

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, Wetzl, Falkoski**  
                           **Absent:**        **None**

**Also Present: Police Chief Smith, Fire Chief Sturm**

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

**MAYOR BUDESHEIM COMMENTS ON HURRICANE SANDY:**

I think we'd call this cabin fever. Could you imagine yourself on your eighth day without power, it's 49 degrees in your house and you have a five and three year old, and you call the provider for the utilities and tell them what's going on. The person who's sitting in a warm, well-lit room somewhere in Ohio, responds "Well, sir, I think you're suffering from cabin fever and maybe you should take your kids for a walk in the park." It's 32 degrees out there and they're supposed to warm up? I'm sure this is a rare case but it showed the attitude that our residents were getting from the people at Jersey Central. They were told every time they called that they were low priority, despite having paid tens of thousands of dollars to their utility provider over many years. They've been given misinformation, no information, the daily updates were always wrong. One person was told that because they're on wells they should be listed as a priority. They called somebody else who said there's no such thing. We don't know what to believe. We hear from the out of state utility companies that they've never seen such antiquated equipment before. They complained about the lack of direction and lack of coordination from Jersey Central. I had a resident say that up on Berkshire Valley Road in Oak Ridge in a parking lot there were about 12 out of state utility trucks just sitting up there. I reached out to Senator Kevin O'Toole's office for assistance with addressing these problems. I had the good fortune of being in constant touch with the Chief of Staff of Senator O'Toole. We outlined all the problems – they were getting those complaints from all over. We told Jersey Central, we told the Senator, that especially in the Stoneleigh section there were no wires down, no trees down, no poles down. The only thing hanging was a fuse. The residents who lived up there for many years have seen Jersey Central come and reset that fuse time and again when their power goes out. Nobody would listen. So five, six extra days our residents stayed up there in the cold without water, without heat, without power waiting for a truck to come from Jersey Central. Finally, on the evening of the tenth day, I called Senator O'Toole's office and told him that the residents were about ready to take things into their own hands. They were ready to get a pole and reset that fuse themselves. Well, that started things going. We sent out a desperate plea to the Board of Public Utilities and I got a call from the general counsel of the BPU who set up a special contact with an area manager for Jersey Central. In less than 12 hours a crew was up there. They reset the fuse and they had power. They went to Hartung which took about 20 minutes for them to fix and Stoneleigh about 15 minutes. All we kept asking for was somebody to come up there and assess this problem. But this is what it took to get somebody up there. There is legislation that's been introduced that would increase the penalties against the utilities for extended power outages. Somehow I feel that cost is just going to be passed on to the rate payers and that doesn't help them. That money just goes to the state. I spoke to our Senator and told him I'd like to see a 10% reduction in the following month's bill for every day their power was out after the initial two days. Jersey Central would then feel the pain and it would help our residents who are spending between \$60 and \$100 a day in fuel to run these standby generators. It's costing them a fortune. They should get some compensation and relief for what they had to go through for 12 days without power. I'd

**MAYOR BUDESHEIM COMMENTS ON HURRICANE SANDY (continued):**

say our residents for the first four or five days were very patient and very understanding. When you have over 1,000,000 people without power they understand the greater numbers, that the greatest ease to get the power restored. But after four or five days those excuses begin to wear thin. There were over 11,000 utility workers in the state throughout this event. We only have 565 towns and I think it would benefit even these low priority rate payers to have one crew in each town so these quick fixes could be taken care of right away so our residents wouldn't have had to be without power six days longer than was necessary. And equipment upgrades – that fuse up in Stoneleigh has been blown out we know for at least 13 years. We don't know if that was the original fuse when the development was first built. Since then 11 new houses have been put up with a lot more electronic gadgets. It's almost understandable when somebody plugs in a toaster the whole neighborhood goes dark. They should start spending their time and money in assessing the equipment wherever we have these problems, evaluating, assessing and do the necessary upgrades so that our residents and rate payers aren't so seriously inconvenienced. There's been a lot of talk about going to Butler Power. I've been speaking to the administrator about this for years. They have better rates and their response time; they're more attuned to the needs of their customers. We could right now go to any third party we want but Jersey Central still owns the infrastructure and that's the problem. Butler Electric, I don't know if they're in the position or, first of all Jersey Central would have to be willing to sell them all their lines and poles. But they are a different voltage capacity than Butler so it wouldn't even work. I don't think that's the answer as nice as it would be to have Butler Electric it's not going to happen. But I think there are other ways that we could get Jersey Central to be more responsive. On the 28<sup>th</sup> we have a meeting with the Mayors. Senator O'Toole has put this together with the President of the BPU to voice our concerns. We said that we're going to file a complaint with the PBU against Jersey Central but we're going to wait to see what happens with this meeting to see if the other towns are going to do it and see if the Senator is going to do it. We could all join it together. If anybody has any stories they want to give me just email them and I'll make sure that your voice will be heard. I know a lot of these are just anecdotes but they have to realize what we were going through here. I think after the 28<sup>th</sup> I'd like to have a meeting with all those residents who were affected by the power outages and we'll discuss what we were told at this meeting and where we can go from here.

