

July 10, 2013

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

Mayor Brown presiding

PRESENT: Council members Azelby, 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 2013 published in the Burlington County Times on December 2, 2012
- (b) Forwarding written notification of the 2013 meeting schedule to the Courier Post for informational purposes only on January 3, 2013
- (c) Posting written notice on the official bulletin board on January 2, 2013

The open and closed session minutes from June 12 were then presented. Mr. Corbi asked that a typo be corrected on page six of the open session minutes. It should read PSE&G as opposed to PSE&E. There being no further corrections to these minutes, Ms. Cairns Wells moved that these minutes be approved as corrected. This was seconded by Ms. Azelby. A poll vote was then taken. Ms. Azelby aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers abstained. The Clerk stated that the typo would be corrected before the minutes are placed on the website.

REPORT ON GRANDSTAND PROJECT-HARRY FOX FROM LAND ENGINEERING & ENVIRONMENTAL RESOLUTIONS PRESENT

Mr. Fox reported that the Borough's Construction Official determined (based on state codes) that the grandstand project is a two story facility; therefore, it has to be handicapped accessible. Mr. Fox believes he might have found a loophole in the codes whereby we might be able to get out of putting this in. He has a call into our Construction Official and is waiting for his response. Mr. Fox stated that in his opinion, there is a condition in the code that when a sports field grandstand will hold under 50 people at the top level, the facility doesn't have to be accessible. Mr. Corbi asked if the elevation issue would come into play. Mr. Fox responded not at all. Mr. Fox further stated if this were truly a two story building, there would be no question that it needs to be accessible. Mr. Creighton asked how many people the top level bleacher we will be installing would hold. Mr. Fox responded 45. Mr. Brown asked if our Construction Official had referred Mr. Fox to the section of the Uniform Construction Code regarding accessibility requirements. Mr. Fox responded yes. Mr. Fox further stated that if this wasn't a public building, anything less than 3,000 square feet doesn't need to be accessible.

Mr. Brown raised concern that the original drafted plans called for a handicapped accessible lift. He doesn't know why it was taken out later on. Ms. Cairns Wells commented that she believes that our Construction Official was aware of the original drawings and knew it included the lift. Mr. Myers stated that while the grandstand committee and a local architect had preliminarily discussed this, there was no final design made at that time. The engineering company provided the final design work. Mr. Brown stated that we based our bidding on not having the lift included. Now it will cost us more

money to have it. Ms. Cairns Wells was of the opinion that she thought it might be a little bit cheaper this way. Mr. Myers is of the opinion that the right thing for us to do is have the lift. We shouldn't be looking at loopholes; this should be an accessible grandstand that everyone in the community can use.

Mr. Fox then provided Council with information from three companies that provide Vertical Platform lifts. Mr. Fox stated that the pricing goes from \$11,188 to \$29,800. Some include installation and others do not. Council then reviewed and discussed the information. Mr. Brown asked for a consensus as to whether we were going to move forward and get the lift or wait until Mr. Fox finds out if we need it. Mr. Corbi asked how much time we have before a decision needs to be reached. Could we proceed with the structure and then have this lift installed at the end of the project? Mr. Fox responded the sooner the better to make this decision is recommended. Ms. Cairns Wells asked if the State had a contract with any of these companies. Mr. Fox responded that that was a good question and he would check this out. Mr. Fox will report back to Council as quickly as possible regarding the state contract issue as well as the Construction Official's response to the accessibility issue.

Mr. Fox reported that the contractor is working on the block work, which should be completed in two weeks. The construction aspect will commence at that time.

CONTINUATION OF PUBLIC HEARING ON COMCAST'S APPLICATION FOR RENEWAL OF MUNICIPAL CONSENT TO CONSTRUCT AND OPERATE A CABLE TV SYSTEM IN THE BOROUGH OF RIVERTON

Ms. Cairns Wells reported that the continuation of this public hearing is required as part of the renewal process. Our franchise agreement with Comcast expires on January 14, 2014. Ms. Cairns Wells reported that we would be doing another fifteen year agreement, with a ten year automatic renewal. Ms. Cairns Wells reported that this would be a non-exclusive agreement, so if another provider would be interested in coming into the Borough, that would not be a problem. Ms. Cairns Wells stated that we did reach out to Fios Verizon to find out if they are interested in coming into the Borough and they are not at this time. Ms. Cairns Wells then provided an overview of what has been agreed upon.

