

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.

APPROVAL OF MINUTES DATED:

Regular Meeting - January 16, 2012
 Workshop Meeting - February 6, 2012

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:

Mayor Budesheim was presented with a football signed by the members of the Pompton Lakes High School State Champion football team.

John Conroy, 17 Hartung Avenue, commented on the police budget. He recommended a feasibility study on merging with other towns before hiring for higher level positions in the police force.

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 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

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

Councilman Astarita asked if the adoption of this ordinance would change anyone's salary, specifically the Mayor's. Councilman Loesner stated that the ordinance

ORDINANCES (continued):

establishes the range of OEM Director from zero to \$5,000. Councilman Astarita asked if this would lower the Mayor's salary. Councilman Loesner replied that it would. Councilman Astarita said that he didn't think that was a fair situation. I thought we were changing the OEM salary range but not changing anybody's actual salary. Councilman Falkoski stated the ordinance is establishing a range for the position of OEM. Borough Attorney Oostdyk stated that the ordinance doesn't set the salary directly, but indirectly you lowered the range so you would have to adjust the salary in the salary resolution. Councilman Astarita asked if we could adjust another salary. Borough Attorney Oostdyk replied that you could adjust another portion of the salary to make up the difference if you chose to and that would require a resolution.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Falkoski, **RESOLVED** that Ordinance No. 02-2012 as read on second reading at this meeting, be adopted and finally passed.

ROLL CALL: **Ayes: Astarita, Carelli, Loesner, Wetzel, Falkoski**
 Nays: Guis
 (5 ayes – 1 nay – motion carried)

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 23-A

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

ORDINANCE 03-2012

**AN ORDINANCE AMENDING CHAPTER 95 OF THE REVISED
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
 AND AMENDING THE FEE FOR THE RENTAL OF THE
 BOROUGH SHOWMOBILE**

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. 23-B

- 3) This ordinance was **TABLED** after Council discussion:

ORDINANCE 04-2012

**AN ORDINANCE AMENDING CHAPTER 47 OF THE CODE OF
 THE BOROUGH OF RIVERDALE "POLICE DEPARTMENT"**

Mayor Budesheim stated that this ordinance is not ready for introduction. Councilman Falkoski stated that the committee had met and it was agreed at the last Council meeting to make changes to the ratio of the scores for testing. Mayor Budesheim pointed out discrepancies and deletions when comparing it to the current ordinance. He said there is a lot of cleaning up to do before it's ready for introduction. Councilman Falkoski asked him why he didn't give his input at the last meeting when it was presented for discussion. Mayor Budesheim said that he didn't have time to review it that night. Police Chief Smith told the Council the current ordinance will not pass a procedural challenge so this is providing a base or you can write your own. Councilman Astarita stated that if these points are valid we should do a second draft and get the Mayor's input, bring it to legal and then we'll have an ordinance we can live with. Councilman Guis stated that he

ORDINANCES (continued):

would support that. Councilwoman Wetzel stated that we've had two weeks to discuss this. She suggested between now and the next meeting everyone should communicate and be prepared to make a decision.

NEW BUSINESS:

- 1) Application for Towing License from Joseph A. Mecca, Esq. representing Rudge Towing applying to perform towing services for the Borough of Riverdale according to Chapter 154. Rudge Towing is located at 109 Main Street in Bloomingdale. All pertinent information has been supplied by Mr. Rudge as required by Riverdale Towing Ordinance. (application is non-compliant with Chapter 154 of the Code of Riverdale – section 154-1 “All storage facilities and business offices must be located in the Borough of Riverdale”).(copy of application transmitted to governing body with agenda)

Mayor Budesheim announced that the applicant's attorney was unable to attend and he requested we postpone discussion until the next meeting.

RESOLUTIONS:

Councilman Loesner felt that resolution 13, Approval of Borough of Riverdale Policy and Procedures Social Media, needed further discussion. He asked if there were any thoughts regarding the Technology Committee he proposed at the last meeting. Mayor Budesheim stated this is a social media policy that was developed by the County. Councilman Loesner felt this was a Council function and not a job for an appointed person. Councilman Carelli agreed. He said there are a lot of good things in the policy that we should incorporate but he'd rather have it under the guidance of the Council and not a separate person. It was decided that the Public Relations and Personnel Committees would review the matter.

