

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:** **Guis, Loesner, Wetzel, Falkoski**
 Absent: **Astarita (personal reasons), Carelli (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 - July 16, 2012
 Workshop Meeting - August 6, 2012

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

ALL IN FAVOR

Abstain: Wetzel (July 16, 2012 only)

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR

RESOLUTIONS:

Councilwoman Wetzel asked for clarification of Resolutions 6 and 7. Mayor Budesheim responded that the matching funds will be from the Open Space Trust Fund.

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

- 1) Payment of Claims.
- 2) **Resolution No. 60-2012;** Refund of Tax Overpayments – Block 40, Lot 3.2108, Patrick Haftek in the amount of \$1,328 for the year 2012 – County Board Tax Appeal.
- 3) **Resolution No. 61-2012;** Refund of Tax Overpayments – Block 29, Lot 23.01, Weiss Management, LLC, DLA Realty Management Company, in the amount of \$429.58, year 2012 – Overpayment.
- 4) Approval of expenditure in the amount of \$4,170.00 for vehicle maintenance of the DPW Backhoe. (copy of quotation distributed to governing body with agenda)
- 5) **Resolution No. 62-2012;** Tax Sale Redemption – Certificate #10-00003 in the amount of \$1,161.73.
- 6) **Resolution No. 63-2012;** Chapter 159 – Glenburn House Repair of Porch, Terrace and Interior Lighting - \$52,373 with borough matching funds of \$13,093.
- 7) **Resolution No. 64-2012;** Chapter 159 – Glenburn House – Construction Documents for the Store Building - \$35,480 with borough matching funds of \$8,870.

RESOLUTIONS (continued):

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 93-A, B, C, D AND E**UNFINISHED BUSINESS:**

- 1) Appointing of Vincent Pellegrini to the position of Plumbing Subcode Official.

Mayor Budesheim appointed Vincent Pellegrini to the position of Plumbing Subcode Official effective August 16, 2012 with the annual salary of \$5,000. He will maintain his current positions as Plumbing Inspector and Building Inspector with separate salary.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to appoint Vincent Pellegrini to the position of Plumbing Subcode Official effective August 16, 2012 at the annual salary of \$5,000.

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

- 2) Glenburn garbage issues – fees to possibly be included in rental fees. It appears Chapter 135 “Senior Community Center” needs to be amended to include new anticipated charges and increases. (copy of Chapter 135 distributed to governing body with August 6th workshop agenda)

Mayor Budesheim stated that Councilman Astarita has been working on this.

- 3) Decision as to salary for Dan Sturm’s appointment as Emergency Management Coordinator.

Councilman Loesner stated that he just received Dan Sturm’s proposal regarding salaries and deputies. We budgeted \$14,375 for OEM salaries this year and as of August 17th we have \$808.80 left in that account. The Finance Committee will have further discussion and report back at the next meeting.

- 4) Proposal for sewer projects from William Ryden in the amount of \$20,500 tabled at the August 6th meeting until a letter is received from Dan Kelly of the PRBRSA stating the project is acceptable.

Mayor Budesheim reported that he spoke with the sewer authority and the I&I numbers are down to almost nothing now. They said they have no problem with us connecting. Councilman Guis was still concerned that we don’t have a written commitment. Mayor Budesheim didn’t feel he would provide that and would like to start the process. Councilman Guis reported that we had problems today at the Riverdale Road pump station and we could be looking at \$20,000 to \$25,000 in repairs. He recommended this matter be tabled until the next meeting.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to authorize Sewer Engineer Bill Ryden to apply for permits from the sewer authority and the NJDEP as required, to allow the Hamburg Turnpike sewer line that is currently dry go wet.

ALL IN FAVOR.**MAYOR REPORT:**

Mayor Budesheim reported that our zoning map is out of date. DMC Associates prepared a quote of \$2,225 for preparation of a 2012 zoning map plus five color 24 x 36 sheets and a PDF file. We have the money available in professional engineering to cover the cost. Councilman Falkoski stated that we are in the process of reviewing the zoning ordinance and we may be changing some zones. Mayor Budesheim said he asked about that and it would be nothing to change that designation.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to approve the purchase of updated zoning map from DMC Associates at a cost of \$2,225.00.

