

The workshop 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 William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 03-2011

**AN ORDINANCE AMENDING CHAPTER 135 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE.**

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. 11-A

NEW BUSINESS:

- 1) Discussion of possible introduction of an Ordinance providing for service fees to be paid to the Riverdale Fire Department, and possible introduction as Ordinance No. 04-2011.

Mayor Budesheim stated that this is an ordinance that was mentioned in the League of Municipalities Magazine. At this point it is for review and discussion.

RESOLUTIONS:

Mayor Budesheim stated that we approved and applied for the energy grant. We reduced the scope of the work and the Borough's share is approximately \$22,000. There is another grant he would like to submit for \$125,000.

Councilman Astarita asked if the reimbursement numbers had been certified. Mayor Budesheim replied that they were.

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

- 1) **Resolution No. 15-2011;** Emergency Temporary Appropriations.
- 2) **Resolution No. 16-2011;** Transfer of 2010 Appropriation Reserves.

RESOLUTIONS (continued):

- 3) Approval of new rental application/agreement forms to be used for application for use of the Senior Community Center or the Glenburn Estate by residents or civic and non-profit organization and commercial & business organizations.
- 4) Authorization to issue a check to retired Police Captain John Peine for the following:
 - a) Reimbursement for 277 accrued unused sick days - \$8,310.00.
- 5) Authorization to issue checks to retiring Police Captain Richard Roemmele for the following (copy of request sent to Governing Body with agenda) :
 - a) Reimbursement for 300 accrued unused sick days - \$9,000.00
 - b) Reimbursement for 43 days unused compensatory time - \$21,022.22
- 6) **Resolution No. 17-2011**; Refund of Tax Overpayments.
- 7) Authorizing Mayor Budesheim to apply for Energy Efficiency and Conservation Block Grant Rebate Program in the amount of \$125,000.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 12- B, C AND D**CORRESPONDENCE:**

- 1) From James L. Lott, Jr. of Riker Danzig, Attorneys at Law requesting that all financial assurances posted by Powder Mill in accordance with N.J.S.A. 40:55D-53 be released and/or refunded upon the inspection of the Borough Engineer. (this correspondence has been sent to the Borough Attorney and the Borough Engineer for their response)

Borough Attorney Oostdyk stated they have the letter and are looking into it.

- 2) Application from Amvets – 459 Ridge Road, Lyndhurst, NJ to place clothing bins in the parking lot of Riverdale Crossing, LLC.

Borough Clerk Talerico stated that she received this application and asked the Council for guidance. Borough Attorney Oostdyk stated that if the applicant wants to come in for a public hearing we will allow them to do that.

- 3) Dennis McSpirit of Pompton Lakes/Riverdale Little League requesting the use of the Independence Park baseball/softball fields during the period from March 5 through July 31, 2011 for games and practices. The games and practices are held Monday through Saturday with some make up games and practices on Sundays. A certificate of liability will be issued to the Borough of Riverdale for this season's field use as in the past seasons.

Councilwoman Wetzel stated this is the usual request.

- 4) From James Darrar, Supervisor Property Management Section advising that the lease for the DOT property located on Riverdale Road has not been updated since 1987 and should the Borough be interested in continuing with the lease of the NJDOT property for leaf composting, a new lease will need to be entered into. A copy will be mailed out next week and if acceptable, the Council for Riverdale will need a resolution to enter into the lease since the terms of the lease will be different from those of 1987.

CORRESPONDENCE (continued):

Mayor Budesheim stated that he received this in December and they never sent the lease.

COMMITTEE REPORTS:

Councilman Falkoski reported on the matter of the Police Grievance. He stated that the recent talks with the Police have degenerated into an adversarial situation and both sides are creating that atmosphere. I would like to ask the Council's support to create a committee of myself, Councilman Loesner and Councilman Guis to talk with the Police to see if there is any neutral ground and concessions we can make and report back to the Council for their decision.

Councilman Astarita stated he would make that motion and Councilwoman Wetzel seconded the motion.

Mayor Budesheim interjected that we have to give the Police an answer within 20 days of filing a grievance and we have no other meetings.

Borough Attorney Oostdyk stated that with the consent of the Police that time could be extended. You could set up the committee first and then handle the grievance as part of that committee.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to form a committee consisting of Councilmen Falkoski, Loesner and Guis to meet with Police representatives and deal with Police issues.

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

Councilman Guis acknowledged the work the DPW has been doing while we've been fighting the snow. Salt is becoming an issue. We're trying to keep up with it and they're doing a pretty good job. He thanked some of the police officers and asked for further assistance with the residents since the roads are getting narrower.

Councilman Astarita also commended the DPW for the great job removing snow.

MAYOR REPORT:

Mayor Budesheim distributed information regarding sick time for Council review and further discussion.

Mayor Budesheim announced a 10 minute recess at 7:45 p.m.

Mayor Budesheim called the meeting Back to Order at 8:09 p.m.

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

POLICE GRIEVANCE – COMPENSATORY TIME

Councilman Falkoski asked the Police representatives if they would agree to let the new committee discuss the grievance and postpone the grievance until the next meeting scheduled for February 23rd. PBA President Patrick Harden stated that he could not agree to that without speaking to their attorney. Borough Attorney Oostdyk asked Officer Harden to present the grievance. Officer Harden stated the grievance is in the

POLICE GRIEVANCE – COMPENSATORY TIME (continued):

correspondence and paperwork already submitted. Borough Attorney Oostdyk stated that there is nothing more to hear so discussion can be continued through the committee. Councilman Falkoski stated that he would be in touch to set up a meeting.

Mayor Budesheim stated that there is a 20 day deadline for the Council to make a decision. Borough Attorney Oostdyk stated that if the PBA cannot consent to an extension the Council must vote on the grievance. Officer Harden requested the correspondence pertaining to the grievance be removed from the borough website. Councilman Astarita agreed it should be removed and we should allow the committee to deal with negotiations. He also requested clarification of the grievance.

Councilman Loesner stated the biggest issue is that the last few years the entire 108 hours were credited to each 12 hour shift officer in January. We felt that is not the way to do it for several reasons. One is that an officer may not work the 12 hour shift all year. He may leave the department or go out on disability and then you have the issue of how to calculate the comp hours. Originally when the 12 hour shift went into effect, then Chief Ressler used to credit each officer on the first of the month with 9 hours comp time. That was changed and we never got to the point of negotiating how we were going to do that. I personally felt the best way was to go back to the original way. The contract to me is clear on how the comp hours are calculated after that. It worked before and I don't see why it wouldn't now. I think that is the issue.

Councilman Carelli stated that procedurally, because we have the issue with timing, if we were to deny the grievance tonight, they have 5 days to appeal that decision but the committee doesn't have the power to change the decision. He asked what they would actually be negotiating and could we still come to a resolution if we do that. Borough Attorney Oostdyk stated that things can be appealed and resolutions are always possible, but you need a decision on the grievance issue tonight. Councilman Loesner stated that the only thing we can do is deny the grievance. We don't have a choice.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis to deny the Police Grievance of the method for calculating compensatory time.

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

PUBLIC PARTICIPATION NO. 2:

An unidentified resident from Alexan asked for clarification of the method used for water and sewer billing. Sam Dedio and Mayor Budesheim explained the billing format.

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

ALL IN FAVOR.

Councilman Falkoski asked for clarification of the dates pertaining to the police grievance. Mayor Budesheim stated we received it on January 18th which made today last day to respond. It was denied tonight and they have 5 days to appeal to PERC.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:45 p.m.

Respectfully Submitted:

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