

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, Wetzel, Falkoski**
 Absent: **None**

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

APPROVAL OF MINUTES DATED:

Regular Meeting - September 17, 2012
 Workshop Meeting - October 1, 2012

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

ALL IN FAVOR

Abstain: Carelli (October 1 only)

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 attorney-client privilege.

ALL IN FAVOR.

Closed session being completed, the meeting returns to public session at 7:50 p.m.

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

Police Chief Smith and Assistant Fire Chief Regeling are also in attendance.

SWEARING IN OF KYLE PARRILL AND MICHAEL REILLY AS SPECIAL POLICE OFFICERS:

Mayor Budesheim announced that tonight we will be swearing in two new police specials. Both officers are lifelong residents of Riverdale and the families have been involved in all areas of the community. Hopefully this will open the door to them to become full time officers.

Police Chief Kevin Smith stated that both officers excelled academically and did an outstanding job at the academy.

Borough Clerk Talerico swore in Kyle Parrill and Michael Reilly as Special Police Officers.

PUBLIC PARTICIPATION NO. 1:

Councilman Carelli thanked the employees, Mayor and Council of the Borough of Riverdale and all of the residents who paid respects to his father. It meant a lot to my family.

PUBLIC PARTICIPATION NO. 1 (continued):

Allen Lewis, 16 Morris Avenue, stated that he brought up the problem with parking on Morris Avenue and Curtis at several meetings. It's been an ongoing problem for vehicles to be able to make turns. Nothing has been done. He described a situation that took place on Tuesday the 9th at 4:00 whereby an 18 wheeler once again damaged property and phone lines. He passed out photos and asked the Council to evaluate the problem and have Behr Plastics put up a sign on the gravel road. The matter was discussed and Mayor Budesheim asked the Police Chief to have a summons issued to the driver for violating a truck route. He told Mr. Lewis to call the police if he sees any other trucks and they will be issued summonses and the word will get out quickly. A sign will be put up on Morris Avenue stating no trucks are allowed and at the gravel road stating it is the truck route. Councilman Astarita will speak with the owner of Behr Plastics.

Michael Reilly, 14 Greenwich Street, suggested the owner should notify the shipper to indicate on the bill of lading the special instructions for using the gravel road.

John Conroy, 17 Hartung Avenue, stated that he reviewed the 2012 budget and has suggestions to offset the cost of the \$38,000 vehicle the Police Department wants to purchase. Mayor Budesheim asked him to write down his suggestions and they would be forwarded to the Finance Committee.

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

ALL IN FAVOR**RESOLUTIONS:**

Mayor Budesheim stated that we waived construction code fees for victims of Hurricane Irene and the auditors advised that should be done by resolution.

Councilwoman Wetzel asked for clarification on payment of claims. According to an article in the Trends it was referenced that the shed for the Glenburn was purchased by a resident and was donated along with their time. We've gotten multiple bills for the shed. Mayor Budesheim stated that the borough paid for the shed and the article in the Trends was not correct. Councilwoman Wetzel asked if the total cost on the bills list for the shed is \$761.00 and Mayor Budesheim confirmed that it was.

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

- 1) Payment of Claims.
- 2) **Resolution No. 76-2012;** Refund of Tax Overpayments Block 36.02, Lot 1.02 – The Irwin Firm – FBO Riverdale South Plaintiff for County Board Judgment; Year 2010, \$4,401.00; Year 2011, \$5,968.00 and Year 2012, \$6,068.00 for a total of \$16,437.00.
- 3) Authorizing the waiver of construction code fees for victims of Hurricane Irene through October 31, 2012.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 118-A AND B

ORDINANCES:

- 1) **Introduction of Ordinance No. 09-2012:** An Ordinance Amending Chapter 100 of the Revised General Ordinances of the Borough of Riverdale.

Mayor Budesheim stated that he didn't know who was putting this forward or the purpose. Borough Clerk Talerico stated that it was the Fire Official. Mayor Budesheim stated that it only changes the statutes it refers to and raises the fees considerably which he believes is a mistake in this economy. The ordinance was tabled.

UNFINISHED BUSINESS:

- 1) **Introduction of Ordinance No. 8-2012** with stipulation of introduction to depend on Bond Counsel's approval of the purchase of police vehicle with bonded money for the purpose of the intended use. Mayor Budesheim contacted bond counsel and was advised that the use intended for the vehicle is not a permissible purchase with bonded money. The introduction of the ordinance was not published as introduced because of this information.

