

The regular meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:30 p.m. with the Pledge of Allegiance.

Mayor Budesheim presiding.

ROLL CALL: Present: Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski
Absent: None

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

Mayor Budesheim announced that we should establish the Council Committees. He asked the Borough Attorney for a legal opinion.

Borough Attorney Oostdyk stated that he was asked at the last meeting whether or not the Council had a role in the appointment of the Council Committees and whether or not they had the right to act upon or reject the Mayor's appointments. The response is that the Council does. The appointment is with the advice and consent of the Council. We need the Council to either confirm its agreement to the Mayor's appointments or not.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to deny the Mayor's appointments to Council Committees as made at the Reorganization meeting.

ROLL CALL: Ayes: Astarita, Carelli, Wetzel, Falkoski
Nays: Guis, Loesner
(4 ayes – 2 nays – motion carried)

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to form the following 2012 Council Committees:

Finance	Councilpersons Loesner, Falkoski, Carelli
Public Safety	Councilpersons Falkoski, Wetzel, Carelli
Public Works	Councilpersons Guis, Astarita, Wetzel
Community Relations	Councilpersons Wetzel, Astarita, Guis
Buildings & Grounds	Councilpersons Astarita, Guis, Loesner
Personnel	Councilpersons Loesner, Falkoski, Carelli

ROLL CALL: Ayes: Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski
Nays: none
(6 ayes – 0 nays – motion carried)

APPROVAL OF MINUTES DATED:

Regular Meeting	-	December 19, 2011
Special Meeting	-	December 29, 2011
Re-organization Meeting		January 2, 2012
Workshop Meeting	-	January 2, 2012

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

ALL IN FAVOR

PUBLIC PARTICIPATION NO. 1:

Police Chief Kevin Smith stated that his first 2012 paycheck did not reflect the 2012 salary that he had expected. The minutes reflect that he was to have had an increase effective January 1st. Councilman Falkoski stated that at the July 6, 2011 meeting it was discussed that the Chief would be paid \$105,000 effective July 1 and increased to \$120,000 effective January 1, 2012 but a decision was not made. Someone recommended there be a probationary period but by ordinance there is not such a period. The Chief has done an excellent job and the next highest officer in the department makes \$113,000. By statute it is required the Chief have a salary greater than the highest paid officer beneath him.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to increase the salary of Police Chief Kevin Smith to \$120,000 effective January 1, 2012, not to include longevity.

ROLL CALL: Ayes: Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski
Nays: None
(6 ayes – 0 nays – motion carried)

Councilman Astarita stated that longevity could be discussed at a workshop meeting.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, that the public portion be closed.

ALL IN FAVOR**ORDINANCES:**

- 1) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 01-2012

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION (N.J.S.A. 40a:4-53) FOR THE PREPARATION
AND EXECUTION OF A REASSESSMENT OF REAL PROPERTY
FOR THE USE OF THE LOCAL ASSESSOR AS APPROVED BY
THE COUNTY BOARD OF TAXATION

The Municipal Clerk read the notice for the second reading and final adoption.

Mayor Budesheim announced that this Ordinance was open for public participation.

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

ALL IN FAVOR

Borough Attorney Oostdyk announced that there were two typographical errors in the ordinance when it was introduced. One was that it noted the revaluation would be done for 2012 which should be 2013. Secondly, it referred to the statute as N.J.S.A. 40A:4-58 and it should have referred to N.J.S.A. 40A:4-53.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 01-2012 as read with corrections on second reading at this meeting, be adopted and finally passed.

ORDINANCES (continued):

ROLL CALL: **Ayes:** Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski
 Nays: None
 (6 ayes – 0 nays – motion carried)

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 10-A

- 2) Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to introduce the following ordinance and moved its adoption.

