

June 11, 2014

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

PRESENT: Council members Bianchini, Creighton, Cairns Wells, Azelby, Corbi 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 2014 published in the Burlington County Times on December 27, 2013
- (b) Forwarding written notification of the 2014 meeting schedule to the Courier Post for informational purposes only on January 2, 2014
- (c) Posting written notice on the official bulletin board on January 2, 2014

The minutes from May 5th and May 14th 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. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby abstained from the May 5th minutes and voted aye for May 14th, Mr. Kinzler absent and Mr. Corbi aye.

**PROCLAMATION RECOGNIZING JEN DOUGLASS FOR BEING CHOSEN
THE 2014 RIVERTON SCHOOL TEACHER OF THE YEAR
(IN FULL IN RESOLUTION BOOK)**

Mayor Brown read this Proclamation in full and presented same to Ms. Douglass
**RECOGNIZING ORANGE BLOSSOM CAFÉ FOR THEIR ASSISTANCE WITH
THE SPECIAL OLYMPICS FUNDRAISER**

Chief Shaw presented the owner and employees of the Blossom Café with a plaque in recognition of their efforts and assistance with the recent Special Olympics Fundraiser.

MEETING OPEN TO THE PUBLIC

Janice Renn, 412 Main Street (a twin home) was in attendance tonight to address the ongoing issues (letter received on May 27 and is on file with Municipal Clerk) regarding the property located next door to her at 410 Main Street. Mrs. Renn explained that 410 Main has deteriorated to such a degree that she does not know if it is fit for human habitation. There are two openings in the cupola through which squirrels and raccoons enter the building. Mrs. Renn explained that she can hear the animals in the ceiling of her property. Mrs. Renn stated that she knows they have a dog, but never sees it in the yard. Mrs. Renn stated that she secured an estimate from a roofing company to make repairs to her neighbor's home. However, Mrs. Renn stated that the owner of 410 Main does not answer the door or the phone for her to try and discuss the ongoing concerns with her. Mrs. Renn understands that the owner has been cited by the Borough regarding yard debris issues. Mrs. Renn stated that she understands that the owner does not have the financial means to address these issues. Mrs. Renn also understands that a neighboring family (Cattell) on Main Street has been helping the owner out. Mrs. Renn believes there are public health issues at this property and she is looking to have Council address these ongoing problems. Mrs. Renn believes she will not be able to sell her home because of the deterioration of her next door neighbor's home.

Pat Solin, 406 Main concurred with Mrs. Renn's statements about the deterioration of 410 Main Street and that the property values of the houses at that location are being impacted. A letter was received on June 5 from Mr. & Mrs. Solin outlining their concerns over this property. This letter is on file with the Municipal Clerk. Mrs. Solin understands that the Borough may not have much in the way of recourse, but perhaps some public or private group could be found to encourage and help the owner address the issues raised.

Ms. Cairns Wells stated that she has spoken with Mrs. Renn several times over the last couple of months concerning 410 Main Street. Previously we have sent a notice to the homeowner to clean out her yard and that was accomplished. We had both our Construction Official and Zoning Officer check out the structure. The Construction Official has determined that there is nothing under his codes that rises to that level of an infraction that he can issue a notice. However, Mrs. Renn commented that the chimney is leaning and bricks have fallen. Ms. Cairns Wells stated that she will have the Construction Official check out the property again. Ms. Cairns stated that the Borough does not have any type of property maintenance code that would address these issues. Ms. Cairns Wells believes that letters and fines won't do anything because the owner does not have the monetary means to fix the problems. Ms. Cairns Wells stated that she has reached out to members of the Cattell family (possible point of contact) to find out if they would be willing to ask the homeowner if she would be willing to accept help if the Borough can find a way to help her. Ms. Cairns Wells reported that the County Board of Health has been called and we are waiting to hear from them on these concerns. Ms. Cairns Wells believes there might be some programs at the County level that we could tap into for assistance regarding this situation. A discussion ensued with the consensus being that Ms. Cairns Wells' suggested option of reaching out to the Cattell family be tried. Council will be kept apprised of this situation.

