

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**  
                           **Absent:**       **Falkoski**

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting       -       February 22, 2012  
 Workshop Meeting    -       March 5, 2012

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

**ROLL CALL:**       **Ayes:**     **Astarita, Carelli, Loesner, Wetzel**  
                           **Nays:**     **None**  
                           **Abstain:** **Astarita, Guis (March 5, 2012 only)**  
                           **(5 ayes – 0 nays – motion carried)**

**PUBLIC PARTICIPATION NO. 1:**

There being no comments, Councilman Loesner 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 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**

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 Loesner set forth the motion, seconded by Councilman Guis to close the public session.

**ALL IN FAVOR**

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 03-2012 as read on second reading at this meeting, be adopted and finally passed.

**ORDINANCES (continued):**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 34-A**

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

**ORDINANCE 06-2012**

**CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 34-B**

**RESOLUTIONS:**

Councilwoman Wetzel stated that the payment to Jordan Transportation was still in question and should be tabled.

Mayor Budesheim requested Resolution No. 5 be removed for discussion.

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

- 1) Payment of Claims. (including the following)
  - a. Lincoln Financial      2011 LOSAP Payment           \$39,660.00
  - b. Jordan Transport      2011 Bus-Street Fair           **TABLED**
  - c. Krista Osborn         Food-Easter Parade           \$ 170.00
  - d. Global Connect        Reverse Phone Services       \$ 660.00
  - e. Power Supply         Final pay on Generator       \$ 5,000.00
- 2) **Resolution No. 39-2012;** Emergency Temporary Appropriations.
- 3) **Resolution No. 40-2012;** Transfer of 2011 Appropriation Reserves.
- 4) **Resolution No. 41-2012;** First Responder Identification Card – Police Department.

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

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 34-C, D, E AND F**

**RESOLUTIONS (continued):**

- 5) Approval of 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”.) Application has also been reviewed by Police Chief Kevin Smith and a copy of his memo has been transmitted to governing body with agenda. **(TABLED)**

Joseph Mecca, Esq., attorney for Michael Rudge of Rudge Towing, stated that application has been made to be included on the list of qualified towers for the borough. Mayor Budesheim stated that the applicant doesn't qualify. Mr. Rudge stated that there is a provision in the ordinance that's exclusive to companies that have a principal place of business in the Borough of Riverdale. He asked if that was the reason he doesn't qualify. Mayor Budesheim stated that he doesn't have a yard in Riverdale and I don't think he has the necessary equipment. Mr. Mecca stated that he hasn't received a response to the application. Borough Clerk Talerico replied that you spoke to the Deputy Clerk several times and she did confirm that you would be on the agenda and gave you a copy of the ordinance. There's no requirement that I'm aware of that I have to notify somebody when they apply for something that it's been placed on the agenda. Mr. Mecca stated that the issue is that there's no written response as to exactly why Mike Rudge and Rudge Towing don't qualify under the ordinance. He requested that the Council put in writing the conditions that he has not met. Borough Clerk Talerico stated she would send him a letter outlining why he didn't qualify.

**UNFINISHED BUSINESS:**

- 1) **Ordinance No. 02-2012** vetoed by Mayor Budesheim as of March 7, 2012 with his statement of objections which was forwarded to the Governing Body by the Clerk on March 8, 2012. The council can over ride the veto by 2/3<sup>rd</sup> vote of the full council. Ordinance was adopted by the governing body on February 22, 2012 and ordinance was forward to Mayor Budesheim by the Clerk for his approval on February 24, 2012.

Mayor Budesheim stated that he agreed with what the Council was trying to do but pointed out some things that could be changed. Councilman Carelli asked if the Council needed to respond by a certain time. Borough Attorney Oostdyk stated that it stays on unless the Council overrides the veto anytime during the year.

**OTHER BUSINESS:**

- 1) Invoice submitted by Dan Salameno, 1070 Ringwood Avenue, Pompton Lakes for top soil he applied to the Riverdale fields. Mr. Salameno had sent a letter in October of 2011 and this letter appeared on the agenda of October 17<sup>th</sup>. He was advised at the council meeting the he would bring the invoice into the clerk to be placed on the bills list for payment. An invoice was never received by the clerk's office at that time. Mr. Salameno has since submitted an invoice for best top infield mix in the amount of \$2,100.00 a copy of which has been transmitted with the agenda.

