

March 13, 2013

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

**PRESENT:** Council members Azelby, Creighton, Cairns Wells, Corbi, Kinzler (arrived at 7:35pm), 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 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 February 6 and February 13 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 absent and Mr. Myers aye.

**REPRESENTATIVES FROM THE RIVERTON IMPROVEMENT ASSOCIATION  
IN ATTENDANCE TO PRESENT PROPOSED PROJECT**

Jodi Martin of the RIA reported that the Association would like to paint a garden mural on the fence at the far end of the municipal building parking lot as their next project. Ms. Martin provided Council with some sample ideas of what they would like to do. After some discussion, it was the consensus of Council to agree with their project. Ms. Martin reported that the RIA would be holding a Town wide clean up day at the end of April.

**FINANCIAL ITEMS:** Mr. Kinzler

**TREASURER'S, FINANCE REPORT & BILL LIST FOR APPROVAL**

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

**RESOLUTION 31-2013  
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 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**

**Dan Howard** of Beechwood Road asked for the status on the Borough's COAH requirements. Mr. Corbi responded that we haven't used them yet. Ms. Cairns Wells stated that the Borough has agreements with Quality Management (QMA) and Habitat for Humanity to provide them with funds in the event that they find properties in town that are suitable to qualify for the COAH money. To date neither of these entities has found a property. Mr. Howard asked how many COAH credits we would get. Ms. Cairns Wells responded five (5). Mr. Howard asked how long the Borough has to use these credits before the State takes them back. Ms. Cairns Wells responded that, the State was going to take the trust fund money back last July. With the fate of COAH as an organization up in the air, to

her knowledge the State has not taken anyone's money. Ms. Cairns Wells stated that regardless of whether the State would take the money or not, the Borough would still have the COAH obligation. Mr. Howard asked if there was an expiration date on the agreements with QMA and Habitat for Humanity? Ms. Cairns Wells responded that she didn't think so, but would have to check.

**Mary Lou Wittmeyer** asked if we were required to have a group home. Mr. Corbi responded no, but the State intended to take the money if it wasn't earmarked for something. Ms. Cairns Wells reiterated the fact that the Borough is required to provide affordable housing. The options with QMA and Habitat were the two viable ones that the Borough had. Mr. Creighton commented that a lot of people researched this issue to come up with the best option for our town. If we didn't come up with something we would be vulnerable to a builder's remedy situation.

**Dan Howard** asked what kind of company QMA was. Ms. Cairns Wells responded that they provide housing for mentally and physically challenged adults only. They do not have any other clientele. Mr. Howard asked what would happen if QMA buys a home and then decides to sell five years down the road. Would the property remain a group home under COAH regulations? Mr. Howard stressed his concern over this possibility. Ms. Cairns Wells responded that the property is deed restricted as a COAH property. Mr. Howard asked if that would affect our credit issue with COAH. Ms. Cairns Wells responded that it might and we would then have to find some other alternative. A discussion ensued. The consensus being that the agreements should be reviewed as well as the deed restrictions. Mr. Howard was asked to attend the next Planning Board meeting to raise his concerns with their attorney, Tom Coleman, who crafted the original agreements.

**Armand Bianchini** asked if there would be an increase in the school's budget or not. Ms. Azelby responded that she would be giving a school report later on in the meeting.

## **COMMITTEE REPORTS**

### **PUBLIC SAFETY/COURT/CODE ENFORCEMENT/FIRE**-Ms. Cairns wells

Chief Shaw read the following reports for the months of January and February. For January: Vehicle Mileage: 2735, Juvenile Arrests 0, Adult Arrests 6 (Contempt 5, Possession of CDS 2, Drug Paraphernalia 1-These figures represent people who were arrested and the charges against them), Motor Vehicle Accidents 1, Motor Vehicle Stops 100, Motor Vehicle Warnings 61, Motor Vehicle Summons 39-all Riverton, Alarms 10, Assistance to Other Agencies 17, Animal Complaints 6, Fire Calls 4, EMS Calls 16, Unattended Deaths 0, Criminal Cases 13, Incidents 270, Domestic 0, Thefts 3 (Jewelry, electronics, cash), Burglaries 3 (residences), Assaults 0, Sexual Assaults 0, Criminal Mischief 3, Robberies 0, Miscellaneous Calls 220, Total Calls Dispatched 490 and Incidents 270. For February: Vehicle Mileage 2602, Juvenile Arrests 0, Adult Arrests 8 (Contempt 4, Thefts 2, Burglary 2, Conspiracy to commit burglary/Theft 1, Harassment 1-These figures represent people who were arrested and the charges against them, Motor Vehicle Accidents 2, Motor Vehicle Stops 135 Motor Vehicle Warnings 44, Motor Vehicle Summonses 91 (All Riverton), Alarms 16, Assistance to Other Agencies 16, Animal Complaints 3, Fire Calls 2, EMS Calls 22, Unattended Deaths 0, Criminal Cases 14, Incidents 280, Domestic 3, Thefts 3 (Money, Misc. Jewelry), Burglaries 2 (Residences) Assaults 0, Sexual Assaults 0, Criminal Mischief 0, Robberies 0, Miscellaneous Calls 220, Total Calls Dispatched 500 and Incidents 280.