ORDINANCE 02-2012

AN ORDINANCE AMENDING ORDINANCE NO. 14-2010
ESTABLISHING SALARIES OR WAGES OF OFFICIALS AND
EMPLOYEES OF THE BOROUGH OF RIVERDALE, IN THE
COUNTY OF MORRIS, NEW JERSEY

ROLL CALL: **Ayes:** Astarita, Carelli, Falkoski, Loesner, Wetzel, Guis
 Nays: None
 (6 ayes – 0 nays – motion carried)

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 10-B**RESOLUTIONS:**

Councilman Falkoski asked if the limousine license application at 15 Macopin Avenue was in a residential zone and if it was proper. Borough Attorney Oostdyk stated that the application was reviewed and approved by the Zoning Officer. The location is residential but there is no actual business operating there. The phones may be answered in his home but the vehicle will be kept at another location.

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

- 1) Payment of Claims.
 - a. Including – Payment to Dell-Tech, Inc. Glenburn Grant \$59,490.00
- 2) **Resolution No. 10-2012;** Refund of Tax Overpayments, Block 40, Lot 2.8311, Lisa M. Quinn, \$2,176.54, year 2009 – Reason Overpayment.
- 3) **Resolution No. 11-2012;** Refund of Tax Overpayments, Block 36.01, Lot 5.01, Peter & Fina Mooney, \$449.50, year 2010 – Reason O.P. Homestead Rebate.
- 4) **Resolution No. 12-2012;** Refund of Tax Overpayments. Block 29, Lot 9.317, Josephine Forino, Estate, \$352.43, year 2011 – Reason Overpayment.
- 5) **Resolution No. 13-2012;** Assignment of Tax Sale Certificate.
- 6) **Resolution No. 14-2012;** Emergency Temporary Appropriations.
- 7) **Resolution No. 15-2012;** Transfer of 2011 Appropriation Reserves.
- 8) **Resolution No. 16-2012;** Special Emergency Appropriation.
- 9) Authorization to declare police department shredder as scrap due to it being non-operational. Model #3260-1, serial number pui1335. Non-tagged item.
- 10) Authorization to schedule the receipt of bids for the Mathews Avenue Phase II project for Thursday, February 16th at 10:00 a.m. in the Municipal Building by the Borough Clerk.
- 11) Approval of tower contract for 2012 for repeater utilization with the North Jersey Police Radio Association for use of their communications tower in Pompton Lakes with a fee of \$1.00 per year. Continuation of yearly contract already in existence but renewed each year.

RESOLUTIONS (continued):

- 12) Approval of Limousine License application for Riverdale Limo and Car Service LLC, 15 Macopin Avenue, Riverdale, NJ with principal place of business located at this address. (Borough Attorney may address information regarding this application).

ROLL CALL: **Ayes:** **Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski**
 Nays: **None**
 (6 ayes – 0 nays – motion carried)

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 11-C, D, E, F, G, H, I AND J**CORRESPONDENCE:**

- 1) From Dennis McSpirit, Pompton Lakes/Riverdale Little League requesting use of the Riverdale baseball/softball fields located at Independence Park from March 11 through July 31, 2012 for games and practices. Games and practices will be held Monday through Saturday with some make up games and practices on Sunday. The regular season ends June 30th but we sometimes us the month of July to practice for the All-Star tournaments. Over the past several years these fields have played a critical role in making each season a great success for the children in our community. Certificate of Insurance will be supplied to the Borough Clerk as in the past. Thank you.

Councilwoman Wetzel stated that the Little League has always been given priority for field use time. She recommended we approve the dates based on our history with them. If anyone else requests field time we need to check their schedule first.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Astarita, to approve the request from Pompton Lakes/Riverdale Little League for use of baseball/softball fields at Independence Park.

ALL IN FAVOR**MAYOR REPORT:**

Mayor Budesheim reported that he received inquiries about sending a letter to the residents on Morris Avenue, Parkway, Newberry Place and Brown court advising that we have sewer allocation available and asking if there is interest in having sewers with an added assessment. Councilman Guis recommended Sewer Engineer Bill Ryden do a cost estimate so they have an idea of the cost.

Mayor Budesheim asked who is in charge of Finance. Councilman Falkoski stated that the committees will select the Chairmen and report back at the workshop meeting. Mayor Budesheim stated the budget has to be introduced by February 29th with an adoption date of April 20th.