Councilwoman Wetzel explained that there had been a question as to whether Mr. Salameno was proceeding with the knowledge and approval of the Little League. The President of the Pompton Lakes/Riverdale Little League confirmed that although Mr.

**OTHER BUSINESS (continued):**

Salameno does not sit on the board he is an actively involved parent and frequently does field care. He was not misrepresenting himself as an active member of the Little League. He was willing to get the bids and purchase the clay since the Council had given him permission to do that.

Mr. Salameno was present and explained the work that he has already done to the fields. He is very pleased with the way they turned out and said Riverdale should be very proud of what you have there serving the kids. He explained additional work he would like to do to enhance the fields. They need 25 tons more of clay and he would like to aerate the grass and put rye grass in the outfield. He would also like to see if we can get the sprinkler system working. In addition to the invoice for the clay he had additional expenditures for the rake, pitching mound and bases. The total spent so far to \$2,738.33. For an additional \$1,500 he could purchase the additional clay, grass seed and rent an aerator. Mayor Budesheim thanked Mr. Salameno for the time he has spent on field care.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Carelli, to approve payment of \$2,738.33 to Dan Salameno for materials, and to make funds available not to exceed \$4,500.00 for the remainder of the field care.

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

**INTRODUCTION OF 2012 MUNICIPAL BUDGET:**

Councilman Loesner set forth the motion, seconded by Councilman Carelli, **RESOLVED**, for the introduction of the 2012 Municipal Budget.

Councilman Astarita stated the budget that was submitted for approval does not include the Mayor’s salary. Councilman Loesner stated that it does but the OEM portion was not moved.

Councilwoman Wetzel stated that she wanted to be sure that we’re voting to introduce the budget and this does not approve any and all of the figures. Councilman Loesner stated that even though we had disagreements in what we want to pay we have the money budgeted. Councilman Carelli explained that a budget amendment could be done prior to adoption.

Councilman Astarita stated that we should have a budget representative of what we want in it. I made it clear, and the people of Riverdale made it clear, that we wanted a full time mayor and keep his salary at the same rate and the budget we introduce should show that. Councilman Loesner stated that it does. The only thing we didn’t allow for is the movement of the entire OEM salary. Councilman Astarita stated that we have an alternative budget to propose that includes that.

Mayor Budesheim stated that we have a motion on the floor.

**ROLL CALL:           Ayes:     Carelli, Loesner**  
**Nays:     Astarita, Guis, Wetzel**  
**(2 ayes – 3 nays – motion denied)**

Councilman Astarita stated that we have an alternative budget that keeps the Mayor’s full time salary as it was. Everything else is identical. He distributed copies of the alternate budget to the Council.

**INTRODUCTION OF 2012 MUNICIPAL BUDGET (continued):**

Councilman Astarita set forth the motion, **RESOLVED**, for introduction of the 2012 Municipal Budget.

Councilman Loesner asked where the extra money came from. Councilman Astarita replied that things were moved from several different places. Councilman Loesner asked why we didn't get this budget before tonight. Mayor Budesheim stated that we just got it over the weekend from CFO Ken Sesholtz. Councilman Loesner asked Mr. Sesholtz how the second budget came about. Mr. Sesholtz replied that there was another set of budget documents the Mayor had suggested he prepare for if the budget document was voted down. Councilman Loesner asked why he didn't get a call or see it. Mr. Sesholtz replied that was not up to him. Councilman Astarita stated that these numbers are not hard and fast. Councilman Loesner stated that he sent an email asking for any suggestions and he only heard from Councilwoman Wetzel. Councilman Loesner stated that he made himself clear at several meetings that we needed a full time mayor and the people of Riverdale voted for a full time mayor.

Thereupon, Councilman Astarita set forth the motion, **RESOLVED**, for introduction of the 2012 Municipal Budget.

Borough Attorney Oostdyk clarified that four affirmative votes are required to introduce the budget. Introduction of the budget does not mean it has to be the budget that is adopted.

Thereupon, Councilwoman Wetzel seconded the motion, **RESOLVED**, for the introduction of the 2012 Municipal Budget.