Councilman Loesner stated that he saw the lack of preparation first hand. For two weeks their presence here was nonexistent. It wasn't just Riverdale, it was the whole area.

Councilman Falkoski stated that at the other end of Cotluss Road a wire is still hanging down between two poles.

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR****APPROVAL OF MINUTES DATED:**

Regular Meeting	-	October 15, 2012
Workshop Meeting	-	November 5, 2012

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

**ALL IN FAVOR****Abstain: Astarita, Loesner, Guis (November 5th only)****ORDINANCES:**

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

**BOND ORDINANCE NO. 08-2012**

**BOND ORDINANCE AMENDING SECTION 6(d) OF BOND ORDINANCE NUMBERED 4-2010 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$40,000 TO SECTION 3(a) OF BOND ORDINANCE NUMBERED 4-2010 FINALLY ADOPTED MARCH 15, 2010 IN AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$38,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE APPROPRIATION.**

Municipal Clerk Talerico announced that the public hearing was scheduled to take place at the last meeting on November 5, 2012. Due to lack of the required number of Council members present to either pass or reject the ordinance, the public hearing was held over until this evening. A letter of opinion supporting the purchase of the vehicle through a bond ordinance was received from Bond Counsel and sent to the Governing Body via email. Bond Counsel spoke with our Finance Officer and has withdrawn the letter of approval as the letter had stated the vehicle was being used as a chief's car.

The Municipal Clerk read the notice for the second reading and final adoption.

Mayor Budesheim announced that this Ordinance was open for public participation.

John Conroy inquired about bond counsel withdrawing their approval. Mayor Budesheim stated that bond counsel said we cannot use this money to buy the SUV. Councilman Guis stated that the letter was withdrawn because it incorrectly stated the vehicle would be used as a chief's vehicle when it will be used as a supervisor's vehicle. Borough Clerk Talerico stated that the finance officer told her that bond counsel's question was whether the vehicle was going to be used as patrol car.

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

**ALL IN FAVOR**

Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 08-2012 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 127-A****RESOLUTIONS:**

Borough Clerk Talerico stated that the Finance Officer asked her to advise the Council that he is not able to certify that funds are available for the Professional Service Resolution 81-2012. Borough Attorney Oostdyk stated that we cannot adopt the resolution if funds are not certified.

**RESOLUTIONS (continued):**

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

- 1) Payment of Claims, including the following:
  - a. DMK Services LLC – Pequannock River Cleanup - \$5,000.00
- 2) **Resolution No. 79-2012**; Transfer of Appropriations.

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

The following resolution was **TABLED**:

- 3) **Resolution No. 81-2012**; Professional Agreement – Jacqueline A. DeGregorio, Esq. of Weiner Lesniak, LLP to investigate the internal complaint filed by an employee at a rate of \$150.00 per hour. (copy of professional agreement transmitted to governing body with agenda)

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 128-B AND C**

**BOROUGH CLERK REPORT:** No Report

**BOROUGH ATTORNEY REPORT:** No Report

**COMMITTEE REPORTS:**

**PERSONNEL:** No Report

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

**PUBLIC WORKS:** Councilman Guis reported on DMK Services progress on the river cleanup. He also reported that we purchased a transfer tank for supplying diesel to the standby generator. We had a problem with some fuel during the storm and he thanked resident Ricky Malanga, our DPW Mechanic Al Kelley, Police Sgt. Bogert, and the Fire Department for working together to resolve the problem quickly.

