

The workshop meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:26 p.m. with the Pledge of Allegiance.

Mayor William Budesheim presiding.

**ROLL CALL: Present: Astarita, Carelli, Clinton, Mastrangelo, Pellegrini, Revis  
Absent: None**

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

**APPROVAL OF MINUTES DATED:**

Regular Meeting - December 15, 2014

Councilman Astarita set forth the motion, seconded by Councilman Revis, to approve the above listed minutes as read.

**ALL IN FAVOR**

**PUBLIC PARTICIPATION NO. 1:**

There being no comments, Councilman Astarita set forth the motion, seconded by Councilman Mastrangelo, to close the public session.

**ALL IN FAVOR.**

**ORDINANCES:**

Mayor Budesheim had questions on the salary ordinance regarding the position of Police Captain, Part-Time Recreation Director and the salary range for DPW workers. Council discussed the matter.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Mastrangelo, to introduce ordinance 01-2015 with the following amendments:

- a) The maximum salary for DPW Laborer - Grade C will be \$34,450.00.
- b) The position of Part-Time Recreation Director will be added with a minimum salary of \$5,000.00 and a maximum salary of \$15,000.00.
- c) The position of Police Captain will be moved to section G - Police Department Positions, Non-Contractual Salaries.

**ROLL CALL: Ayes: Astarita, Clinton, Mastrangelo, Revis  
Nays: Carelli, Pellegrini  
(4 ayes – 2 nays – motion carried)**

- 1) Councilman Mastrangelo set forth the motion, seconded by Councilman Revis, to introduce the following ordinance as amended, and moved its adoption.

**ORDINANCE 01-2015**

**ORDINANCE ESTABLISHING SALARIES OR WAGES OF OFFICIALS AND  
EMPLOYEES OF THE BOROUGH OF RIVERDALE, IN THE COUNTY OF  
MORRIS**

**ROLL CALL:**       **Ayes:**   Astarita, Clinton, Mastrangelo, Revis  
                           **Nays:**    Carelli, Pellegrini  
                           (4 ayes – 2 nays – motion carried)

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 7-A**

**RESOLUTIONS:**

Councilman Carelli stated that resolution No. 4 needs to be tabled until the salary ordinance is adopted. He asked for an explanation of resolution No. 8 stating that the bookkeeper was hired at a salary of \$40,000 and there was no council discussion that it was \$45,000 with \$5,000 being held for 6 months. He asked if there was an agreement and also questioned why we've spent over \$2,000 on Municipal Clerk classes this year that he doesn't recall authorizing. Councilman Revis said that it is in his notes and his recollection is that there was a discussion about this when it was introduced at the May 19<sup>th</sup> meeting. Councilman Carelli said the resolution made no reference to a probationary period or a \$5,000 raise and he doesn't recall any discussion. He also doesn't understand why we're paying for someone to take Municipal Clerk classes when we have a certified Clerk and certified Deputy Clerk. He was concerned that this person could leave after we've paid out \$3,000 or \$4,000 in training. He stated that the Council Committees are not authorized to make deals on behalf of the Council. Mayor Budesheim stated that an email was sent to him saying that he has to stay three years or pay back educational class fees. Councilman Carelli said that he would honor that agreement if it is in writing but he would like to table the resolution until the next meeting as he would like to see the documents.

Thereupon, Councilman Mastrangelo set forth the motion, seconded by Councilman Astarita, to approve the following resolutions:

- 1)     Payment of Claims.
- 2)     **Resolution No. 10-2015;** Transfer of 2014 Appropriation Reserves.
- 3)     Authorizing the appointment of Ryan Norlander as part time dispatcher at the rate of \$13.00 per hour.
- 4)     Tabled.
- 5)     Establishing a salary for the part-time Summer Recreation Director: \$2,500 per year.
- 6)     Authorizing the appointment of Travis Schneider as a DPW Laborer C at \$16.00 per hour (he has a CDL) effective January 1, 2015.
- 7)     Authorizing the appointment of Corey Deininger as a DPW Laborer B at \$15.00 per hour effective January 15, 2015.
- 8)     **Resolution No. 11-2015;** Adjusting the annual salary of Jimmy Homsy from \$40,000.00 to \$45,000.00 annually, retroactive to January 1, 2015.
- 9)     Authorizing an ordinance to purchase the State property on Newark Pompton Turnpike.

**ROLL CALL:**       **Ayes:**   Astarita, Carelli, Clinton, Mastrangelo, Pellegrini, Revis  
                           **Nays:**    Carelli, Pellegrini (No. 8 – Resolution 11-2015 only)  
                           (6 ayes – 0 nays – motion carried)  
                           (4 ayes – 2 nays – No. 8 - Resolution 11-2015 only)

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 7-B, C, AND D**

**BOROUGH CLERK REPORT:** No report.

**BOROUGH ATTORNEY REPORT:** No report.

**COMMITTEE REPORTS:**

**FINANCE:** No report.

**PUBLIC SAFETY:** No report.

**PUBLIC WORKS:** No report.

**PUBLIC SAFETY:** No report.

**COMMUNITY RELATIONS:** No report.

**BUILDINGS AND GROUNDS:** Councilman Astarita reported that the borough hall roof is essentially done except for outer flashing.

