

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:**     **Carelli, Falkoski, Loesner, Wetzel, Guis**  
                           **Absent:**       **Astarita**

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 17, 2011  
 Workshop Meeting     -       February 7, 2011

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

**ALL IN FAVOR.**

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 01-2011**

**ORDINANCE PROHIBITING PARKING DURING CERTAIN  
 TIMES ON ALL STREETS WITHIN THE BOROUGH OF RIVERDALE**

Mayor Budesheim 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 Guis, to close the public session.

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 01-2011 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 16-A**

**ORDINANCES (continued):**

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

**ORDINANCE 02-2011****ORDINANCE AMENDING CHAPTER 147 AND PROHIBITING THE PLACEMENT OF MATERIALS ON PUBLIC SIDEWALKS WITHIN THE BOROUGH OF RIVERDALE**

Mayor Budesheim 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 Guis, to close the public session.

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 02-2011 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 17-B**

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

**ORDINANCE 03-2011****AN ORDINANCE AMENDING CHAPTER 135 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE,**

Mayor Budesheim 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 Guis, to close the public session.

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 03-2011 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 17-C**

**RESOLUTIONS:**

Mayor Budesheim stated that he would like to authorize the bookkeeper to pay utility bills twice a month to avoid late fees being charged due to our payment schedule. The amounts will be on the bills list. Councilwoman Wetzel explained the budget for the Easter celebration.

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

- 1) Payment of Claims.
- 2) Payments from Escrow funds for the following Professionals:
  - 1) Darmofalski Engineering Assoc. Alexan/Riverwalk \$230.00
- 3) **Resolution No. 18, 2011**; Transfer of 2010 Appropriation Reserves.
- 4) **Resolution No. 19-2011**; Emergency Temporary Appropriations.
- 5) **Resolution No. 20-2011**; Refund of Tax Overpayment.
- 6) **Resolution No. 21-2011**; Recycling Tonnage Grant Application.
- 7) **Resolution No. 22-2011**; 2011 McARP program.
- 8) **Resolution No. 23-2011**; Refund of Tax Overpayments – Block 40 Lot 3.2208 – Anthony Piccinich - \$680.62 – Year 2009 – State Tax Appeal.
- 9) Additional Payment of Claims:
  - a) Spectrotel Telephone \$ 1,449.16
  - b) Treas. St. of NJ Water Assessment \$ 3,880.00
  - c) Lincoln Financial 2010 LOSAP \$38,131.00
- 10) Authorizing the bookkeeper to pay utility bills two times per month.
- 11) Reject Street Sweeper Bid which was different from the bid specifications and the unit was sufficiently deficient.
- 12) Authorizing re-bid of Street Sweeper with the original bid specifications.

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

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 18-D, E, F, G, H, I AND J.****CORRESPONDENCE:**

- 1) Regarding the letter for request of release of escrow funds by representatives of the Powder Mill Developer previously on the February 7 workshop agenda, the Clerk has been advised by the Borough Engineer that he will be sending a letter recommending that the escrow not be returned until all work required by the NJDEP is complete.

There was no discussion of this matter.

**MAYOR REPORT:**

Mayor Budesheim stated that he would like to have the changes to the Personnel Ordinance regarding sick time introduced at the next meeting if Council is in agreement. He reported that he has been looking into alternate ways of funding our medical insurance for the employees. He received a quote on being self-insured with Blue Cross/Blue Shield and met with the Personnel Committee and Council President who seem to be supportive of this plan. It could save us upwards of \$250,000 in premiums in a year. The savings come in because we'll be self-insured for the first \$2,500 to \$5,000. Under the PBA contract we have to give them 60 days notice and get their approval.

**MAYOR REPORT (continued):**

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis, to give notice to the PBA that the Borough would like to implement a self-insured health benefit plan with Blue Cross/Blue Shield.

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

Mayor Budesheim reported on the budget he has been working on with Finance Officer Ken Sesholtz. He distributed copies and stated the line items have been kept the same except for mandatory increases. We have a 3.5% spending cap and a 2% levy cap which means we are able to increase our tax levy by \$90,126 this year. Because of the added ratables we can increase our tax levy by another \$31,890. That's the total amount we can increase our spending. There are certain exclusions to the cap, most notably those expenses that are controlled by the state. The State Health Benefit Plan and the pension costs are increased so our tax levy can go up another \$118,000. This budget that's been prepared with a zero increase across the board, and while removing the two retired police captains' salaries, the amount to be raised by taxation to meet this spending would require \$5,234,000 which puts us \$487,521 over our tax levy. The primary reason for that is our miscellaneous revenues were down by \$700,000 last year so we have to cut. Mayor Budesheim distributed worksheets and explained the expected percentages that need to be cut from each department's budget.

