the conference.

CORRESPONDENCE

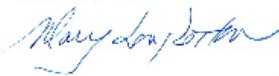
Mayor Brown reported that we received correspondence from the attorney for the owners of 607 Bank Avenue. This was in response to our Solicitor's letter to the owners of both 607 and 701 Bank Avenue that reinforces the Borough's right of way (easement) at the terminus of Fulton Street and the Delaware River. Mayor Brown reported that he had hand delivered our Solicitor's letter to both owners.

Mayor Brown reported that he received an invitation to attend Shop Rite's "Help Bag Hunger" event on September 19th. Both he and the Chief will be attending.

Mayor Brown reported that all members of Council received an invitation to attend Cinnaminson Township's Make a Splash Water festival on October 5, 2012 at the Palmyra Cove Nature Park. Both he and Ms. Cairns Wells will be attending.

The Clerk reported that we received written notification from the NJ Department of Transportation concerning the availability of grant money for proposed roadway projects. The required authorizing resolution to submit the application has already been done. The application needs to be submitted by October 16. Mr. Myers stated that Land Engineering is working on this application. The Clerk asked if he has received a not to exceed cost for Land Engineering to prepare and submit this application. Mr. Myers responded no. The Clerk stated that she would ask Land Engineering to provide us with that information.

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



Mary Longbottom, RMC
Municipal Clerk

