

ORDINANCES (continued):**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 111-D**

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

ORDINANCE 19-2008**ORDINANCE AMENDING CHAPTER 69 THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROVIDING FOR PENALTIES FOR THE FAILURE TO PAY FALSE ALARM FEES**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 111-E**RESOLUTIONS**

Mayor Budesheim stated that resolution No. 74-2008 was ordered by the State Department of Alcoholic Beverage Control. Councilman Carelli asked for clarification of resolution No. 72-2008. Borough Attorney Oostdyk explained resolution No. 68-2008 and 69-2008.

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

- 1) Payment of Claims.
 - a. HMR Architects - Glenburn Barn Stabilization - \$18,606.80
- 2) Payment of bills from Escrow Funds for the following:

a. Darmofalski Engineering	-	Target Corp.	\$1,300.00
b. Darmofalski Engineering	-	Target Corp.	\$1,560.00
c. Darmofalski Engineering	-	D.R. Horton (Grande)	\$1,560.00
d. Darmofalski Engineering	-	Alexan (Riverwalk)	\$1,040.00
e. Anderson & Denzler	-	Alexan (Riverwalk)	\$ 608.00
f. Anderson & Denzler	-	D.R. Horton (Grande)	\$1,359.26
g. Anderson & Denzler	-	Target Corp.	\$ 280.00
h. Richard Clemack, Esq.	-	Alexan (Riverwalk)	\$1,436.68
- 3) **Resolution No. 68-2008;** Seeking an Extension of Deadline to Petition for Substantive Certification Pursuant to Executive Order 114 and the Memorandum of Understanding between the Highlands Council and the Council on Affordable Housing.
- 4) **Resolution No. 69-2008;** Notice of Intent to Petition the Highlands Council for Plan Conformance (Non-Binding)
- 5) **Resolution No. 70-2008;** Transfer of Appropriations.
- 6) **Resolution No. 71-2008;** Emergency Appropriation – Water Utility – Appropriating \$50,000 in the Water Utility Appropriations Operating Expenses.
- 7) **Resolution No. 72-2008;** Emergency Appropriation – Current Fund – Appropriating \$36,174 in the BPP Adjustment for School Purposes.
- 8) **Resolution No. 73-2008;** Refund of Tax Overpayments – Block 40, Lot 2.8119 – Judith Accardi, Esq. for Anna Karolak for year 2008 - \$919.10 – Duplicate Payment.

- 9) **Resolution #74-2008;** To suspend Wes' Tavern Liquor License #1433-33-007-001 for the year 2008/2009 due to improper filing of the renewal term and until the applicant received a Special Ruling from the Division of Alcohol and Beverage Control, Department of Law and Public Safety.
- 10) Additional Payment of Claims not on bills list:
- | | | | |
|-------------------|---|------------------------|--------------------|
| a. Livia Deak | - | Children's Dance Class | Balance in Account |
| b. Ildiko Bellini | - | Tot's Music Class | Balance in Account |
| c. Sandy LaCorte | | Exercise Class | \$290.00 |
| d. Glacial Energy | | Electric Bills | \$5,092.31 |
| e. Mountain Creek | | Ski Program | \$3,000.00 maximum |

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 112-F, G, H, I, J, K, L AND M

OTHER BUSINESS:

- 1) TCR/Alexan Riverwalk Developers Agreement.

Borough Attorney Oostdyk stated the major issue is with COAH obligations. The COAH issues are still in a state of flux making it difficult to finalize the Developers Agreement. The developer needs this document to secure financing. There was Council discussion regarding the possibility of group homes to meet COAH obligations. Todd Murphy, attorney for TCR, spoke regarding the issues the developer is facing. This agreement will apply only to Phase One of the development.

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

Resolution #75-2008; Authorizing execution of a developer's agreement with TCR/Riverdale Road Development, LLC and the Borough of Riverdale.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 112-N

- 2) VSAP Program Award money allocation for the eligible members of the Pompton Lakes/Riverdale First Aid Squad. The total amount payable per Sharon Sonne, VSAP Officer/PLFAS is \$17,177.70.

Councilman Carelli set forth the motion, seconded by Councilman Astarita, to authorize issuance of checks to the eligible members of the Pompton Lakes/Riverdale First Aid Squad for the VSAP Program Award in the total amount of \$17,177.70.

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

- 3) Final Decision on the release of the Target Bonds – Paul Darmofalski to give a report.

OTHER BUSINESS (continued):

Borough Engineer Darmofalski stated that Horton and Target had stopped construction on the service road. As of today, Horton has advised construction will resume and they will try to convince Target to do the same. Council previously voted to approve the reduction of the Horton bond and return of the Target bond pending the service road being under construction. Borough Attorney Oostdyk stated this has nothing to do with the road. We have guarantees in place by both Target and Horton to complete the service road. Mayor Budesheim stated that under the advice of our attorney we do have to return the Target money and the Borough Clerk can notify them the check will be issued. The Borough Clerk will also send Horton a letter stating the reduction has been approved so they can submit a revised bond.

- 4) Letter from Elaine Peacock – 237 Cannella Way – requesting that an additional street light be placed on Cotluss Road because she states that she has to walk that street every morning and evening to take the New York bus and the vehicles traveling down Cotluss do not mind the speed limits and cannot see her walking due to the poor lighting. (copy of letter was transmitted to governing body upon receipt prior to the workshop meeting)

Mayor Budesheim stated that he and Everton Scott of JCP&L had selected poles for lights and a light had been ordered. Mr. Scott's replacement is going to review their files so we can address this issue. Borough Engineer Darmofalski stated that Mr. Walker was supposed to install the sidewalks by 2008.

MAYOR REPORT:

Mayor Budesheim stated that we received a bill for the fence damaged by a snow plow at 64 Post Lane. The owner did the repair work. The owner was told that the fence is in the borough right of way and if he chose to make the repair it is at his own risk. The Borough Attorney will prepare an agreement to that effect.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to approve payment of \$1,187.80 for repair of damaged fence at 64 Post Lane.

ROLL CALL: **Ayes: Astarita, Falkoski, Guis, Wetzel**
 Nays: Carelli
 (4 ayes – 1 nay – motion carried)

There was council discussion regarding bills of \$120 per month for Verizon wireless internet service for the two computers in the fire command vehicles. Council agreed that unless the service is required for the software in the vehicles it will be terminated.

Mayor Budesheim reported that Gloria Carelli contacted him regarding a food pantry. It would be strictly donations and volunteers and there is space in the basement of the Community Center. She anticipates a start date of January 1, 2009.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported on the status of the sewer project. We continue to encounter utilities in the road that were not known and a recommendation for change orders for the contractor is being prepared. As of right now the amount is \$42,000 and we continue to count. Councilwoman Wetzel stated that the utilities should be asked to take some financial responsibility. There was discussion regarding road paving plans.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported that we closed on the Dube property purchase on Friday.

COMMITTEE REPORTS:

Councilman Falkoski reported the court report for the month of October.

Councilman Astarita reported he will be meeting with the library committee to discuss their needs. He will be attending the County Community Development meeting on December 4th.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:55 p.m.

Respectfully Submitted:

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