

ORDINANCES (continued):

ALL IN FAVOR.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 12-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 99-B

2) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 13-2007

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN
PROPERTY (PORTION OF BLOCK 40, LOT 6.01 AS SHOWN ON
THE TAX MAP OF THE BOROUGH OF RIVERDALE) OWNED
BY THE BOROUGH OF RIVERDALE, MORRIS COUNTY, NEW
JERSEY, NOT REQUIRED FOR PUBLIC PURPOSES PURSUANT
TO N.J.S.A. 40A:12-13, ET SEQ. TOGETHER WITH AN
ASSIGNMENT OF A LEASE ON THE SUBJECT PROPERTY**

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, Councilwoman Wetzel set forth the motion, seconded by Councilman Carelli, to close the public session.

ALL IN FAVOR.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilwoman Bush, **RESOLVED** that Ordinance No. 13-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 99-C

RESOLUTIONS:

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

- 1) Payment of Claims to include the following recreation check approvals:
 - a. Mountain Creek 2007/08 Ski Program \$5000 Maximum
 - b. D.T.M. Productions DJ – Costume Party \$ 245
 - c. Parties, Picnics etc. Fright Night Games \$ 570
 - d. Francine Satriale Fright Night Clown \$ 250
 - e. Dark Forest Creations Fright Night Haunted House \$3060
 - f. D.T.M. Productions DJ – Fright Night \$ 245

RESOLUTIONS (continued):

- g. Nextel \$ 748.15
- 2) **Resolution #68-2007**; Tax Title Lien Redemptions:
 a. Lien #7-03 - \$11,869.02
 b. Lien #2-04 - \$24,483.12 plus fees \$1,191.20
 Total – Lien Redemption – U.S. Bank as Custodian - \$37,543.34
- 3) Approval of Escrow Payment to following:
 a) Paul Darmofalski, P.E. Target Corporation \$ 5,424.00
- 4) Bids received for the Paterson Hamburg Turnpike Sewer Extension & Pump Station were received and ranged from \$789,725 to \$1,419,200. This is the second bid round and is also above budget. The three lowest bidders are as follows: 1) DCM Contracting L.L.C. - \$789,725.00; 2) Marvec Construction Corp. - \$870,000.00 and 3) Stacey Contracting, Inc. \$882,000.00. There was a letter of protest for the two lower bidders from Stacey Contracting pointing defects in the two bids according to the bid laws N.J.S.A. 40A:11-16. Authorization to reject all bids due to being substantially over budget and authorize the Borough Engineer to negotiate with the bidders to try to obtain a lower bid.
- 5) **Resolution #69-2007**; Authorizing the Mayor and Clerk to execute the grant agreement with Community Development for the Riverdale Youth Center in the amount of \$80,000.
- 6) Authorization of a one day liquor license for the Riverdale Recreation Department for the Adult Halloween Costume Party to be held on October 27, 2007 at the Riverdale Community Center, and to authorize the permit fee in the amount of \$150.00 to be paid out of the fright night budget.
- 7) **Resolution #70-2007**; Special Item of Revenue and Appropriation – Chapter 159 to appropriate Community Development funds in the amount of \$80,000 for Recreation Center.
- 8) Accept bids for auction of cell tower property known as portion of Block 40, Lot 6.01 on November 5, 2007.

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

COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 100-D, E, F AND G**MAYOR REPORT:**

Mayor Budesheim reported that he attended a meeting with the Mayors of Butler, Kinnelon and Pequannock to discuss some of the ongoing traffic problems on Route 23. He received 100% support on the completion of our connection road from Wal-Mart to Home Depot. The DEP has not cooperated with issuing the permit because we're within 300 feet of a ditch that feeds into the Pequannock River. Their response was that the need to shop does not constitute a hardship. Mayor Budesheim stated this road was on our master plan for future development long before the area had any retail stores. The road would help with congestion, fuel consumption and air pollution. The three other towns would support a resolution encouraging the DEP to grant us the permit. Mayor Budesheim also reported on a new traffic problem at the Target ramp jug handle which was brought to his attention by the police when Target opened on Sunday. We need signs directing people to Route 23 North by Staples rather than trying to negotiate the jug handle. The DOT did not want that but we need to correct their mistake. Borough Engineer Darmofalski stated that Target has ordered three signs to direct traffic to Route 23 North and he will look into the striping. There was additional discussion regarding traffic issues at the shopping center and jug handle.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported on the Sharkey Landfill correspondence. Borough Attorney Oostdyk stated that it should be sent to our insurance company. Clerk Talerico also reported that the Fire Chief has inquired about the cost of living adjustment for LOSAP. Our ordinance sets a maximum of \$1,150 per member and would have to be amended. She also reported that Rock Creek was going to get in contact with the gentleman handling the COAH units at the Grande. He will possibly be purchasing the 10 units at Rock Creek. There was discussion regarding the RCA agreements. Clerk Talerico also reported the Department of Health and Senior Services has notified us the Public Employees Occupational Safety and Health Act has been amended. There is a requirement for employers to prepare and maintain a site specific written Indoor Air Quality program and conduct training of a designated person. Councilwoman Wetzel will bring up the matter at the next Board of Health meeting.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported that we received the Stage One Environmental Report on the Dube property. He sent a copy to the property owner who would be responsible for cleaning and removing the debris. There is additional testing required in order to get the Green Acres approval. He also received a proposal to update the appraisal.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported that the bid results for the Paterson Hamburg Turnpike Sewer Extension and Pump House were 50% over our established budget and he requested permission to negotiate with the five bidders. He also reported on the progress of the Mathews Avenue project. The quarry has a new public relations representative and we gave them three notifications of dust problems last month. Mayor Budesheim stated that residents are also complaining that they are starting operations before 6:00 a.m.

COMMITTEE REPORTS:

Councilwoman Wetzel reminded everyone that Fright Night is this weekend.

Mayor Budesheim distributed the PBA contract. He stated there were minor changes in the wording and the main items are the pay schedule and insurance. There is a time constraint for approving the contract due to October being the month of open enrollment for changing health insurance plans. There was discussion regarding the changes, particularly the paragraph specifying time of service increases. Councilman Carelli did not oppose the wording but would like all increases to be effective January 1st for everyone to simplify bookkeeping. Councilwoman Bush did not oppose but stated the same should apply to all borough employees. Councilpersons Wetzel and Guis stated they did not agree but if approved the same should apply to all employees. There was also discussion regarding the maximum number of sick days allowed to be accumulated. Mayor Budesheim stated that our ordinance reads differently than the police contract.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, to approve the PBA contract subject to verification of the salary chart, plus changes to page 8, article 6, paragraph B to include that increases will be effective on January 1st of the year following completion of the number of years specified.

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

ORDINANCES (continued):

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

ORDINANCE 14-2007

**ORDINANCE TO AMEND STORMWATER MANAGEMENT
PLAN TO INCLUDE A MITIGATION PLAN**

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

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:48 p.m.

Respectfully Submitted:

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