

The workshop meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:30 p.m.

Mayor William Budesheim presiding.

**ROLL CALL: Present: Bush, Falkoski, Guis, Wetzol, Carelli
Absent: Astarita (vacation)**

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

Mr. Gary Shaw of Cablevision presented a check to the borough for \$812 in recognition of subscriber growth in accordance with the franchise agreement.

**HEARING BEFORE THE GOVERNING BODY TO DETERMINE THE
SUSPENSION OF CONVENIENCE LIQUORS 23 DUE TO VIOLATIONS
ASCERTAINED BY THE RIVERDALE POLICE DEPARTMENT.**

Borough Attorney Oostdyk announced the issue of the hearing would be held in executive session to discuss a proposed settlement of resolution.

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.

ORDINANCES:

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

ORDINANCE 07-2009

**ORDINANCE AMENDING CHAPTER 95 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
AND PROVIDING FOR FEES TO BE CHARGED FOR USE OF
THE SOCCER FIELD**

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 Carelli, to close the public session.

ALL IN FAVOR

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 07-2009 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 41-A

ORDINANCES (continued):

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

ORDINANCE 08-2009**ORDINANCE TO EXCEED THE MUNICIPAL APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 42-B**RESOLUTIONS:**

Councilman Falkoski asked for clarification of resolution #51-2009. Mayor Budesheim stated the ABC is considering this a new license due to the time lapse in the renewal and to enable the licensee to retain the license. Councilman Guis recommended approval of the Borough Engineer's budget for preparation of plans for the wash station and preparation of applications for the NJDOT grants.

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

- 1) Approval of payment of a \$50.00 deposit for recreation trip Wednesday, July 22nd to Monster Mini Golf.
- 2) Approval of Right to Know Training/Inventory for all municipal buildings in the amount of \$2,000.
- 3) **Resolution #50-2009;** Release of Target Off-Site Performance Bond No. 104763179 in the amount of \$70,956.00 according to statutory procedures upon Target's posting of a maintenance bond as stated in the Traffic Signal Agreement.
- 4) Approval of hiring of temporary summer help for the DPW Department – Jarred Bush – at \$10.00 per hour.
- 5) **Resolution #51-2009;** Approval of the issuance of a new liquor license for the 2008-2009 license term pursuant to N.J.S.A. 33:1-12.18 "Special Ruling" determined by the Office of the Attorney General – Department of Law and Public Safety, Division of Alcoholic Beverage Control.
- 6) Approval of award of proposal to Jan Fence for fencing to enclose the Rock Creek water tank and telemetry building at a total amount of \$12,840.00.
- 7) **Resolution #52-2009;** Emergency Temporary Appropriations.
- 8) Approval to establish a Trust Fund for Community Center clean up fees.
- 9) Approval of transfer of 2006 United Trailer VIN#48BTE12166A079676 to Jefferson Township. This trailer was given to the Borough by Morris County for the CERT team.
- 10) Resolution supporting Sgt. Greg Bogert in his efforts to persuade the NJDOT to pursue a solution to the problems concerning the Route 23 traffic light.
- 11) Approval of Borough Engineer Paul Darmofalkski's engineering budget amount of \$1,000 for preparation of Wash Station plans.
- 12) Authorizing the Borough Engineer to prepare NJDOT grant applications for paving, milling curbs in the amount of \$452,000 and for sidewalks in the amount of \$222,000 for Mead Avenue, Haycock Avenue and Arlington Place.

RESOLUTIONS (continued):

ROLL CALL: **Ayes:** **Bush, Falkoski, Guis, Wetzel, Carelli**
 Nays: **None**
 Abstain: **Bush (resolution No. 4 only)**
 (5 ayes – 0 nays – motion carried)

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 43-C, D AND E**INTRODUCTION OF 2009 MUNICIPAL BUDGET**

Councilman Carelli set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED**, for the introduction of the 2009 Municipal Budget.

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

Public Hearing and Adoption scheduled for July 6, 2009 at 7:30 p.m. To be published in the Suburban Trends Newspaper on Wednesday, June 17, 2009.

COPY OF 2009 MUNICIPAL BUDGET IN FULL ON PAGE NO. 43-F**PUBLIC PARTICIPATION NO. 2:**

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

ALL IN FAVOR.

CLOSED SESSION:

Borough Attorney Oostdyk requested a closed session to discuss a matter of potential litigation. The governing body concurred and went into closed session, of which minutes will be kept and released upon completion of these matters.

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

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

Borough Attorney Oostdyk stated that in closed session the council discussed the issue of the suspension of the liquor license of Convenience Liquors due to violations for serving minors. The Council was in agreement with the license holder's acceptance of a 30 day suspension of their license and it will be voted on formally at the next meeting.

Councilman Falkoski stated he will distribute copies to the Council of an ordinance for an entertainment license to be discussed at the next meeting.

ADJOURNMENT:

Councilman Carelli set forth the motion, seconded by Councilman Guis, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:10 p.m.

Respectfully Submitted:

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

CLOSED SESSION:

Also present were Police Chief Soules and Detective Barone.

**HEARING BEFORE THE GOVERNING BODY TO DETERMINE THE
SUSPENSION OF CONVENIENCE LIQUORS 23 DUE TO VIOLATIONS
ASCERTAINED BY THE RIVERDALE POLICE DEPARTMENT.**

Borough Attorney Oostdyk reviewed the violations for serving minors at Convenience Liquors 23 and the discussion at the meeting that was held with the owner and the Police Department. He advised the council that the license holder wanted to pay a fine instead of license suspension, but that is not permitted. They agreed to a 30 day suspension of their liquor license which must occur during 2009. This is not appealable. Detective Barone stated that Convenience Liquors is taking steps to remedy the situation such as purchasing a scanning device for licenses used for identification. Borough Attorney Oostdyk recommended conditions be placed on the renewal of their liquor license. Council was in agreement with the proposal of the 30 day suspension and a resolution will be prepared for the next meeting.