**PERSONNEL:** No report.

**CLOSED SESSION:** Garbage Contract and Pine Valley.

Councilman Astarita set forth the motion, seconded by Councilman Mastrangelo, RESOLVED that the Council go into closed session to discuss a contract and a matter of potential litigation.

**ALL IN FAVOR.**

Closed session being completed, the meeting returns to public session.

**ROLL CALL: Present: Astarita, Carelli, Clinton, Mastrangelo, Pellegrini, Revis  
Absent: None**

Borough Attorney Oostdyk stated that in closed session a discussion took place regarding the solid waste bid and some legal challenges that were raised and what our options are in relation to those legal challenges. He explained that the option is to award the bid to the low bidder or to reject the low bidder. If we reject the low bidder we would need to schedule a hearing because we need to reject for reasons regarding their ability to perform. If we're prepared to award it to the low bidder we could do that tonight.

Mayor Budesheim stated that he visited the site of the low bidder and confirmed that he has the equipment and personnel to do the job.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Mastrangelo, to approve the following resolution:

**Resolution No. 12-2015;** Resolution awarding a contract to Bella Cleaning and Carting, LLC to provide Solid Waste and Recyclable Materials Collection Services for the Borough of Riverdale.

Councilman Carelli clarified for the record that the option awarded is for the property owner providing the container with once a week removal for a 5 year period in the amount of \$268,982 for solid waste and \$207,600 for recyclables.

**ROLL CALL: Ayes: Astarita, Carelli, Clinton, Mastrangelo, Pellegrini, Revis  
Nays: None  
(6 ayes – 0 nays – motion carried)**

**COPY OF RESOLUTION IN FULL ON PAGE NO. 8-E**

**PUBLIC PARTICIPATION NO. 2:**

Glenn Venza, 14 Macopin Avenue, asked about recycling pick up.

Keith Hamilton, Van Duyne Avenue, asked about the new garbage contract. Since we are their first customer he wanted to know what would happen if they can't keep up with the work. Borough Attorney Oostdyk replied that options are limited with a bid contract. They are required to post a performance guarantee and if they don't meet the performance standards we have the ability to challenge them. Mr. Hamilton asked for the status of the water billing. Mayor Budesheim replied that Butler is working on it. Mr. Hamilton asked the Mayor for his position on the Pilgrim Pipeline. Mayor Budesheim replied that he was against it from day one. Mr. Hamilton stated that on December 18<sup>th</sup> two DPW members were dispatched to trim hedges at a residence at 14 Macopin Avenue and he wanted to know if this was at the taxpayers' expense. Mayor Budesheim replied that they were cutting back brush in our right-of-way as they do every year throughout the town so the trucks aren't hit by it. Mr. Hamilton stated that when he lived on Newark Pompton Turnpike he received a letter every year from the Police Department letting him know he has to trim them back or he would get a citation because they're in the right-of-way over the sidewalk. Mayor Budesheim replied that is different than hanging over in the streets and this was a decision made on the part our DPW Supervisor. Mr. Hamilton stated that our ordinance says that if the DPW Supervisor ordered it he's supposed to present the cost to the Council for accuracy and be levied against their properties. He also stated that the newsletter says the DPW is shorthanded and here we are deflecting them when we've got ordinances to force residents to maintain their own property. He stated that for 15 years he was told he had to trim his bushes back and he always did it and now he sees that other residents are getting it done for them at taxpayer cost.

Dave Desai, 22 Cotluss Road, asked if the DPW officials are aware of the town ordinances. Mayor Budesheim said he can't answer for them. Mr. Desai stated that at the last meeting he brought to the Council's attention the issue of the Doctrine of Incompatibility. He asked the Council members and attorney if there is any intention to act upon the request. Borough Attorney Oostdyk stated that he did read it but he responds to questions from the Council and he has not been asked to respond. Mayor Budesheim stated that he thinks Mr. Desai is wrong and his misunderstanding of that case history is being applied incorrectly here. The Mayor is the Chief Administrative Officer of the town and the attorney has stated that when this issue was brought up before at meetings.

Chris Scilingo, 24 Cedar Street, suggested that the public portion be limited to 3 minutes.

Matt Oswald, 9 Cotluss Road, asked who enforces and gives clarification to the zoning laws and whether someone could override the Zoning Official. Mayor Budesheim responded that the Zoning Officer is the enforcement officer for the zoning laws and it's at her discretion. She is responsible to the Mayor and Council. Borough Attorney Oostdyk stated that the Zoning Board of Adjustment has ultimate authority if there is an appeal of the Zoning Officer's determination.

There being no further comments, Councilman Astarita set forth the motion, seconded by Councilman Mastrangelo, to close the public session.

**ALL IN FAVOR.**

**ADJOURNMENT:**

Councilman Astarita set forth the motion, seconded by Councilman Mastrangelo, to adjourn the meeting.

**ALL IN FAVOR.**

Adjourned: 8:38 p.m.

Respectfully Submitted:

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Abubakar T. Jalloh, R.M.C.  
Municipal Clerk