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

- 1) Payment of Claims.
- 2) **Resolution #17-2012;** Professional Service Agreement – Legal Services – Planning Board – John Barbarula.
- 3) **Resolution #18-2012;** Professional Service Agreement – Legal Services – Robert Oostdyk, Esq. – Murphy, McKeon.
- 4) **Resolution #19-2012;** Professional Service Agreement – Water & Sewer Engineering – William Ryden, P.E. – Anderson & Denzler Assoc.
- 5) **Resolution #20-2012;** Professional Service Agreement – Legal Services – Bond Counsel – John L. Kraft, Esq.
- 6) **Resolution #21-2012;** Professional Service Agreement – Legal Services – Special Counsel – Richard Clemack, Esq.
- 7) **Resolution #22-2012;** Professional Service Agreement – Professional Engineering Services – Paul Darmofalski, P.E. – Darmofalski Associates.
- 8) **Resolution #23-2012;** Professional Service Agreement – Land Surveying Services – DMC Associates, Inc.
- 9) **Resolution #24-2012;** Professional Service Agreement – Auditing Services – Vincent Montanino, R.M.A. VM Associates, Inc.
- 10) Change Order #1 for the Glenburn Phase II Rehabilitation Project which results in a decreased amount of \$426.87. (copy of change order transmitted to governing body with agenda)
- 11) **Resolution #29-2012;** Tribute to Assemblyman Alex DeCroce and his legacy of public service.

RESOLUTIONS (continued):

- 12) **Resolution #30-2012;** Refund of Tax Overpayments – Block 40, Lot 2.7211 – Law Office of Daniel Danzi, in the amount of \$1,119.92 year 2012, overpayment.
- 13) Resolution removed.
- 14) **Resolution #32-2012;** Emergency Temporary Appropriations
- 15) **Resolution #33-2012;** Redeeming Tax Sale Certificate #10-00001
- 16) **Resolution #35-2012;** Approval of Award of Bid for Mathews Avenue Improvements to D.R. Mullen Construction Company, Inc., Oakland, NJ who was the lowest bidder with a bid amount of \$314,220.75. (recommended for award by Borough Engineer Paul Darmofalski and also by Borough Attorney Robert Oostdyk.)
- 17) **Resolution #34-2012;** Opposing the New Jersey Water Supply Fluoridation Act.
- 18) Mayor to appoint Linda Roetman as a member to the Board of Health to fill the open seat of John Nolan who has resigned, with consent of Borough Council.
- 19) Authorizing Steve Schotanus to conduct Motor Vehicle business transactions on behalf of the Borough of Riverdale.
- 20) Resolution to dismiss Top Gun Cleaning Services and appoint Juan DelCastillo as part-time custodian at a salary of \$15.00 per hour up to 15 hours per week, effective March 1, 2012.
- 21) Appointing John Scialla as Acting Construction Sub Code Official.
- 22) Appointing Vincent Pellegrini as part-time Building Inspector.

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. 25-C, D, E, F, G, H, I, J, K, L, M, N, O, P AND Q**MAYOR REPORT:**

Mayor Budesheim reported on the vote responses for sewers. Parkway needs 15 votes and have 14 yes, 10 no and 5 no vote. Brown Court and Newberry Place need 15 votes and have 11 yes, 3 no and 14 no vote. Morris Avenue needs 14 votes and have 12 yes, 7 no and 7 no vote. Oak Street needs 8 and have 3 yes, 3 no and 8 no vote. The cutoff for voting is February 29th. Mayor Budesheim reported on the OEM First Aid - Get Ready presentation hosted by the Fire Department. Over 65 people attended and the Fire Department did a great job. He also reported on a meeting he was invited to attend in Pequannock to discuss shared services. One proposal was sharing court and the other was sharing police services. He told Pequannock a decision would have to be made by the Council and he turned it over to the Finance Committee.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that the revised Dial-A-Ride Budget amount the borough will have to contribute is \$27,951. Last year's amount was \$22,339. She also read a letter of thanks from the Pompton Lakes/Riverdale First Aid Squad for our donation for vehicle detailing.

BOROUGH ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

PERSONNEL: No report.

PUBLIC SAFETY: Councilman Falkoski reported the court report for January 2012.

Police Chief Kevin Smith reported that the county is holding a Class II Academy beginning April 10th. He asked the Council what their pleasure would be before he contacts anyone to attend.

PUBLIC WORKS: Councilman Guis reported that the Mathews Avenue project was approved today. He checked with the CFO and by next year we may have to look at the bond ordinance. There won't be much left if we get more grants with the matching funds on the roadwork. He also reported that he and the Borough Engineer were looking at the river cleanup project with Pompton Lakes. Work should be started the end of the week and he's very encouraged. Mayor Budesheim said that Pompton Lakes is requiring a letter stating that our share is going towards the joint project and asked Councilman Guis if he wants 25% redacted for Pequannock. Councilman Guis stated he would get clarification. An audience member inquired about the Mathews Avenue project and Councilman Guis explained the project and financing.

