

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, Falkoski**  
                           **Absent:**       **Wetzel (vacation)**

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 16, 2012  
 Workshop Meeting     -       May 7, 2012

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

**ALL IN FAVOR**

**PUBLIC PARTICIPATION NO. 1:**

Facility Director June Carelli announced that the Memorial Day Parade will be on Monday, May 28<sup>th</sup> at 10:00 a.m. and invited the Mayor and Council to march. There will be a ceremony after the parade on the front lawn of the borough hall and hot dogs and soda will be served at the Glenburn Estate after the ceremony.

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

**ALL IN FAVOR**

**RESOLUTIONS:**

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

- 1)     Payment of Claims. (including the following)
  - a.    Valero                       Fuel                                       \$6,771.02
  - b.    DMC Associates        Survey for COAH Property       \$1,700.00
- 2)     Resolution authorizing the Mayor to endorse the Green Communities 2012 Application requesting a grant amount of \$1,000.00 with a borough funding match of \$1,000.00 for a total project of \$2,000.00. This grant is a Shade Tree Grant.
- 3)     Approval of payment of the 2009-2010 snow removal cost reimbursement to The Grande at Riverdale Condos in the amount of \$5,762.68. This invoice has gone unpaid due to The Grande disputing the amount being paid and has now been requested by The Grande management to be paid.
- 4)     **Resolution No. 47-2012** – Approval of New Jersey Intergovernmental Insurance Fund By-Laws. (copy of by-laws transmitted to governing body with agenda)
- 5)     Approval of Change Order #1 to Mathews Avenue Improvements – Phase 2 in the amount of \$7,667.00. The additional work is for the reconstruction of curbing, concrete aprons and walks on lower Mathews Avenue. (copy of change order transmitted to governing body with agenda)

**RESOLUTIONS (continued):**

- 6) Resolution to approve scheduling and payment of standby water stipend for weekend on call services by DPW personnel.
- 7) Approval of release of escrow funds for Lawrence J. Cioffe, 39 Macopin Avenue in the amount of \$665.90; the project was completed and satisfied final inspection in 2005.
- 8) Approval of Borough of Riverdale Purchasing Procedure Policy (copy of policy transmitted to governing body with agenda).
- 9) Approval of Borough of Riverdale Social Media Policy (copy of policy transmitted to governing body with agenda).

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

**UNFINISHED BUSINESS:**

- 1) Appointing of Construction Official/Building Sub-Code Official per letter received by Municipal Clerk from Chris Ferrara of the Department of Community Affairs stating that per State Law NJSA 52:27D-126.b in a non-civil service municipality shall be appointed for a term of four (4) years. Documentation of the Borough's appropriate appointment(s) for these officials must be supplied to the Department of Community Affairs no later than June 1, 2012.

Councilman Guis reported that the Acting Official feels his proposition is a fair number and prefers not to assume those responsibilities for less. As of Friday we are still short by \$2,500 for half a year. Borough Attorney Oostdyk explained that the state gives a 30 day period to appoint an acting and they'll extend that up to an additional 60 days. The ultimate consequence is that the state takes over the Construction Department. Councilmen Guis and Carelli will meet with the Acting Official to discuss options. It was agreed to request the additional 60 day extension.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, to request that the Department of Community Affairs grant us leave to have an appointment of an Acting Construction Official/Building Sub-Code Official for a 60 day period.

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

**CORRESPONDENCE:**

- 1) From Ray Maroon, Jr. stating thanks for the letter dated May 9<sup>th</sup> regarding sewer allocation at their site at One Windbeam Road which they anticipate will be used as a car dealership as it has in the past. We anticipate having twenty employees. If the usage is 15 gallons per employee we would generate 300 gallons per day. We are prepared to apply for a Treatment Works Approval (TWA) but would like to know if the gallonage is available.

Mayor Budesheim stated that last week they estimated 3,000 to 4,000 gallons per day. You don't need a TWA application for 300 gallons per day. He stated to advise the applicant to file his application and we'll send it to Water/Sewer Engineer Bill Ryden.

