

The workshop 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 William Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Bush, Carelli, Guis, Falkoski**
 Absent: **Wetzel**

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

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

RIVERDALE QUARRY REPRESENTATIVES ATTENDANCE:

Mayor Budesheim announced that Mayor John Murrin of Pompton Lakes was in attendance as a special guest who shares our concerns and interests with the quarry.

Borough Engineer Paul Darmofalski stated that representatives from Tilcon quarry were invited to discuss two issues with the governing body. They will give an annual report under their license agreement and report on the extended life of the quarry. They will also discuss dust control.

Brian Montag, Counsel for the Tilcon quarry, stated that representatives would give an update and address concerns regarding dust control. He stated the quarry has been in compliance with permitting and state requirements. He gave a brief review of the emission control plan that has been effect for five years. Copies are available and one was provided to the Borough Engineer.

Health Officer Peter Correale stated that Riverdale has a comprehensive health ordinance regarding air pollution.

Bill Astonal, Tilcon General Manager for Stone Operations, discussed ongoing and planned upgrades. He stated the recent use of calcium chloride on roadways and stockpiles has had positive results controlling dust emissions when the water truck cannot be used due to weather conditions below freezing. Councilman Astarita stated that calcium chloride had been tried four or five years ago and there hasn't been any remediation. He asked if Mr. Astonal could get this problem solved. Joyce Watkins, Tilcon Community Relations, stated that calcium chloride was used in 2005 but not 2006. Borough Engineer Darmofalski stated that 2005 was our best year and if the calcium chloride is not affecting their product they should go on record that they will use it. Mr. Astonal stated that it is working so far and he plans to continue use at their five other locations as well. He also stated they were happy with their trial of a new sweeper truck and will be purchasing one for the Riverdale Quarry. It will be on site the second week of March. They have two contractors for backup sweeping in the event of a breakdown. They use a Nesco dust suppression system which he said is the best in the business. Nesco evaluated Tilcon's system and they are moving forward with the recommendations. They are also setting up a monthly service agreement with Nesco to train and educate personnel and be sure the system is operating properly. They will also double the holding tank water capacity for that system and are adding a new retention pond. They are looking into a screening berm for visibility for the Wal-Mart parking lot. Mayor Murrin, Pompton Lakes, stated that he hoped the calcium chloride and new

RIVERDALE QUARRY REPRESENTATIVES (continued):

sweeper truck would also be used in Pompton Lakes. Mr. Astonal stated that the calcium chloride is being used but the new truck is dedicated to Riverdale. He also stated they recently installed some digital signs for communicating to customer trucks with regards to environmental safety controls. There was discussion regarding spillage problems on the Route 287 ramps.

Joyce Watkins stated that they feel very good about 2007. They have strong new leadership and they are committed to resolving these issues and being a good neighbor. Mayor Budesheim asked about the reclamation plan. Borough Engineer Darmofalski stated that the reclamation can't begin until the quarry is just about done with everything because they have to work both sides.

Mr. Montag estimated the remaining life of the quarry at six to eight years. Mr. Darmofalski asked if there was a backup provision for the water truck. Mr. Astonal stated there is a smaller backup unit on the property and they do have a vendor with backup water trucks.

