

The Annual Re-Organization Meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:00 p.m. with the Pledge of Allegiance.

Mayor William Budesheim presiding.

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

MUNICIPAL CLERK READS CERTIFICATION OF ELECTION:

Municipal Clerk Carol Talerico read the certification of the determination of the November 7, 2006 General Election as follows:

NAME	OFFICE	TERM
Donna Bush	Borough Council	3 Years
Paul Carelli	Borough Council	3 Years

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED OFFICIALS:

The Oath of Office was administered to the Borough Council Members.

ROLL CALL: **Present:** **Bush, Wetzell, Guis, Carelli, Falkoski**
 Absent: **Astarita (ill)**

INTRODUCTION OF NEWLY ELECTED OFFICIALS AND REMARKS BY SAME.

COUNCILWOMAN DONNA BUSH:

I want to thank all the citizens of Riverdale who've elected me to my fifth term as a council member. It is really a great experience to be part of local government. I've been given so many opportunities to meet and to learn from many dedicated elected officials in the town, on the county level and throughout the state. I have great pride in Riverdale and how the Mayor and Council, Police Department, Fire Department and all of our department supervisors and employees conduct the day-to-day business necessary to run a town in a fiscally, ethically, and morally responsible way. My colleagues on this dais truly do earn your respect every day for their dedication and hard work and it is a pleasure to work with them all. I look forward to another term on the Council. This year one of my tasks is going to be the overseeing of the forming of the Riverdale Municipal Alliance Committee. This committee objective will be to provide different wellness programs for all the ages of our community and we look forward to enhancing programs that will be offered at the new Senior Community Center for all ages. The founding committee members who are willing to do this volunteer work and give their time to form the alliance will be appointed this evening. They, along with the many other volunteer appointments that will happen tonight, are the real reason that Riverdale is a great place to live. Thank you to my family for their support and for their understanding when I'm not available to them but am working for our larger family – the community of Riverdale. Congratulations to my running mate, Paul Carelli, and to all the appointees this evening. I was looking for a little bit of words of wisdom, a quote, that I could use for tonight because I think we've a spirit of volunteerism that's going to be honored tonight. The words of the anthropologist, Margaret Mead: "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed it is the only thing that ever has." That's what Riverdale's about. Thank you.

COUNCILMAN PAUL CARELLI:

I also would like to thank the residents of the Borough of Riverdale for electing me to a third term on the Council. It's been a privilege and an honor and I really appreciate all the support I've gotten over the last three years. Just looking back over those three years, at about the same time Mayor Budesheim became our Mayor, I was thinking about some of the things we've accomplished together with this governing body. Our Senior Community Center is a building we can all be proud of. It's a beautiful building and I can't wait until all of the residents get to use it. One of the things we talked about three years ago was community spirit and trying to revive that and getting the people of Riverdale involved in different activities. I think we've accomplished that with our concerts in the park, our street fairs, fright night festivals and holiday gatherings. We've really done a lot of things to really revive our community spirit. I'm also proud of being the Finance Chairman over the last three years. It has been a challenge and one of the things that was the biggest challenge was to purchase and update a lot of the equipment in Riverdale. We had in our Police Department vehicles that were aging and our Fire Department as well. I'm very proud when I see our Police Department, one of the finest groups of gentlemen and ladies that you'd ever find, with our equipment, our new cars, the new laptops in the cars, and new dispatching system. All that software and things that had to be done and at the same time keeping the municipal tax rate low. Our Fire Department last year had a double wetdown for two new firetrucks. It's been a challenge and I'm really proud of what we've been able to accomplish. I'm also proud that we've been able to establish a relationship with the Board of Education. Every year we sit with them early on and have some pizza, the finance committee, and we talk about ways that we can share services and cut costs for the residents. That's really been beneficial. I look forward to the next three years that will be more challenging and I'm so happy to be a part of this governing body and to be a part of Riverdale. Thank you.

APPOINTMENT OF BOROUGH ATTORNEY – BY MAYOR AND CONFIRMATION OF COUNCIL:

Mayor Budesheim offered the name of Robert Oostdyk as Borough Attorney.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to appoint Robert Oostdyk as Borough Attorney.

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

RESOLUTIONS:

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

- 1) **Resolution No. 1-2007;** Re: Official Legal Newspaper – Suburban Trends.
- 2) **Resolution No. 2-2007;** Re: Annual meeting schedule – 1st and 3rd Monday of each month at 7:30 p.m.
- 3) **Resolution No. 3-2007;** Re: Bank Signatures and Depositories.
- 4) **Resolution No. 4-2007;** Re: Delinquent Taxes.
- 5) **Resolution No. 5-2007;** Re: Local Public Contracts Law.
- 6) **Resolution No. 6-2007;** Re: Work Periods – Law Enforcement.
- 7) **Resolution No. 7-2007;** Re: Official Holidays – Borough Employees.

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

COPY OF RESOLUTIONS IN FULL ON PAGES 3-A, B, C, D, E, F, AND G**COUNCIL TO SELECT PRESIDENT OF COUNCIL:**

Tabled until next meeting.

MAYOR BUDESHEIM NAMES COUNCIL COMMITTEES:

Mayor Budesheim stated the 2007 Council Committees:

Councilperson Carelli	Finance	2 nd Bush
Councilperson Falkoski	Public Safety	2 nd Wetzel
Councilperson Guis	Public Works	2 nd Astarita
Councilperson Wetzel	Community Relations	2 nd Falkoski
Councilperson Astarita	Buildings & Grounds	2 nd Guis
Councilperson Bush	Personnel	2 nd Carelli
Councilperson Guis	Vehicles	2 nd Carelli

2007 APPOINTMENTS MADE BY MAYOR BUDESHEIM AND CONFIRMATION OF COUNCIL:

Mayor Budesheim read the names into the record of the 2007 Appointments.

Mayor Budesheim requested Council confirmation of the 2007 Appointments.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, for Council confirmation of the 2007 Appointments as listed.

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

The Oath of Office was administered to the Appointees.

COPY OF 2007 BOROUGH OF RIVERDALE APPOINTMENT LIST IN FULL PAGE NO. 3-H

Councilwoman Bush set forth the motion, seconded by Councilman Carelli, to appoint Joseph Falkoski as council representative to the Planning Board.

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

REMARKS MADE BY MAYOR WILLIAM BUDESHEIM:

I would like to thank everyone for coming to the Borough's reorganization meeting. This format is a first for us. Tonight we invited all of the appointees to attend in order that they may be sworn into office at a more formal setting than usual. The reason we decided to do it this way is to put the proper emphasis on the role these men and women plan in the functioning of this local government. Without their dedication and commitment to service the municipality would not have the reputation it has for efficiency, friendliness and accomplishment. The past year was not without many successes and realization of goals. We took possession of the Van Ness House, our first foray into open space and historic preservation. All our departments have been evaluated and organized to attain greater performance and accountability for the tax money needed to run them. Our Police Department, rated number one in 2005 in Morris County, has

REMARKS MADE BY MAYOR WILLIAM BUDESHEIM (continued):

seen an improvement in 2006 proving once again that our department is the best of the finest. Our Fire Department continues to be trained in the latest firematic techniques and represents the best of the bravest. Our DPW continues to amaze all in the tasks they are willing to take on and to complete. Recently they reconstructed the girls locker room at the school, by way of example, in which they saved the taxpayers over \$70,000. Our CERT teams are always available when called upon whether it be the summer concerts, the street fair or health clinics. The front office is just that. They are on the front lines in dealing with the public, professionals and other municipalities. If they don't have the answers, they know where to get them, and they do. Our Health Department continues to provide health awareness and protection to the public from all sorts of threats. The Recreation Department has become extremely active and innovative in the types and number of programs being offered to residents. Without our Planning Board and the experience and knowledge of those accumulated, the reasonable planned growth of the town would not be possible. Our court system has the difficult task of processing efficiently and properly the summonses issues by the number one Police Department in the area. The Construction Department has had its hands full with the amount of building going on within the community. They have handled it in a way that makes the town proud of them. Our legal, engineering and planning officials are among the most professional I have ever come across, making our decision making that much easier and more responsive to the needs of the borough. Looking to the future, we are within days of completing the Senior Community Center on Loy Avenue. Not only will this first-rate facility provide the venue for so many programs in existence and in the planning stage, but is a monument to the spirit of cooperation and working together. This became a joint effort of the governing body and the Board of Education. Tonight we launch the Municipal Alliance Committee, giving us the resources available to other towns in our war against drugs and substance abuse. The number-one agenda for this year comes under planning and it's two prong. The preservation of open space is No. 1-A. Redevelopment of the community business zone is No. 1-B. We intend to maintain the quality of life while maintaining a stable and affordable tax base. Looking forward to working with all within the community, I wish everyone a happy and healthy New Year. Thank you.