**CORRESPONDENCE (continued):**

- 2) From Bicycle Touring Club of North Jersey advising of their yearly bicycling event that will take place on Sunday, August 19, 2012. Some or all of the 800+ participants will ride through Riverdale between the hours of 7 AM and 5:30 PM. Volunteers who are supporting the Rally will carry the Borough emergency numbers with them. A certificate of insurance will be obtained as in the past and turned over to the Municipal Clerk prior to the event.
- 3) E-mail received from COAH stating that on March 7, 2012, the Council on Affordable Housing (COAH) emailed all Trust Fund Preparers indicating trust fund monitoring for 2011 was due on or before March 31, 2012. As of this writing, our records indicate your municipality has not designated a Trust Fund Preparer to record your municipality's affordable housing activities and expenditures into the electronic tracking and monitoring system, the CTM System. Your Municipality must designate someone as the Trust Fund Preparer(s). The designated person(s) must complete an online training session to obtain access to the CTM System, and record your municipality's affordable housing activities and expenditures into the electronic tracking and monitoring system. Upon completion a signed Affordable Housing Trust Fund Monitoring Certification form as well as the bank statement with the year to date interest for December 31, 2011 must be submitted. A Designation Form has been supplied which has to be filled out and returned for the Municipal Officials and submitted to COAH as soon as possible.

Mayor Budesheim stated that if the Council chose to appoint him as the Trust Fund Preparer he would take the online course and be responsible for the COAH certifications.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to appoint Mayor Budesheim as Affordable Housing Trust Fund Preparer.

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

**REMINDER:**

Mayor Budesheim announced the Freeholder meeting:

- 1) On Wednesday, June 27, 2012 the governing body has agreed to host a Freeholder Meeting here at the Borough of Riverdale. Diane Ketchum will contact the Municipal Clerk prior to the event.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico asked for clarification of the terms of resolution No. 6. Councilman Guis stated that the terms are that the water standby is a fixed rate stipend paid to whoever does it and the intention is that it will be split by the DPW Superintendent and the other qualified men. Overtime for emergency snowplowing for the DPW Superintendent will be at the rate of \$50.00 per hour and any incidental overtime such as water main breaks will be exempt.

**MAYOR REPORT:**

Mayor Budesheim reported that he worked out a shared services agreement with Bloomingdale regarding street sweeping. They agreed to come to Riverdale one day a week from April through October and will be responsible for disposal for \$1,600 per

**MAYOR REPORT (continued):**

month. The contractor we had charged \$2,000 to do the entire town and it may have taken him three days.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, to approve a shared services agreement with the Borough of Bloomingdale for street sweeping one day per week from April through October at a cost of \$1,600 per month.

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

Mayor Budesheim reported that our Engineer obtained prices for lighting for the parking lot at Glenburn. The light fixtures and poles are \$4,189.20 and we have one price for installation at \$5,060.00. The prices are considerably less than he had estimated and it would be appropriate to have lighting in the parking lot for the events scheduled there.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve the purchase and installation of light fixtures and poles for the parking lot at the Glenburn at a cost not to exceed \$9,260.00.

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

**COMMITTEE REPORTS:**

**PERSONNEL:** No report.

**PUBLIC SAFETY:** Councilman Falkoski reported the court report for April 2012. He also reported there is a membership application for the Fire Department from David Allen James.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to accept the application from David Allen James for membership to the Riverdale Fire Department.

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

Councilman Falkoski reported that the PBA contract expires on December 31<sup>st</sup> and that Council has received a letter from their attorney. They have formed a negotiations committee and are looking forward to start meeting with representatives from the Council.

**PUBLIC WORKS:** Councilman Guis reported that residents on Dalton Drive were concerned with the stream in that area that ultimately drains into the Pequannock River. We found that the pipe was half full with sediment and sludge. They dug out by hand and went 430 feet with the Jet-Vac but our heads are not big enough and we ran out of hose. DPW Superintendent Steve Schotanus is trying to get a proposal from Newark Water Main to jet the pipe out. He also reported that he and Borough Engineer Darmofalski went to Hillside to the spot that collects water. Mr. Darmofalski is putting out a spec to three contractors to repair that long standing condition where the road has settled. He reported that residents along Riverview Drive where the river banks have been cleaned up are having a problem with people walking and even driving cars along

**COMMITTEE REPORTS (continued):**

the bank of that tributary. It used to be heavily wooded. Mr. Darmofalski looked at it and we're probably going to need some kind of fence or barrier to put in there.