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

Mayor Budesheim reported that the court decision came down on the Paige lawsuit against the sewer authority and the \$500,000+ they were looking for. We won that lawsuit. He thanked Richard Clemack, Esq. for the work he did.

BOROUGH CLERK REPORT: No Report

BOROUGH ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Falkoski reported the court report for July 2012.

PUBLIC WORKS: Councilman Guis reported on problems with the alarms at the sewer pump station. We're paying several different alarm companies for central station monitoring and I think if we can consolidate that into one vendor there should be cost savings. If we were to do this monitoring in house through dispatch we would be better served. He asked if administration could prepare a report with an exact list of what we're paying now. He also reported on his recommendations for the borough vehicles. We've talked about the police SUV and need an answer.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to direct the CFO to increase the amount of existing Bond Ordinance #11-2004/2-2006 by \$40,000.00 for Various Equipment and direct the Police Chief to begin obtaining prices for a new SUV for the Police Department.

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

Councilman Guis set forth the motion, seconded by Councilman Falkoski, to assign the Jeep to the Building Department and the Ford 500 to the Police Department; the DPW mechanic will do the equipment conversion at a cost not to exceed \$500.00.

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

COMMITTEE REPORTS (continued):

COMMUNITY RELATIONS: Councilwoman Wetzel reported on the rescheduled concerts.

FINANCE: Councilman Loesner reported that they are continuing to monitor the state health benefits website for healthcare information for 2013. Once they have pricing it will be forwarded for discussion.

PUBLIC PARTICIPATION NO. 2:

Joan Garcia stated that it was announced at a senior meeting that the borough was no longer going to subsidize the senior Christmas party. Councilwoman Wetzel said that she oversees that committee and was not aware of that. Borough Clerk Talerico explained that the seniors ask her how much money is in their budget every year. The Dial-A-Ride increased 20 percent this year and the amount that was left in their budget was used for their trips. The borough attorney will confirm that they can have fundraisers.

An unidentified audience member spoke regarding problems with the businesses behind Cotluss Road. They have been operating earlier or later than the hours allowed and there are dilapidated buildings on the property. Mayor Budesheim said he would speak with the Zoning Officer and check into whether they are in violation of any ordinance.

Glenn Venza asked where the money went that was budgeted for OEM salary and wage. Councilman Loesner replied that it went to the Mayor. Mayor Budesheim clarified that it was only budgeted through April 30th and the rest was budgeted for mayor salary. Mr. Venza asked if we would get a quote for the cost of conversation of the police vehicle. Councilman Guis explained that we are doing it in house. Mr. Venza asked what the new SUV would be used for. Councilman Guis explained the plan for the patrol vehicles.

John Conroy asked about a shortfall in the budget. Councilman Loesner said that was a discussion about the Building Department. Mr. Conroy asked what the bond ordinance is for. Councilman Guis explained the ordinance. Mr. Conroy asked about the newsletter. Councilman Loesner explained that he had asked for a contract with the vendor so we could plan what we're going to pay every month and for the advertisers to pay in advance. Mr. Conroy asked why we would give up on something that cost \$350 a month and start an investigation. Councilman Loesner stated that nobody asked the Mayor to give it up and he did not start an investigation and doesn't know what it's about. Councilwoman Wetzel stated that no one wants to lose the newsletter but because there is so much conflict with the way we are doing it now, things need to be addressed. She suggested that one solution is to get simple questions answered, a second is to dissolve the newsletter, or we could go back to the way it was before when it was printed here and we mailed it ourselves.

Brad Clinton stated that there was a \$250 invoice from the printer and Councilmen Carelli and Loesner voted no. Councilman Loesner stated that was because there was probably no documentation to back it up. Councilman Loesner responded to Mr. Clinton's continued questions regarding the billing and collection of payment from advertisers.

Mayor Budesheim stated he wanted to go on record saying one thing:

I had nothing to do with preparing the budget this year. Ken rewrote the budget that was done by the Finance Committee. I had one request - the Finance Chairman said that if anybody wants anything in the budget to let the CFO know. The only thing I asked for was that my salary be put under the mayor's. That was the only input I had and so I had nothing else to do with that.

