

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:** **Astarita, Bush, Falkoski, Guis, Wetzel, Carelli**
 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 – July 20, 2009
 Workshop Meeting – August 3, 2009

Councilman Guis noted the following correction to the minutes of July 20th. Resolution No. 16 authorizing purchase of a smoke detection and alarm system should not include the pump house.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to approve the July 20, 2009 minutes as corrected and the August 3, 2009 minutes as read.

ROLL CALL: **Ayes:** **Astarita, Bush, Falkoski, Guis, Wetzel, Carelli**
 Nays: **None**
 Abstain: **Bush (August 3rd only)**
 (6 ayes – 0 nays – motion carried)

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 10-2009

**ORDINANCE ACCEPTING THE CONVEYANCE OF A SEWER
 PUMP STATION EASEMENT FROM TERI MATES**

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 Guis, to close the public session.

ALL IN FAVOR

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 10-2009 as read on second reading at this meeting, be adopted and finally passed.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 70-A

2) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 11-2009

**ORDINANCE AMENDING CHAPTER 75 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
ENTITLED “ENTERTAINMENT”**

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 Astarita set forth the motion, seconded by Councilman Falkoski, **RESOLVED** that Ordinance No. 11-2009 as read on second reading at this meeting, be adopted and finally passed.

ROLL CALL: **Ayes:** **Astarita, Bush, Falkoski, Wetzel**
 Nays: **Guis, Carelli**
 (4 ayes – 2 nays – motion carried)

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 70-B

3) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 12-2009

**ORDINANCE AMENDING CHAPTER 164 OF THE REVISED
GENERAL ORDINANCES OF 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 Guis, to close the public session.

ALL IN FAVOR

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 12-2009 as read on second reading at this meeting, be adopted and finally passed.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 71-C**RESOLUTIONS:**

Councilwoman Wetzel asked for clarification of resolution No. 83-2009. Councilman Guis explained the resolution.

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

- 1) **Resolution #75-2009;** Chapter 159 –Volunteer Fire Assistance Grant \$4,112.31.
- 2) **Resolution #76-2009;** Chapter 159 – Donation – Police o/e - \$3,058.00.
- 3) **Resolution #77-2009;** Chapter 159 – Municipal Court alcohol Education, Rehabilitation and Enforcement Fund - \$1,531.51.
- 4) **Resolution #78-2009;** Refund of Tax Overpayment – Stewart \$1,090.28.
- 5) **Resolution #79-2009;** Refund of Tax Overpayment – County Tax Appeal – Verizon - \$2,272.11.
- 6) **Resolution #80-2009;** Cancel Taxes – Block 12 – Lot 1 – 203 Paterson Hamburg Turnpike, LLC – Property transferred to Borough of Riverdale - \$1095.34.
- 7) **Resolution #81-2009;** Authorizing Duplication of Tax Sale Certificate #1-06 – Block 18 Lot 11.01 – 14 Post Lane.
- 8) **Resolution #82-2009;** Authorizing Duplication of Tax Sale Certificate #1-99 – Block 18 – Lot 11.01 – 14 Post Lane.
- 9) **Resolution #83-2009;** Authorization of the removal of Arlington Place from the 2008 and 2009 DOT Grant in order to construct improvements on the Paterson Hamburg Turnpike, with the engineer’s estimate for the modified project of \$100,000.00.
- 10) Approval of issuance of a check in the amount of \$1,500.00 to the Riverdale Volunteer Fire Department for their attendance at the 2009 Fireman’s Convention.
- 11) Approval of the sale and removal of the following equipment by the Riverdale Fire Department, and declared as surplus items of the Borough of Riverdale.