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

Councilman Loesner stated that he voted yes to move the budget process forward but did not agree with the way this was done.

Councilwoman Wetzel stated she voted yes and is making it clear she agrees and thought everyone had been given a copy of this budget. There are definitely issues that need to be addressed and I strongly feel it will not be passed as is.

Councilman Carelli stated he changed his vote from no to yes.

Public Hearing and Adoption scheduled for April 16, 2012 at 7:30 p.m. To be published in the Suburban Trends Newspaper on Wednesday, April 4, 2012.

**COPY OF 2012 MUNICIPAL BUDGET IN FULL ON PAGE NO. 37-G**

**MAYOR REPORT:**

Mayor Budesheim stated that as most people are aware our Construction Code Official, Joe Montemarano, passed away on Friday. At the meeting previous we appointed John Scialla as Acting Construction Code Official. The Mayor requested the salary be transferred effective March 16<sup>th</sup>. Councilman Guis stated we need to make the Construction Code Official and Building Sub Code titles permanent. Mayor Budesheim stated that John Sciala would have the same responsibilities that Joe Montemarano had but he will remain as "acting".

**MAYOR REPORT (continued):**

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Loesner, to transfer \$5,000 salary to John Scialla for the positions of Acting Construction Code Official and Acting Building Sub Code Official effective March 16, 2012.

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

Mayor Budesheim reported that we went to bid for a new electric company. The low bid from Hudson Energy came in about 21% lower than JCP&L rates and is lower than our current rate with Suez Energy.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Carelli, authorizing Mayor Budesheim to sign a contract with low bidder Hudson Energy Services to provide electricity for a term of 36 months at the rate of .08763/kWt.

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

Mayor Budesheim requested approval for Morris County 2012 Historic Preservation Grants due by March 30<sup>th</sup>. One is for \$75,173 and the other is for \$35,480 and the County funds whatever they award at 80%.

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

**Resolution No. 42-2012;** Authorizing applications for Morris County 2012 Historic Preservation Trust Fund Non-Construction Grant in the amount of \$35,480 and Construction Grant in the amount of \$75,173, and authorizing Mayor Budesheim to endorse the grant applications.

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

**COPY OF RESOLUTION IN FULL ON PAGE NO. 38-H**

Mayor Budesheim reported that COAH is back in business. We have about \$1.1 million in that fund we received from developers and if we didn't spend at least \$400,000 by July 1<sup>st</sup> the state would have confiscated it. We went into contract to buy the Verizon building so that could be used in the future for affordable housing. The state approved our plan that we don't have to do anything with it until they establish our obligations. The price was \$650,000 and is being taken out of this trust fund. With the spending plan we adopted and that was approved by the state we have two more years to spend the remaining amount of money. That money has to be spent on housing rehabilitation, acquiring some housing for possible group homes. We have to get active with this program so we don't lose this money and help families in need in town right now.

Mayor Budesheim reported on a meeting with representatives of JCP&L and the library. They under billed us about \$100,000 over the last ten years. They wanted to go back two years rather than the six years they are allowed under their tariff. We told them that was unacceptable and we would pay on a going forward basis. They agreed to not request the back payment which would have been \$23,000.

**MAYOR REPORT (continued):**

Mayor Budesheim announced that June Carelli would speak to the Council regarding the Glenburn. June has been working with The Land Conservancy and this is the result of many hours of work for the future of Glenburn.

Mrs. Carelli distributed packets for review for installation of air conditioning in the house and parking lot lighting in the gravel parking lot. She explained that air conditioning is important when the house is rented for larger events as well as protecting the historical property and the antique furniture. The gravel parking lot is very dark and lighting is important for safety reasons. Mayor Budesheim stated that the money would come out of the Open Space Trust Fund which through this year will have about \$240,000. A lot of interest is being shown in the Glenburn and April is booked already. The pricing was obtained from the contractor on site and would be done as a change work order. Councilman Loesner stated he did not have a problem with the lighting but was concerned that the cost of cooling that building in the summer would be astronomically expensive. He asked if we are doing historical remediation or are we in the wedding business. The payback for a \$28,000 outlay has to be 25 years and it doesn't make sense. Mayor Budesheim stated that the idea was to make this building self sustaining. The more you can rent it out the more it will pay for itself. Councilwoman Wetzel stated that people renting a public building will expect it to be air conditioned. I think \$28,000 is a lot of money and we should get more price quotations. Councilman Loesner suggested trying window units. Mrs. Carelli stated that cosmetically she wouldn't like to see window units. Councilman Guis suggested small split units. He also stated that we've already put \$180,000 into Glenburn out of Open Space and we should look at some other things. We had the ball fields tonight and there's a chance we may need some money on the river cleanup project which affects a lot of residents. I have no problem with lights but I think we can do a lot better on price if we work with our DPW and use our local electrician. Mrs. Carelli said she would research that. It was decided to obtain price quotations on the lighting.

