

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

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

APPROVAL OF MINUTES DATED:

Regular Meeting - April 18, 2011
 Workshop Meeting - May 2, 2011

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:

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

ALL IN FAVOR.

ORDINANCES:

Mayor Budesheim stated that Ordinance 06-2011 is to exceed the spending cap; there is no relief from the tax levy cap. Councilman Falkoski asked for clarification of this ordinance. Mayor Budesheim explained there is a 2% cap and with a cost of living adjustment it can go up to 3.5% on the spending.

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

ORDINANCE 06-2011

**CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL
 BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A: 4-45.14)**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 50-A

RESOLUTIONS:

Councilman Falkoski stated he had questions on a few resolutions. One is the approval of extension of an existing curb cut. Councilman Guis explained that resolution should be removed. It will be denied because that road is being repaved and that work can be incorporated at that time. Councilman Falkoski stated that another one he has a problem

RESOLUTIONS (continued):

with is resolution No. 7. The OEM Coordinator is a \$14,000 a year position and most towns pay about one-third of that salary. To have that term extend through 2013 bothers me. The state law is the term has to be at least three years. I could go along with that through the end of this year and then have it reviewed again. Another thing I would suggest is that resolution be postponed for about a month and we review it again at that point.

Borough Attorney Oostdyk stated it is a statutory three-year term.

Councilman Astarita stated that we all know there's a run for Mayor this year and asked how that will apply if our Mayor should change.

Borough Attorney Oostdyk said it would not matter. In our case the Mayor is also OEM Director but the positions don't go hand-in-hand automatically. If it is a three-year appointment then that appointment would remain.

Councilman Falkoski stated that he thinks the option should be left open until it is known whether the Mayor is going to change. He proposed that the Mayor continue to hold the position as a carryover until we make the decision.

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, that the Council postpone the appointment of OEM Director for a three-year term, and Mayor Budesheim continue to hold the position as a carryover until an appointment is made.

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

The following resolutions were removed:

- 2) Approval of extension of existing curb cut at Mead Avenue side entrance to Marco Cercone's property on 64 Post Lane. (copy of request transmitted to governing body with agenda)
- 7) Appoint Mayor Budesheim as OEM Coordinator, inadvertently left off January appointment list, for a three year term of 2011 through 2013 with confirmation of council.

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

- 1) Payment of Claims.
- 2) Removed.
- 3) **Resolution No. 39-2011;** Refund of Tax Overpayment, Carol Mc Avoy – Block 11, Lot 5.1504, \$1,429.96, 2011 Overpayment.
- 4) **Resolution No. 40-2011;** Approval of Bylaw Amendments to the New Jersey Intergovernmental Insurance Fund. (copy of amendments transmitted to governing with agenda)
- 5) Approval of going to bid for the Haycock-Arlington-Mead Road Improvements, bids to be received on Thursday, June 2nd at 10:00 a.m.
- 6) Approval of Administrative and Executive o/e budget expenditure for 2011 - 1st quarter Code Book supplement at a maximum amount of \$1,100 plus 2% shipping & handling.
- 7) Removed.

RESOLUTIONS (continued):

- 8) Appoint VM Associates, Inc. Vincent Montanino, 111 Howard Boulevard, Mount Arlington, NJ as Borough Auditor for the year 2011, erroneously listed on appointment list as Dickenson, Vrabel & Cassells (previous name of Mr. Montanino's firm).
- 9) **Resolution No. 41-2011;** Refund of Tax Overpayment \$180.89 – Block 29 – Lot 9.114 – Carol Grazioso – overpayment.
- 10) Approval of reimbursement from the Trust Account for the Easter Breakfast to Paul Carelli for purchases made in the amounts of \$107.72 and \$81.28.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 52-B, C, D AND E**OTHER BUSINESS:**

- 1) Garbage pickup for small business under current contract.

Mayor Budesheim stated that just about every business in town has a site plan requirement for garbage removal. There are two or three businesses occupying formerly residential structures and they put out one or two pails a week. It's not practical for them to get a dumpster. With the criteria we have in mind we could allow them to come in and petition to have their garbage picked up and we could evaluate that. There was discussion regarding base criteria. Borough Attorney Oostdyk will work with Councilman Guis to prepare a draft ordinance.

COMMITTEE REPORTS:

No Reports.

INTRODUCTION OF 2011 MUNICIPAL BUDGET:

Councilman Carelli stated the 2011 Municipal Budget represents for municipal purposes a 1.8 point tax increase which is about \$60 on the average house. Overall our appropriations are down 7.5 percent from last year which represents a 9.2 percent decrease in salary and wages. Our operating expenses are down 6.2 percent. It will be a very tight year and we need to find ways to reduce appropriations for next year.

Councilman Carelli set forth the motion, seconded by Councilman Guis, **RESOLVED**, for the introduction of the 2011 Municipal Budget.

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

Public Hearing and Adoption scheduled for June 20, 2011 at 7:30 p.m. To be published in the Suburban Trends Newspaper on Wednesday, June 1, 2011.

COPY OF 2011 MUNICIPAL BUDGET IN FULL ON PAGE NO. 52-F

MAYOR REPORT:

Mayor Budesheim stated that he had been appointed to a committee by the League of Municipalities to study the impact of the loss of the Energy Receipts Tax and the effect it has had on the local budgets. The Energy Receipts Tax is a property tax that up until the 1990's or late 1980's was always collected by the towns. At that point the state said they would collect it and would pass it along to the towns. They are now skimming 55% off the top of all those revenues and disperse the remainder. We worked on a spread sheet and we are sending it to the towns. This year alone Riverdale lost \$403,000 and we were over originally \$487,000 on the budget. You can see the impact that the loss of these revenues has had. In the past five years we've lost \$1.364 million. When you combine that with the state passing along pension increases to the municipalities to bail it out you're looking at over \$2 million. When people want to know where the revenues go from the added assessments, that's where it goes. It's had a horrible effect on the local communities and we're working to get that money back to the towns. It's important that the people realize what we're losing and what we're working under. Five years ago it was only \$78,000 we lost and this year it was \$403,000.

PUBLIC PARTICIPATION NO. 2:

Michael Reilly, 14 Greenwich Street, asked if it was a new law that OEM Director is a three year term. Borough Attorney Oostdyk responded that it has always been a three year term. Mr. Reilly asked why the appointment was being done now and not in January or any meeting prior to this meeting. Borough Clerk Talerico explained that it had been accidentally left off the appointment list in January. The Mayor was notified by the state that they were waiting for a copy of his appointment resolution. He brought it to her attention so it was put on the agenda this evening.

Terry Pellegrini, 14 Cedar Street, asked if there was a Deputy OEM Coordinator and if there was a salary. Mayor Budesheim replied there are two, Ted Guis and Russ Hazel, with no salary. Mrs. Pellegrini asked what the average home is assessed at. Councilman Carelli replied it is around \$350,000. Mrs. Pellegrini asked how we were able to exceed the 2% tax levy cap. Mayor Budesheim explained the state exemptions to the cap. Councilman Carelli explained the tax levy cap.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, 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: 7:55 p.m.

Respectfully Submitted:

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