

September 11, 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, Kinzler, Myers and Solicitor Bruce M. Gunn

At this time Mayor Brown called for a moment of silence in remembrance of the victims of the terrorist attacks on 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 2013 published in the Burlington county Times on December 28, 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 minutes from August 14 were then presented. Ms. Cairns Wells moved that these minutes be approved as submitted. 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 aye and Mr. Myers abstained.

PROCLAMATION

A PROCLAMATION RECOGNIZING RIVERTON RESIDENT LOUISE ANN WALTERS ON ATTAINING AMERICAN CITIZENSHIP (IN FULL IN RESOLUTION BOOK)

Mayor Brown read this Proclamation in full and then presented same to Louise Ann Walters.

FINANCIAL ITEMS: Mr. Kinzler

TREASURER'S, FINANCE REPORT AND BILL LIST FOR APPROVAL

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

RESOLUTION 63-2013

A RESOLUTION AUTHORIZING THE REFUND OF A HOMESTEAD REBATE (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. Ms. Azelby aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

MEETING OPEN TO THE PUBLIC

Joseph Vanak publicly commended and thanked Officer Bueschel and Chief Shaw for all of their assistance and sensitivity during a recent burglary at Mr. Vanak's home. The two people involved in this burglary were apprehended.

Armand Bianchini expressed his displeasure with how slow the work on the new grandstand is going. He thinks it is a disgrace.

Gene Bandine commented that the grass is burnt up at the park. Mr. Creighton stated that we are aware of this situation and that it would be addressed. Mr. Bandine asked if people will be fined for littering. Mayor Brown stated that the way the Ordinance is currently written the Chief does not have the enforcement authority. We need to consider amending our Ordinance to reflect this. Mr. Bandine was of the opinion that if people are caught littering they should be required to pick things up throughout town. Ms. Cairns Wells commented that this could possibly be placed in our ordinance. Our Solicitor would have to weigh in on this.

Mr. Bandine commented that he wants the parking spaces lined up with the concrete paths at the location of the bakery on Main Street. Ms. Cairns Wells responded that we could look into this.

COMMITTEE REPORTS

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

Ms. Cairns Wells read a report for the month of August that was submitted by the Chief of Police for the month of August. Vehicle Mileage 2430, Juvenile Arrests 0, Adult Arrests 19 (Contempt 6, Hindering 3, Burglary/Conspiracy to commit Burglary 2, Theft/Conspiracy to commit Theft 2, Drug Paraphernalia 4, Shoplifting 2, Motor Vehicle Accidents 8, Motor Vehicle Stops 107, Motor Vehicle Warnings 54, Motor Vehicle Summonses 53 (All Riverton), Alarms 11, Assistance to Other Agencies 13, Animal Complaints 3, Fire Calls 10, EMS Calls 26, Unattended Deaths 0, Criminal Cases 26, Incidents 423, Domestic 2, Thefts 5 (Jewelry 2, Electronics 1, Currency 1 and Shoplifting 1), Burglaries 3 (all residential) Assaults 0, Sexual Assaults 0, Criminal Mischief 0, Robberies 0, Miscellaneous Calls 200, Total Calls Dispatched 623, Incidents 423 and Quick Calls 200.

Ms. Cairns Wells read a report for the month of August that was submitted by Deputy Fire Chief, Robert Yearly. Fire calls for the month 19, Drills 3, Calls in Town 12 and Calls out of Town 7.

Ms. Cairns Wells read a report for the month of July that was submitted by Court Administrator, Jackie Gleason. The total amount received amounted to \$5,181.00. The total amount disbursed to Riverton amounted to \$2,824.36.

PROPOSED ORDINANCE: INTERFERENCE WITH A LAWFUL BUSINESS.

This issue was tabled until October 9.

DISCUSSION: POSSIBLE AMENDMENTS TO FIRE PREVENTION, SIDEWALK & LITTERING ORDINANCES

Ms. Cairns Wells asked that the discussion regarding possible amendments to the sidewalk and littering ordinances be deferred until Council's October 9th meeting.

Ms. Cairns Wells asked that Council review the recommended amendments to Chapter 69 (Fire Prevention) of the Borough Code that were placed in Council's packets for tonight's meeting. Ms. Cairns Wells explained that our Fire Official has informed her that the State has required that these amendments be made. These proposed changes will be discussed further at Council's October meeting.