Tom Shaw, 104 Main Street, an event planner, proposes a mud run event for the Borough in the fall. Mr. Shaw explained that these are very popular throughout the country. Mr. Shaw stated that the event course would be held within the confines of the Riverton Park, with the use of the Pompeston Creek Area. Mr. Shaw distributed information on this for Council's review and consideration. The event would be called Mud, Sweat & Cheers. This is basically a 2.5 mile obstacle race course. Participants would be encouraged to come in costume and prizes would be awarded. There would be event registration fees, insurance would be provided and a donation would be made back to the Borough, perhaps to refurbish the walking/running paths in the park. After some discussion, it was the consensus that Mr. Shaw confer with both our Environmental Commission and the Park & Recreation Advisory committee regarding his proposal to determine what, if any, impact this event could cause to the location. Council will be kept apprised of this issue.

FINANCIAL ITEMS: Mr. Kinzler

ORDINANCE 7-2014

**AN ORDINANCE OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY TO PROVIDE FOR AND DETERMINE RATES OF COMPENSATION OF EACH OFFICER AND EMPLOYEE OF THE BOROUGH OF RIVERTON
(IN FULL IN ORDINANCE BOOK)**

The above Ordinance was read by title only for the second time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Creighton. At this time, Mayor Brown opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment, Mayor Brown closed this portion of the meeting to the public. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye.

ORDINANCE 8-2014

A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF RIVERTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$1,222.320 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$847,704 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF (IN FULL IN ORDINANCE BOOK)

The above Ordinance was read by title only for the second time by Ms. Cairns Wells, who moved for its adoption. This was seconded by Mr. Creighton. At this time, Mayor Brown opened this portion of the meeting to the public for any comment on this Ordinance. There being no comment, Mayor Brown closed this portion of the meeting to the public. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye.

TREASURER'S/FINANCE REPORT & BILL LIST FOR APPROVAL

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

RESOLUTION 46-2014

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE BURLINGTON COUNTY BOARD OF FREEHOLDERS TO OBTAIN COUNTY MUNICIPAL PARK DEVELOPMENT PROGRAM FUNDS (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. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye.

RESOLUTION 47-2014

A RESOLUTION TO ESTABLISH USAGE FEES FOR THE SOCCER AND BASEBALL FIELDS AT 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 Ms. Cairns Wells. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye.

DISCUSSION ITEMS:

REVISED WORDING TO AMEND THE DEFINITION OF A FRONT YARD TO INCLUDE HOMES ABUTTING THE DELAWARE RIVER (PROPOSED ORDINANCE 4-2014)

For the record, Mr. Bianchini read the suggested amending wording of this definition for Council's consideration. The changes are highlighted in bold print. FRONT YARD- A yard extending across the full width of the lot, the depth of which is the minimum setback distance between the front foundation line of the building and the front lot line. With respect to any **principal building on a lot**, abutting the Delaware River, that portion of the real property between the **principal building** and the Delaware River shall be deemed the front yard within the meaning of this definition regardless if it abuts or is dissected by Bank Avenue. When a riverfront lot also abuts a street, the yard fronting on that street shall also be a front yard **and shall be treated as though it is a through lot or corner lot, when appropriate**. After a short discussion, Council concurred with these changes

ORDINANCE 4-2014

AN ORDINANCE TO AMEND THE DEFINITION OF A FRONT YARD IN CHAPTER 128, SECTION 12 TO INCLUDE HOMES ABUTTING THE DELAWARE RIVERTON

The above amended Ordinance was read by title only for the first time by Mr. Bianchini, who moved for its adoption. This was seconded by Ms. Cairns Wells. A poll vote was then taken. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye. The amending Ordinance indicating the changes in the wording will be placed on the Borough's website. Second reading and a public hearing on the Ordinance is scheduled for July 9.

CHANGE ORDER NUMBER 3 FOR THE GRANDSTAND PROJECT

Mr. Creighton reported that this proposed Change Order now provides for the placement of a 6' high chain link fence. The reason for this change is to revise Change Order No 2, which had deleted this fencing from the project. Mr. Creighton expressed concern about this Change Order and requested that Council defer any action until he has had a chance to review this with the project Manager. Council concurred with this.