Gerald Weaber 301 2nd Street asked if there were any other franchise applicants. Ms. Cairns Wells responded no. Mr. Weaber asked if Comcast offered a franchise fee. Ms. Cairns Wells responded yes, the Borough would receive 2% of the cable revenue which is regulated by the State.

The Clerk reported that we received a preliminary letter from Fred DeAndrea of Comcast that confirms what was discussed at last week's meeting as well as the draft ordinance that needs to be introduced and adopted by the end of this year.

FINANCIAL ITEMS

UPDATE ON BILL SUBMITTED BY ROOT 24 REGARDING A SEWER BREAK ON 2ND & FULTON STREETS

Ms. Azelby reported that our insurance adjuster informed her that this bill would not be covered and that we would have to pay it. Ms. Cairns Wells stated that we would hold this bill until next month. A determination needs to be made as to what line item this would be paid from.

TREASURER'S, FINANCE REPORTS & BILL LIST FOR APPROVAL

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

RESOLUTION 57-2013

A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT FOR A 2YD MP BUCKET FOR THE PUBLIC WORKS DEPARTMENT IN THE AMOUNT OF \$15,281.85 FROM JESCO INC, OF LUMBERTON, NEW JERSEY (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. Azelby aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

REVIEW OF PURCHASING PROCEDURES

Ms. Cairns Wells stated that these procedures were formalized in 2004. She wants to make sure that everybody on Council as well as the employees are aware of the parameters outlined in these procedures and that they should be followed. Ms. Cairns Wells stated that only employees of the Borough can make purchases; this excludes the governing body as well as any volunteers.

MEETING OPEN TO THE PUBLIC

Gerald Weaber, 301 2nd Street wants to know who maintains the gas lamps in town. Mr. Weaber was informed that the Borough has a Gas light Service Agreement with PSE&G (from 2002) regarding the maintenance of 38 Riverton Borough Gas Street Lamps. A copy is on file with the Municipal Clerk.

Armand Bianchini, commented that if employees have the ability to purchase or put in a requisition, do they still have to get council approval. Ms. Cairns Wells responded that the purchasing procedures have different dollar values that have to be followed. She reviewed this information for Mr. Bianchini. Ms. Cairns Wells stated that Council members sign off on all vouchers.

Gene Bandine thinks that only department heads should be permitted to make purchases, and not all employees.

Al Reeves, 437 Elm Avenue reported that Borough tree roots have caused hazardous sidewalk issues at 431 Elm Avenue. He has complained about this in the past and nothing has been done. He wants this issue addressed as soon as possible.

COMMITTEE REPORTS

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

Ms. Cairns Wells read a report for the month of June that was submitted by Chief Shaw. Vehicle Mileage 2207, Juvenile Arrests 4, Adult Arrests 13 (Contempt 8, DUI 1, Prescription Fraud 2, Possession of CDS 1, False reports to Law Enforcement 1), Motor Vehicle Accidents 4, Motor Vehicle Stops 101, Motor Vehicle Warnings 42, Motor Vehicle Summonses 59 (all Riverton), Alarms 8, Assistance to Other Agencies 11, Animal Complaints 6, Fire Calls 3, EMS Calls 24, Unattended Deaths 1, Criminal Cases 22, Incidents 360, Domesticities 2, Thefts 4 (Money 3, Lawn Equipment 1), Burglaries 1

(Shed), Assaults 1, Sexual Assaults 0, Criminal Mischief 0, Robberies 0, Miscellaneous Calls 220, Total Calls Dispatched 580 and Incidents 360.

Ms. Cairns Wells read a report for the month of June that was submitted by Court Administrator Jackie Gleason. Total receipts for the month amounted to \$3,469.00. The total amount disbursed to Riverton amounted to \$2,123.29.

There was no fire report submitted for the month of June.

Ms. Cairns Wells announced that the 4th of July celebration went off very well and that there were no major issues.

RESOLUTION 58-2013

A RESOLUTION AUTHORIZING THE PURCHASE AND PAYMENT FOR A THERMAL IMAGING CAMERA FOR THE FIRE DEPARTMENT IN THE AMOUNT OF \$8,672.00 FROM CONTINENTAL FIRE AND SAFETY, INC. OF HAMILTON, NEW JERSEY (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. Azelby aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler absent and Mr. Myers aye.