Mayor Budesheim reported on the online credit card service, Point & Pay. Riverdale now takes MasterCard, Visa, Discover and American Express. There is a convenience fee. Credit card payments can be made online or in person for property taxes, sewer/water bills, court fines, dog and cat licenses, recreation programs, exercise classes and rentals for the Glenburn and Community Center.

MAYOR REPORT (continued):

Mayor Budesheim reported that DPW Superintendent Walter Mahon is retiring February 29th. The Mayor requested authorization to issue Mr. Mahon \$9,000 accumulated sick time and this year's five weeks vacation which comes to \$8,634.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita to authorize payment to Walter Mahon for \$9,000 accumulated unused sick time and \$8,634 for 25 days vacation time.

ROLL CALL: **Ayes: Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski**
 Nays: None
 (6 ayes – 0 nays – motion carried)

BOROUGH CLERK REPORT: No report.

BOROUGH ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

FINANCE: Councilman Carelli reported they will be scheduling a committee meeting to meet the budget deadlines.

PUBLIC SAFETY: Councilman Falkoski reported the court report for December 2011. He also reported that there is a tanker available to the Fire Department. Fire Chief Dan Sturm explained to the Council that the county has tankers available with 4,000 gallons of foam when mixed with water is roughly 15,000 gallons of firefighting foam which we could use in the areas with no hydrants or anywhere in town. There is no cost to the Borough except for insurance and fuel. Maintenance is covered by the county once a year and they take care of major problems. We would need a letter stating that we would take ownership. A letter would need to be sent back to the county stating it is insured.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, that a letter be provided to the Fire Chief stating that the borough will take ownership of a tanker from Morris County.

ROLL CALL: **Ayes: Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski**
 Nays: None
 (6 ayes – 0 nays – motion carried)

PUBLIC WORKS: Councilman Guis reported on the generator for the Police Department. PSE&G will be here Wednesday to evaluate the hookup on the gas line.

COMMUNITY RELATIONS: Councilwoman Wetzel reported that there was a transition meeting with the new Recreation Director, Krista Osborne, to discuss her responsibilities. The transition went smoothly and hopefully we'll have a successful year.

BUILDINGS AND GROUNDS: No report.

PERSONNEL: Councilman Loesner reported that Walter Mahon will be retiring next month and we will be making the transition in the DPW Department. We'll be discussing some things at the workshop in relation to a new structure in that department. He stated that he went through the revenue reports that were sent but he did not get one for the newsletter and asked if one was generated for that. Mayor Budesheim stated he would check with the bookkeeper.

COMMITTEE REPORTS (continued):

Police Chief Smith reported that they would like to donate the K-9 bed to Mountain Lakes as there is no use for it any longer. He also reported that he did overtime calculations and determined it would be financially feasible to hire an extra man in February. If we had that man in December and January we would have saved close to 100 hours in overtime. Mayor Budesheim stated that would be about \$5,000. Councilman Falkoski stated that we also have two men out with injuries.

UNFINISHED BUSINESS:

- 1) A to Z towing license, tabled at December 19th meeting.

Councilman Falkoski stated this was tabled at the last meeting due to the Police Chief's recommendation based on inferior service provided last year. Chief Smith stated that Rick Malanga said he is capable of handling the entire year. His recommendation is not to approve A to Z. Borough Attorney Oostdyk stated that no action needs to be taken.

PUBLIC PARTICIPATION NO. 2:

