

The workshop meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:30 p.m. with the Pledge of Allegiance.

Mayor William Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Bush, Guis, Wetzel, Falkoski**
 Absent: **Carelli (vacation)**

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 Guis, to close the public session.

ALL IN FAVOR.

ATTENDANCE OF REPRESENTATIVES OF TILCON NEW YORK, INC. TO PROVIDE AN UPDATE ON IMPLEMENTATION OF DUST CONTROL MEASURES.

Brian Montag, Counsel for the Tilcon quarry, Bill Astonal, General Manager, and new Plant Manager Tony Jones updated the governing body on the progress being made to control dust. The new sweeper truck was secured the first week of March and there is a dedicated operator assigned. There are two Nesco dust suppression systems. The system for the primary plant was replaced with an upgraded unit. The secondary plant system has been reconditioned and they replaced a high percentage of the water lines and cleaned the water tanks. A maintenance and training agreement will be set up with Nesco for periodic monitoring. Traffic control signs are posted for truckers. Calcium Chloride was used this winter to control some of the dust issues and a supply is available for windy conditions as needed. Councilman Astarita asked about relocating the stockpiles near the I-287 ramps to within the floor of the quarry. Mr. Astonal stated that may be part of future capital improvements. Councilman Guis stated that he had driven by the quarry a month ago and it was extremely cloudy. He called the mayor and police because this was flagrant. He asked who is responsible to stop work when that occurs. Mr. Astonal stated he was in agreement and there is policy that the plant manager should stop work. Mr. Jones assured that in no instance would a man be pulled off of a water truck. Councilman Astarita stated that we've been dealing with this problem for a long time and the goal should be to keep their business within their boundaries. He asked how they could meet that goal. Mr. Astonal stated all of the equipment has been purchased and significant improvement can be expected. Mayor Budesheim asked whether their plant in Nyack was spending \$40,000,000 on environmental and dust controls. Mr. Montag stated that he believed that amount related to capital expenditure for new operations. There was discussion regarding having a chute on the conveyor belt for the large stockpile at the entrance. Construction continues on the retention basin. Mr. Montag stated that they located a map of the site contemplating the basin from 1992 and he believes they are legally sound. They will apply to the Planning Board for approval as requested by Borough Engineer Darmofalski and he does not anticipate any objection. Mayor Budesheim asked that they confer with our Borough Attorney regarding the retention pond and reclamation plan. Tom Boorady of Darmofalski Engineering stated that when they do the inspections everything looks great but when they spot check things are pretty dusty. He recommended keeping a closer eye on them. They have the equipment but it has to be used to be effective. There was discussion regarding use of other chemical products for dust control and the problem of spillage from the trucks. Mayor Budesheim asked the quarry representatives to attend the July 2 council meeting.

ORDINANCES:

Mayor Budesheim asked if our existing stormwater ordinance should be included in this state model ordinance. Borough Attorney Oostdyk stated they both need to co-exist. We will have to review the land use code with the engineer and make amendments. Mr. Boorady stated that this ordinance should be adopted as written so every municipality in the state is following the same design standards.

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

ORDINANCE 05-2007**AN ORDINANCE AMENDING REVISED GENERAL ORDINANCES OF THE
BOROUGH OF RIVERDALE AND PROVIDING FOR STORMWATER
MANAGEMENT REGULATIONS**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 40-A**RESOLUTIONS:**

Councilman Falkoski requested that resolutions 3 and 4 which are rescinding award of bid for digital equipment and cancelling a purchase order for camera equipment for the Police Department be removed. The money for these items was obtained through donation for this purpose and he sees no reason to rescind either item. Several council members asked why these resolutions were being considered since they had already been approved. Mayor Budesheim stated he wanted to evaluate whether monies made available to the borough were being used most efficiently. It was decided to remove the two resolutions and hold the vote on remaining resolutions until the end of the meeting.

MAYOR REPORT:

Mayor Budesheim reported on a meeting he had today with members of New Jersey Transit regarding the bus stop that Cedar Crest has been requesting on Route 23. The meeting was at the request of several Assemblymen. It was agreed that a bus stop directly on Route 23 is dangerous due to crossing the highway. There was discussion that a parking lot such as Home Depot be a better location. There are 558 units being constructed at the Grande and people have requested we look into getting bus service to New York City. New Jersey Transit is also trying to initiate service between here and Morristown. They are looking for a parking area with a dozen or so parking spaces that they can designate as a bus stop. Borough Engineer Darmofalski will check into possible locations. Mayor Budesheim asked for a legal opinion on a request to purchase a tax sale certificate. Borough Attorney Oostdyk stated that investors would like to purchase the tax sale certificate from us for the property located on Route 23. It would allow us to recoup the money from unpaid taxes and interest and they would most likely continue to pay the taxes on the property. Mr. Oostdyk will prepare a resolution to go forward with the sale. Mayor Budesheim asked if we could correct a situation where a property owner had demolished a house and the demolition permit was not forwarded to the tax assessor. This resulted in the improvements not being removed from the assessment. Borough Attorney Oostdyk explained the procedure for changing an assessment and stated there is an exception for correction of errors which he will look into.

