

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, Wetzel**  
                           **Absent:**       **Guis**

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting       -       August 15, 2011  
 Workshop Meeting    -       September 7, 2011

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

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

**PRESENTATION TO RIVERDALE LIBRARY TEEN VOLUNTEERS**

Neelav Patel	Kristen Rosenboom
Amanda Ekkers	Jordan Seiarra
Michael Gunta	Cassidy Tibbetts
Brianne Remy	Deanna Walker

Mayor Budesheim stated that these teens gave many hours of their time helping the children's librarian with Story Time and the Summer Reading Program and they also help with the Summer Reading Club. Without these young volunteers these programs would not have been as successful as they were. We are very grateful for their dedication to the community and the library and their parents should be very proud. He thanked the library staff for taking the time to work with these young people and guide them. Library Director Carol Heinz also thanked the teens for all of their help. Certificates were presented.

**PUBLIC PARTICIPATION NO. 1:**

Joan Garcia acknowledged the people of the town and June Carelli who opened the shelter that was available to us the whole weekend of the storm and the Harsley's who stayed at the shelter. She also acknowledged the police and fire department for an outstanding job.

Officer Pat Harden asked several questions regarding the CERT team. He was concerned that there were people in the middle of the highway checking ID's and they were not on the CERT team. According to the Uniform Traffic Code there's supposed to be a certified flag person. Some of the situations were unsafe and should be corrected. Mayor Budesheim stated that all of the people were there at the request of the Police Chief so the police would not have to be manning barricades. They were all given instruction by either the Chief or other members of the police department. Councilwoman Wetzel stated that she and her husband volunteered and confirmed that she was given precise instruction by the Chief and another police officer and was told to check ID. Councilman Loesner asked the Borough Attorney if we open ourselves up to liability issues when we

**PUBLIC PARTICIPATION NO. 1 (continued):**

have unqualified flaggers at a state highway intersection. Borough Attorney Oostdyk stated that he's not sure they were flaggers. They should not be directing traffic or acting in that capacity. CERT member Joan Garcia stated that it was an emergency circumstance and now that they know training is required they are looking into that training. Chief Smith stated that it was an emergency situation that hopefully won't happen again. He explained the function was to be behind the barricade and advise motorists where to go. What we learned from that is it's better to leave the barricades unmanned because everyone comes up with a question. On Hamburg Turnpike that function was very helpful. Glenn Venza defended himself for being accused of directing traffic.

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

**ALL IN FAVOR.**

Mayor Budesheim stated that for the record he wanted to thank everyone who did come out. They were called at the last minute on a terrible day and they were a big help.

**ORDINANCES:**

- 1) Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 09-2011**

**ORDINANCE AMENDING CHAPTER 135 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
ANDS ESTABLISHING FEES FOR CLASSES AND PRIVATE  
PROGRAMS AT THE SENIOR COMMUNITY CENTER**

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 Falkoski set forth the motion, seconded by Councilman Astarita to close the public session.

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 09-2011 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 94-A**

**ORDINANCES (continued):**

- 2) Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 10-2011**

**AN ORDINANCE AMENDING THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF RIVERDALE AND  
LIMITING A BUSINESS ENTITY WHICH MAKES POLITICAL  
CONTRIBUTIONS TO MUNICIPAL CANDIDATES AND  
MUNICIPAL AND COUNTY POLITICAL PARTIES IN EXCESS OF  
CERTAIN THRESHOLDS FROM RECEIVING PUBLIC  
CONTRACTS FROM THE BOROUGH OF RIVERDALE**

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 Falkoski set forth the motion, seconded by Councilman Astarita to close the public session.

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 10-2011 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 95-B**

- 3) Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 11-2011**

**ORDINANCE AMENDING THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF RIVERDALE AND  
ESTABLISHING A POLICY SETTING AN ABSENTEE  
THRESHOLD FOR BOROUGH BOARDS, COUNCILS, OR  
COMMISSIONS**

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 Falkoski set forth the motion, seconded by Councilwoman Wetzel to close the public session.

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 11-2011 as read on second reading at this meeting, be adopted and finally passed.

**ORDINANCES (continued):**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 96-C**

- 4) Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to introduce the following ordinance and moved its adoption.

**ORDINANCE 13-2011**

**AN ORDINANCE AMENDING CHAPTER 86 OF THE REVISED  
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
 AND DELEGATING RESPONSIBILITY FOR ENFORCEMENT  
 OF THE CLOTHING BIN ORDINANCE TO THE ZONING  
 OFFICER**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 96-D**

- 5) Councilman Falkoski set forth the motion, seconded by Councilman Loesner, to introduce the following ordinance and moved its adoption.

**ORDINANCE 14-2011**

**AN ORDINANCE AMENDING CHAPTER 128 OF THE REVISED  
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
 ENTITLED "PRECIOUS METALS, GEMS, AND JEWELRY  
 DEALERS"**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 96-E****RESOLUTIONS:**

Mayor Budesheim noted that in payment of claims we're still paying for the court copier. He asked that it be removed from the bills list. He said it was voted on that it should have been taken out two months ago. Councilman Astarita asked if we need to send a letter to the company. Mayor Budesheim stated it requires a phone call advising them the lease is expired and to come pick it up.