Mayor Budesheim stated that without the volunteers, contributions, donations and support from the residents and business community we would not be able to do half of what we've done. Tonight we express our appreciation for the year 2006. Mayor Budesheim and Councilwoman Wetzel presented certificates of appreciation to the recipients.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:35 p.m.

APPROVED:

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

RESOLUTIONS:

Councilman Falkoski set forth the motion, seconded by Councilwoman Bush, to authorize a check to be issued in the amount of \$5,500 for a 50% deposit on a home theater system for the Senior Community Center, pending receipt of two additional quotations.

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:40 p.m.

APPROVED:

Respectfully Submitted:

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

RESOLUTIONS (continued):

Reimbursements not to exceed \$300.00 each for League of Municipalities Convention hotel charges billed to council members personal credit cards

- 2) **Resolution #8-2007**; Transfer of 2006 Appropriation Reserves.
- 3) Approval of Escrow Payment to following:

a)	Paul Darmofalski, P.E.	Target Corporation	\$12,130.00
b)	Paul Darmofalski, P.E.	D. R. Horton	\$ 3,520.00
c)	Paul Darmofalski, P.E.	K&K Developers	\$ 960.00
d)	Paul Darmofalski, P.E.	RKG Development	\$ 380.00
e)	Paul Darmofalski, P.E.	Alexan at Riverwalk	\$ 805.00
f)	William Ryden, P.E.	Riverdale Crossing	\$ 2,274.51
g)	William Ryden, P.E.	D.R. Horton	\$ 252.27
h)	William Ryden, P.E.	Alexan Riverwalk	\$ 325.00
i)	William Ryden, P.E.	Majestic Home Builders	\$ 130.00
j)	William Ryden, P.E.	Target	\$ 780.00
- 4) **Resolution No. 9-2007**; Tax Records – Debits & Credits – Cancellation.
- 5) **Resolution No. 10-2007**; 2007 Interlocal Services Agreement for Mobile Data Terminal Services. Payment of \$1.00 to be made towards agreement.
- 6) Approval of additional fees proposal for Paul Darmofalski, P.E. for the Riverdale Senior Center at a proposed amount of \$12,000.00.
- 7) Approval of payment to Paul Darmofalski in the amount of \$5,320 for engineering services – Riverdale Senior Center.
- 8) Approval of professional engineer fees proposal for Anderson & Denzler Assoc., William Ryden, P.E. for the Mathews Avenue Water Main Project at a proposed amount of \$20,000.
- 9) Approval of payment to Anderson & Denzler Assoc. in the amount of \$8,135.50 for engineering services – Mathews Avenue Water Main Project.
- 10) **Resolution #11-2007**; Professional Agreement 2007 – Legal Services – Robert Oostdyk, Esq., Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt.
- 11) **Resolution #12-2007**; Professional Agreement 2007 – Engineering Services – Paul Darmofalski, P.E., Darmofalski Engineering and Associates.
- 12) **Resolution #13-2007**; Professional Agreement 2007 – Engineering Services - William Ryden, P.E., Anderson & Denzler Associates.
- 13) **Resolution #14-2007**; Professional Agreement 2007 – Legal Services – Special Counsel, Richard J. Clemack, Esq.
- 14) **Resolution #15-2007**; Professional Agreement 2007 – Legal Services – Planning Board – John Barbarula, Esq.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 7-A, B, C, D, E, F, G, H, AND I

COMMITTEE REPORTS:

Councilwoman Bush reported that the Municipal Alliance Committee would be meeting on January 22nd in the municipal building to begin the needs assessment process.

PUBLIC PARTICIPATION NO. 2:

Ross Kushner of the Pequannock River Coalition gave an update on projects they are working on. He distributed brochures for the water trail on the Pequannock, Pompton and Ramapo Rivers. There is at least one access point in Riverdale at Freedom Park. He

PUBLIC PARTICIPATION NO. 2 (continued):

stated that the purpose is to make use of the river safer, organized and to promote it. They would like to work with the borough to decide on how Freedom Park would be used as an access point, parking areas and signage. There was a brief discussion regarding liability concerns. Borough Attorney Oostdyk stated that we are insured and we would check with our insurance company to be sure we are taking the necessary steps as far as signage and proper care. Councilman Guis stated the only parking at Freedom Park is by the ball field and pistol range. Mr. Kushner also distributed a draft copy of the Natural Resources Inventory prepared for Riverdale and asked for comments. He stated the report is very objective and he hopes it will eventually be adopted as part of the master plan.

Councilman Falkoski stated that Police Chief Soules has recommended the appointment of two part-time dispatchers. There is no additional cost to the borough as they would only fill in when someone is out.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to appoint Linda Tria and Jessica Ryan as part-time dispatches for the Riverdale Police Department.

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

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

ALL IN FAVOR.

Councilman Carelli set forth the motion, seconded by Councilman Astarita, to approve payment of \$443.25 to Universal Silk Screen of Paterson for children's bowling T-shirts.

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:50 p.m.

Respectfully Submitted:

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

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, Carelli, Guis, Falkoski**
 Absent: **Wetzel**

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 Carelli, to close the public session.

ALL IN FAVOR.

RIVERDALE QUARRY REPRESENTATIVES ATTENDANCE:

Mayor Budesheim announced that Mayor John Murrin of Pompton Lakes was in attendance as a special guest who shares our concerns and interests with the quarry.

Borough Engineer Paul Darmofalski stated that representatives from Tilcon quarry were invited to discuss two issues with the governing body. They will give an annual report under their license agreement and report on the extended life of the quarry. They will also discuss dust control.

Brian Montag, Counsel for the Tilcon quarry, stated that representatives would give an update and address concerns regarding dust control. He stated the quarry has been in compliance with permitting and state requirements. He gave a brief review of the emission control plan that has been effect for five years. Copies are available and one was provided to the Borough Engineer.

Health Officer Peter Correale stated that Riverdale has a comprehensive health ordinance regarding air pollution.

Bill Astonal, Tilcon General Manager for Stone Operations, discussed ongoing and planned upgrades. He stated the recent use of calcium chloride on roadways and stockpiles has had positive results controlling dust emissions when the water truck cannot be used due to weather conditions below freezing. Councilman Astarita stated that calcium chloride had been tried four or five years ago and there hasn't been any remediation. He asked if Mr. Astonal could get this problem solved. Joyce Watkins, Tilcon Community Relations, stated that calcium chloride was used in 2005 but not 2006. Borough Engineer Darmofalski stated that 2005 was our best year and if the calcium chloride is not affecting their product they should go on record that they will use it. Mr. Astonal stated that it is working so far and he plans to continue use at their five other locations as well. He also stated they were happy with their trial of a new sweeper truck and will be purchasing one for the Riverdale Quarry. It will be on site the second week of March. They have two contractors for backup sweeping in the event of a breakdown. They use a Nesco dust suppression system which he said is the best in the business. Nesco evaluated Tilcon's system and they are moving forward with the recommendations. They are also setting up a monthly service agreement with Nesco to train and educate personnel and be sure the system is operating properly. They will also double the holding tank water capacity for that system and are adding a new retention pond. They are looking into a screening berm for visibility for the Wal-Mart parking lot. Mayor Murrin, Pompton Lakes, stated that he hoped the calcium chloride and new

RIVERDALE QUARRY REPRESENTATIVES (continued):

sweeper truck would also be used in Pompton Lakes. Mr. Astonal stated that the calcium chloride is being used but the new truck is dedicated to Riverdale. He also stated they recently installed some digital signs for communicating to customer trucks with regards to environmental safety controls. There was discussion regarding spillage problems on the Route 287 ramps.

Joyce Watkins stated that they feel very good about 2007. They have strong new leadership and they are committed to resolving these issues and being a good neighbor. Mayor Budesheim asked about the reclamation plan. Borough Engineer Darmofalski stated that the reclamation can't begin until the quarry is just about done with everything because they have to work both sides.