Joan Garcia asked for the purpose of salary Ordinance 02-2012. Councilman Carelli explained that in December there was an ordinance adopted that would allow the transfer of the Mayor's salary to be under Mayor as he stated he was not going to be the OEM Coordinator any longer. At the Reorganization meeting he stated he would appoint someone soon. This ordinance is in anticipation of that appointment because the minimum salaries for OEM Coordinator and Deputy were \$5,000 and \$2,500 with maximum of \$15,000 and \$7,500. Once we hire someone else we didn't want the salary that high and we want the option of it being zero. We currently have two deputies that we don't pay which contradicts our ordinance. Ms. Garcia asked Mayor Budesheim if he had made a decision to not be the OEM Coordinator. Mayor Budesheim asked if the Council would be willing to transfer all of his salary under the title of Mayor. Councilman Falkoski stated that at the time we discuss salaries pertaining to the budget would be the time that we would have that discussion. I would recommend we discuss it at a workshop. Councilman Astarita agreed. Mayor Budesheim stated that then no decision has been made yet. Councilman Falkoski explained that salaries are discussed when budgets are put together. Ms. Garcia asked if the Council Committees were the same as last year. Councilman Falkoski stated they are three member committees this year.

Glenn Venza asked Fire Chief Sturm additional questions about the foam tanker.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, that the public portion be closed.

ALL IN FAVOR.

Mayor Budesheim stated that in light of these most recent Council Committee appointments, I believe there is a mistake on what's being done but that's something this Council will have to live with. The way it's been done, it's been done for about forty years that I'm aware of. Tonight I am forming an entirely new committee to be known as the Mayor's Taxpayer Advisory Committee. This committee will be the eyes and ears of the Riverdale Borough taxpayers, so it will be the taxpayers advocate. It will be comprised of citizen representatives from all neighborhoods from the community. There are decisions that have been put on hold this past year by the Council – decisions that could have saved the taxpayers literally hundreds of thousands of dollars. It's possible that input from the taxpayers might have helped the Council to come to decisions on these matters – decisions that would truly represent the opinions of the residents. This

taxpayer's committee will review all proposals and make recommendations sharing the community's perspective.

Councilman Falkoski stated that it appears as though the atmosphere is that this is being done in a vengeful way and it isn't. Basically the committees were not formed this way for so many years. I think that's the first time I've ever been on a governing body, and I've been on a governing body for quite a while, where the committees were just changed on reorganization night without anyone being aware of what was going to be happening. I think that everyone was a little unhappy with that. That's why as a group we decided what we'd like to do is to form our own committees because basically the purpose of the committee is to do the work of the Council, and then to report back to the Council, so the Council doesn't have to sit here and go through every minutia part of everything that goes through in every department. That's the reason we're doing this. We're not doing this to be even with anybody or to be nasty. We're doing this to foster the work of the Council and to ensure that it proceeds in an orderly manner.

Mayor Budesheim asked if this decision was made as a group.

Councilman Falkoski stated that nobody was happy on reorganization night. We didn't make a decision as a group but generally we all had input into what we would be happy doing.

Mayor Budesheim stated that he thinks that's something that should be discussed at a meeting and not behind closed doors.

Councilman Falkoski stated it was not done behind closed doors. We're trying to do the work of the Council. You do the work of the Mayor. We don't work for you. We work for the taxpayers of the Borough of Riverdale.

Councilman Astarita stated that we are paying the Mayor to act like a borough administrator and in that position he is working for us. I hear about all these hundreds of thousands of dollars that we messed up on last year and my thought was that someone acting as our borough administrator would have brought this to our attention. That gets me upset. It may be that we do need a borough administrator. Maybe we can look into sharing a borough administrator. The way things are going here it looks like maybe we need one to be kept up with some of these facts of some of the money we're missing. We have a dedicated Council trying to do the right thing for our residents over the years. All of a sudden we've been missing hundreds of thousands of dollars that we could have moved on that we didn't and it's unbeknownst to me where that money was. We rely on the person who's here day to day, not only as Mayor, but as borough administrator. Basically, that's why we're paying a full time salary so maybe we should look into some other things. I, too, don't like the level at which this all of a sudden has become adversarial. We've worked for many years as a good team and it seems like these little things are breaking us up very easily. At the workshop meeting we should explore other options.

Mayor Budesheim stated that the hundreds of thousands of dollars are dealing with medical insurance. To say that you weren't aware of the potential savings is unfair. I did bring that back to Council many times and you failed to act. Those are avenues we have to explore.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:13 p.m.

Respectfully Submitted:

Carol J. Talerico, R.M.C.
Municipal Clerk