Ms. Cairns Wells reported that our Fire Official is requesting that Council elect to have a Dedication by Rider. This would allow us set up a Trust Fund for the receipt of revenue received by the Fire Official for Uniform Fire Safety Act Penalty Moneys. Mr. Kinzler asked if this was similar to what we previously had regarding the Construction Official's Office (UCC Code Enforcement), which Council eliminated. Ms. Cairns Wells

responded yes. After a short discussion, it was the consensus that the Fire Official determine if this Dedication by Rider request is a requirement of the State before Council makes any decision one way or the other.

Ms. Cairns Wells reported that our Code Enforcement Officer has written letters to the owners of known vacant properties in town to inform them of the registration requirements outlined in our vacant/abandoned property ordinance.

UPDATE FROM PARKING COMMITTEE REGARDING REQUEST FROM JOHN PARRY OF 509 HOWARD STREET

Ms. Cairns Wells reported that her committee would be meeting with Mr. Parry next week to discuss this request. Council will be kept apprised of this situation.

RESOLUTION 64-2013

**A RESOLUTION TO ACCEPT THE RESIGNATION OF LISA PASSIONE AS CONTROL DATA CLERK IN THE CONSTRUCTION OFFICE OF THE BOROUGH OF RIVERTON
(N 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 aye and Mr. Myers aye.

RESOLUTION 65-2013

**A RESOLUTION AUTHORIZING THE HIRING OF DOLORES ROSSO AS A PART-TIME CONTROL DATA CLERK FOR THE BOROUGH OF RIVERTON'S CONSTRUCTION OFFICE
(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. Azelby aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

**STREETS/SEWER/RECYCLING-Mr. Myers
DISCUSSION: SEWER TANK UPGRADES**

Council reviewed information provided by T&M Associates, the Borough's Wastewater Treatment Engineer regarding the repair/upgrades to our Post-Equalization Tank. Mr. Myers explained that we have pinholes in the tank due to corrosion. This is a normal thing in the life cycle of the plant. The Engineer has estimated that it would cost \$7,591.60, which is well below our bidding threshold. In addition, Mr. Myers further stated that the Engineering costs would be \$5,202.00 to Continue and Complete the Investigation and \$1,746.00 for the preparation of a Request for Proposal. Mr. Myers stated that we would have to authorize our engineer to go out for quotes for this project. A discussion ensued with the consensus being that the RFP costs were high. Mr. Myers will discuss this with T&M Associates and report back to Council.

UPDATE RE: POSSIBLE SHARED SERVICES AGREEMENT WITH CINNAMINSON TOWNSHIP REGARDING SEWER SERVICES

Mr. Myers reported that we had received a proposal from the Cinnaminson Sewerage (Cinnaminson approached Riverton) Authority which was reviewed by his committee. Mr. Myers reported that the proposal is way out of line and there would be no way to meet in the middle. Cinnaminson is talking a five million dollar connection fee.

This does not include the fees for their usage nor the infrastructure improvements we would have to make to get the waste over to their plant. It would all be on us. Mr. Myers spoke to reps from the sewerage authority to inform them that this is not something Riverton would do. Mr. Myers stated that if we need to upgrade our plant a few years down the road, it is estimated that it would cost around a million and a half. While Mr. Kinzler acknowledged that these proposed costs were very high, he believes that it really doesn't make sense that we have two sewage treatment plants right next to each other. He asked Mayor Brown to consider reaching out to Cinnaminson to possibly reconsider their proposal.

Ms. Azelby asked that the crosswalks that were done from the Safe Routes to Schools grant be re-painted. Mayor Brown asked that the area outside of Borough Hall be cleaned. Mr. Myers will talk to the Public Works Manager about following through on these issues.

Ms. Azelby announced that we have residents attending the Freeholders meeting tonight to bring up the pedestrian pushbutton issue. She understands that County Engineer, Joseph Brickley will be out tomorrow to look at the intersections of Broad at Elm, Thomas and Cedar Streets.