RESOLUTION 48-2014

A RESOLUTION AUTHORIZING ENVIRONMENTAL RESOLUTIONS TO PREPARE BID SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE RECONSTRUCTION OF ELM TERRACE (IN FULL IN RESOLUTION BOOK)

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

REVIEW OF REQUEST FOR PROPOSALS (RFP) FOR THE REPAIR OF THE POST EQUALIZATION TANK

Mr. Corbi reported that two RFP's for this project were received by the Borough's Wastewater Treatment Facility Engineer, T&M Associates. They are as follows:

Municipal Maintenance Company of Cinnaminson, New Jersey \$32,206.00 and Banks industrial Group, LLC of Berlin, New Jersey \$35,641.00. Mr. Corbi stated that the tank is in very bad shape and does need to be addressed. Mr. Corbi reported that he has spoken to T&M Associates about getting a warranty for the work. Engineer Jeff Winegar informed him that the company would put out a letter that there would be a 5 year warranty. Mr. Corbi reported that our Engineer's estimated probable cost for this

project was \$20,328.00. This figure was the basis that Council used when originally budgeting for this project. Mr. Corbi wanted Council aware of the difference in what was estimated by our Engineer as opposed to what the proposals came in at. While Council acknowledged their displeasure with the Engineer's low projection of the costs for this project, the consensus was to move forward and have this repair work done.

RESOLUTION 49-2014

**A RESOLUTION AUTHORIZING MUNICIPAL MAINTENANCE COMPANY
TO REPAIR THE POST EQUALIZATION TANK AT THE RIVERTON
WASTEWATER TREATMENT FACILITY
(IN FULL IN RESOLUTION BOOK)**

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

RESOLUTION 51-2014

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SHARED
SERVICES AGREEMENT WITH BURLINGTON COUNTY FOR THE
ROUTING OF CENTRAL COMMUNICATIONS AND 911 CALLS
(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. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye.

RESOLUTION 51-2014

**A RESOLUTION OF THE BOROUGH OF RIVERTON, COUNTY OF
BURLINGTON STATE OF NEW JERSEY, PURSUANT TO
N.J.S.A. 52:34-6.2 (b)(3) TO ENTER INTO AN INTERLOCAL AGREEMENT
WITH A NATIONALLY RECOGNIZED COOPERATIVE ENTITY FOR THE
PURPOSE OF PURCHASING FIRE APPARATUS
(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 Ms. Azelby. A poll vote was then taken. Mr. Bianchini and Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye.

RESOLUTION 52-2014

**A RESOLUTION PERMITTING THE EXCLUSION OF THE PUBLIC FROM A
MEETING IN CERTAIN CIRCUMSTANCES PER SECTION 8 OF THE OPEN
PUBLIC MEETINGS ACT C.231 P.L. 1975
(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. Mr. Bianchini aye, Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye. It should be noted that Personnel matters pertaining to the Tax Collector and Public Works Manager positions will be discussed.

At this time Ms. Cairns Wells moved that we return to public session. This was seconded by Ms. Azelby, with all present voting in the affirmative.

At this time Mr. Corbi read into the record Scott Reed's formal letter of retirement from his position as Public Works Manager.

RESOLUTION 53-2014

**A RESOLUTION TO APPOINT FREDERICK P. RODI, JR. AS INTERIM
PRINCIPAL PUBLIC WORKS MANAGER FOR THE
BOROUGH OF RIVERTON
(IN FULL IN RESOLUTION BOOK)**

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

Ms. Cairns Wells reported that Chief Shaw was accepted to an 11 week FBI training camp in Quantico Virginia in October of this year. Ms. Cairns Wells stated that this is an awesome opportunity for the Chief. Ms. Cairns Wells reported that a plan will be in place for coverage of the Department in the Chief's absence. Council will be kept apprised of this situation.