Councilman Carelli asked for clarification of resolution No. 7. He did not want to vote on a promotion prior to the probationary period being completed. Councilwoman Wetzel agreed. Mayor Budesheim stated he was hired at the higher rate but it was lowered for the probationary period. There was a discussion regarding the matter.

**RESOLUTIONS (continued):**

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to approve the following resolutions, including removal of payment for the court copier from the bills list, and amending resolution No. 7 to include the salary to be effective January 1, 2012:

- 1) Payment of Claims (court copier payment removed).
- 2) Approval of check issuance to Gloria Carelli in the amount of \$500.00 for food purchases for the Riverdale Food Pantry from Pantry Trust Fund.
- 3) **Resolution No. 64-2011;** Resolution Authorizing the Award of a Contract for Professional Services (Architectural Service) HMR Architects, P.A. for the 2011 Morris County Historic Preservation Trust Fund Grant – Phase 2b and Landscape Study – Glenburn House.
- 4) **Resolution No. 65-2011;** Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for improvements to Highland Avenue, Hillside Avenue, Wilson Avenue and Carper Lane.
- 5) **Resolution No. 66-2011;** Refund of Tax Overpayment; Block 11, Lot 1.23 William S. Winters, 2010 in the amount of \$1,524.21 and 2011 in the amount of \$1,550.19 due to County Board Appeal.
- 6) **Resolution No. 67-2011;** Refund of Tax Overpayment; Block 40, Lot 3.2208, Anthony Piccinich, 2010 in the amount of \$70.42 and 2011 in the amount of \$71.62 due to County Board Appeal.
- 7) Mayor to appoint Donald VanOrden as a Laborer C to the DPW Department at a salary of \$32,782.00 with a 3 month probationary period. Effective January 1, 2012 he would be brought up to Utility A at a salary of \$34,452.00.
- 8) **Resolution No. 68-2011;** Grant Agreement between Township of Pequannock, Township of Wayne, Borough of Pompton Lakes, and the Borough of Riverdale by and for the NJ DEP. (Stream Cleaning Project)

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

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 97-F, G, H, I, J AND K****MAYOR REPORT:**

Mayor Budesheim stated that Barry Huber was a Councilman for over 20 years. He owned a business and was born and raised in Riverdale. His brother, Ronnie Huber, asked that we dedicate Federal Place in his honor. Council had no objections.

Mayor Budesheim reported that the responsibilities and obligations of affordable housing have been transferred to the Division of Community Affairs. In order to use the money from developers we have to amend our spending plan with the state. Bob Michaels has amended that to include the \$650,000 we've received from developers to use toward the purchase of the Verizon property.

**MAYOR REPORT (continued):**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, authorizing an amendment to the affordable housing spending plan.

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

Mayor Budesheim reported that we contracted with Global Connect and any phone with a Riverdale billing address can be registered for the reverse 9-1-1 calling system. He also stated that any department that collects fees is required to send a monthly report to the Governing Body. This is part of the Best Practices Checklist and was requested by the Auditor. The Borough Clerk will send a memo to all departments. Mayor Budesheim reported that Verizon sent out a report and they are not withholding any personal business property tax payments this year. He also reported that he has been appointed to the New Jersey League of Municipalities Legislative Committee. We meet about 5 times year and review every piece of state legislation and vote on whether the League of Municipalities opposes or supports it. The first meeting is October 15<sup>th</sup>.

**NEW BUSINESS:**

- 1) From the DEP – Green Acres Program inviting the Borough to apply for a special Local Blue Acres Floodplain Acquisition grant from the DEP Green Acres Program. (copy of e-mail, letter and application transmitted to governing body with agenda)

There was no discussion on this matter.

**ATTORNEY REPORT:**

Borough Attorney Oostdyk reported that our existing police ordinance meets all the statutory criteria and calls for the appointment of up to two special police officers.

**COMMITTEE REPORTS:**

Councilman Falkoski reported that the deadline for accepting applications for the Police Department is Wednesday and they will be starting the interview process.

Councilwoman Wetzel thanked everyone who had a hand in making last Sunday's 9-11 event so successful. We still need to decide where we are going to mount the artifact and in what fashion. Next weekend is the Street Fair that was rescheduled due to the hurricane.

Councilman Loesner asked if there were any comments on the drafts of the CDL and Light Duty Policies he had prepared. There were no comments. He also reported there is a high turnover rate in the DPW. He would like to direct department heads that he would like to conduct exit interviews with employees who resign to find out if there's a problem that can be corrected. The state still has not come out with alternative health care plans so there will be no additional alternatives this October.

Mayor Budesheim reported on the OEM meeting held after the hurricane. One of the main issues was the shelter and how it should be run. Joan Garcia reported that we had a facility but no provisions. She called the Red Cross to discuss the possibility of them setting up and manning a shelter in the future. With advance notice they would set up a

**COMMITTEE REPORTS (continued):**

trailer so all of the supplies we would need would be put aside to be brought to us. They would also provide a shelter manager and personnel. They will bring in two meals a day but require a cooking facility. This could be a very good answer for us and she will continue to pursue this.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**CLOSED SESSION:**

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, RESOLVED that the Council go into closed session to discuss a matter of potential litigation.

**ALL IN FAVOR.**

Closed Session being completed, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to open the meeting to the public.

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:38 p.m.

Respectfully Submitted:

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