

The regular meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:35 p.m. with the Pledge of Allegiance.

Mayor Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Bush, Carelli, Guis, 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:

August 20, 2007 - Regular
 September 5, 2007 - Workshop

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

ROLL CALL: **Ayes:** **Astarita, Bush, Carelli, Guis, Wetzel, Falkoski**
 Nays: **None**
 Abstain: **Bush (September 5, 2007 only)**
 Carelli (August 20, 2007 only)
 (6 ayes – 0 nays – motion carried)

PRESENTATION TO TEEN'S WHO VOLUNTEER THEIR SERVICES TO THE RIVERDALE PUBLIC LIBRARY.

Mayor Budesheim expressed appreciation to the teen volunteers who assisted with various library duties during the year. Councilwoman Wetzel presented certificates of appreciation to each of this year's volunteers.

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 11-2007

ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROVIDING AN AMENDED DEFINITION FOR THE TERM "LOT FRONTAGE"

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.

COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 93-C AND D

CORRESPONDENCE:

- 1) From the Borough of Kinnelon Municipal Clerk advising that the Governing Body introduced an ordinance #18-07 Amending Chapter 47 Land Use Procedures in the Borough of Kinnelon and has scheduled a public hearing on September 20, 2007 at 8:00 p.m. at the Kinnelon Municipal Building, 130 Kinnelon Road, Kinnelon, NJ.

UNFINISHED BUSINESS:

Borough Attorney Oostdyk stated the supplement to the Target Traffic Signal Agreement says we want to be absolutely sure Target understands they and their successors are fiscally responsible for the maintenance cost of that light from hereon out, and if we don't get Title 39 approval we reserve the right not to activate the light. There was discussion regarding details of the agreement.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, to approve the following resolution pending the inclusion of the Lot and Block of the Target property.

- 1) **Resolution No. 57-2007;** Authorization of the Execution of a Traffic Signal Agreement between the Borough of Riverdale, Target Corporation, and Home Depot U.S.A., Inc.

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

- 2) Aburami soil movement permit public hearing has been postponed until October 15, 2007 due to his travel plans.

COMMITTEE REPORTS:

Councilman Falkoski reported the Municipal Court Report for the month of August. The amount raised year to date for 2007 is \$233,185 compared to \$96,362 in 2003, which was when we first started to upgrade the equipment for the Police Department.

Councilman Guis reported that the DPW has two new employees and they are still down one. He reported that our mechanic came through at the last minute to get the showmobile to Pequannock for their Hoedown. Councilwoman Wetzel explained there had been a glitch with the paperwork regarding the rental.

Councilwoman Wetzel reported on the upcoming street fair to be held on September 30th.

Councilman Astarita reported he would be meeting with the library board tomorrow regarding their capital needs for next year and responsibilities for cleaning the library.

Councilwoman Bush reported that Morris County Partners in Substance Abuse Prevention are providing two programs that will be free to the public. They will be held on October 1st and November 1st. Flyers for the events will be provided to the school and made available in the lobby.

MAYOR REPORT:

Mayor Budesheim announced that Target has invited the governing body and borough employees to an open house at the store on September 26th at 7:00 p.m.

Mayor Budesheim reported that TCR is objecting to paying the sewer connection fees and they said they can't sign the contract with that in it. They don't feel they should be responsible for connection fees if they are buying the allocation. Mayor Budesheim stated connection fees reflect the infrastructure costs. The formula is established by state law and our fees are not as high as the maximum allowed. Councilman Guis stated it is appropriate to state that their argument is that part of that charge is the carrying fee and there never was one because they're buying this gallonage and there was no history on it. Mayor Budesheim explained how the sewer fees were established and stated the bulk of the cost the borough pays is for debt service and administrative costs for the sewer authority. He stated that TCR has asked the Governing Body to waive the sewer connection fees. There was discussion regarding adding a sunset clause to the contract. Councilman Carelli stated the implications are that the project may not go through. After further discussion it was decided that the Governing Body would not waive the sewer connection fees and would add a two week sunset clause to the agreement.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to authorize Mayor Budesheim to execute the Sewer Capacity Agreement between TCR and the Borough of Riverdale with the addition of a sunset clause stating that Riverdale will withdraw the agreement if not fully executed by both parties by October 1, 2007.

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

PUBLIC PARTICIPATION NO. 2:

Sal Poli, 25 Post Lane, stated he is concerned with the number of cars speeding on Post Lane. Police Chief Soules stated the Police would take measures to control the problem.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Guis, 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: 8:40 p.m.

Respectfully Submitted:

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