Borough Engineer Darmofalski asked Mr. Astonal to explain the filtration system of the detention system for the record. Mr. Astonal stated the detention would allow them to better utilize the water on their site. The new pond will stay very clean and that water will be dedicated just for the Nesco system. Another pump on that flow of water would be used strictly for washing. In regards to tapping into the city water, that would just be another buffer. They are exploring options to build as much water storage as possible. They anticipate starting up again mid-March. Mr. Darmofalski requested the plan for the detention system be given to the Planning Board Secretary as soon as possible. He recommended they come to a meeting in April prior to startup in March. He also requested they provide the Borough Clerk with the list of dates of night operations as required.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reminded everyone that the next meeting is scheduled for Wednesday, February 21st, at 7:30 p.m. Councilman Falkoski stated that a special Planning Board meeting is scheduled for the same time. It was decided to reschedule the Mayor and Council meeting for 6:00 p.m. on February 21st. Mrs. Talerico reported that the Pompton Lakes-Riverdale Little League has requested use of the softball field at Independence Park from mid-March until early July 2007. Council consented. Mrs. Talerico asked if the borough had any use for several old computers the library no longer needs. Mayor Budesheim stated that they will put two aside for the senior citizens to use at the new center. Mrs. Talerico reported the Fire Chief has submitted the LOSAP list for this year and some are over the ordinance limit of \$1,150. She stated the ordinance needs to be amended in order to give the cost of living increase. There was discussion regarding the LOSAP budget and what had been discussed last year. Mrs. Talerico reported that KC Engineering in Denville sent notice regarding rehabilitation of Riverdale Road bridge over the Pequannock River and requests our input.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported they are expecting a C.O. for the Senior Community Center by the end of the week. He reported that the application for the youth center in the basement area is eligible. Councilman Astarita stated he would prepare a presentation. Mr. Darmofalski also reported that we've requested an extension of time from the D.O.T. for the Mathews Avenue grant so we may finish negotiations with Mr. and Mrs. Ball. The application for the Hamburg Turnpike Sewer is at the D.E.P.

MAYOR REPORT:

Mayor Budesheim stated that Mark Sonny from the First Aid Squad explained to him the conditions regarding the clothing allowance. Mayor Budesheim said he now recalls that conversation. It was either the clothing allowance or the LOSAP program and the LOSAP was \$1,100 or \$1,150. Rather than go through LOSAP we felt it would be less costly and agreed to give them the clothing allowance which would increase \$100 each year up to \$1,100. Pompton Lakes is giving them the LOSAP. Several council members recalled different amounts being discussed. Mayor Budesheim said he would check the minutes. The Mayor also reported that he told the Senior Citizen Club they could have their next meeting at the new center on February 19th and the Star Ledger will be sending a reporter.

COMMITTEE REPORTS:

Councilman Astarita reported on his meeting with the Library Building Committee to discuss their five and ten year plan. They questioned whether the DPW would continue cleaning the building when Barbara from the DPW leaves the end of March. It was also not clear who was responsible for maintenance of the systems in the library building itself. Mayor Budesheim stated that the borough would be responsible for any capital repairs but they would be responsible for routine minor repairs themselves. Councilman Astarita stated he feels the borough should be maintaining the library as a public asset. Councilman Carelli stated that each year we allocate money to the library by statute. There is a formula and 2007 is the first year that the allocation will be more than their operating budget. Councilman Astarita stated that they have plans for expansion. This year they need to keep the HVAC system going and try to repair the roof leaks. He also stated that they may want to utilize the projectors that were donated by Donna Golding.

Councilman Guis reported on a letter received from K & K regarding the crack sealant. Borough Attorney Oostdyk stated the letter is a request for payment and does not change our position that we are not paying them.

Councilwoman Bush reported on the first meeting of the Municipal Alliance Committee. They began the needs assessment process and the next meeting is scheduled for February 26th. We will be fully organized by 2008 and can then apply for funding.