PUBLIC PARTICIPATION NO. 2 (continued):

Joan Garcia stated that she spent a good deal of her life in advertising and wanted to make two points. One is that the newsletter was a wonderful way for local vendors to get their message out. The other is that it's unheard of to bill an advertiser in advance.

An unidentified audience member stated that there are a number of us here that just want a newsletter. She asked the Council to just find a way to get together and make it work.

An unidentified audience member asked if someone could shed some light on the reassessment. Mayor Budesheim responded.

An unidentified audience member asked how much the 28 page color newsletter costs. Mayor Budesheim stated he would answer when we're done here.

John Conroy asked if there was an ordinance that the supervisors have to drive four wheelers and why can't they drive a normal car. Councilman Falkoski explained that a normal car as a police vehicle is not considered to last more than five years. A four wheel drive SUV is considered a vehicle that will last more than five years so you can bond and pay off over the years. Councilman Guis explained that we are trying to provide service in inclement weather.

An unidentified audience member stated that many times she drives behind the police station and there are seven police vehicles parked. When you go to any other town you never see seven.

An unidentified audience member asked what the official answer was as to why the newsletter was cancelled and who cancelled it. Mayor Budesheim stated that he cancelled it and he would respond.

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

ALL IN FAVOR.

MAYOR BUDESHEIM RESPONDS TO NEWSLETTER QUESTIONS:

The newsletter did start as the four-page black and white that I did on the copy machine here and it did have an advertiser every month to pay for that. We got a new copy machine and that allowed for folding and stapling and we were able to expand that. I'm the one who puts it all together. I spend all the time on that. Believe me, I wasn't looking to create more work and you would not believe how much I have to edit. Even out of that 28 page newsletter, so much information is always coming in. Understand that I have no kids in the school and it has no particular interest to me. I've never been to Italy and I don't plan on going, so I have no particular interest for that. The same with the library and recreation. All these things, while I may not have any particular interest in it there are segments of the population, the residents, who count on that and who enjoy that. So to take it out, which do you take out? Some of the fonts are so small, the library fonts, you can hardly read them - even recreation. The number of events that are going on in this town is incredible and I think that's a tribute to the volunteers who are providing those services and those programs, and this was the best way to get it out. So it did expand.

MAYOR BUDESHEIM RESPONDS TO NEWSLETTER QUESTIONS
(continued):

Everybody heard that my cousin is the one who's "our vendor". Well, first of all she isn't "our vendor". She's a real estate agent and she liked our newsletter so much that she approached Pequannock and asked if they would want her to do it for them and they said yes. Well, Pequannock being five times the size of Riverdale, she prepared the newsletter and was ready to run it off on the copy machine and it was going to take 120 hours. Obviously you can't do that so she scurried around to find a printer. She found a printer in Philadelphia that would do the newsletter in the format that you had come to see each month in full color. I asked her "can we piggyback on with yours?" By this time she had a number of other towns. I think at one time she had over 10 towns just as a real estate agent. She said fine, she got the price, and it turned out to be not much more than we were paying to do it on our own copy machine. I said fine, make arrangements. I dealt with the printer. She didn't deal with the printer. I sent the mailing information. She didn't do it. The only thing she did was to pay for it in advance because the printer wanted to be paid in advance because she wasn't an established account, because she wasn't in the business. She was just a real estate agent. Since the borough can't pay for things in advance, she would front the money for us and we would reimburse her. That's the extent of her involvement in this.