**BOROUGH CLERK REPORT:** No report.

**BOROUGH ATTORNEY REPORT:** No report.

**COMMITTEE REPORTS:**

**PUBLIC SAFETY:** Councilman Carelli reported the court report for February 2012.

**PERSONNEL:** Councilman Carelli stated that the Borough Clerk did some research on the bylaws. It appears that we couldn't find any documentation that the bylaws that were 36 years old were ever adopted. The bylaws previous to that were done on January 22, 1955. I started to put together a new version that will be passed out at the next workshop meeting for discussion. We got the social media policy from Morris County. We'll finalize that and have a draft copy at the next workshop as well.

**PUBLIC WORKS:** Councilman Guis reported that the river cleanup has started. They should be starting on the Pequannock River on Thursday or Friday.

**COMMUNITY RELATIONS:** No report.

**BUILDINGS AND GROUNDS:** Councilman Astarita reported that the state will be inspecting the Post Lane recreation area the week of March 26<sup>th</sup> because of Green Acres. The main floor in the Community Center needs to be refinished and he asked June Carelli to obtain price quotations.

**FINANCE:** Councilman Loesner reported that he will review the introduced budget.

**PUBLIC PARTICIPATION NO. 2:**

Police Chief Smith asked if there was any objection to applying for a DOJ Office of Community Oriented Policing Grant. The amount is \$125,000 with 25% from the town. There is no penalty if it's awarded and we don't do it. Mayor Budesheim stated that we were told there is no money for hiring anyone. Chief Smith stated that we would have until the end of 2013.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Astarita, to authorize the Police Chief to apply for a DOJ Office of Community Oriented Policing Grant in the amount of \$125,000.

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

Joan Garcia advised the Council that they are in the process of finishing arrangements for the second educational meeting like the one they had at the firehouse. It should be scheduled in April and the theme will be Extreme Emergencies.

Mayor Budesheim announced that the Book Fair will be Friday, Saturday and Sunday next week.

Councilman Loesner set forth the motion, seconded by Councilman Guis, to appoint Steve Schotanus as DPW Superintendent – Grade A at a salary of \$85,608 effective April 1, 2012.

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

Michael Reilly, Greenwich Street, recommended that if the Council moves forward with air conditioning at Glenburn that they hire a mechanical engineer for bid specs.

Glenn Venza asked if there was any progress on the police ordinance. Councilwoman Wetzel replied that they are in the talking stages.

An unidentified audience member asked about the long term implications of cutting the debt service in the budget. Councilman Carelli stated that there may be some changes before the budget is adopted. He found that the Open Space Trust Fund can be used to pay down debt and he would like the Council to consider that. Councilman Loesner stated that they are putting together a plan for debt reduction for the budget hearing. Mayor Budesheim stated that next year we have to go back to \$600,000 in order to keep within the statutory requirements.

Tom Batelli asked if there would be a revaluation this year. Mayor Budesheim stated that we awarded the contract and our tax maps have been approved by the county.

Joseph Petracca, Highland Avenue, spoke regarding his property zoning and taxes and claimed there are errors. Borough Attorney Oostdyk explained that this body cannot correct them. The only body that can correct an assessment is the Assessor and the County Board of Taxation and the State Tax Court.

There being no further comments, Councilman Loesner 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 Councilwoman Wetzel to adjourn the meeting.

**ALL IN FAVOR.**

Adjourned: 8:50 p.m.

Respectfully Submitted:

---

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