Ms. Cairns Wells read the following reports for January and February that were submitted by Deputy Fire Chief Robert Yearly. For January Fire Calls for the Month 20,

Drills 3, Calls in Town 8 and Calls Out Of Town 12. For February –Fire Calls for the Month 7, Drills 3, Calls In town 4 and Calls Out of Town 3.

Ms. Cairns Wells read a report for the month of February that was submitted by Court Administrator, Jackie Gleason. Total receipts for the month amounted to \$9,258.25. The total amount disbursed to Riverton amounted to \$4,588.37.

**ORDINANCE 2013-3**

**AN ORDINANCE OF THE BOROUGH OF RIVERTON AMENDING THE RIVERTON BOROUGH CODE IN ORDER TO ESTABLISH PROVISIONS GOVERNING THE MAINTENANCE OF VACANT AND ABANDONED PROPERTIES IN THE BOROUGH AND ESTABLISHING REGISTRATION FEES FOR VACANT AND ABANDONED PROPERTIES (IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read for the second time by title only by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Creighton. At this time, Mayor Brown opened this portion of meeting to the public for any comment on this Ordinance. **Mr. & Mrs. Jim Wittmeyer** thanked Council for adopting this Ordinance. There being no further comment, Mayor Brown closed this portion of the meeting to the public. 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 32-2013**

**A RESOLUTION TO PROVIDE FOR PROPERTY MAINTENANCE RULES AND REGULATIONS AS AUTHORIZED BY SECTION 6 OF ORDINANCE 2013-3 FOR THE MAINTENANCE OF VACANT AND ABANDONED PROPERTIES IN THE BOROUGH OF RIVERTON (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 aye and Mr. Myers aye.

**SHADE TREE/PARK-Mr. Creighton**

**REVIEW OF 2<sup>ND</sup> ROUND OF BIDS RECEIVED FOR THE GRANDSTAND PROJECT**

Mr. Creighton reported that four (4) bids were received, opened and publicly read on March 8, 2013 at 10:30am. They are as follows:

	<b>BASE BID</b>	<b>PLUS ALL ALTERNATES</b>
<b>EASTERN CONST. &amp; ELECTRIC</b>	<b>\$420,579.00</b>	<b>\$484,565.00</b>
<b>J.H. WILLIAMS ENTERPRISES</b>	<b>\$420,470.00</b>	<b>\$626,971.00</b>
<b>PANTARELLI CONSTRUCTION</b>	<b>\$417,483.00</b>	<b>\$464,978.00</b>
<b>STRAGA BROTHERS, INC.</b>	<b>\$431,636.19</b>	<b>\$488,315.19</b>

Mr. Gunn reported that the low bidder has a material defect in that they did not submit a financial statement but indicated that it would be supplied in the event that they were the successful bidder. Mr. Gunn explained that our specifications spell out that conditional bids will not be accepted and that bids which are incomplete may also be rejected. Mr. Gunn stated that we had taken the same position in rejecting a low bidder for the 2011 Roadway project.

Mr. Gunn also reported that the second low bid is also defective. Although they submitted a financial statement, it was for the years 2010-2011. Our bidder checklist requires a current financial statement. Mr. Gunn recommended holding off on awarding this contract until he has time to thoroughly review all of the bids. After a short discussion, it was the consensus of Council to agree to this.