Now, after November it did become an issue. It was never questioned before. I hear tonight that nobody knew the length of the contract, the size of the ads, how often. Nobody contacted me. I'm the one who solicited all those advertisers and it isn't easy going out there and trying to get that many advertisers to advertise month after month. It takes a lot of work. But again, nobody asked me what arrangements I had. I did bill at the end of the year. I had my own business for 22 years and I never paid for advertising in advance. As Mrs. Garcia said, you get billed, you get a proof – a tear sheet is what they call them. They actually tear out the entire page that your ad was in and they mail it to you. Once you get that, then you pay for it. So we weren't doing anything differently. Not only that, it's a small town. These are our local businessmen. I have to treat them with the callousness of some big business? We never got stuck yet. In fact, I should say one advertiser a number of years ago, before I went to the color didn't pay us. A contract? We don't have a contract. We have Lenny Becker who did \$12,000 worth of excavating for us last year. We don't have a contract with Malanga's. We don't have a contract with Circle Auto Parts. We don't have a contract with Napa. We don't have contracts. I checked with our auditor. He said no, you don't have to have a contract because technically she isn't a vendor. We're just reimbursing her. I paid for one of the newsletters on my credit card one month. The town reimbursed me. Did the town have to have a contract with me? Of course not.

Back in March, at the March 5th meeting, the question came up "we don't know if they're all being mailed". With the setup that we have with the post office, we have a saturation rate which is the lowest rate we could get. The only way you get that is if you send a piece of mail to every single mailing address in town. You can't cut any out, you can't do partial, you can't send to one person and not another. Right now there are 2,131 mailing addresses in this town and I have to prove that number to the post office. You have to prove that that's the number and you have to have that number of pieces. They won't take the mailing unless you have that so there's no way that anybody could skimp on the mailing and keep the money. Four days later Sgt. Bogert is in the library photocopying the backs of the newsletters. The librarian asked him what was going on and he said he was doing an investigation into the bulk mailing permit. There were about six other towns who were being mailed with the same bulk mailing permit, the same printer, the same post office and no other town was being investigated - just Riverdale. I called the Chief and he was totally unaware this investigation was going on.

MAYOR BUDESHEIM RESPONDS TO NEWSLETTER QUESTIONS
(continued):

In June - and these questions came up every month - the auditor said we don't need a contract. The practice is in the industry you don't bill before the ads are put in. June 18th, Mr. Carelli and Mr. Loesner voted against paying for the newsletter which had already been printed and delivered. Now I cannot - whether it's my cousin, it's a friend or a stranger - I felt I didn't have the right, I felt it was unethical, to put a person who had absolutely nothing to gain in a situation where this Council could vote not to reimburse them the money. It did cost us these last few months \$250, and how did I work that deal out? Well, I agreed to go down to Old Bridge and pick up our newsletters from the printer because they were going to start a \$250 per town delivery charge. I told my cousin I'll pick up hers. I brought them here, sorted them out into the sacks. You have to bring them to Paterson first, unload the truck, they have to weigh them, you have to prove your mailing, and you have to have the money there. You have to load them back up in the truck, then you have to bring them to your local post office. I had to bring them to the Riverdale post office. I also brought hers to the Oak Ridge post office and the Jefferson post office. For doing that, we saved \$500 a month. She knocked that money off our printing bill. So instead of it costing \$600, \$700, \$800 a month for printing it now cost us \$250 and I took the time to go and deliver that. I feel that I can't put anybody in jeopardy like that and so I called the same printer that we had been using and the cost for us to go it alone would be \$1,500 a month. That's \$18,000 a year. You add the \$309 in postage and you're looking at \$21,600 a year. I don't feel that I would be able to get the advertisers to cover those expenses. Like I said, I wasn't going to put her in that position anymore.

Go back and do it ourselves? Well, I did this one - twenty hours printing time. The output tray holds 25 copies so you have sit here and count 25 copies. It does about two a minute. You figure you've got about 20 minutes, you go take a break, you come back and one printed - the copier jammed, the toner ran out, it ran out of staples - so you have to sit here for 20 hours. And that was just for an 8 page newsletter. If somebody wants to sit here for 20 hours - it can't be during the day because we use that copy machine. It's at night and on weekends. This one, I left here at 1:00 in the morning. It ran out of toner. It can't be done that way any longer unless somebody wants to sit here all those hours. That's why I felt I had to suspend the newsletter. There's no choice and I do feel it became a political issue.

Councilman Loesner said that the word "hero" is going around so much it's lost all meaning.

An unidentified audience member shouted that everybody that voted against this newsletter - shame on all of you and if you got voted out of office, good.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:00 p.m.

Respectfully Submitted:

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