COMMUNITY RELATIONS: Councilwoman Wetzel reported on the Board of Health meeting. The fee ordinance was adopted increasing the fees for dog and cat licensing. The late fee will increase each month past the deadline. The board discussed a request from the Animal Control Officer who suggested we do a canvassing house to house which results in getting more animals registered. This was last done by Charlie Quant several years ago. The \$4,000 cost is based on population and is a one time fee. They feel it would be recovered in fees once all those animals are registered and the board requested consideration of a budget increase to do the canvassing.

BUILDINGS AND GROUNDS: Councilman Astarita reported on a walk-through of the firehouse with the Chief and distributed a report of work that needs to be done. He did a walk-through with Steve Schotanus and the DPW will be doing some of the work. Reiner looked at the heating unit and recommends putting a larger drain pipe which they will do under warranty. We will get a contractor to look at the gutter. He will do a walk-through of all the buildings and report back.

FINANCE: Councilman Loesner reported on concerns with the newsletter. We changed vendors a year and half ago and everyone seems to be satisfied but we need to tighten our accounting practices. It was suggested by our auditor that we get receipts for anything we reimburse our vendor for since there is no contract service agreement. They cannot do that for us so we need a contract service agreement and a fee ordinance for the advertising rates.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member asked who requested the meeting with Pequannock and who attended. Mayor Budesheim replied that the Pequannock Mayor and Deputy Mayor made the request and he met with them. The audience member asked if there was any news on the budget and Councilman Loesner said they are working on it.

John Conroy commented on the feasibility study and said he would email a copy to the Mayor. Mayor Budesheim stated any information is appreciated and would be forwarded to the Finance Committee.

PUBLIC PARTICIPATION NO. 2 (continued):

An audience member identified himself as a newsletter advertiser and asked if there was a problem with people paying for advertising. Councilman Loesner stated that there was not.

Mayor Budesheim provided additional information on the newsletter. By state law we have to issue a water confidence report. The cost for printing and mailing of that is about \$2,500. We used to do a mailing of the recycling schedule. We have to send Stormwater Management Advisory Notices to the public. These are all now incorporated into the newsletter so they are sent for free. This newsletter covers about \$5,000 to \$6,000 a year in mailing costs and it is self sustained by the advertisers.

An unidentified audience member asked if the Council members have obtained and read the Council bylaws and what was going on. Councilman Loesner stated that after much searching he was able to find them. They are a little outdated but we're taking care of that with the Administrative Code. Councilman Carelli stated that they are 36 years old with handwritten corrections and he doesn't know if they were actually adopted by the Council. The proper thing to do is incorporate them into the new Administrative Code which becomes part of borough ordinance. The audience member asked if the Mayor was being invited to Committee meetings as required by the bylaws. Councilman Loesner replied that he was not. Councilman Carelli stated that prior to Mayor Budesheim you had a Mayor that had three person committees for 25 years. The Mayor did not attend those meetings unless one of us wasn't there. The same bylaws were in place then.

An unidentified audience member asked the reason for the 300% increase in animal licensing fees. Councilwoman Wetzel explained that the fees haven't been increased in many years and we're very behind in the fee schedule in comparison to surrounding areas. The decision was made by the Board of Health members. The audience member commented on the \$4,000 cost for canvassing. He stated that we have two police officers out on disability who are on full pay. He asked if we could get the officer with the hand injury to do that survey. Councilwoman Wetzel stated that was not her decision but she offered to bring the concern to the Board of Health. Borough Clerk Talerico explained that part of the reason for the fee increase is to cover the overhead costs of supporting licensing which is required by the state.

John Conroy stated that he couldn't find the bills list on the website. Mayor Budesheim told him it has been there ever since he first suggested it.

Police Chief Smith asked if the Council wanted to appoint Class II officers. There was a discussion regarding the matter and Mayor Budesheim offered the names of Kyle Parrill and Michael Reilly.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to appoint Kyle Parrill and Michael Reilly as Special Police Officers for the Riverdale Police Department.

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

Joseph Petracca of Highland Avenue spoke regarding his property, his taxes and restrictions on what he can do with his property because of zoning. He said he wants his property put in the Highlands. Mayor Budesheim told him that six years ago we wrote to the Highlands Council requesting that and they denied us. Mr. Petracca stated that you

PUBLIC PARTICIPATION NO. 2 (continued):

put a drainage system through my property and you're the only one using it. Mayor Budesheim told him that the state had created it.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:55 p.m.

Respectfully Submitted:

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