Mr. Montag estimated the remaining life of the quarry at six to eight years. Mr. Darmofalski asked if there was a backup provision for the water truck. Mr. Astonal stated there is a smaller backup unit on the property and they do have a vendor with backup water trucks.

Borough Engineer Darmofalski asked Mr. Astonal to explain the filtration system of the detention system for the record. Mr. Astonal stated the detention would allow them to better utilize the water on their site. The new pond will stay very clean and that water will be dedicated just for the Nesco system. Another pump on that flow of water would be used strictly for washing. In regards to tapping into the city water, that would just be another buffer. They are exploring options to build as much water storage as possible. They anticipate starting up again mid-March. Mr. Darmofalski requested the plan for the detention system be given to the Planning Board Secretary as soon as possible. He recommended they come to a meeting in April prior to startup in March. He also requested they provide the Borough Clerk with the list of dates of night operations as required.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reminded everyone that the next meeting is scheduled for Wednesday, February 21st, at 7:30 p.m. Councilman Falkoski stated that a special Planning Board meeting is scheduled for the same time. It was decided to reschedule the Mayor and Council meeting for 6:00 p.m. on February 21st. Mrs. Talerico reported that the Pompton Lakes-Riverdale Little League has requested use of the softball field at Independence Park from mid-March until early July 2007. Council consented. Mrs. Talerico asked if the borough had any use for several old computers the library no longer needs. Mayor Budesheim stated that they will put two aside for the senior citizens to use at the new center. Mrs. Talerico reported the Fire Chief has submitted the LOSAP list for this year and some are over the ordinance limit of \$1,150. She stated the ordinance needs to be amended in order to give the cost of living increase. There was discussion regarding the LOSAP budget and what had been discussed last year. Mrs. Talerico reported that KC Engineering in Denville sent notice regarding rehabilitation of Riverdale Road bridge over the Pequannock River and requests our input.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported they are expecting a C.O. for the Senior Community Center by the end of the week. He reported that the application for the youth center in the basement area is eligible. Councilman Astarita stated he would prepare a presentation. Mr. Darmofalski also reported that we've requested an extension of time from the D.O.T. for the Mathews Avenue grant so we may finish negotiations with Mr. and Mrs. Ball. The application for the Hamburg Turnpike Sewer is at the D.E.P.

MAYOR REPORT:

Mayor Budesheim stated that Mark Sonny from the First Aid Squad explained to him the conditions regarding the clothing allowance. Mayor Budesheim said he now recalls that conversation. It was either the clothing allowance or the LOSAP program and the LOSAP was \$1,100 or \$1,150. Rather than go through LOSAP we felt it would be less costly and agreed to give them the clothing allowance which would increase \$100 each year up to \$1,100. Pompton Lakes is giving them the LOSAP. Several council members recalled different amounts being discussed. Mayor Budesheim said he would check the minutes. The Mayor also reported that he told the Senior Citizen Club they could have their next meeting at the new center on February 19th and the Star Ledger will be sending a reporter.

COMMITTEE REPORTS:

Councilman Astarita reported on his meeting with the Library Building Committee to discuss their five and ten year plan. They questioned whether the DPW would continue cleaning the building when Barbara from the DPW leaves the end of March. It was also not clear who was responsible for maintenance of the systems in the library building itself. Mayor Budesheim stated that the borough would be responsible for any capital repairs but they would be responsible for routine minor repairs themselves. Councilman Astarita stated he feels the borough should be maintaining the library as a public asset. Councilman Carelli stated that each year we allocate money to the library by statute. There is a formula and 2007 is the first year that the allocation will be more than their operating budget. Councilman Astarita stated that they have plans for expansion. This year they need to keep the HVAC system going and try to repair the roof leaks. He also stated that they may want to utilize the projectors that were donated by Donna Golding.

Councilman Guis reported on a letter received from K & K regarding the crack sealant. Borough Attorney Oostdyk stated the letter is a request for payment and does not change our position that we are not paying them.

Councilwoman Bush reported on the first meeting of the Municipal Alliance Committee. They began the needs assessment process and the next meeting is scheduled for February 26th. We will be fully organized by 2008 and can then apply for funding.

Councilman Falkoski reported that the fire department is planning various events to celebrate their 100th anniversary this year. The Celebration Dinner is March 3rd. Tentative plans for Saturday, August 25th are for a picnic at the firehouse between 4:00 and 7:00 p.m. They are coordinating with the Recreation Committee for a concert from 7:00 to 9:00 with fireworks between 9:00 and 11:00 p.m. Fire Chief Pat Cleary has informed us that there is a National Fallen Firefighter Memorial in Emmetsburg, MD and Riverdale firefighter Joseph Ezzo, who died while on duty in 1982, was never recognized on that memorial. Chief Cleary has been corresponding with an official in Maryland to rectify this matter and has reported it may be resolved at the foundation's annual memorial ceremony weekend on October 5th - 7th. Chief Cleary is also concerned whether the insurance coverage on department members is adequate particularly for the 100th anniversary activities. Borough Clerk Talerico stated she could arrange a meeting for him with our insurance representative. Councilman Falkoski reported on the presentation made to the Planning Board and copies of the draft Master Plan developed by Clough Harbour and Associates. He stated that it is a very professional piece of work that we have needed for some time. The information provided enables us to visualize the condition of our community with regard to sensitive areas. Councilman Falkoski made the following comments: During the presentation, the area located on the south side of Route 23 accessed by Highland Avenue was discussed. It is about 42 acres and presently zoned R-40 which requires a minimum lot size of 40,000 sq. feet. The only restriction placed on a developer who wished to develop at this level right now would be the

COMMITTEE REPORTS (continued):

restraints imposed by our steep slope ordinance. I do not believe that because of the environmental and topographic conditions in this area that it should be the intent of this governing body to protect this area from overdevelopment. The Highlands Master Plan has considered this a planning area for the protection zone overlays. This does not provide any protection, however, unless the borough agrees to adopt the Highlands Master Plan as it pertains to the restricted area in the Highlands. I would suggest that we consider changing the zoning in the predominantly undeveloped portion of this location perhaps requiring a minimum lot size of 3 acres. This would still conform to our present Master Plan which considered this an area which is environmentally sensitive. I would like to be able to introduce that particular ordinance at our next meeting and I believe the gentlemen from Clough Harbour would be able to prepare it for us. With agreement from the Council he will get it started.

Mayor Budesheim asked if the new retention basin at the quarry is necessary. Borough Engineer Darmofalski stated that under dry conditions it is if you want clean water. Mayor Budesheim stated he is concerned that removing 24,000 cubic yards would require a lot of blasting and they estimate they may be out of there in five years and will have to re-fill it. Mr. Darmofalski stated that they have a stormwater management issue to address and he believes the detention basin is solving two problems — water quality and a secondary source of water. He would have to do an assessment to answer the question.

RESOLUTIONS:

Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve the following resolutions.

- 1) Payment Approvals for the following:
 - a) Nextel Communications - December 2006 Invoice \$ 535.48
 - b) Baycora Auto Body, LLC – Insurance Refund-Repairs \$6049.59
 - c) Refunds – Convention Room Charges as follows:
 - 1) William Budesheim - 2 nights \$ 268.52
 - 2) Donna Bush - 2 nights \$ 268.52
 - 3) Theodore Guis - 1 night \$ 134.26
 - 4) Paul Carelli - 2 nights \$ 268.52
 - 5) Joseph Falkoski - 2 nights \$ 268.52
 - 6) Garrett Astarita - 2 nights \$ 268.52
 - 7) Carol Talerico - 2 nights \$ 268.52
 - e) Key Equipment Finance – Leased Copier \$ 465.00
 - f) Paul Carelli – Refund Recreation Ticket Purchase-Nets \$ 405.00
- 2) **Resolution No. 18-2007**; Appropriations Transfers – 2006 Budget.
- 3) **Resolution No. 19-2007**; Temporary Appropriations – 2007 – amendment.
- 4) **Resolution No. 16-2007**; Professional Services Agreement (Bond Counsel).
- 5) Approval or Denial of Towing Licenses for the following:
 - a. Malanga’s Automotive, Inc. – found to be in compliance by P.D.
 - b. A-Z Towing – In compliance with the exception of a fenced in area for towed vehicles. (see P.D. report distributed)
- 6) Authorization to declare the following items no longer useful for the Borough Police Department and to be scheduled for refuse.
 - a. Tag #000306 Recording Equipment
 - b. Tag #000063 Radio Equipment
 - c. Tag #000039 Camera Equipment
 - d. Tag #000066 Video Equipment
 - e. Tag #000015 Video Equipment
 - f. Tag #000633 Computer Equipment
 - g. Tag #000341 Video Equipment