**RESOLUTION 33-2013**

**A RESOLUTION TO ACCEPT THE DONATION OF A PORTABLE BACKSTOP  
FOR THE BABE RUTH BASEBALL FIELD ON THE GROUNDS OF  
RIVERTON MEMORIAL PARK  
(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. Azelby aye, Mr. Creighton aye, Ms. Cairns Wells aye, Mr. Corbi aye, Mr. Kinzler aye and Mr. Myers aye.

**STREETS/SEWER/RECYCLING-Mr. Myers**

**REVIEW OF PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN  
CINNAMINSON SEWERAGE AUTHORITY AND THE BOROUGH OF RIVERTON  
FOR SEWERAGE TREATMENT SERVICES**

Mr. Myers reported that we have commenced discussions with the Cinnaminson Sewerage Authority regarding this issue. The points of agreement outlined are the result of the understanding that these points are preliminary in nature subject to further refinement and modifications and the approval of a formal agreement by both entities. After a short discussion, it was the consensus to authorize the Mayor to sign this Memorandum of Understanding.

**RESOLUTION 34-2013**

**RESOLUTION AUTHORIZING THE MAYOR OF THE BOROUGH OF  
RIVERTON TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CINNAMINSON SEWERAGE AUTHORITY AND THE BOROUGH OF  
RIVERTON FOR SEWERAGE TREATMENT SERVICES  
(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 Mr. Kinzler. 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.

**PLANNING/REDEVELOPMENT-Mr. Corbi**

Mr. Corbi reported that Quality Management might be interested in another property to purchase in town. Mr. Corbi stated that this was very preliminary. Mr. Corbi stated that he would bring the issue raised by Mr. Howard to the Planning Board's Solicitor at their next meeting.

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

Ms. Azelby reported that some Economic Development issues would be discussed at the April meeting.

Regarding the Board of Health, Ms. Azelby announced that the free rabies clinic held in January with Cinnaminson was a big success. The members of the Board have indicated that it would be helpful to have some identification badges. Ms. Cairns Wells reported that our Deputy Fire Chief, Robert Yearly will be able to handle this for them.

Ms. Azelby reported that when complaints are received by the Board members, they do go out to investigate.

Ms. Azelby reported that the school has submitted their budget to the County Superintendent for approval. This budget calls for an average increase of \$140.00 per household. The school budget is scheduled to be approved on March 26. Their total budget is \$5.4 million. Their Local tax levy is \$4.7 million.

**CLERK'S REPORT.** The Clerk reported that that filing of the annual Financial Disclosure Statements would be required to be done online this year. The Clerk will provide information as soon as the State sends out the specifics. The Clerk also reported that the 2013 Borough Directory was sent to the printer.

**SOLICITOR'S REPORT.** Mr. Gunn reported that he has reviewed Certificate of Insurances regarding the Towing Ordinance, the scheduled Criterium races and Orchard's Friends School's event scheduled for April. Mr. Gunn prepared the abandoned/vacant property ordinance and reviewed the bids received for the grandstand project. Mr. Gunn has also reviewed our current Peddler's/Solicitation Ordinances, which he is recommending that we update at some time.

**SHADE TREE ISSUE.** Chief Shaw stated that a County tree was removed from Broad Street, near Main over a year ago. The crossing guards had complained that the tree was obstructing the view of drivers and was causing a hazard for the school children at this location. Chief Shaw reported that he now understands that the Shade Tree Board is going to be planting a tree at the same location. He does not feel this is a good idea. Mr. Myers stated that it is a County road and we cannot plant any trees there. It was the consensus of Council that trees should not be planted at this location. Mr. Creighton was asked to inform the Shade Tree Board of Council's decision.

**RIVERTON PTA REQUEST** Mr. Creighton reported that the PTA is asking Council's permission to have sweat shirts printed that say Riverton, established 1851. It was the consensus of Council that no permission was necessary.

**ASSEMBLY/SENATE BILLS PERTAINING TO THE RETURN OF ENERGY TAX RECEIPTS TO MUNICIPALITIES.** Mayor Brown reported that he was sending a letter to our Assemblymen and State Senator asking them to vote in favor of these bills.

**CORRESPONDENCE** Council reviewed correspondence from Candace Wilson concerning the deterioration and hazardous condition of Carriage House Lane near the Baptist Home. Mr. Myers commented that he agrees with Ms. Wilson's concerns and that this road is on the Borough's to do list at some point. After a short discussion, it was the consensus that Mr. Myers should do a response that explains the monetary constraints.

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



Mary Longbottom, RMC  
Municipal Clerk