Councilman Falkoski reported that the fire department is planning various events to celebrate their 100th anniversary this year. The Celebration Dinner is March 3rd. Tentative plans for Saturday, August 25th are for a picnic at the firehouse between 4:00 and 7:00 p.m. They are coordinating with the Recreation Committee for a concert from 7:00 to 9:00 with fireworks between 9:00 and 11:00 p.m. Fire Chief Pat Cleary has informed us that there is a National Fallen Firefighter Memorial in Emmetsburg, MD and Riverdale firefighter Joseph Ezzo, who died while on duty in 1982, was never recognized on that memorial. Chief Cleary has been corresponding with an official in Maryland to rectify this matter and has reported it may be resolved at the foundation's annual memorial ceremony weekend on October 5th - 7th. Chief Cleary is also concerned whether the insurance coverage on department members is adequate particularly for the 100th anniversary activities. Borough Clerk Talerico stated she could arrange a meeting for him with our insurance representative. Councilman Falkoski reported on the presentation made to the Planning Board and copies of the draft Master Plan developed by Clough Harbour and Associates. He stated that it is a very professional piece of work that we have needed for some time. The information provided enables us to visualize the condition of our community with regard to sensitive areas. Councilman Falkoski made the following comments: During the presentation, the area located on the south side of Route 23 accessed by Highland Avenue was discussed. It is about 42 acres and presently zoned R-40 which requires a minimum lot size of 40,000 sq. feet. The only restriction placed on a developer who wished to develop at this level right now would be the

COMMITTEE REPORTS (continued):

restraints imposed by our steep slope ordinance. I do not believe that because of the environmental and topographic conditions in this area that it should be the intent of this governing body to protect this area from overdevelopment. The Highlands Master Plan has considered this a planning area for the protection zone overlays. This does not provide any protection, however, unless the borough agrees to adopt the Highlands Master Plan as it pertains to the restricted area in the Highlands. I would suggest that we consider changing the zoning in the predominantly undeveloped portion of this location perhaps requiring a minimum lot size of 3 acres. This would still conform to our present Master Plan which considered this an area which is environmentally sensitive. I would like to be able to introduce that particular ordinance at our next meeting and I believe the gentlemen from Clough Harbour would be able to prepare it for us. With agreement from the Council he will get it started.

Mayor Budesheim asked if the new retention basin at the quarry is necessary. Borough Engineer Darmofalski stated that under dry conditions it is if you want clean water. Mayor Budesheim stated he is concerned that removing 24,000 cubic yards would require a lot of blasting and they estimate they may be out of there in five years and will have to re-fill it. Mr. Darmofalski stated that they have a stormwater management issue to address and he believes the detention basin is solving two problems — water quality and a secondary source of water. He would have to do an assessment to answer the question.

RESOLUTIONS:

Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve the following resolutions.

- 1) Payment Approvals for the following:
 - a) Nextel Communications - December 2006 Invoice \$ 535.48
 - b) Baycora Auto Body, LLC – Insurance Refund-Repairs \$6049.59
 - c) Refunds – Convention Room Charges as follows:
 - 1) William Budesheim - 2 nights \$ 268.52
 - 2) Donna Bush - 2 nights \$ 268.52
 - 3) Theodore Guis - 1 night \$ 134.26
 - 4) Paul Carelli - 2 nights \$ 268.52
 - 5) Joseph Falkoski - 2 nights \$ 268.52
 - 6) Garrett Astarita - 2 nights \$ 268.52
 - 7) Carol Talerico - 2 nights \$ 268.52
 - e) Key Equipment Finance – Leased Copier \$ 465.00
 - f) Paul Carelli – Refund Recreation Ticket Purchase-Nets \$ 405.00
- 2) **Resolution No. 18-2007**; Appropriations Transfers – 2006 Budget.
- 3) **Resolution No. 19-2007**; Temporary Appropriations – 2007 – amendment.
- 4) **Resolution No. 16-2007**; Professional Services Agreement (Bond Counsel).
- 5) Approval or Denial of Towing Licenses for the following:
 - a. Malanga’s Automotive, Inc. – found to be in compliance by P.D.
 - b. A-Z Towing – In compliance with the exception of a fenced in area for towed vehicles. (see P.D. report distributed)
- 6) Authorization to declare the following items no longer useful for the Borough Police Department and to be scheduled for refuse.
 - a. Tag #000306 Recording Equipment
 - b. Tag #000063 Radio Equipment
 - c. Tag #000039 Camera Equipment
 - d. Tag #000066 Video Equipment
 - e. Tag #000015 Video Equipment
 - f. Tag #000633 Computer Equipment
 - g. Tag #000341 Video Equipment