RESOLUTIONS (continued):

- h. Tag #000318 Typewriter
- i. Tag #000324 Computer Equipment
- j. Tag #000307 Recording Equipment
- k. Tag #000038 Video Equipment
- l. Tag #000308 Radio Equipment
- m. Tag #000036 Intercom
- n. Tag #000037 Intercom
- o. Tag #000625 Computer Equipment
- p. Tag #000064 Radio Equipment
- 7) **Resolution No. 17-2007;** Resolution authorizing banking account for the Borough of Riverdale entitled "Affordable Housing Trust".
- 8) Resolution to authorize the extension of time request for the Mathews Avenue, DOT Project to March 2007.
- 9) Authorizing purchase of furniture for the Senior Community Center at a cost not to exceed \$1,700.00.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 13-A, B, C, AND D**CLOSED SESSION:**

Councilman Guis set forth the motion, seconded by Councilman Astarita, RESOLVED that the Mayor and Council go into closed session to discuss contractual matters, 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.

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

- 10) Authorizing Mayor Budesheim to offer a severance package to Bobby Corter in the amount of \$1,000 per month at time of retirement up to age 65, not to exceed 32 months, method and terms of payment to be negotiated by the Mayor.

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

PUBLIC PARTICIPATION NO. 2:

There being no comments, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, 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: 9:20 p.m.

Respectfully Submitted:

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

CLOSED SESSION:**CONTRACTUAL EMPLOYEE NEGOTIATIONS:**

Mayor Budesheim stated that Bobby Corter wants to be covered for medical benefits until age 65 if he retires. He is currently on the Traditional plan which is \$1,400 or \$1,500 per month. If he changed to the NJ Plus plan it would cost approximately \$800 per month. We had discussed giving him \$1,000 per month for medical benefits for that period of approximately 32 months. He's been a borough employee for 30 years and we feel that would be criteria that we were looking at. The benefit to the town would be approximately \$30,000 this year. With benefits, taxes and salary we are currently paying about \$85,000 a year. Councilman Falkoski asked if COBRA would come into effect. Mayor Budesheim stated he is eligible to retire under PERS and they offer the state health plan. Councilman Guis stated that he could elect COBRA or PERS but the point is this is a severance package and it will be his choice. Councilman Falkoski asked how this would be designed so as not to set a precedent. Mayor Budesheim stated that one of the criteria they are using is that he has been employed by the borough for 30 years. Also, it is not a lifetime benefit. It is less than 3 years and is \$32,000. Borough Attorney Oostdyk stated that if we're going to provide continued health benefits to retirees we have to do it under a uniform methodology and apply it to everyone. That's not what we're doing here. He stated that severance packages are unique and not precedent setting because everyone's circumstances are different. Councilman Guis stated that we are making this offer because there are economic advantages to the borough. He is one of the highest paid DPW employees with a lot of vacation and sick time and longevity. We could bring in someone entry level at half the salary. Councilman Astarita asked if we already replaced the mechanic and if we are going to hire another employee. Councilman Guis stated that we filled the mechanic position but not in title. We replaced our last utility person with someone with mechanical experience so the replacement would be with a utility person. Councilman Carelli stated that whether we hire another person down the road is not relevant to the severance package for Bobby Corter. He also stated that we may not be able to pay out the entire \$32,000 in this calendar year. Borough Clerk Talerico stated that if the money will be paid from payroll he should be told it will have taxes withheld or that he will receive a form 1099. Mayor Budesheim stated that he was also told he would have to take all of his vacation and accumulated days off between the time of the agreement and his official retirement date. If everyone is in agreement he would ask for a resolution so the paperwork can be completed. He would also place an expiration date on the offer.

OTHER BUSINESS (continued):

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

- 16) Authorizing Mayor Budesheim to sign a contract with TCR. Terms shall be for TCR to purchase 90,000 gallons sewer capacity from the Pequannock River Basin Regional Sewage Authority at a price of \$40.00 per gallon = \$3,600,000.00 plus additional 5% (\$180,000.00) = \$3,780,000.00. No additional conditions will apply.

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

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

Councilman Falkoski set forth the motion, seconded by Councilman Guis, to designate Charles Quant Sr. as town historian for the Borough of Riverdale.

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

MAYOR BUDESHEIM MAKES PRESENTATION TO MERCEDES SWANSON FOR 20 YEARS OF SERVICE TO THE RIVERDALE LIBRARY.

Mayor Budesheim read the following biography into the record:

Mercedes was born Mercedes Annicarelli in Agnone in central Italy. The family decided to move to the United States. After a nine-day voyage, her father and Mercedes, age 3-1/2, and her three sisters arrived in the United States in 1929, just at the start of The Great Depression. At first the family lived with an uncle in Youngstown, Ohio, but soon moved to Gates, Pennsylvania where her father found work in a coal mine. After the mine closed, the family moved to Jersey City and her mother and brothers were able to join them. A talented cobbler, her father opened a small shoe shop. However, there were years of hardship during The Depression while the family struggled to support itself and all the children who could worked to help support the family. Mercedes was always a quick learner. Even though her first language was Italian, and Italian was always spoken in the home, she learned to speak English fluently by the time she started school. Mercedes was an excellent student throughout high school. Her first love, however, was the theater and she excelled in all the shows put on in the high school. In her yearbook was written "Mercedes, Miss America 44, Glamour Girl by Every Score". Mercedes' first job right after high school was as an office messenger in the company where her sister worked as a translator during WW-II. Her next job was as a file clerk at a military office in Exchange Place in Jersey City. Somehow she managed to pay for tap and singing lessons in Manhattan. She was so good that her dance instructor lined up a job for her dancing the chorus at the Empire Theater in Newark. Unfortunately, her family didn't approve and she did not continue. Soon after, she married a sailor who was in the Navy Medical Corp. They moved to his hometown in Minnesota where they shared a home with his parents. Mercedes' first child, Jimmy, was born but she was homesick for New Jersey and they returned in a year or two. Jimmy was followed by Johnny, Ricky,

PRESENTATION TO MERCEDES SWANSON (continued):

Linda, Jerry and Nancy. Shortly after Nancy was born, Mercedes had to take full responsibility for raising her family. Raising six wonderful kids is a real accomplishment. Through a government sponsored work study program she attended Passaic County Community College where she obtained her Associates Degree in Liberal Arts at the age of 60 in 1985. English classes were among her favorite where the head of the Poetry Department dubbed her a true poet. In 1986 she began work at the Borough of Riverdale, transferring to the library in 1987. It was the perfect match for Mercedes' talent working with children and her eye for detail. For 15 years she handled all aspects of library operations at the library at 56 Post Lane in partnership with Director Nancy Steel. Generations of Riverdale children grew up knowing Mercedes as the librarian. When the new municipal library opened in 2002, Mercedes officially joined the staff of the Free Public Library of the Borough of Riverdale and has been running the Technical Services Department ever since. With her knowledge, experience, initiative, dependability and commitment to the library, Mercedes continues making valuable contributions to the library in the community of Riverdale. As she celebrates 20 years of service, we look forward to many more.

Councilwoman Bush assisted Mayor Budesheim in presenting a certificate and gift to Mercedes Swanson and thanked her for her years of service as well as her kindness and cheerfulness.

Mercedes Swanson thanked the Mayor and Council, Library Board of Trustees and Library Directory Abby Sanner for the honor. She stated it has been a privilege working for the Riverdale Public Library and if during that time she influenced some of the youth in Riverdale in their love of reading, she has accomplished something worthwhile. She recalled enjoying many book discussions with Mayor Budesheim's sons. She is especially proud of the new library with all of the technology and thanked the Mayor and Council for making that happen.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:20 p.m.

Respectfully Submitted:

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

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, Carelli, Guis, Wetzel, Falkoski**
 Absent: **Bush**

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.