Councilman Guis stated that he would like to discuss the DPW Foreman position again. The Superintendent is on vacation and we have someone filling in and doing the job. We had some incorrect information at the last meeting. The schooling he is going for is actually for the Assistant Superintendent position and is not required for Foreman. He's fully qualified and there's nothing technical in the ordinance to keep him from becoming Foreman. Understanding the budgetary constraints this year with some conversations he had with the Mayor, he was looking for some acknowledgement and recognition by going to Senior Utility Person Class C which is a \$3,000 a year bump in steps and \$7,000 more for the Superintendent. I think it's very important. We're asking a man to act as a Foreman in the Superintendent's absence to run the crew. We're talking \$1,600 but it's recognition of the job he's doing. If we can make him the Senior Utility with a promise of going to Foreman at the beginning of next year I feel he's meeting us more than half way. He's doing the job and I believe we owe it.

Thereupon, Councilman Guis set forth the motion to promote Rob Nichols to Senior Utility Person Class C effective June 1, 2012.

Councilman Astarita stated that the CFO said we don't have the money. Mayor Budesheim stated that he never said that. The overtime we budgeted for was dependent on normal snowfall that we didn't have this year. The \$1,600 is available.

Thereupon, Councilman Astarita seconded the motion.

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

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to promote Rob Nichols to Senior Utility Person Class C effective June 1, 2012 with the authorization to take the \$1,600 salary increase out of Councilman Guis' salary.

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

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis, to promote Rob Nichols to Foreman Grade A effective January 1, 2013.

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

**BUILDINGS AND GROUNDS:** Councilman Astarita reported that he received several complaints from residents. Several complained of speeding at DeGraw now that the gate is open from The Grande due to construction on Mathews Avenue. The Police Chief was advised of the matter. Several residents noticed that some residents continuously put out a lot of garbage and asked if we have a way to see if people are importing garbage from other towns or businesses. Borough Attorney Oostdyk stated the way to enforce it is to have a limit on the number of garbage cans that can be put out and he will check the code. Some people complained that dog owners are allowing their animals to go on private property and not picking up after them and wanted to know if that is legal. Borough Attorney Oostdyk stated he would check the ordinance.

**COMMITTEE REPORTS (continued):**

**FINANCE:** Councilman Loesner reported that it's almost June and they will start to work with the CFO to prepare a six month budget analysis to see where we stand. He should be able to report back in July.

Pat Cleary reported the Fire Chief hasn't been getting copies of building plans and there is a new building at The Grande. Mayor Budesheim stated there hasn't been anything before the Planning Board in over a year and that building is a mirror of the existing one. If the Chief has any recommendations, let us know and we'll try and get it done.

**PUBLIC PARTICIPATION NO. 2:**

An unidentified audience member stated that the Council approved things here tonight that weren't on the resolution list and it would be better if you give us an option to ask a question before you vote. Borough Attorney Oostdyk stated that public hearings are required on ordinances and not on resolutions or motions of the Council. You can ask that the Mayor ask for input. Mayor Budesheim stated that most of these things are routine and he has no problem procedurally opening the meeting to the public once all the resolutions are identified.

An unidentified audience member commented on the street sweeping agreement. He also asked where the money for the lighting at Glenburn would come from. Mayor Budesheim replied it would come from the Open Space Trust Fund. The audience member also commented on the salaries in the Construction Department and asked if this is something we can share services with. Borough Attorney Oostdyk stated that you can but it doesn't mean you will be able to do it at a lesser cost. Councilman Loesner stated that we're looking at shared services for next year but we have to get through this year. The audience member asked if the man you're hiring realizes it could be temporary. Borough Attorney Oostdyk stated it's a four year term beginning at the time of regular appointment. The audience member stated you should have transparency of government. You should look at shared services before you agree to anything. Councilman Guis explained that everyone, including the man we're talking to, realizes when those buildings are done there are going to be some changes here. The audience member asked if there was a line item for snow removal. Councilman Carelli replied that it's under salary and wage.

Joseph Petracca, Highland Avenue, spoke regarding his property and his dogs. He stated no one listens to him. Mayor Budesheim stated that he is repeating the same thing and the Council doesn't have the authority to do what he wants.

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:35 p.m.

Respectfully Submitted:

---

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