

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, Carelli, Guis, Wetzel, Falkoski**  
                           **Absent:**       **None**

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 Astarita, to close the public session.

**ALL IN FAVOR.**

**AUCTION FOR SALE OF REAL PROPERTY DESCRIBED AS A PORTION OF BLOCK 40, LOT 4, IN THE BOROUGH OF RIVERDALE WITH ALL RIGHTS UNDER THE SPRINT SPECTRUM LEASE OF THE PROPERTY – WITH A MINIMUM BID OF \$1,000,000.00. AUCTION WAS NOTICED IN THE NEWSPAPER ON OCTOBER 21, 2007 AND OCTOBER 28, 2007.**

One bid in the amount of \$1,000,000.00 was offered by Crown Castle USA Inc.

There being no further bids, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to accept the bid of \$1,000,000.00 from Crown Castle USA Inc.

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

**MAYOR REPORT:**

There was discussion regarding the Developers Agreement between the Borough of Riverdale and Leon Shepard, II and Berit Belyea. Borough Engineer Darmofalski stated the agreement has to do with off-site improvements for water and sewer. Borough Attorney Oostdyk stated that Water/Sewer Engineer Bill Ryden has reviewed and approved the engineers estimate.

Mayor Budesheim asked if anyone wished to bring forth a matter to the Governing Body. An unidentified audience member brought forth a petition signed by residents of Mathews Avenue and Degraw Road. Mayor Budesheim read the petition which opposed the reconstruction and redirection of the intersection and stated it is not constructed according to the approved plans presented to the Borough Council. They feel the redesign hinders the egress from DeGraw Road and is a potential hazard in both directions on Mathews Avenue. The petition states the intersection is a bus stop and requests an immediate change to the original design or installing additional stop signs and hazard warning lights. Borough Engineer Darmofalski responded that it had been an unsafe condition and his opinion is that the intersection has been made safer by eliminating a "T". He stated that it is constructed as per a modified plan that was approved by the Council. It is still under construction, additional warning signs can be added and he will continue to discuss the safety issues with the police department. A stop sign is not recommended and would need DOT approval. There was additional discussion regarding safety options and the location of the bus stop. It was decided to address the issue of the bus stop with the Board of Education.

**MAYOR REPORT (continued):**

There was a brief discussion regarding implementation of a policy for drug free workplace. Borough Attorney Oostdyk stated that a policy should be in place when you have CDL's.

There was discussion regarding Tilcon's night operations and the information they have provided to the borough. Mayor Budesheim stated that we continue to get complaints from residents. Quarry representatives are scheduled to attend the first Council meeting in December. There was also discussion regarding ongoing dust complaints and whether a formal record is being kept of the complaints reported. It was decided to put a form on the website and ensure the police department is recording any complaints.

Mayor Budesheim stated the owners of 7 Overlook Drive have requested a meeting to discuss their drainage complaint.

Mayor Budesheim reported that he met with an attorney representing a company who wants to use the railroad tracks as a solid waste transfer station. The Mayor stated that we cannot stop the railroad from utilizing their property. The site they were suggesting is in the redevelopment zone on Hamburg Turnpike and Mayor Budesheim suggested the industrial zone on Riverdale Road as a better alternative. There is no odor or leakage. The containers would be trucked from the Parsippany transfer station, loaded on railroad cars by a crane and sent to West Virginia. Operations would be during the day, six days per week. There was discussion regarding whether the roads could handle the volume of trucks coming in. Mayor Budesheim also discussed a lease agreement with the railroad to lease the railroad station for \$10 per year. He said that if the building was utilized by us the railroad might be less likely to plan a commercial use at that site.