MAYOR REPORT:

Mayor Budesheim announced that we will make our presentation for the Community Development grant next Monday at 6:15 p.m. He also reported that he read an article stating that Tilcon has agreed to spend \$40,000,000 to reduce noise, dust and traffic in their West Nyack quarry. He stated that at the next meeting he will appoint John Scialla as Acting Construction Code Official for the month of April. He also spoke with Earl Dean about taking over as Fire Inspector and he will let us know.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that we received a letter notifying us that Crown Castle International has merged with Global Signal, Inc. Borough Attorney Oostdyk will review the letter to see if this will affect the tower site. She also reported that a resident on Newberry Place had complained about parking problems and the Council had said they would look into putting up no parking signs. Mayor Budesheim stated that the DPW was going to paint the curb yellow and Sgt. Bogert was working on it as part of our traffic ordinance. Clerk Talerico reported that AHR Consulting Services gave her a short presentation regarding their services and our use of those services. We had signed up several months ago for the Silver Package for \$2,595 per quarter and we are spending over that amount by \$1,105 per month for the service we have requested. They are recommending we take the Gold Package for \$4,290 per quarter which is a difference of \$565 per month. After discussion it was decided that the extra service calls were due to the transition period since getting the new server and software and that it is probably temporary. Clerk Talerico stated that the Police Department will be getting two new servers and the same problem could arise there. Once everything is running we shouldn't be having daily problems. There was discussion regarding the services that are included in the package.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported that we have to make an environmental permit application for the service road to connect the D.R. Horton and Target projects. He met with consultants and those paying for the road and it was decided that since the permit will be very difficult to achieve, the Borough should be the one to submit the application to the D.E.P. SESI Consulting Engineers, the firm that did the design work for D.R. Horton, prepared a proposal to apply for the environmental permits. It includes preparation of a plan, 10 day pre-application meeting with the D.E.P. and preparing the permit applications. He recommended awarding the professional service agreement to

BOROUGH ENGINEER REPORT (continued):

SESI for a total of \$11,400. This would be the only expense for the Borough. Both developers have bonding money in place for the construction and Target is anticipating an opening in October. Mr. Darmofalski reported that the builder for the Senior Community Center has submitted a payment request. He has some incomplete items. Mr. Darmofalski is going to recommend a change order for additional items that have to be completed at a cost of approximately \$10,000. He recommended we pay everything except \$5,000 and hold that amount to ensure that the final items are completed. He also reported that COAH has asked the borough to appoint an employee to be the administrative agent for monitoring the Affordable Housing. COAH will be providing training. He also stated that we are out to bid for the Mathews Avenue project. He and Councilman Guis met with Mr. Ball to discuss acquisition of his property.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported that the Tilcon Quarry did dismiss their lawsuit against the Borough.

COMMITTEE REPORTS:

Councilwoman Wetzel requested discussion about applications and rules and regulations for private use of the Senior Community Center. Mayor Budesheim distributed copies of a pamphlet he prepared. Borough Clerk Talerico read an e-mail from Councilwoman Bush regarding her concern with the use of sterno burners which had caused a fire at a facility in Pompton Lakes. Councilwoman Wetzel asked if we would consider having someone present in the building to monitor private uses. She also asked who would be responsible for cleanup. Mayor Budesheim stated that we are charging a restoration fee and our DPW custodian would do the cleaning. Councilman Guis stated the deposit can be used when cleanup is not satisfactory or for any damage. Councilman Carelli asked if we would limit how far in advance someone could reserve the building. He is concerned it would already be booked if the Borough needed it for a function. Councilman Guis suggested blocking time for Borough functions and releasing it as we see fit. Borough Clerk Talerico asked if there would be a minimum age requirement. There was discussion regarding liability and whether to require a certificate of insurance. There was additional discussion regarding the restrictions and fees and whether the building should be rented to residents only. Borough Attorney Oostdyk stated that only the fees would be addressed by ordinance and the use policy can be revised as needed. After discussion it was decided the restoration fee would be \$50 and the deposit would be \$500 whether or not alcohol is served.

Councilman Astarita reported that the price for replacing ballasts for the fluorescent lamps at the library is almost \$900. He will look into the cost of renting a lift so we can replace them.

RESOLUTIONS:

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

- 1) Payment Approvals for the following:
 - a. Holiday Bowl - Recreation/Crazy Bowl (Max) \$2,500.00
 - b. S&L Caterers - Recreation/Buffer Crazy Bowl \$ 750.00
 - c. Howard C. Storer, L.L.C. - Senior Center \$9,942.00
- 2) **Resolution No. 27-2007;** Emergency Temporary Appropriations – 2007 Budget.

RESOLUTIONS (continued):

- 3) Approval of a Professional Services Agreement with SESI Consulting Engineers, Pine Brook, NJ at a fixed fee of \$11,400 to apply for D.E.P. permits required for the Master Plan Connector Road.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 22-A

PUBLIC PARTICIPATION NO. 2:

There being no comments, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, 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: 8:56 p.m.

Respectfully Submitted:

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

APPROVAL OF MINUTES DATED: February 19, 2007
 March 5, 2007

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

ROLL CALL: **Ayes: Astarita, Carelli, Guis, Wetzel, Falkoski**
 Nays: None
 Abstain: Bush
 (5 ayes – 0 nays – 1 Abstain - motion carried)

ORDINANCES:

1) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 1-2007

**AN ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND AMENDING THE
 ZONING ORDINANCE TO ESTABLISH A NEW ZONING DISTRICT TO BE
 DESIGNATED THE “R-120 RESIDENCE DISTRICT”**

The Municipal Clerk read the notice for the second reading and final adoption.

Mayor Budesheim announced that this Ordinance was open for public participation.

Christopher Quinn, attorney representing two property owners of affected parcels; Robin Lahue, Trustee, of the Anthony Pio Costa, Sub-Trust B, owner of Lot 14 in Block 37 and Anton Company, owner of Lot 11 in Block 37. Copies of his letter to the Mayor and Council were distributed requesting that the passage of the ordinance be postponed for two months so the client may have time to evaluate the impact of the proposed ordinance on future development of the property. He read portions of the letter. Mayor Budesheim stated that we are not trying to stop any development of any of the properties. The purpose of the ordinance is to make sure that any use of the property is responsible because of the steep slopes, wetlands and the effect on the region.

Joseph Petracca stated that the ordinance is being spiteful to him. He would like the zoning to remain unchanged.

Melissa Harsley, 52 Wilson Avenue, stated she is very much in support of the zoning change. It will encourage responsible use of the land we have left in Riverdale.

Ross Kushner, Pequannock River Coalition, stated they are currently preparing a natural resource inventory for Riverdale. He stated this process has given them detailed knowledge on values of this tract of land and he wants some of the points in the record. The NJDEP rates various lands as habitat for threatened and endangered species. This area is ranked “4” on a scale of 1 to 5 which is higher than any other land in Riverdale. The land has been identified as a protection zone in the draft Highlands Regional Master Plan. It’s the largest remaining forested parcel and provides valuable linkage to other large forested areas. It’s composed of very steep slopes. These factors make it an excellent candidate for the zoning change and even higher zoning would make sense. He stated that he doesn’t see anything to gain by waiting two months to pass the ordinance. These zoning changes always have a positive impact on the underlying natural resources.

Joseph Petracca stated that Mrs. Harsley has a very small lot. These homes were built a long time ago and most are 100’ x 100’. They buy a small lot and they want anyone else with a large lot to keep their land vacant. He wants to build at least 3 homes on his land.

ORDINANCES (continued):

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to close the public session.

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

Mayor Budesheim stated that we did receive a letter from the Planning Board containing their favorable review and recommended adoption of this ordinance. It was found consistent with the Master Plan.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 1-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 25-A

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

ORDINANCE 2-2007

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROVIDING FOR THE USE OF THE SENIOR COMMUNITY CENTER BY PRIVATE GROUPS, ORGANIZATIONS, AND INDIVIDUALS

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 25-B

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

ORDINANCE 3-2007

AN ORDINANCE ESTABLISHING SALARIES OR WAGES OF THE OFFICIALS AND EMPLOYEES OF THE BOROUGH OF RIVERDALE IN THE COUNTY OF MORRIS

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 25-C

RESOLUTIONS:

Resolutions No. 32-2007 and 34-2007 were tabled until the next meeting. Councilman Falkoski asked about the 20% match of funds in resolution No. 33-2007. Mayor Budesheim stated that it would come from the Open Space and Historic Trust Fund.

