

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, Falkoski, Guis, Mastrangelo, Wetzal, Carelli
Absent: None**

Also Present: Police Chief Smith, Fire Chief Sturm

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 17, 2012
Special Meeting	-	December 28, 2012
Reorganization Meeting	-	January 7, 2013
Workshop Meeting	-	January 7, 2013

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

ALL IN FAVOR

PUBLIC PARTICIPATION NO. 1:

Glenn Venza, 14 Macopin Avenue, asked if the personnel matter on the agenda was regarding him. Borough Attorney Oostdyk stated it is not and it is not scheduled at this point.

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

ALL IN FAVOR

PERSONNEL MATTER: (possible closed session)

Mayor Budesheim stated that he was sent a Rice Notice advising that the Governing Body has requested this meeting. He asked when the Governing Body decided this. Borough Attorney Oostdyk stated that certain council people asked that this be scheduled which is their right. Mayor Budesheim stated that individual members do not have the right to issue a Rice Notice. It has to be done by the Governing Body. Mr. Oostdyk stated that the Municipal Clerk issued the Rice Notice at his request because various Governing Body members had mentioned the desire to discuss this topic. Mayor Budesheim stated he was not apprised of the issues which makes this sort of defective. He turned the matter over to the Personnel Committee to find out what the issues are so we can be ready to discuss it at the Workshop meeting.

RESOLUTIONS:

Councilman Guis requested resolution No. 22-2013 be tabled for further review and clarification. Mayor Budesheim asked him to email his concerns to him.

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

RESOLUTIONS (continue):

- 1) Payment of Claims. (including the following)
 - a. Norcon Communications, Inc. Capital A/C \$6,550.00
- 2) **Resolution No. 13-2013**; Professional Agreement Darmofalski & Associates, Borough Engineer.
- 3) **Resolution No. 14-2013**; Professional Agreement Richard Clemack, Esq., Special Counsel.
- 4) **Resolution No. 15-2013**; Professional Agreement John Kraft, Esq., Bond Counsel.
- 5) **Resolution No. 16-2013**; Professional Agreement William Ryden, P.E. Anderson & Denzler Associates, Water/Sewer Engineer.
- 6) **Resolution No. 17-2013**; Professional Agreement Robert Oostdyk, Esq., Murphy McKeon, P.C.
- 7) **Resolution No. 18-2013**; Professional Agreement Vincent Montanino, VM Associates. (copy of all professional agreements listed transmitted to governing body with agenda)
- 8) **Resolution No. 19-2013**; Refund of Tax Overpayment – Block 8.01, Lot #3, Timothy May in the amount of \$7.46, year 2012, over billed.
- 9) **Resolution No. 20-2013**; Refund of Tax Overpayment – Block 8.01, Lot #2, Gary Stanton in the amount of \$7.46, year 2012, over billed.
- 10) **Resolution No. 21-2013**; Refund of Tax Overpayment – Block 37, Lot #10.01, Thomas Gnirrep in the amount of \$29.84,; year 2012, over billed.
- 11) Approval of lease agreement with North Jersey Police Radio's tower and repeater for a rental fee of \$1.00 for the year 2013. (copy of agreement transmitted to governing body with agenda)
- 12) TABLED
- 13) **Resolution No. 23-2013**; Transfer of 2012 Appropriation Reserves.
- 14) **Resolution No. 24-2013**; Professional Agreement Robert A. Michaels, P.P., AICP of Robert Michaels and Associates, Planning Consultant for Affordable Housing/COAH Matters. (copy of professional agreement transmitted to governing body with agenda)
- 15) Authorization of payment to RFM Printing in the amount of \$1,102.00 for the printing of the newsletter.
- 16) Approval of Towing License, Richard Malanga for the year 2013, which has been approved by the Chief of Police, Kevin Smith.
- 17) Approval of Escrow payment to Darmofalski Engineering Associates, Inc. in the amount of \$230.00 from TCR escrow funds.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 139-A, B, C, D, E, F, G, H, I, J, K AND L