STREETS/SEWER/RECYCLING-Mr. Myers

Mr. Myers reported that we received a New Jersey Department of Transportation (DOT) grant in the amount of \$205,000.00 for the reconstruction of Elm Terrace from Park to Broad. Mr. Myers reported that this is only half of what we need to do this project. Mr. Myers reported that he has discussed this with our Engineer. We might commence some design work and then apply for the next cycle of DOT grant applications. We are hopeful that we could be awarded additional grant funding and then be able to do the whole road at once.

Mr. Myers reported that there was a sinkhole at 700 Main Street and the County came out and fixed it.

Mr. Myers reported that we have had preliminary talks with Cinnaminson Township's Sewerage Authority about a shared services agreement concerning sewer services. Mr. Myers reported that he has received a draft agreement from the Cinnaminson Sewerage Authority. He has shared this with the rest of his committee (Mr. Corbi and Mr. Creighton) but they haven't had time to fully review this. Mr. Myers stated that they should be ready to discuss this at the August meeting. Mr. Myers is hopeful we can save some money this way as opposed to rebuilding our plant.

PLANNING/REDEVELOPMENT-Mr. Corbi

Mr. Corbi reported that the Planning Board approved a variance application for a resident on Cinnaminson Street for the installation of a concrete patio.

SHADE TREE/PARK-Mr. Creighton

Mr. Creighton reported that our Tree Contractor, Paul May is trying to sell 10 trees recently purchased. Hopefully these trees will sell and give us some money for emergency tree work.

ECONOMIC DEVELOPMENT/SCHOOL/BOARD OF HEALTH-Ms. Azelby

Ms. Azelby reported that we received a letter from Kristi M. Howell, President of the Burlington County Chamber of Commerce. Ms. Howell is asking that Riverton

consider joining the Chamber of Commerce at the special municipal rate of \$300.00 annually. Mr. Corbi thought that this would be in the best interest of the local businesses to join the Chamber. Ms. Azelby commented that it wouldn't be our businesses joining individually because we don't have a business association like other communities in the County. It would basically be Riverton joining on behalf of our businesses. The \$300.00 would technically come from Riverton. Mr. Myers stated that he would not be in favor of this. Ms. Azelby also does not feel the Borough should sponsor their participation in this organization. Mr. Creighton feels that if we want to get businesses to come into town, we should want to try and help them as much as possible. Ms. Cairns Wells agreed with Mr. Creighton. She feels that our businesses are hurting and if this would benefit them and Riverton, she'd be willing to give it a try for \$300.00. Mr. Creighton thought we could come up with some matching element whereby we expect the businesses to come up with their own \$300.00 for their own marketing, etc. Mayor Brown commented that the Chamber of Commerce is a long established organization. Perhaps they could help this town form its business community. Mr. Myers stated that it is his experience (both having a business and serving as a member of Borough Council) that the best way that local government can help businesses is by staying out of their way. Mr. Myers doesn't feel it is Council's responsibility to sponsor them. He doesn't feel that taxpayer's money should be used for this purpose. Discussion ensued. Mr. Creighton recommended tabling this and reaching out to our businesses to ask them to contribute to the \$300.00 fee and then we would join. He wants to let them know that this is available to help support their business. We are not going to do this if the businesses don't work together. Ms. Cairns Wells thought we might be able to request that County Representative Mark Remsa be asked to speak to our local businesses about the benefit of joining this. Mr. Creighton will take care of writing a letter to our business owners about this issue. Council will be kept apprised of this issue.

OLD BUSINESS

DISCUSSION: POSSIBLE AMENDMENTS TO SIDEWALK ORDINANCE

Ms. Cairns Wells asked that this discussion be deferred until Council's August meeting.

NEW BUSINESS-None

CLERK & SOLICITOR'S REPORTS

The Solicitor reported that he is working on three tax appeals, which, hopefully will be settled.

CORRESPONDENCE

Mayor Brown reported that we received a thank you note from the Palmyra High School post Prom Committee for our donation towards the post prom party.

Mayor Brown reported that we received a request from Calvary Presbyterian Church. They are interested in forming a Team Trivia Competition (a fundraiser for the church) and wanted to know if members of Council would be interested in participating. It was the consensus of Council that there would be an interest. The Clerk will inform the Church.

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

Mary Longbottom, RMC
Municipal Clerk