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

- 1) Payment of Claims.
Including:
 - a) Howard Storer, L.L.C. Payment #12 – Senior Center \$18,861.00
 - b) Pequannock River Coalition – Yearly Donation \$ 500.00
 - c) DGL Computer Services, L.L.C. – Software Products \$12,609.10
(total computer licensing and software upgrade)
- 2) **Resolution #28-2007**; Transfer of 2006 Appropriation Reserves.
- 3) **Resolution #29-2007**; Emergency Temporary Appropriations.
- 4) Approval of Escrow Payment to following:
 - a) Paul Darmofalski, P.E. Target Corporation \$16,810.00
 - b) Paul Darmofalski, P.E. Majestic Homes/Beazer \$ 375.00
 - c) Paul Darmofalski, P.E. D.R. Horton \$ 250.00
 - d) Paul Darmofalski, P.E. RKG Development \$ 193.00
 - e) William Ryden, P.E. Riverdale Crossing \$ 302.80
 - f) William Ryden, P.E. Alexan Riverwalk \$ 801.00
 - g) William Ryden, P.E. Target Site Plan \$ 7,500.40
- 5) **Resolution #30-2007**; Approval of Professional Services Agreement for Auditing Services to Dickenson, Vrabel & Cassells, P.A. (Vincent Montanino).
- 6) **Resolution #31-2007**; Authorizing Mayor Budesheim to endorse the Alexan Riverwalk Project DEP Water Works Applications.
- 7) Appointing of Ralph A. Porrino as a part time Fire Sub-Code Official, at \$6,000 per year and part time Fire Inspector at \$5,000 per year, with confirmation of council.
- 8) Appointing of John Scialla as a part time Acting Construction Code Official, with confirmation of council.
- 9) Appointing of Carol Talerico as Municipal Housing Liaison to the Council on Affordable Housing (COAH), with confirmation of council.
- 10) Appointing of Janet Pellett as a full time DPW Utility Person at a rate of \$14.00 per hour with a start date of March 26, 2007, with confirmation of council.
- 11) Appointing of Lori Rosenboom as a member of the Riverdale Fire Department performing duties as a dispatcher, with confirmation of council.
- 12) **Resolution #33-2007**; Authorizing Mayor Budesheim to prepare and apply to the Historic Preservation Trust Fund (Morris County) for funds for improvements to a barn structure located at the Glenburn House, with a 20% match of funds from the Borough of Riverdale. (application due by March 30, 2007)

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 26-D, E, F, G, H AND I

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

ORDINANCE 4-2007**AN ORDINANCE ESTABLISHING FEES FOR POLICE SERVICES BY
OUTSIDE CONTRACTORS**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 27-J**MAYOR REPORT:**

Mayor Budesheim reported on the proposal from Langan Engineering to assist in finding our sewer infiltration problems. They will coordinate their activities with Sewer Engineer Bill Ryden and the cost will not exceed \$5,000. Mayor Budesheim stated that the contract would not be executed until after the meeting with the Sewer Authority on Wednesday.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to authorize execution of the proposal dated March 19, 2007 in the amount not to exceed \$5,000 for sewer flow rate analysis from Langan Engineering, if needed, after the meeting on March 21, 2007 with the Sewer Authority.

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

Mayor Budesheim announced the following invitations and events: March 29th, 6:00 – 8:00 p.m., County Government Orientation. March 28th, 6:30 – 7:15 p.m., Review of Proposed County Budget. May 10th, 12:00 noon at the Brownstone, New Vitality luncheon, Celebration of Aging. May 4th, between 09:30 – 13:00, Morris County Department of Law and Public Safety, Mobile Command Post and Hazardous Material Vehicles will be at the Butler Police Department for viewing and inspection. April 10th, 9:30 a.m., meeting with attorney for the local P.B.A. April 18th, 8:00 a.m. – 9:30 a.m., County Shared Services Committee meeting at Frelinghuysen Arboretum. March 16th, Police Chief Soules celebrated his 30th year with the borough.

Mayor Budesheim reported on the grass clipping exemption notice from Drew Flockhart. Borough Attorney Oostdyk reviewed the correspondence. There was discussion regarding concerns with odor. Mayor Budesheim also reported on a letter from Borough Engineer Darmofalski regarding negotiations for Sky Ball's property that is needed for the Hamburg Turnpike - Mathews Avenue intersection. In lieu of cash payment we would absorb the sewer connection costs for Block 4, Lot 1.02, Block 3 Lots 1.01 and 1.02, replace existing free-standing sign in a new location, miscellaneous paving repairs, replace existing gravel driveway with pavers and address drainage issues. Councilman Guis stated the figure for assessed value of the property is \$35,000 and it would cost \$7,000 just to get an appraisal. Mayor Budesheim stated we should put a cap on the costs so they do not exceed \$35,000. Borough Attorney Oostdyk will draft an ordinance and contract. Mayor Budesheim also reported that The Grande states they are still having trash removal problems with Blue Diamond Disposal. They want to hire their own private contractor and be reimbursed by the town. There was discussion regarding the problem which we believed was resolved. Councilman Guis will look into it further.

Councilman Guis set forth the motion, seconded by Councilman Carelli, authorizing Mayor Budesheim to execute the NJDEP recycling exemption application for grass recycling.

MAYOR REPORT: (continued):

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

Mayor Budesheim reported COAH sent a letter stating that if we continue with our certification we won't be exposed to builder's remedy. He stated that we should continue to go forward with it.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported that we received a signed contract back from Mr. Dube for his property. We have prepared an ordinance and need to authorize execution of the agreement to purchase if we want to go forward with it. He also reported that the payment for the Greco property from the DEP is tied up with environmental issues. Mrs. Filippone recommended a consultant and we will hopefully have a proposal for the next meeting.

COMMITTEE REPORTS:

Councilman Carelli reported that he would like to allocate time at the next meeting to review the budget.

Councilman Falkoski read the following letter addressed to Mayor Budesheim from Steven Donnelly, Morris County C.E.R.T. Coordinator.

“Dear Mayor Budesheim: On October 16 and 17 New Jersey State Police held a Community Emergency Response Team Project Manager's Training Course at the Morris County Fire and Police Academy. As part of the course the State Police requested a coordinator of a local C.E.R.T. team to speak to the trainees. The coordinator was to have an active and successful team and was to speak concerning the usage, training and recruiting of C.E.R.T. teams. As County Search Coordinator, I requested Charles Quant to give a presentation to the trainees. I could not have chosen a better person for the job. I now know why the Riverdale program is one of the finest in the county. Charles gave an excellent presentation to the group and provided numerous ideas on how new teams can be formed and maintained. He is a credit to your program and town. I thank you for the opportunity of utilizing Charles' services. His presentation was excellent.”

Councilman Falkoski also reported the court report for the month of February.

Councilman Guis reported that interior work on the walls is underway at the Senior Community Center.

Councilman Astarita thanked the Mayor, Paul and June Carelli, and their son for presenting before the Community Board last Monday. The board was very impressed and we did come up third in the grant process which means we will most likely get fully funded for \$80,000 for the recreation center project.

Councilwoman Bush reported the Municipal Alliance Committee completed the first two sessions of setting up the criteria for organization. The next meeting will be April 23rd.

Mayor Budesheim reported that Bloomingdale may be shutting down their library and turning over their library services to us. It is still being negotiated and he stated this may be beneficial to both boroughs. Mayor Budesheim also reported on the finance committee meeting with the school. There was discussion regarding the school budget questions.

PUBLIC PARTICIPATION NO. 2:

There being no 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 Councilwoman Wetzel, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 9:03 p.m.

Respectfully Submitted:

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

PUBLIC PARTICIPATION NO. 1 (continued):

anticipate having all work completed by July. Councilwoman Bush stated the signs are almost adjacent to the shoulder and could obstruct vision of drivers. Mr. Darmofalski will check the setback requirements and address the other issues.

Tom Batelli, 712 Canella Way, request additional assistance in locating C.O.'s for the units in buildings 2 through 6. He stated he had filled out an OPRA request but they have not been located. Mayor Budesheim stated that they should be able to locate them.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to close the public session.

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 3-2007**AN ORDINANCE ESTABLISHING SALARIES OR WAGES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS**

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 Councilwoman Wetzel, to close the public session.