The following resolution was TABLED:

Resolution No. 22-2013; Interlocal Agreement with the Borough of Bloomingdale for street sweeping services for the years 2013 through 2017 with a zero increase for 2013. There will be a 2% increase in 2014. (copy of agreement transmitted to governing body with agenda)

CORRESPONDENCE:

- 1) From Morris County Department of Planning & Development stating that as part of their participation in the United States Census Bureau's Boundary and

CORRESPONDENCE (continued):

Annexation Survey, Morris County has reviewed local municipal boundary lines as defined by the Census Bureau. As a result of the review they have found discrepancies in how Riverdale's municipal boundary lines are depicted by the Census Bureau when compared to their depiction by the County of Morris. A map is included with the letter. Upon receipt of written approval from representatives of all municipalities affected by the discrepancies, Morris County will submit documentation to the Census Bureau showing the correct boundaries for the area in question. Due to time constraints, we are focusing on larger boundary discrepancies. There may be other boundary discrepancies for which we may submit corrections at a future date.

Council agreed to give written approval to Morris County.

NEW BUSINESS:

- 1) Notice of Order to Comply from the New Jersey Department of Labor and Workforce Development regarding inspection performed by PEOSHA on December 17, 2012 with a list of violations of the Public Employees' Occupational Safety and Health Act. The violations referred to in this Order must be abated by the dates listed in the order listed unless within 15 working days (excluding weekends and State holidays) from the issuance of this Order to Comply you mail a notice of intent to contest to the Department of Labor at the address shown on Order. (copy of Order to Comply transmitted to Governing Body and Borough Attorney on the date of receipt, 01/15/2013)

Mayor Budesheim stated that this is 99 percent taken care of and only one small clerical item needs to be done.

MAYOR REPORT:

Mayor Budesheim reported that he got the other two vehicles on GovDeals.com. The first four we sold at over \$7,100 and these are up to about \$2,000 for the Impala and Ford Explorer.

BOROUGH CLERK REPORT:

Deputy Clerk Forbes reported that she distributed a memo from the Senior Citizen Club with their request for their 2013 budget. Councilwoman Wetzel stated that she would review it with the budget committee and inform the seniors.

BOROUGH ATTORNEY REPORT: No Report**COMMITTEE REPORTS:**

FINANCE: Councilman Carelli stated that he would be setting up a schedule to meet with department heads to go over their budgets.

PUBLIC SAFETY: Councilman Falkoski reported that he has an application for membership in the Fire Department.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to accept the application for membership in the Riverdale Fire Department from Gavin Scott Phillips Sr.

COMMITTEE REPORTS (continued):

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

Councilman Falkoski reported the Municipal Court Report for December, 2012.

Fire Chief Dan Sturm reported that FEMA will be here Friday at 9:00 a.m. to meet with department heads and see if we can get funding reimbursed for Hurricane Sandy. Tomorrow evening at 7:30 there will be a CERT meeting at the firehouse.

Police Chief Smith reported that Sherriff Rochford will be in attendance at the next community meeting on February 6th at 6:00 p.m. at the Community Center.

PUBLIC WORKS: No Report.

COMMUNITY RELATIONS: Councilwoman Wetzels reported on the Board of Health reorganization meeting. They are entering into a new 4 year animal control contract with Bloomingdale and asked for a 30 day extension in order to explore options. There was a question on budgeting for door to door canvassing for dogs and cats. The trust account was set up only for dogs and they are looking to change it to encompass both dogs and cats. Borough Attorney Oostdyk stated that it could be reclassified as an animal account by resolution.

BUILDINGS & GROUNDS: Councilman Astarita reported the Community Development Block Grant Committees will be reviewing applications on March 4th and 5th and he will attend both sessions. Therefore, he will not be able to attend the March 4th workshop meeting.

PERSONNEL: Councilman Mastrangelo asked for clarification of an item on the bills list. Police Chief Smith responded. Councilman Mastrangelo reported that the Personnel Committee met on the 17th to discuss possible raises for borough employees. We also discussed unused comp time with the police department.

