

The workshop meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:30 p.m.

Mayor William Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Carelli, Falkoski, Loesner, Wetzel, Guis**
 Absent: **None**

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

PUBLIC PARTICIPATION NO. 1:

Lisa Rose inquired as to the status of her request for payment to repair her windshield that was damaged when hit by a rock thrown up from a DPW worker while weed whacking. Councilman Guis stated there is lack of proof and also concern for setting a precedent. Councilwoman Wetzel stated that the Council had discussed the matter at the last meeting and decided that we're not paying for the repair.

Glenn Venza questioned the amount the town is paying for the summer recreation program. Councilwoman Wetzel stated that she didn't have paperwork with her. Councilman Carelli stated the budget was cut about \$9,500 and the town paid about \$6,000 or \$7,000 this year towards salaries for the director and counselors. Everything else was paid for by the fees charged to participants. Mr. Venza stated that there were 92 participants and he feels the entire summer recreation program should be self-sustaining. Councilwoman Wetzel did not agree. She, along with Councilmen Guis and Astarita, explained that the town funds many programs that are not used by everyone and that is what makes us a community.

Bradley Clinton asked if Councilman Loesner had verified the savings on the police budget. Councilman Loesner replied the number is \$24,000.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to close the public session.

ALL IN FAVOR.

RESOLUTIONS:

Councilman Loesner stated that his understanding is the building inspector was already told he had the job. He does not agree that anyone should be told they will be hired before it's done by resolution of the Council as it puts us in an awkward position. Councilman Guis stated he would defer to the recommendation of the Department Head and will endorse the resolution as amended to 6 hours. The inspector was told a start date with the understanding it had to go through Council approval.

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

- 1) Appoint Michael Tabback as a building inspector to start as of August 2nd for 6 hours a week @ \$25.00 per hour.
- 2) Approval of payment for Hometown Newsletter in the amounts of \$687.75 and \$111.30.
- 3) Utility Bills List

RESOLUTIONS (continued):

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

COPY OF UTILITY BILLS LIST IN FULL ON PAGE NO. 73-A**OTHER BUSINESS:**

- 1) Best Practices Checklist.

Mayor Budesheim stated that we did this last year and the state has made revisions. We need to answer 40 of 49 questions in the way the state has determined they should be answered or we will start to lose what little state aid we have left. He worked with the Finance Officer to review the checklist and found some deficiencies. The questions were addressed as follows:

Have we adopted a Pay to Play Ordinance? (The Borough Attorney will prepare an ordinance for the next meeting.)

Does legal counsel review procurement specifications and sign off on major professional service contracts? (The Borough Attorney will work out a policy with the Borough Clerk. We will also do a resolution stating that we have instructed the attorney to review and sign contracts.)

Our computer system is backed up but data is not stored off-site. (It was decided to check into Optimum for off-site storage.)

Does your municipality require elected officials to attend basic courses? (The cost of the courses exceeds what we would lose in state aid.)

If a vehicle is taken home by an employee the IRS is now demanding that personal use and commuting miles be reflected on the employee's W-2 form. (The Chief of Police is exempt. Councilmen Guis and Falkoski will review regulations defining personal use of vehicles for the Fire Department. We will begin including all non-exempt personal use on W-2 forms.)

Has your municipality established an "Absence from Meetings Policy" for elected officials and board members? (The Borough Attorney will prepare a resolution for the next meeting.)

Are contracts for services over the pay-to-play threshold of \$17,500 awarded using bids or a fair and open process? (Borough Attorney Oostdyk stated we use the fair and open process so the answer is yes.)

Do your municipal firefighters receive annual heart screening in conformance with NFPA Standard 1582, Chapter 7.4-7.7? (Councilman Falkoski will work with the Fire Department to obtain more information on the requirement.)

Does your municipality have a transitional duty program (light duty)? (We currently do not have light duty. Councilmen Loesner and Guis will work to determine what type of light duties might apply to the DPW. Borough Attorney Oostdyk stated that we can create a policy.)

Does your municipality provide annual employment practice liability training? (The cost of the courses exceeds what we would lose in state aid.)

OTHER BUSINESS (continued):

Is your Police Department accredited by CALEA? (We are unable to do this.)