**COMMUNITY RELATIONS:** Councilwoman Wetzel reported that the holiday event will take place entirely at the Community Center this year. The tree on the front lawn of the school cannot be lit this year due to problems with the lighting and some storm damage. She also did a follow up with the attorney on questions the seniors had regarding fundraising and those issues have been resolved. She reported on the Shore to Warm Clothing Drive which was a huge success and she thanked all of the residents who donated clothing. We're no longer accepting donations. She is scheduled to attend the Board of Health meeting tomorrow evening. There are concerns that we are changing providers which will be brought up. She was not given any information on that and asked if there was any information she should be bringing to that meeting. Mayor Budesheim stated that he spoke to the President of the board because we were \$8,000 to \$10,000 short this year. He was trying to see if anyone could provide the same service for less money but nothing is happening right now.

**BUILDINGS & GROUNDS:** Councilman Astarita reported that he received a note from Assemblyman Scott Rumana saying that we received \$12,122 in recycling tonnage grant awards. He also reported the schedule for applying for the CDBG grants is the

**COMMITTEE REPORTS (continued):**

same as last year, however the eligibility maps are being realigned according to the last census so we're not sure if we'll be eligible this year.

**FINANCE:** Councilman Loesner stated he could not attend the last meeting because he was involved with damage assessment from Hurricane Sandy. He commended Chief Sturm and his OEM team for their work during and following the storm. Outside of the power issues with JCP&L, Riverdale was extraordinarily lucky. The devastation I've seen in the last three weeks is not to be believed.

Councilman Guis stated that we talked in the past about vehicle planning. The insurance is based on the vehicles we have on it as of January 1<sup>st</sup>. We still have six vehicles I'd like to see auctioned off, sold, scrapped or taken out of service and unregistered. Borough Clerk Talerico will check with the insurance company to see which vehicles have been taken off. Chief Smith has an offer of \$6,000 from Kinnelon for the chief's car which is within \$300 of Blue Book value. Mayor Budesheim asked why we don't use it as a patrol car. Councilman Guis stated we don't have equipment for it and the car is out of production. It has over 60,000 miles on it already and new equipment to outfit it will cost about \$4,000. Councilwoman Wetzel asked if we have a \$6,000 offer why would we not take it. Councilman Guis stated we have the seized car that's in better shape and the Chief can use it for the next few years.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Guis, to authorize the sale of the 2005 Chevy Impala VIN #2G1WF55K059326323 to Kinnelon Borough for \$6,000.00.

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

**CORRESPONDENCE:**

- 1) From the Riverdale Fire Department Auxiliary advising they propose to organize a town-wide garage sale for September 2013 as a fundraiser for the Auxiliary and Fire Department. The Auxiliary would like to the governing body's input on this idea. (copy of letter distributed to governing body)

Mayor Budesheim stated that they don't need a permit for this.

**MAYOR REPORT:**

Mayor Budesheim stated that he was handed a requisition this morning for an emergency call out for traffic at the corner of Newark Pompton Turnpike and Hamburg Turnpike on October 30<sup>th</sup>. I was called by the police dispatch for authorization to call these people out and I told them no because the power is out. If the lights don't work when the power comes back on then we'll call them out. Somehow that was disregarded and it cost us \$420.00 to be told there's no power going to the light. Mayor Budesheim asked Councilman Falkoski to find out who authorized this.

Mayor Budesheim reported that the Gulf station kept enough fuel in reserve in case our borough vehicles needed gas so we would have a supply. We were buying the gas there and the receipts came to \$602.56. The owner wants the check made out to the Pompton Lakes/Riverdale First Aid Squad because he knows they want a new rig. That was very generous of him.

**MAYOR REPORT (continued):**

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to approve a check to be issued in the amount of \$602.56 payable to the Pompton Lakes/Riverdale First Aid Squad for gasoline purchased from the Gulf station.

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

Mayor Budesheim stated that he sent the Council a shared services agreement with the Borough of Lincoln Park for our Building Department. Councilwoman Wetzel has called with some questions that I answered. If there are no other questions I'd like to act on this tonight.