a) 26/60 Super Ram with Standard Control	b) Ram Attachment w/bag
c) Ram Right Attachment Base	c) Model 18 Rescue Tool
d) A55/32 Spreader Cutter	e) Phoenix Power Unit
f) Phoenix High Flow 12 volt Power Unit	g) 25/60 Super Ram
h) 14/26 Super Ram	i) 100’ Hose w/Chrome Reel
j) Two 50’ Extension Hoses	k) Phoenix C/C Cutter
l) Phoenix R50 Ram	m) Hydraulic Hand Pump
- 12) Approval of the following Change Orders for the Glenburn Project: Change Order #1, in the amount of \$33,984.00 for additional work on the Glenburn House; Change Order #2, in the amount of \$34,000 for additional work on the Glenburn Barn, and Change Order #3, in the amount of \$8,000 for electrical work at the Glenburn Barn. Change Orders #1 & 2 are being funded through the 2009 Morris County Historic Preservation Grant and Change Order #3 is an alternate that was part of the 2008 Morris County Historic Preservation Grant.
- 13) Approval of payment in the amount of \$1,978.00 for Building Department Training Fees.

RESOLUTIONS (continued):

- 14) Appoint Jordan Pellegrini as a Part-Time Police Dispatcher for the Riverdale Police Department at a salary of \$13.00 per hour.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 72-D, E, F, G, H, I, J, K AND L**CORRESPONDENCE:**

- 1) Letter from Patricia A. Lee of Connell Foley LLP, representing Target Corporation requesting the release of Target's Performance bond No. 104763180 in the amount of \$392,018.00, due to the completion of the construction by Target of the service road. A maintenance bond in the amount of \$54,447.00 has been submitted which has been calculated as 15% of the construction estimate for the off-site work per Exhibit B of the Target-Riverdale Developers Agreement, \$362,980.00.

Mayor Budesheim requested a letter from the Borough Engineer be obtained confirming that construction is complete prior to release of the bond.

- 2) From Borough Engineer Paul Darmofalski, recommending award of the contract for Resurfacing of the Newark Pompton Turnpike and both alternates, in the combined total amount of \$381,162.63 to the lowest bidder, English Paving Co., Inc.

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

- 15) **Resolution No. 84-2009;** Award of contract for 2009 Resurfacing of the Newark Pompton Turnpike, including Paterson Hamburg Turnpike Resurfacing and DPW Yard Paving, to English Paving Co., Inc., 650 Route 46 West, Clifton, NJ 07013 for a total bid of \$381,162.63.

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

MAYOR REPORT:

Mayor Budesheim asked if we could have an independent committee handle all recreational programs to eliminate the bookkeeping involved with individual trust funds. There was a discussion regarding governmental and non-governmental options. It was decided to explore how other towns handle recreation programs and whether there is software to alleviate the record keeping.

BOROUGH CLERK REPORT:

Borough Clerk Talerico asked if everyone is able to access their borough email accounts. Several Council members are having trouble but all agreed to keep the borough email accounts for borough business. Clerk Talerico reported that Electrical Inspector Anthony Gallo was hired to earn up to \$1,000 maximum and will exceed that amount with the next payroll. Mayor Budesheim stated that he needs to continue. It was decided to increase

BOROUGH CLERK REPORT (continued):

the limit to \$2,000 through the end of this year. Clerk Talerico reported that notice was received from Labor and Workforce Development regarding prevailing wage reporting. Any project exceeding \$14,187.00 must submit prevailing wage reports and she will request them from the contractors.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported on a second lawsuit from the New York, Susquehanna and Western Railroad. This lawsuit was filed against us and DCM Contracting for unpaid additional expenses for the easement granted in connection with the Hamburg Turnpike Sewer Project. Mayor Budesheim stated this amount was not paid due to the railroad not providing us a markout of the utilities and whatever was in the railroad bed. We subsequently came across things they were not aware of which cost an additional \$9,000 in labor and material. They also owe us \$5,000 in escrow for the Planning Board. Borough Attorney Oostdyk stated that we need to accumulate the counter claims in order to respond to their suit. The lawsuit with the Planning Board will be returnable this Wednesday and we anticipate we can have a hearing in about three months.

COMMITTEE REPORTS:

Councilwoman Wetzel reported on the Street Fair. The weather and turnout was good and she is very happy with JC Promotions and the help from the DPW crew. She also reported on the recreation budget and modifications that may need to be made regarding items for the Community Center.

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.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:25 p.m.

Respectfully Submitted:

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