Does your municipality have a formal procedure to ensure that all park and recreation facilities are inspected/assessed periodically to determine whether proper maintenance is being done to ensure safety of the using public? (Councilman Guis stated we do it but it is not formal. We can include it in a procedure manual.)

The municipality and school board should have a "Joint Yearly Open Public Meeting". (This will be arranged.)

- 2) The NJ Land Conservancy previously made a presentation to the Council regarding flood home buyouts. The Land Conservancy would like to know if Riverdale has arrived at a decision yet. Also have been receiving inquiries from residents.

The cost for retaining the Land Conservancy to look into the buyouts on Harrison Road is \$12,000 which can come out of Open Space. The buyouts would be an option for the residents but not mandatory. Mayor Budesheim reminded the Council that if Riverdale houses are the only ones left on that road we will have to take over the snow plowing and maintenance that is currently done by Pequannock. Councilman Guis was concerned that we could have one or two hold outs but said we should start the process. It was decided to have the Land Conservancy send us an agreement.

- 3) Discussion: regarding changing the Community Center Fee Schedule to allow for the collection of some fees for certain exercise classes that charge admission.

Mayor Budesheim stated that we had discussed an ordinance to charge \$1 per person.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that the DPW Superintendent submitted a list of clothing bins located in town. There are several bins in place that have not been issued a permit. She asked what action should be taken since the ordinance does not specify. Borough Attorney Oostdyk said that the state statute says we can remove bins that are not permitted but it does not give a time frame. It was decided the Borough Clerk will send a letter of notification to either apply for a permit or remove the bins within 10 days or they will be removed by the borough. Clerk Talerico asked if the ordinance could be amended to be more specific. There was a discussion regarding who should be the enforcing officer. Mayor Budesheim stated that right now it's a police ordinance and not a zoning ordinance. Councilwoman Wetzel asked why we are letting anyone else place clothing bins in town for a \$25 application fee when Carecycle pays the borough \$3,000 per year. Borough Attorney Oostdyk will review the state law to see what discretion we have. Councilman Guis suggested a sticker with a permit expiration date be placed on the bins to aid with enforcement. Borough Attorney Oostdyk will review the matter with Clerk Talerico to come up with a process.

Two invoices from English Paving were approved and submitted for payment by the Borough Engineer. The amounts total more than the \$69,227.66 which is left on the purchase order. Councilman Guis stated there was an extra for street signs and new stormwater grates. Clerk Talerico stated that the auditor advised signs weren't supposed to be done because they were not in the original bid package. Councilman Guis said a change order was discussed. Clerk Talerico said it was not put on an agenda for approval. Councilman Guis will check into the matter.

BOROUGH CLERK REPORT (continued):

Best Buy submitted the required application fee to open for extended hours on November 25th and it will be put on the next agenda for approval.

The RAC is having the Art of Food Festival in September and they are applying for a one day liquor license.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to approve a one day liquor license for the Riverdale Art Center Art of Food Festival to be held at the Glenburn on September 13, 2011.

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

A copy of the audit has been distributed to Council mailboxes. At the next meeting there will be the affidavit and resolution stating the Council has at least reviewed the general comments and recommendations.

COMMITTEE REPORTS:

Councilman Falkoski reported that the Fire Department is having problems with some of the hoses. Pat Cleary reported further on the hoses and stated we are 1,100 feet short. The cost is about \$770 a length or \$8,500. Councilman Falkoski reported on complaints from Pat Reese of William Street regarding late night noise from activities at the Alexan apartment complex fire pit area. Mayor Budesheim said we can look at the site plan to see if it is an approved location. Councilman Falkoski suggested we address the tenants association to cooperate and put in some controls.

Mayor Budesheim reported that the patrolman who left is very interested in coming back to Riverdale. Councilmen Falkoski and Carelli will review the numbers to see if we can bring him back by September 1st.

Mayor Budesheim reported on the court office copy machine. 43,000 copies were made in the past 6 years at a cost of \$12,000. That is 28 cents a copy and they could use the front office copier for .9 cents. Councilman Falkoski asked why we are only looking at the court copier. Mayor Budesheim said the court is averaging less than 20 copies a day at \$2,000 a year and the matter came up because the lease is 2 years past its expiration date. The only other copiers are in the Police Department, main office and a tabletop in the Building Department.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to eliminate the copy machine in the court office.