PUSH TO WALK PRESENTATION TO COUNCIL:

Mayor Budesheim announced that Push to Walk is a non-profit here to make a presentation to the Council on the COAH housing project we are working on. This is the property at 83 Newark Pompton Turnpike that we bought with developer's money that was put into a trust fund to be used specifically for affordable housing. The state approved the plan to buy that and develop it as we find out what our obligation is. He introduced Cynthia Templeton, President of Push to Walk.

Cynthia Templeton distributed materials and introduced Board Chairman Ralph Rathyen, Program Director Tommy Sutor, Board Member George Gnad and Client/Riverdale Resident Lori Douma. A presentation was made explaining the background, purpose, and future plans of Push to Walk as well as the opportunity to develop a specialized exercise gym and affordable housing units at 83 Newark Pompton Turnpike. They are a non-profit exercise gym and their clients are people who have sustained spinal cord injuries or other neurological conditions that result in paralysis. They are currently located on North Corporate Drive in Riverdale and are expanding and looking for a new home. They would like to stay in Riverdale and could develop the 12,000 square foot Verizon building into a world class gym with five or six affordable housing units around the perimeter that could be used in part for their clientele that would be traveling from out of state for extended rehab. They would seek a partner to develop 25 affordable housing

units on the back of the property. They are requesting an exclusive period of time to develop and find a partner. They have already consulted with our COAH Planning Advisor, Bob Michaels and with COAH personnel. They feel this opportunity would be a win-win situation for them as well as for Riverdale.

Mayor Budesheim stated that there have been two applications before the Planning Board for this property. One was for heavy construction equipment and to use it as a storage yard and another one wants to do car detailing. We're trying to maintain this and develop it as a professional office residential street which is why we purchased it and hold it for future COAH use. I'm very proud that this group is in our town and I'll do anything I can to keep them in our town. They will be spending a lot of time and money doing the models and paperwork and their concern is that somebody else may come in so they're looking for a 12 to 15 month period to pursue all the avenues.

Borough Attorney Oostdyk stated that we're still cleaning up the site and couldn't do anything for the next several months at least so this is a great opportunity.

Councilman Guis had questions on the logistics and liability. Borough Attorney Oostdyk responded that there can be a variety of ways that it is done. COAH is always looking for unique and different ways to foster affordable housing and I think it can be sold.

Councilman Falkoski asked what first steps need to be taken if we're going to pursue it. Borough Attorney Oostdyk stated that he and the Mayor can work with them to try to put together an agreement.

Councilwoman Wetzel stated that she wanted to applaud the initiative and effort they've made in this field and we're happy to have you here. The rendering of the building shows it would be an asset to the community.

PUBLIC PARTICIPATION NO. 2:

Michael Keypets stated that he wasn't sure why we would commit to anything. You don't know what other deals or opportunities might come about in the next six or nine months. Mayor Budesheim stated this would encourage somebody we would like to see stay in town to spend the time and money to develop this idea. Nobody has been knocking on our door and the only uses that have come forward have been commercial industrial uses. This year to year and a half that Push to Walk is asking for is reasonable and in the best interest of the town.

Keith Hamilton, Van Duyn Avenue, asked about room for expansion if they outgrow the new facility in 10 years. Mayor Budesheim stated they are not looking to spend that kind of money for a 10 year gig here. Ms. Templeton explained that they expect it to last a long time. They have a strategic planning process for growth and it might be beneficial to have smaller satellite locations in other areas.

Tom Batelli, Powder Mill, stated there is plenty of space in that building for this organization.

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

ALL IN FAVOR.

Councilman Carelli asked what needs to be done in order to discuss the personnel matter at the next meeting. Borough Attorney Oostdyk replied that it was referred to the Personnel Committee and the Council can decide that it can be carried to the next meeting. It does not require a motion.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:33 p.m.

Respectfully Submitted:

Linda C. Forbes, R.M.C.
Deputy Municipal Clerk