ALL IN FAVOR.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Bush, **RESOLVED** that Ordinance No. 3-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 31-A**RESOLUTIONS:**

Councilman Carelli asked if resolution number 2 authorized the payment or just the change order. Borough Clerk Talerico stated it was to authorize the change order and not the check.

Borough Engineer Darmofalski reported that 14 bids were received on March 28th for the Mathews Avenue Construction Project. The lowest bidder was Crossroads Construction of Newark. They had arithmetic mistakes which we corrected to \$559,879.00. The second lowest bidder was Tilcon New York at \$559,905.00 and third was Tomaro Contracting at \$561,000.00. Borough Attorney Oostdyk stated the low bid does not contain the required documentation for his subcontractor, and if it was not submitted we must reject that bid. He had no issues with the second lowest bid. His recommendation

RESOLUTIONS (continued):

is to reject the low bid for not being in compliance with the bid requirement because they did not include necessary documentation for their subcontractor. Borough Engineer Darmofalski agreed.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to approve the following resolutions.

- 1) Payment Approvals for the following:
 - a. Samman's Electronics-Home Theatre System (Senior Center) \$9,553.97
- 2) Approval of Change Order #2 – Storer Construction – Riverdale Senior Community Center in the amount of \$9,692.00. (copy of change order distributed to Mayor and Council)
- 3) Approval of Change Order #1 – Mike Fitzpatrick & Son, Inc. – Riverdale Senior Community Center in the amount of \$24,142.62. (copy of change order distributed to Mayor and Council)
- 4) **Resolution #34-2007**; Establishing Salaries for 2007.
- 5) Approval of \$1.00 per hour increase for Rob Nichols for his successful completion of his examination for a commercial driver's license effective April 1, 2007.
- 6) **Resolution #35-2007**; Emergency Temporary Appropriations – 2007 Budget.
- 7) Approval of quotation from Borbas Surveying & Mapping, LLC for "Storm Water Outfall Mapping" with a maximum amount of \$4,600.00. (copy of letter of request distributed to Mayor & Council)
- 8) Approval of additional budget request from Paul Darmofalski, P.E. for Storm Water Master Plan GIS for an additional amount not to exceed \$18,000. (copy of letter of request distributed to Mayor & Council)
- 9) Authorizing a check in the amount of \$6,248.29 issued to BizChair.com for purchase of 150 chairs, 20 tables and 1 chair dolly (funds donated by Wal-Mart).
- 10) Award bid contract for purchase of in-car video surveillance system and a video management system for the Police Department to ICOP Digital, Inc., Lenexa, KS in the amount of \$63,857.79. (funds donated by Wal-Mart).
- 11) Authorizing purchase of Finger Printing Machine at a cost not to exceed \$28,000 (funds donated by D.R. Horton).
- 12) Authorizing a check issued in an amount up to \$850 for 13 tables ordered from BJ's (funds donated by Wal-Mart).
- 13) **Resolution #36-2007**; Awarding bid contract for Mathews Avenue Improvement Project to Tilcon New York, Wharton, NJ in the amount of \$559,905.00.

ROLL CALL: **Ayes: Astarita, Bush, Carelli, Guis, Wetzel, Falkoski**
 Nays: None
 Abstain: Carelli (Resolution No. 34-2007 only)
 (6 ayes – 0 nays – motion carried)

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 32-B, C AND D**MAYOR REPORT:**

Mayor Budesheim reported on the Board of Education budget hearing. He stated that they made their presentation that the taxes will go down \$120 or \$130 if the budget is approved and \$32 or \$39 if the second question is approved. He said this is true but he asked them to give the entire story which is if their tax levy stayed the same this year, taxes on the average home would go down \$350. He stated that he told them the people

MAYOR REPORT (continued):

should be informed of the total impact of this budget. People have been asking when they will get the tax benefits of all of the construction in town and we've been telling them 2007. We did get \$95,000,000 in additional ratables last year which is about a 16% increase in our tax base. The school levy is going up 15.5% so you can see that's where it all went. He said he's not judging the validity of the second question or the budget but he asked for a full disclosure. They agreed to do that but an article in the newspaper did not report it. He said if they did not do it he would have to.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported that he received a call from the attorney contacted a year ago about the cell tower and purchasing easement rights that would need to be bid. They are once again interested in resurrecting that proposal. He will be in contact with them.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported that the quarry is back in operation. He also reported that he forwarded a memo from Bob Michaels regarding COAH obligations. We're not required to respond for the projected developments until the court case is settled with COAH. If we have new projects we have to consider COAH obligations when it goes to the Planning Board.

COMMITTEE REPORTS:

Councilwoman Wetzel reported on the egg hunt this past weekend. They are also trying to resurrect the Memorial Day Parade and arrangements are being made to have it on Memorial Day.

Councilman Astarita reported that it looks very likely we will get the \$80,000 grant for the recreation center.

Mayor Budenheim asked if everyone was in agreement with the rules, regulations and finances for rental of the Senior Community Center. All were.

Councilman Carelli reported that he and Linda Roetman visited today's Senior Citizen Meeting and announced the Shade Tree Commission's plan for Arbor Day. On Saturday, April 28th, at 10:30 a.m. they will have 11 trees planted in front of the Senior Center dedicated to the past and present presidents of the Senior Citizen Club.

PUBLIC PARTICIPATION NO. 2:

There being no comments, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to close the public session.

ALL IN FAVOR.

Councilman Carelli distributed a first draft of the budget for discussion. Councilman Falkoski stated that it did not appear all of the computer work for the Police Department was included at this point. Councilwoman Wetzel asked if anything could be done about insurance cost. Mayor Budenheim stated he would like to set a policy that the borough would pay for the NJ Plus plan and anyone selecting a higher cost plan would pay the difference in premiums. There was discussion regarding the cost of the insurance plans. Councilman Carelli stated we need to introduce the budget soon, perhaps at the next meeting.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:45 p.m.

Respectfully Submitted:

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

PUBLIC PARTICIPATION NO. 1:

Pat Salvati, member of the Riverdale Board of Education, stated some of the activities and items that would be lost if the school budget and second question do not pass in the election tomorrow. Mayor Budesheim stated that he realizes they have an extremely difficult job and what they are trying to preserve is worthy. For the sake of the community he hopes it works out favorably.

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 02-2007

**ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF RIVERDALE AND PROVIDING FOR THE USE OF THE
SENIOR COMMUNITY CENTER BY PRIVATE GROUPS, ORGANIZATIONS
AND INDIVIDUALS**

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 further comments, Councilman Astarita set forth the motion, seconded by Councilman Carelli, to close the public session.

ALL IN FAVOR.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 02-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 36-A

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

ORDINANCE 04-2007

**ORDINANCE ESTABLISHING FEES FOR USE OF POLICE SERVICES BY
OUTSIDE CONTRACTORS**

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

ORDINANCES (continued):**ALL IN FAVOR.**

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 04-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 37-B**RESOLUTIONS:**

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

- 1) Payment of Claims.
Including:

a)	Carefree Bus	- Shea Stadium	-	\$700.00
b)	New York Yankees	- 7/17/07 Game	-	\$522.50
c)	New York Mets	- 5/1/07 Game	-	\$275.00
d)	Mike Norton	- Waders for Fire Dept.	-	\$ 62.58
- 2) **Resolution #37-2007**; Emergency Temporary Appropriations.
- 3) Approval of Escrow Payment to following:

a)	Paul Darmofalski, P.E.	Target Corporation	\$17,755.00
b)	Paul Darmofalski, P.E.	Majestic Homes/Beazer	\$ 125.00
c)	Paul Darmofalski, P.E.	D.R. Horton	\$ 193.00
d)	Paul Darmofalski, P.E.	K&K Developers	\$ 500.00
e)	Paul Darmofalski, P.E.	Aburomi (soil movement)	\$ 250.00
- 4) Approval of purchase of a Ford 500 from Route 23 Auto Mall in the amount of \$19,300 for Joseph Montemarano (Building Department).
- 5) Resolution to establish a yearly salary amount for Joseph Montemarano in the amount of \$5,000 per year effective May 1, 2007.
- 6) **Resolution #38-2007**; Approval of tax appeal for Bashert Group, LLC (Bograds).
(copy of resolution distributed to Mayor and Council)

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 37-C, D AND E**OTHER BUSINESS:**

- 1) Target construction schedule – submitted by Borough Engineer, Paul Darmofalski, P.E.
- 2) Discussion: PK Environmental Contract.