PLANNING/REDEVELOPMENT-Mr. Bianchini

Mr. Bianchini reported that the proposed escrow charges for interpretations and/or appeals were discussed once again at the last Planning Board meeting. While pro and con opinions of the Board members were given, no formal recommendation was made by them for Council's consideration. A short discussion took place. Mayor Brown stated that at the next Planning Board meeting he will call for a formal recommendation from the Board and if they don't act, Council will move forward with this.

Regarding the pedestrian pushbutton issue, Mr. Bianchini met with reps from the County to discuss potential grant funding for the placement of pedestrian pushbuttons at the Cedar Street location. The County Engineer's office will be performing a study to determine what will work regarding the pushbutton issue before any further determinations are made. New field traffic counts will also be collected. Mr. Bianchini reported that we need to start with the Cedar Street location first, and proceed with other intersections after the Cedar Street findings and recommendations are finalized. Ms. Azelby made it adamantly clear that all of the rail intersections need to have these pushbuttons. She is feeling the heat from the public on this issue. Mr. Bianchini reiterated the fact that the Cedar Street location needs to be addressed first. Council will be kept apprised of this issue.

SHADE TREE/PARK

Mr. Creighton stated that in the past, if a person has taken down a Borough Tree, it has been handled by asking that person to donate enough money to plant another tree in town. What happens when people plant a tree in the Borough's right of way on their own? Ms. Cairns Wells feels that the owner should just do a letter to us that they have donated these trees to the Borough. Ms. Cairns Wells believes the real issue with this is that our Tree Contractor did not do these plantings. Regarding Borough trees that cause a respective sidewalk to pop up tree roots, Ms. Cairns Wells was of the opinion that the Shade Tree Board needs to work with the respective homeowners concerning this issue. Ms. Cairns Wells stated that the Shade Tree Board needs to address all of the above issues and they shouldn't be sending these concerns to our Code Enforcement Officer to handle.

RIVERTON POLICE DEPARTMENT REPORT FOR THE MONTH OF MAY, 2014

Vehicle Mileage 2769, Juvenile Arrests 0, Adult Arrests 17 (Contempt 12, Possession of CDS 1, Simple Assault 2, Shoplifting 2, DUI 2-These figures represent people who were arrested and the charges against them), Motor Vehicle Accidents 2, Motor Vehicle Stops 234, Motor Vehicle Warnings 76, Motor Vehicle Summonses 158 (all Riverton), Alarms 14, Assistance to Other Agencies 35, Animal Complaints 9, Fire Calls 1, EMS Calls 20, Unattended Deaths 0, Criminal Cases 23, Incidents 308, Domestic 2, Thefts 0, Burglaries 0, Assaults 2, Sexual Assaults 0, Criminal Mischief 0, Robberies 0, Miscellaneous Calls 250, Total Calls Dispatched 558 and Quick Calls 250.

RIVERTON MUNICIPAL COURT REPORTS FOR APRIL AND MAY OF 2014

For April, the total receipts were \$12,393.00 and the total amount disbursed to Riverton amounted to \$5,575.43. For May, the total receipts were \$10,838.00 and the total amount disbursed to Riverton amounted to \$5,569.35.

MOTION TO AMEND THE BILL LIST FOR APPROVAL

Mr. Creighton moved that the bill submitted by Environmental Resolutions in the amount of \$23,600.00 for the grandstand project be removed from this month's bill list for approval. This was seconded by Ms. Azelby. Mr. Creighton explained that he needs additional time to review this submission. A poll vote was then taken. Mr. Bianchini absent (had left dais), Mr. Creighton aye, Ms. Cairns Wells aye, Ms. Azelby aye, Mr. Kinzler absent and Mr. Corbi aye.

Mayor Brown expressed concern that the Safe Routes to Schools markings are disappearing. Mayor Brown asked if there is any requirement that a contractor (NJ Water, PSE&EG, etc. must replace these markings after particular road projects are completed. Mr. Corbi responded that they are supposed to. Mayor Brown suggested applying for a grant for the special paint costs to get this done.

There being for further business to discuss, Mr. Corbi moved that the meeting be adjourned. This was seconded by Ms. Azelby, with all present voting in the affirmative.



Mary Longbottom, RMC
Municipal Clerk