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

Mayor Budesheim reported that we have a grievance from an employee regarding dental bills. He also reported that the owner of Baroque Jewelers has a concern regarding our jewelry ordinance. It requires him to hold gold he purchases for 45 days before he can resell it. The Mayor recommended we rescind the ordinance and go with the state statute requirement of 3 days.

Councilman Guis reported on his meeting with a vendor regarding the CDL requirement to have an in house program. This has been largely ignored among municipalities but

COMMITTEE REPORTS (continued):

there is potential liability if you have an accident. According to the vendor the fines and fees are exorbitant. To put a program in place to monitor employees and set up their files is about \$1,700. After that the annual cost is about \$350 per year which includes everything except the actual testing. They do random checking, pull abstracts, do the review and give training. The initial setup cost is not dependent on the number of vehicles and we can include the Fire Department or Board of Education at no additional cost. Councilman Guis and Borough Attorney Oostdyk stated that this matter needs to be addressed. Councilman Guis will investigate further and report at the next meeting.

Councilman Guis reported on the Arlington, Mead, Haycock road project. We discovered drainage pipe that is completely packed solid with soil and the pipe needs to be cleaned. Two vendors were contacted for prices. National Water Main in Newark has root cutting equipment that will clean it at a cost of \$2,800 a day and the estimate is one day. The original grant should cover the cost.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve a change order for the Arlington, Mead, Haycock road project for root cutting and drainage pipe cleaning in an amount not to exceed \$3,000.

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

Mayor Budesheim asked for the status of the pumping station. Councilman Guis reported that the Engineer said there will be no problem getting it done this fiscal year.

Mayor Budesheim stated that we have to put an application in for the road project in September. The streets the Borough Engineer is recommending are Highland, Wilson, Hillside, Halsey, Federal, Newberry and Brown.

Councilwoman Wetzel reported that Summer Recreation is complete and attendance was good. We're working on programs for the fall and winter months. The concert series went very fast and it went well. Mayor Budesheim asked her for a new calendar for the schedule of events and a report on fees.

Councilman Astarita reported that he accompanied the county inspector through the Community Center and he was impressed by the usage.

Mayor Budesheim reported that we had approved a new generator for the police department but the vendor is not willing to get a state Business Registration Certificate. Councilmen Astarita and Guis will review the specifications and look for a new vendor.

Councilman Loesner reported on making changes to the employee handbook. He will do a full review and propose changes each month at the workshop meeting. He also received 12 responses from employees interested in discussing health benefit concerns and possible changes. He will contact the Borough Clerk to set up a meeting.

Police Chief Smith stated that now is a good time to look at our promotional ordinance and he made some suggestions in his report. A proposal for a car plan is also in the report and something we need to think about. He stated that he could not endorse rescinding the jewelry ordinance since it is a useful tool. Forty-five days is a long time but he suggested keeping it at least two weeks or twenty days. Mayor Budesheim asked the Chief to meet with the Finance Chairman to discuss paying off the leased vehicles.

PUBLIC PARTICIPATION NO. 2:

Glenn Venza asked Councilwoman Wetzel if the entire complex where the concerts are held is non-smoking. Councilwoman Wetzel stated that there is a designated smoking section in the back past the concession stand by the bench.

Joan Garcia commended the recreation department for the summer they gave the town.

Glenn Venza commented that Councilman Loesner made an earlier statement that a resolution should be in front of the board for the hiring of the Building Inspector, yet you and Paul made a decision with the police without the resolution of the board. I think you're being disingenuous. Councilwoman Wetzel stated that Councilmen Carelli and Loesner were a designated committee set up to do that. Councilman Loesner stated that a person being hired shouldn't be told they're hired until they are.

Councilman Guis reported that in spite of our horrible winter, snow removal last year was less than the year before for the season. He worked out the reimbursement amounts for plowing at the Grande, Rock Creek and Powder Mill.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to close the public session.

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:20 p.m.

Respectfully Submitted:

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