RESOLUTIONS (continued):

- h. Tag #000318 Typewriter
- i. Tag #000324 Computer Equipment
- j. Tag #000307 Recording Equipment
- k. Tag #000038 Video Equipment
- l. Tag #000308 Radio Equipment
- m. Tag #000036 Intercom
- n. Tag #000037 Intercom
- o. Tag #000625 Computer Equipment
- p. Tag #000064 Radio Equipment
- 7) **Resolution No. 17-2007;** Resolution authorizing banking account for the Borough of Riverdale entitled "Affordable Housing Trust".
- 8) Resolution to authorize the extension of time request for the Mathews Avenue, DOT Project to March 2007.
- 9) Authorizing purchase of furniture for the Senior Community Center at a cost not to exceed \$1,700.00.

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

CLOSED SESSION:

Councilman Guis set forth the motion, seconded by Councilman Astarita, RESOLVED that the Mayor and Council go into closed session to discuss contractual matters, of which minutes will be kept and released upon completion of these matters.

ALL IN FAVOR.

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

ALL IN FAVOR.

Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve the following resolution:

- 10) Authorizing Mayor Budesheim to offer a severance package to Bobby Corter in the amount of \$1,000 per month at time of retirement up to age 65, not to exceed 32 months, method and terms of payment to be negotiated by the Mayor.

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

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:20 p.m.

Respectfully Submitted:

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

CLOSED SESSION:**CONTRACTUAL EMPLOYEE NEGOTIATIONS:**

Mayor Budesheim stated that Bobby Corter wants to be covered for medical benefits until age 65 if he retires. He is currently on the Traditional plan which is \$1,400 or \$1,500 per month. If he changed to the NJ Plus plan it would cost approximately \$800 per month. We had discussed giving him \$1,000 per month for medical benefits for that period of approximately 32 months. He's been a borough employee for 30 years and we feel that would be criteria that we were looking at. The benefit to the town would be approximately \$30,000 this year. With benefits, taxes and salary we are currently paying about \$85,000 a year. Councilman Falkoski asked if COBRA would come into effect. Mayor Budesheim stated he is eligible to retire under PERS and they offer the state health plan. Councilman Guis stated that he could elect COBRA or PERS but the point is this is a severance package and it will be his choice. Councilman Falkoski asked how this would be designed so as not to set a precedent. Mayor Budesheim stated that one of the criteria they are using is that he has been employed by the borough for 30 years. Also, it is not a lifetime benefit. It is less than 3 years and is \$32,000. Borough Attorney Oostdyk stated that if we're going to provide continued health benefits to retirees we have to do it under a uniform methodology and apply it to everyone. That's not what we're doing here. He stated that severance packages are unique and not precedent setting because everyone's circumstances are different. Councilman Guis stated that we are making this offer because there are economic advantages to the borough. He is one of the highest paid DPW employees with a lot of vacation and sick time and longevity. We could bring in someone entry level at half the salary. Councilman Astarita asked if we already replaced the mechanic and if we are going to hire another employee. Councilman Guis stated that we filled the mechanic position but not in title. We replaced our last utility person with someone with mechanical experience so the replacement would be with a utility person. Councilman Carelli stated that whether we hire another person down the road is not relevant to the severance package for Bobby Corter. He also stated that we may not be able to pay out the entire \$32,000 in this calendar year. Borough Clerk Talerico stated that if the money will be paid from payroll he should be told it will have taxes withheld or that he will receive a form 1099. Mayor Budesheim stated that he was also told he would have to take all of his vacation and accumulated days off between the time of the agreement and his official retirement date. If everyone is in agreement he would ask for a resolution so the paperwork can be completed. He would also place an expiration date on the offer.