Mayor Budesheim stated that he called our bond counsel. According to him there's a 1962 law that says all vehicles can be bonded except for passenger vehicles and station wagons. SUV's weren't in existence at the time. If the car is going to be used for equipment and not carrying passengers it can be bonded. Councilman Guis stated that he and the Police Chief did some research. Kinnelon, Bloomingdale, Boonton, Lincoln Park and Little Falls all bought SUV's for their Police Department with capital money this year or last year. I also contacted Gordon Ball from the DCA Division of Local Government Services and specifically told him how we use the vehicles. He said SUV's for police departments at this time are allowed to be purchased with capital money. I think DCA trumps bond counsel. After further discussion, Council decided to invite bond counsel to the public hearing.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, that **Ordinance No. 8-2012** which was introduced on October 1, 2012 be published in the Suburban Trends on October 21, 2012 and together with a Notice of Introduction thereof shall be considered for final passage at the Meeting of the Mayor and Council on November 5, 2012.

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

BOROUGH CLERK REPORT: No Report

BOROUGH ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PERSONNEL: No Report

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

PUBLIC WORKS: Councilman Guis reported on the river work. Borough Engineer Darmofalski reached out to the same contractor that did the work so far and we have his proposal for \$28,975.00. This is to complete the desilting under the Riverdale Road bridge and some additional desnagging as far as we can go. Some of this money should be coming back from Pompton Lakes. A second proposal was obtained.

COMMITTEE REPORTS (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to approve a contract with DMK Services, LLC of Pompton Lakes to complete the desilting and desnagging work on the river at a cost of \$28,975.00. (money from Open Space Trust Fund)

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

COMMUNITY RELATIONS: Councilwoman Wetzel reported the Recreation Committee report on current and upcoming events. A meeting is being arranged to review the Senior Citizen Club bylaws which they feel are outdated. She had an inquiry from a first responder regarding the policy of flu shots being administered for free to emergency personnel. She will follow up and get an answer.

BUILDINGS & GROUNDS: No Report

FINANCE: No Report

MAYOR REPORT:

Mayor Budesheim reported that with all the rule changes regarding finances and the budget we have to be creative and find different ways of making ends meet. We've been looking for shared services. Earlier this year we contracted with Bloomingdale to provide the street sweeping services and it seems to be working out very well. With shared services you lose a bit of control and lose some convenience but you do save money. Within the next few days I'll be given a copy of a contract for Building Department services. I don't want to mention the town until I get the paperwork but the town will provide all the Building Department services for us for next year at no direct cost. They will simply collect the fees. This year salaries alone without benefits come to about \$86,000 to run our Building Department. If you take out the one permit from D.R. Horton for the last building at the Grande, we've taken in about \$20,000. That means we'd have to take about \$60,000 out of our cap to fund this one department and our cap is only \$90,000 a year. Over all these years we've had our Building Department and it's done very well. There've been some years we've taken in close to \$1 million in building permit fees and we've done that with a part time department. There's no way we can continue that. There will be a slight inconvenience to the residents, but we absolutely cannot go forward with our Building Department next year. At the next meeting I hope to have a contract in hand reviewed by our attorney and I will send it to the Council for review. Councilwoman Wetzel asked if any consideration would be given to transferring our personnel. Mayor Budesheim stated those jobs would be eliminated. It would be up to the host community but they have a full time department. Councilwoman Wetzel asked how many jobs that would be. Mayor Budesheim replied that they are all part time. You have the Construction Code Official, Electric Sub-Code Official, Plumbing Sub-Code Official, Fire Sub-Code Official and you have the TACO. Except for the TACO they're all working in other towns.

PUBLIC PARTICIPATION NO. 2:

Joan Garcia, Wilson Avenue, asked about paving in the Stoneleigh section and other parts of town that were mentioned months ago. Mayor Budesheim stated that we reapplied for the grant and should hear within the next month.

PUBLIC PARTICIPATION NO. 2 (continued):

Tom Batelli, 712 Canella Way, spoke regarding the performance bond that the Council voted not to give back to the developer, Mr. Canella. The problem is that there's a sinkhole on the site and it keeps returning and it's deeper than before. He provided photos showing the problem.

John Conroy, 17 Hartung Avenue, stated that we already owe \$2.65 million in bonds. Now you're throwing another \$40,000 without one person saying any concern about the residents of this town and the economy that's facing us. You're telling us you're raising taxes without one consideration for the town taxpayer. I have a problem with that. There's recommendations how you can do it without raising taxes but it's tough decisions and every business including local government has to make tough decisions.

Allen Lewis, 16 Morris Avenue, asked if the Building Department would include zoning being handled through that other town. Mayor Budesheim replied that zoning will stay here.

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

ALL IN FAVOR.

Councilman Guis asked if any of the other vehicles have been put on E-Gov yet. Mayor Budesheim stated that the mechanic is going to put air in the tires and move them so he can take pictures. Councilman Guis and Police Chief Smith described a seized vehicle that we will be able to use in the Police Department. It is a Lexus and our mechanic looked at. It can be used as the chief's car and the current car can be sold.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:43 p.m.

Respectfully Submitted:

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