Mayor Budesheim reported that the PBA contract is signed. There was discussion regarding a separate agreement to appoint Lieutenants Roemmele and Peine to the rank of Captain in recognition of their service. This rank is not covered by the PBA contract. Councilwoman Wetzel stated for the record that she has several disagreements with it. She stated that making revisions and making things very individual becomes a problem. We are setting precedents and we do things where the dollars and cents appear to be good for the long term but we have no guarantee. She stated that she agrees they are very fine officers but her concern is not that they can retire early and we don't do any justice to the taxpayers by increasing salaries and allowing people to have very nice early retirement plans. There is a problem creating bigger positions because we think it will be just as easy to take them away. She stated that the other police officers will be thinking there is now a spot for them to move up. Mayor Budesheim explained the reasoning for the agreement. He stated the salaries in this PBA contract were structured to keep the costs down the first three or four years and save the largest increase for the final year. The lieutenants would have to stay longer than three years to get the higher salary so the agreement was to allow them to retire as anticipated in three years. Mayor Budesheim stated that when they retire those positions will not be filled and our savings is \$700,000 the last two years. Councilwoman Wetzel stated that is what we say now until new negotiations come around. Councilman Falkoski stated that just because the positions exist does not mean that they have to be filled. Councilwoman Wetzel said she still has many concerns. She stated that it will be difficult to justify to the public why we suddenly have two police captains and she feels very responsible answering to the people in town. Mayor Budesheim stated that the police did not ask for this. He said he saw it as an opportunity to adjust the size of the police department and save money and to reward the two officers. After further discussion it was decided to add a statement that the officers' planned retirement will be December 31, 2010.

**MAYOR REPORT (continued):**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis to authorize Mayor Budesheim to sign the police contract with Lieutenants John Peine and Richard Roemmele with the additional statement that they commit to retire on December 31, 2010.

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

Mayor and Council decided the Reorganization Meeting will take place on Monday, January 7, 2008 at 7:00 p.m.

Mayor Budesheim stated that we would like to introduce the 2008 Budget at the regular meeting in January and adopt it in February.

Mayor Budesheim stated that leaks in our water and sewer pipes are costing us hundreds of thousands of dollars which resulted in the need for an emergency appropriation. We will attempt to find a forensic water engineer at the league convention this month to try and find these leaks. Councilman Falkoski stated that \$8,325 for vehicle maintenance was taken out of the Fire Department O/E and there was discussion that it would be transferred back. There was discussion regarding the matter and there may be an answer by the next meeting.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported receipt of an OPRA request from a reporter for police records regarding internal disciplinary actions. Borough Attorney Oostdyk will review the request. Clerk Talerico also reported that COAH has advised they have not received our adopted resolution and ordinance to appoint a municipal housing liaison. Borough Attorney Oostdyk will have it ready for the next meeting. Clerk Talerico will e-mail everyone information regarding the convention. She also reported that we've been notified our voice mail system is outdated and will no longer be serviced if needed. The system can be upgraded with up to 32 mailboxes at a cost of \$4,770.70 for equipment and \$1,529.21 labor. There was discussion regarding the phone system. Clerk Talerico reported that she is still holding correspondence dated May 9, 2007 from the DEP regarding a fertilizer management ordinance. Borough Engineer Darmofalski stated he received no notification as Stormwater Coordinator but will look into it.

**BOROUGH ENGINEER REPORT:**

Borough Engineer Darmofalski reported the service road is under construction on the Horton property and we are waiting for a start date from the Target organization. The disturbance on the Horton project was less and ¼ acre and therefore not subject to NJDEP regulations and the service road location on the Target property has been permitted. He also reported that letters were sent to the bidders of the Paterson Hamburg Turnpike Sewer Extension project and we will be negotiating with them. He forwarded a request for a change order for the Mathews Avenue Project for some water improvements that were omitted. The total amount is \$24,634.00.

**COMMITTEE REPORTS:**

Councilman Falkoski inquired as to the status of the liquor license that is being appealed since we had placed conditions at the time of renewal. Borough Clerk Talerico stated that we have not heard anything from the ABC and she will call them. Councilman

**COMMITTEE REPORTS (continued):**

Falkoski stated that noise complaints at that location have been received. Mayor Budesheim stated that we could schedule our licensed sanitarian to measure decibels with her equipment.

Councilman Guis reported that there is another leak at the library in the HVAC unit. The DPW will try to do the work and save us a service call but the units need to be maintained on a regular basis. Councilwoman Wetzel stated that our Health Officer told her that the HVAC filters should be changed and lines checked to ensure the air quality. The Health Officer will take a course that is offered and would speak with DPW Superintendent regarding the matter.