Councilman Guis stated that he's been talking with our Building Department to try to keep it going. Their revenues are above what we expected and they are willing to make some concessions on salaries for next year. I don't feel we should be outsourcing this department at this time. This is a department we've made hundreds of thousands of dollars on. They've carried themselves this year and I think they will next year. I don't want to make a change that will require our residents to travel to Lincoln Park for every permit and lose that personal touch.

Councilman Carelli distributed a spread sheet that he put together at the request of Councilman Guis. We only received this yesterday. You want to see the advantages to the borough and you want a financial advantage or provide a better level of service to the residents. Letting five people go is a serious thing to consider and we want to do our due diligence. He explained the numbers and how the proposal impacts our budget for next year. I don't see a difference between outsourcing or reducing the payroll. All things equal, my recommendation would be to keep the Building Department and that level of service to our residents. If I'm missing something, let me know. The Building Department has supported our budget in many ways over the last five years.

Councilman Guis stated that the level of service, and morally and ethically as far as what we have achieved over the years, I think we owe it to the employees and our residents to carry it at least a year. This time next year we have to reevaluate this and it may make a lot more sense if the \$60,000 isn't achieved. I'm looking at two options – cutting back in the department verses outsourcing. Councilman Carelli's analysis shows these are costing us essentially identical amounts of money. It would be a dramatic reduction in service and autonomy for the town.

Councilman Astarita asked if the \$60,000 anticipated revenue is based on our normal permits or if we anticipate any large development next year. Councilman Guis stated that without the Grande we did about \$45,000 this year and we've seen an increase the last few months. It's an estimate of what we feel we can generate next year. The only big one that's been approved is the Pio Costa. We also have almost \$30,000 of open permits that have been paid and I don't know how much service that will get from another town.

Councilwoman Wetzel asked for clarification of the \$10,000 payment to Lincoln Park. Mayor Budesheim stated that they will count as revenue all the fees with guaranteed minimum of \$10,000.

Mayor Budesheim stated he has concerns with the numbers. You say we've taken in \$90,772 so far this year. The Grande for the building is \$58,000 so that leaves us with \$32,000 so far this year for routine stuff. I don't see how in the next six weeks, the month of Christmas, you're going to take in anywhere near what you're hoping. I think you're estimated may be \$40,000 a year. They've agreed to these salaries already? You

**MAYOR REPORT (continued):**

have to add a minimum of 20% onto that \$70,000 for Social Security, Pension and Workers Comp. The danger is with the 2% cap if you fall below your revenues you're going to have to take the money out of our \$90,000 cap and subsidize this department. Previous years we never went below our operating costs and still managed to cover the payroll. Back then we didn't have a 2% cap. Everyone is talking about shared services. Here is a department where we could share the service, eliminate any exposure to the town budgetary-wise. This was a big campaign issue.

Councilman Astarita proposed that Mayor Budesheim put his numbers and arguments in a spreadsheet similar to this so the Council can look at both and make a decision.

Councilman Carelli asked Mayor Budesheim to provide a proposal with the different options. You gave us a contract that has more questions than answers without any of the specifics. I had 24 hours to put this together. Councilman Carelli and Mayor Budesheim had differing opinions on the issue and how it was presented.

Mayor Budesheim stated the concern he had is the impact this will have on our cap and our budget next year trying to subsidize this department. I got the contract. I was waiting for Bloomingdale and they never came through. I couldn't wait any longer. I don't want to give these people two week's notice. I'll prepare a spreadsheet and it's going to be a \$45,000 savings from our cap. Be ready to make a decision at the next meeting.

Councilman Loesner stated that something should be looked at about part timing the department. I'm not looking forward to going to Lincoln Park to do my business.

**PUBLIC PARTICIPATION NO. 2:**

John Conroy spoke (indiscernible). Mayor Budesheim stated that he understands and nobody likes the idea of losing a department. It's not to save money. It's to reduce our exposure to the loss of the money for our 2% cap. The borough employees haven't had a raise in two years. My concern is if you cut that cap in half where to get the money to cover the other expenses that go up. We're also in contract negotiations with the police that may go to arbitration.

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:32 p.m.

Respectfully Submitted:

---

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