Mr. Cairns Wells reported that the Sheriff's Department held a pedestrian detail crossing at Elm & Broad Streets on Tuesday. Ms. Cairns Wells explained that if someone is in the crosswalk or waiting to cross, the cars are supposed to stop, wait until the person is all the way across and then proceed. In two hours the police stopped 151 cars. No tickets were issued; however they will be doing this again next Tuesday and tickets will be issued.

SHADE TREE/PARK

Mr. Creighton reported that he is reviewing both the submitted vouchers and the detailed explanations of all the work done by Paul May's Tree Service for the years 2010, 2011, 2012 and 2013 (current). He is putting this information into a spread sheet to show very easily how the spend was made and how the Shade Tree Board needs to budget their money. After reviewing this data, Mr. Creighton believes we didn't get a good price for our last removal contract. He believes that we only received one bid (Paul May Tree Service because of Hurricane Sandy's impact. He believes other Tree Service Companies would have bid but were busy with all the clean-up from the Storm.

Mr. Creighton reported that Riverton was awarded a \$20,000.00 tree planting and maintenance grant from the New Jersey Department of Forestry Services. We had to put up \$10,000.0 in cash and in-kind services. The split on that is about \$4,500.00. Mr. Creighton reported that the Shade Tree Board's plan is to buy and plant 50 trees with this grant money. Mr. Creighton reported that we have also had a good response to this year's request to residents to make tree planting donations. To help cut down on costs, Mr. Creighton asked if two public works employees can be utilized during the day time to cut down some small dead trees. Mr. Myers will speak to the Public Works Manager about this.

At this time Mayor Brown asked that Council review the present Shade Tree Ordinance, which was distributed to Council. Mayor Brown believes that this Ordinance needs to be structured and worded in more consideration of homeowners. He doesn't feel that homeowners should be responsible for damage caused to their respective sidewalks

that are caused by Borough trees. He has a problem with that. Mr. Myers concurred with the Mayor's comments. This issue was taken under advisement.

UPDATE ON GRANDSTAND PROJECT

Mr. Creighton reported that at a recent meeting with the contractor, it was agreed that regular meetings take place every two weeks to discuss the progress on this project.

Mr. Creighton explained that a change order will be needed for this project. The change order reflects a price of \$28,830.66 for the builder to supply and install a handicapped lift and ramp with electric. Mr. Creighton stated that we want to make sure that the builder would be the responsible party for assuring that everything is done properly regarding the installation of the lift. Mr. Creighton also reported that it is our intention to remove the 4" thick concrete sidewalk, which had already been in the plans. By eliminating this, it will save \$7,952.0 which would also be reflected in the change order.

Mr. Kinzler and Ms. Azelby asked how our Engineer missed the fact that a handicapped lift was required for this grandstand. Mr. Myers stated that they dropped the ball on this. Mr. Myers stated that they were looking at semantics; if you call this project a mezzanine, you wouldn't need to furnish ADA access. However, Mr. Myers stated that the law is clear that the vertical lift needs to go in. Mr. Myers stated that while professional engineering firms carry errors and omissions insurance, he doesn't know what it would cost us as a Borough to go after the engineering firm to pay for this. Mr. Kinzler stressed the fact that the Borough is being left holding the bag monetarily for the Engineer's error. He believes this should be discussed with the Engineer to determine how much they value their relationship with the Borough and how this situation will be remedied. Ms. Azelby, who has an insurance background, stated that if we have suffered any economic damage or financial loss as a result of the alleged negligence, we can recoup our financial loss if we prove our damages.

Mr. Creighton also reported that the contractor is looking to be paid for the topping of the planks. Mr. Myers reported that the Engineer omitted a section in the specs for the 1" topping of the planks. Again, the Engineer dropped the ball. A discussion ensued, with the consensus being that the change order be prepared for Council's review and consideration at their October 9th meeting. It was also the consensus that Ms. Azelby, Mr. Creighton and Mr. Myers should set up a meeting with the Engineer to discuss the lack of performance issues. Council will be kept informed.

PLANNING/REDEVELOPMENT-Mr. Corbi

Mr. Corbi reported that one variance was granted by the Planning Board for a pool to be installed at a residence on Cedar Street.

Mr. Corbi announced that the former restaurant District 11 will be re-opening very soon under the name District.