CORRESPONDENCE:

- 1) A Resolution from the Morris County Board of Taxation establishing the percentage of one hundred (100%) percent as the ratio of assessed to true value of real property as the ratio to be used within the County of Morris for the purpose of assessing the taxable values to be used in levying taxes for the year 2008 and thereafter until changed in accordance with Chapter 51, Laws of 1960 (Revised Statutes 54:4-2.27).

OTHER BUSINESS:

- 1) Discussion – Purchase of Dube Property and Ordinance enabling this purchase.

Discussion during Attorney Report.

- 2) Possible release of Cash Bond to Majestic/Beazer Homes.

Mr. Musumeci of Majestic Homes stated an agreement had been made meeting that Beazer would finish the paving and he had put \$80,000 in escrow with his attorney for their reimbursement. He had requested his final \$130,000 bond be reduced to \$10,000. Everything is complete except for the paving and monuments.

ATTORNEY REPORT:

Borough Attorney Oostdyk reported the attorney for our garbage hauler indicated they had a discussion regarding the issue at Rock Creek and he would get back to us this week with a proposal. He also reported on the purchase of the Dube Property. Their attorney had inquired where we were as far as finalizing this. We had agreed on price but have not formalized an ordinance. We need to approve the contract and determine how it will be funded. Mayor Budenheim stated we have \$70,000 or \$72,000 from Green Acres and could amend the application to \$100,000. He will apply to the Morris County Open Space and Trust Fund in July. Mr. Oostdyk will discuss funding with the Finance Officer and prepare an ordinance for the next meeting.

COMMITTEE REPORTS:

Councilman Falkoski stated the Fire Chief requested a contact to assist with a walk through drill at the Senior Community Center. Councilman Guis will assist.

Councilman Guis reported that DPW employee Alan Kelley is out of the hospital and will hopefully be returning to work soon.

Councilwoman Wetzel reported on the Board of Health. We now have a formal job description for the public health nurse from the State of New Jersey. An ordinance was adopted regulating public recreational bathing. A blood borne pathogen exposure control plan has been implemented and is available for review.

Councilwoman Bush reported that the last Municipal Alliance Committee meeting will be held May 30th. The application is to be submitted to the Morris County Municipal Alliance in June. We should have an amount that we will receive from them and we will need to match 25 percent of the funds. The programming would start in 2008.

Councilman Astarita reported that we still have a leak in the front portion of the library. He is still waiting for roofers to return calls.

RESOLUTIONS (continued):

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

- 1) Payment approval (check issuance) for the purchase of a 2007 Ford 500 for the building department in the amount of \$18,500.
- 2) Resolution to approve 2007 pay increase for Edward Aungst increasing his hourly rate to \$18.72. This is the 4% increase instituted for municipal employees for 2007.
- 3) Resolution of Governing Body approving the release of Cash Bond except for \$10,000 to Majestic/Beazer Homes, subject to confirmation from the Borough Engineer that paving is complete.
- 4) Resolution to approve payment for additional 25 hours at regular hourly rate to Terri Pellegrini for extra hours worked as matron since January 1, 2007.
- 5) **Resolution #39-2007**; Emergency Temporary Appropriations.
- 6) **Resolution #40-2007**; Award of Professional Contract for an environmental investigation in connection with the Glenburn-Van Ness Property to PK Environmental in the amount of \$9,495.00.
- 7) Resolution of Governing Body approving the release/reduction of the following bonds; #5016272 - \$2,367,187.00; #5016273 - \$2,799,038.67 and #5016274 - \$2,831,027.69 for Riverdale Crossing, L.L.C. to \$20,000.00 upon submittal of a maintenance bond in the amount of 15% of the original performance bonds to run for a two year period prior to the release of the original bonds.
- 8) Resolution to approve pay increase for Building Inspector Bob Cellini increasing his hourly rate to \$30.00 retroactive to January 1, 2007.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 42-B AND C**CLOSED SESSION:**

Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that the Mayor and Council go into closed session to discuss matters of contractual negotiations, of which minutes will be kept and released upon completion of these matters.

ALL IN FAVOR.

Closed Session being completed Councilman Falkoski set forth the motion, seconded by Councilman Guis to open the meeting to the public.

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:40 p.m.

Respectfully Submitted:

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