**COMMITTEE REPORTS:**

Councilman Falkoski reported on the issue of a \$400 per month gas bill for the firehouse. The bays are kept at 52 degrees and there's a timer for the meeting rooms that are usually at 62 degrees. We need to compare the bills with the same period last year. There could be a heat loss issue in the building.

Councilman Guis reported on the Haycock, Mead, Arlington paving project. Grant money will cover the pavement, sidewalks, curbing and we've talked about whether to do the water infrastructure or not. If we want this job done this year we have to make this decision. He reviewed the engineer's cost estimates and recommendations. There was discussion regarding the options and availability of funding. We currently have an open ordinance for water main replacement with \$193,000 left. This work has to get done before the road project.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, to go out to bid for full replacement with two options to repair water infrastructure on Haycock, Mead and Arlington.

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

**CLOSED SESSION:**

Councilman Falkoski stated that the committee that was formed to negotiate with the PBA has met and came to several conclusions. The attorney has advised that he report the conclusions in closed session since this is a matter of negotiations and attorney-client privilege.

**CLOSED SESSION (continued):**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, RESOLVED that the Council go into closed session to discuss a matter of negotiations and attorney-client privilege.

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

Closed Session being completed, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to open the meeting to the public.

**ROLL CALL:**       **Present:    Carelli, Falkoski, Loesner, Wetzel, Guis**  
                           **Absent:    Astarita**

Councilman Falkoski set forth the motion, seconded by Councilman Loesner, RESOLVED that the Borough of Riverdale's agreement to resolve the police grievance and the issues concerning comp time shall be a resolution of grievance and not an amendment to the present contract and shall not be construed as the Borough's interpretation of the contract.

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

**COPY OF THE CONCLUSIONS REACHED AND AGREED TO BY THE GOVERNING BODY IN FULL ON PAGE NO. 20-K****PUBLIC PARTICIPATION NO. 2:**

PBA President Pat Harden requested the correspondence pertaining to the grievance be removed from the Borough's website. He also stated that the PBA contract has been altered and therefore they would like that removed or replaced with an unaltered copy.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to remove the PBA grievance documents from the Borough website and replace the PBA contract with an unaltered copy.

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

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 Carelli set forth the motion, seconded by Councilman Guis, to adjourn the meeting.

**ALL IN FAVOR.**

Adjourned: 9:01 p.m.

Respectfully Submitted:

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

**CLOSED SESSION****COLLECTIVE BARGAINING – PBA:**

**ROLL CALL: Present – Carelli, Falkoski, Loesner, Wetzel, Guis  
Absent - Astarita**

The Committee consisting of Councilman Falkoski, Councilman Loesner and Councilman Guis reported to the governing body the conclusions reached at their meeting with the PBA consisting of Chief Tom Soules and Pat Harden and John Barone on February 10, 2011. The conclusions are as follows:

- 1) Present accrued comp time to be used by end of 2012.
- 2) Nine (9) hours of comp time to be awarded each month rather than 108 hours credit at beginning of year.
- 3) A vacation day would be 8 hours regular pay and 4 hours comp time for a 12 hour vacation day.
- 4) A half day vacation would be 4 hours regular pay and 2 hours comp time.
- 5) All future annual comp time awarded would attempt to be used by the end of the year in which awarded.
- 6) If implemented the above conclusions would remain in effect to the end of the present contract.

Mayor Budesheim expressed that this concept is giving the PBA something without getting something in return because if they are using the time during that month you are giving them the time that they have not earned. Mayor Budesheim explained what the reasoning is behind this theory of giving them the 4 hours of comp time during a month then they have not earned the comp time. The committee members disagreed with this and stated that they did not feel they were giving the PBA something they did not earn.

The Mayor and Council also discussed the fact of giving this to the PBA at this point would point to past practices during their next negotiations in 2012. Borough Attorney Robert Oostdyk stated that the resolution could specifically state that this agreement was in answer to the grievance and not an amendment to their present contract. The governing body decided that this how it would be handled.

The governing body expressed the fact that working with the PBA at this point could possibly enable the negotiating regarding the health benefits to result in a positive outcome.

Council adjourns closed session to return to open session.