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

Ms. Azelby reported that she recently attended the Buy Local meeting held at the Riverton Library. Owners of the Riverton Health and Fitness Center and Riverton Dental Arts were the only Riverton businesses represented. Ms. Azelby explained that we are in a holding pattern because the County Chamber of Commerce will be voting to make chamber chapters in the smaller towns that don't have a business association. Essentially, the sub chapters of the Chamber would then become our business association. There was also talk about having a Pal/Riv chamber.

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Ms. Azelby reported that the main concern of the Board of Health this summer has been mosquito issues at specific pools in town (one on Bank Avenue and one on Main at Highway) that were not opened this year. Neighbors complained and an investigation showed moss growing, a broken fence, etc. One resident in question indicated that he would be removing the pool.

Ms. Azelby reported that she will be scheduling a pre-insurance renewal review with the Barclay Agency as soon as possible.

OLD BUSINESS-NONE

NEW BUSINESS

Mayor Brown announced that the Pompeston Creek Bridge, which joins Riverton and Cinnaminson, will be re-built. The County and the Bridge Commission received grant funding from the New Jersey Department of Transportation Local Bridge, Future Needs Program to do this project. Mr. Myers stated that while there is now a 15 ton weight limit on the bridge, bigger trucks will be able to go down Broad Street after the bridge is re-built.

ORDINANCE 6-2013

AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF BURLINGTON COUNTY, LLC TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE BOROUGH OF RIVERTON, NEW JERSEY

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. Creighton. A poll vote was then taken. Ms. Azelby aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye. It should be noted that second reading and a public hearing on this Ordinance is scheduled for October 9.

RESOLUTION 66-2013

A RESOLUTION APPROVING AN APPLICATION REQUEST FROM THE PORCH CLUB OF RIVERTON, NEW JERSEY TO HOLD A RAFFLE EVENT ON DECEMBER 10, 2013 (IN FULL IN RESOLUTION BOOK)

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

REQUEST TO HOLD A MARRIAGE CEREMONY AT BANK & MORGAN AVENUE

The Clerk reported that this request had been run by our Solicitor who felt that Council should make the decision. The Clerk reported that both Riverton and Palmyra own a portion of this location at the riverbank. Mr. Gunn stated that he understands that Palmyra has approved this request with the caveat that a Certificate of Insurance be provided if chairs are going to be placed at this location. Mr. Gunn stated that Council could make the same requirement. After a short discussion, it was the consensus that it is okay for this ceremony to take place at this location with no caveats.

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 cursive script, appearing to read "Mary Longbottom".

Mary Longbottom, RMC
Municipal Clerk

**BOROUGH OF RIVERTON
TREASURER'S REPORT
AUGUST
2013**

CASH

| | |
|------------------|-----------------|
| Starting Balance | \$ 787,661.27 |
| Receipts | \$ 1,951,108.08 |
| Interest | \$ 919.89 |
| Disbursements | \$ 983,581.14 |
| Change Fund | \$ 200.00 |

TOTAL \$ 1,756,308.10

**BOROUGH OF RIVERTON
FINANCE COMMITTEE REPORT**

August 2013

CURRENT FUND

| | |
|-----------------------------------|-----------------|
| Receipts | \$ 1,952,027.97 |
| Disbursements (including payroll) | \$ 440,690.28 |
| School Taxes | \$ 398,672.41 |

APPROPRIATION RESERVES

| | |
|---------------|--------------|
| Disbursements | \$ 44,534.00 |
|---------------|--------------|

GRANTS

| | |
|---------------|--------------|
| Receipts | \$ - |
| Disbursements | \$ 99,684.45 |

CAPITAL

| | |
|---------------|--------------|
| Receipts | \$ - |
| Disbursements | \$ 15,282.85 |

DOG FUND

| | |
|-------------------------------|----------|
| Receipts (including interest) | \$ 40.09 |
| Disbursements | \$ 3.60 |

BILL LISTS FOR APPROVAL:

| | |
|---|---------------|
| Current Fund (including School Taxes) | \$ 459,307.07 |
| State of New Jersey Health Benefits(Active & Retired) - Wired | \$ 27,290.36 |
| Dog Fund | \$ 9.00 |
| Escrow | \$ 204.18 |

| | |
|---------------------|---------------|
| Total Disbursements | \$ 486,810.61 |
|---------------------|---------------|

Attached:

Bill List - September