Councilwoman Wetzel thanked everyone who attended the Halloween festivities. June Carelli and the committee did a wonderful job and there was a good turnout. She thanked Mayor Budesheim for the photographs and follow up on the website.

Councilwoman Bush reported that she received a letter from the County Municipal Drug Alliance stating that we were awarded the \$6,000 that we had requested. We will need a line item in the 2008 budget for the municipal contribution of \$1,500 and there will be a \$4,500 in-kind match. She described some of the Municipal Alliance Programs that will be funded.

**RESOLUTIONS:**

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

- 1) Payment of Claims:
 

a. Jordan Transportation - Summer Recreation Trips	\$9,915.00
b. Jersey Central Power - Electric	\$3,927.76
c. Jersey Central Power - Electric	\$2,757.86
d. Jersey Central Power - Electric	\$4,074.62
e. Alan Kelly - Reimburse for bank charges	\$ 99.00
f. Postage Reserve a/c - Refill Postage Meter	\$1,500.00
g. Increase Mountain Creek Payment previously approved	\$8,000.00
h. Expense check for League Dinner – Convention	\$1,000.00
i. Carefree Bus Tours - Mary Poppins Theater Trip	\$ 695.00
- 2) **Resolution #71-2007;** Approve Data Trace proposal to pay \$300 per year for weekly transmittal of tax and utility records on a weekly basis to be done electronically.
- 3) **Resolution #72-2007;** Transfer of Appropriations.
- 4) **Resolution #73-2007;** Special Item of Revenue and Appropriation - Chapter 159 – to appropriate Alcohol Education and Rehab funds in the amount of \$1,635.03
- 5) Authorization of expenditure to update the Riverdale Code Book at a maximum amount of \$2,800.00.
- 6) Authorization of escrow fund release to Cellular Telephone Company, d/b/a/ AT&T Wireless – in the amount of \$1,272.50.
- 7) **Resolution #74-2007;** Authorize Mayor Budesheim to execute Green Communities Grant in the amount of \$3,000.00. Shade Tree Grant.
- 8) Approval of expense payments to Mayor, Council, Borough Clerk and Tax Collector through payroll for the League of Municipalities Convention.
- 9) **Resolution #75-2007;** Emergency Appropriation appropriating \$150,000 to Water Utility Operating Fund.
- 10) **Resolution #76-2007;** Authorize execution of a Developers Agreement between the Borough of Riverdale and Leon Shepard, II and Berit Belyea.

**RESOLUTIONS (continued):**

- 11) Authorize Mayor Budesheim to execute a memorandum of agreement with the NJDEP in connection with soil removal at Glenburn.
- 12) Approve change order to Tilcon New York, Inc. in the additional amount of \$24,634.00 for water improvements for the Mathews Avenue Project.

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

**OTHER BUSINESS:**

- 1) Certificate of Determination and Award certifying that Kenneth Sesholtz, Chief Financial Officer has awarded a note in the principal amount of \$1,325,000 to JP Morgan Chase Bank, Riverdale New Jersey at an interest rate of 3.69% payable at maturity on February 1, 2008.
- 2) Certificate of Determination and Award certifying that Kenneth Sesholtz, Chief Financial Officer has awarded a note in the principal amount of \$4,875,000 to Bank of America, Boston, Massachusetts, at an interest rate of 3.50% payable at maturity on October 31, 2008.

Mayor Budesheim stated the notes were renewed and one was for three months so we can pay it off when the money is received from Green Acres.

- 3) Consideration of council to increase the fire department's LOSAP award by the COLA amount for the year 2007. The 2007 municipal budget holds a \$37,500 appropriation.

There was discussion regarding the reward amounts and whether we need to amend the ordinance. Borough Attorney Oostdyk will look into the matter for the next meeting.

**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 Councilman Astarita, to adjourn the meeting.

**ALL IN FAVOR.**

Adjourned: 10:15 p.m.

Respectfully Submitted:

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