Mayor Budesheim stated that this is for environmental testing of the soil required by the Green Acres program for the Van Ness property. They will not release the grant money until this is done. A professional services agreement will be ready for the next workshop meeting.

CORRESPONDENCE:

- 1) From the Borough of Kinnelon advising that there will be a public hearing on their Stormwater Control Ordinance #8-07, on April 19, 2007, at 8:00 p.m. prevailing time, at the Municipal Building, 130 Kinnelon Road, Kinnelon, NJ.
- 2) From the Borough of Butler advising that there will be a public hearing on their Stormwater Control Plan at their Planning Board meeting on April 19, 2007, at 7:30 p.m. at the Municipal Building, One Ace Road, Butler, NJ.

COMMITTEE REPORTS:

Councilman Astarita reported the meeting to approve the Community Development grants will be Thursday.

Councilwoman Bush reported the Municipal Alliance Committee meeting will be on Monday, April 23rd, at 7:00 p.m.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:55 p.m.

Respectfully Submitted:

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

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 Budesheim 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

CLOSED SESSION

Larry Feld, Chairman of the Riverdale Library Board of Trustees, was also present.

CONTRACTUAL NEGOTIATIONS:

Mayor Budesheim reported that we have been approached by the Borough of Bloomingdale to provide library services to their residents. They want to shut their library down in July. Questions from the Riverdale Library Board of Trustees were forwarded to Bloomingdale's Business Administrator and the written responses were received today and provided to Mr. Feld and the Council.

Mr. Feld stated that the Library Board of Trustees has not met formally to discuss this issue. Their feeling is that they have spent a lot of time, money and effort building a very good product which is growing. Our challenges are in managing that growth, add new services and not ruin what we now have for our community. It's a great opportunity but is frightening to add a town with almost 8,000 people. We've been trying to understand the expectation. Councilwoman Wetzel pointed out that many of their responses were generalized. Mr. Feld stated that critical questions were not answered. Bloomingdale's library services are inadequate and they cannot get the property or facility to create the kind of library they need. Until they tell the public and their employees they are closing the facility we will not have information that is critical to making the decision. Councilwoman Wetzel asked about the plans for payment for shared services. Mayor Budesheim stated they had approached us with the amount of \$120,000 for the first year with annual increases of \$5,000 for 10 years plus a one-time start-up of \$80,000. Councilman Astarita suggested comparing the library usage in Pompton Lakes which serves a similar combined population. Mr. Feld stated he could do that but that is a different community with its own unique problems. He questioned if we can manage this comfortably and does it fit in with a five year plan without doing any major building. We have major structural problems with the building we have. We have to look at the makeup of the community and they will not give us the numbers until they notify their people. We won't be able to talk with their librarian or employees, assess the inventory, survey the town or trustees. Mr. Feld explained that if the Bloomingdale Library closed without membership services in place their residents could still get a library card and use other libraries, however would not have access to the various library programs. If the Library Board agrees to move forward we have to come to an agreement on the level of service to be provided for that amount of money. The Library Board will have a discussion regarding this issue at their next meeting on May 14th and invited those present to attend. Mayor Budesheim stated that Bloomingdale did not approach this matter as having a joint library. His understanding is we would be offering our facility for the use of their residents and for that courtesy we would be compensated. We would not have to change our goals. Mr. Feld stated that he believes the Library Trustees would want to expand the programs and services to accommodate the community. He stated that he wants to make sure this is the right thing for Riverdale.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 46-B

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

ORDINANCE 07-2007**ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 12, LOT 1, FROM DUBE DEVELOPMENT, INC., L.L.C.**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 46-C**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that she received two letters requesting permission to hold block parties. Kim Soto of 24 Halsey Avenue would like to close off Halsey Avenue at Federal Place for a block party on July 21st or 28th. It was determined she must notify the police department and give notice to all of the neighbors affected by the street closure. The other request is for May 26th from 14 Overlook Drive which is a private road. Ms. Talerico also reported that she received a letter from the DEP advising that we will be required to adopt a fertilizer management ordinance consistent with the model ordinance on the Division of Watershed Management webpage. Borough Attorney Oostdyk will review the matter. Ms. Talerico reported that it came to her attention that the gasoline bids have expired and we need to go out to bid. She also requested authorization to transfer insurance broker services to John Serapiglia of Polaris Galaxy Insurance.

COMMITTEE REPORTS:

Councilman Carelli reported that \$700 in donations was collected for the Memorial Day Parade and more donations are anticipated. The committee has requested authorization to spend up to the amount collected as of Friday, May 25th.

Councilman Falkoski reported the court report for the month of March. He also reported that the Morris County Office of Emergency Management sent a letter commending Charles Quant for being a CERT coordinator at the Managers Training Course held at the Fire and Police Academy. The letter will be put in his file.

Councilman Guis reported on the cardboard recycling issue at Rock Creek Crossing. The problem is that when Blue Diamond took over garbage hauling and recycling from Pequannock Disposal, Pequannock continued to pick up the cardboard at Rock Creek. They had equipment compatible with the front load dumpsters and Blue Diamond did not. They continued this because cardboard had some recycling value which as of recently it does not so they stopped. It is our interpretation of the contract that it is Blue Diamond's responsibility to supply dumpsters compatible with their equipment to pick up the cardboard and Blue Diamond's position is they don't. Borough Attorney Oostdyk

COMMITTEE REPORTS (continued):

stated that Blue Diamond's position is they are responsible and will pick up the cardboard either using a dumpster or by curbside collection at their option. Curbside is not practical at the condominiums. Rock creek elected on their own to get rid of the dumpsters that they had. Blue Diamond is saying that if they had been told they could have swapped them for the front load and brought theirs in. Blue Diamond will check what they have available in terms of used dumpsters and hopefully we can get them to Rock Creek at minimal or no cost. Councilman Guis stated we have been actively trying to resolve this matter. Borough Attorney Oostdyk stated that it is important to note that the arrangement for Pequannock Disposal to continue picking up the cardboard was not known or approved by Riverdale. Councilman Guis reported that we are having significant problems with garbage pickup at The Grande. The system there is as was approved by the Planning Board and is functioning as they represented but does not work with our contract or the type of equipment Blue Diamond has. They had come to a tentative agreement to put in 30 yard compactors and now Horton is saying they are too expensive. They contracted with Pequannock to haul the garbage and are asking for reimbursement from us, yet without individual bills of lading we don't know the exact tonnage and that makes it very difficult. There was additional discussion regarding the matter and preventing this type of problem with any future developments. Borough Attorney Oostdyk stated that we will eventually need to have a service agreement with The Grande. He will review the terms of the contract and find examples of ordinances that may help us to resolve the matter.

Councilwoman Bush reported that Kinnelon Councilman Kevin Smalling works for U.R. Energy and is currently doing an energy survey for Kinnelon. He told her there is guaranteed savings at very little no cost to the town. Councilman Astarita will check into it.

OTHER BUSINESS:

- 1) Shared Service Agreement for Library Services with another community.

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.**MAYOR REPORT:**

Mayor Budesheim asked for clarification of the salary agreement for John Scialla. Councilman Guis stated John Scialla's salary was cut back because he was getting paid for building and plumbing. It was cut back one stipend as was the fire inspector salary. Mayor Budesheim stated the fire inspector salary was brought back up before he left because the workload was the same as last year and John Scialla wanted the same. Councilman Guis stated that his base salary was \$12,000 for Plumbing Subcode Official and \$4,000 each for additional Building and Plumbing Inspector work at Horton. The reason we were cutting back the building stipend is we already had two building

MAYOR REPORT (continued):

inspectors and there is not enough work to justify the second stipend. Mayor Budesheim asked Councilman Guis to meet with Mr. Scialla and report back.

Mayor Budesheim reported that negotiations were taking place with the police regarding the Traditional health benefit plan. He explained to them that the NJ Plus plan is equal to or better than the Traditional Plan but they are still negotiating. We have the option to notify the other borough employees that as of January 1st they will have to pay the difference between the cost of NJ Plus and any higher cost plan if selected.

RESOLUTIONS:

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

- 1) Payment of Claims.
(including payments to AHR Consulting for computer services contingent on availability of funds)

A&E o/e	\$8,206.50
Police o/e	\$2,347.99
Water o/e	\$1,741.25
Sts. & Rds. o/e	\$ 648.75
Building Dept.	\$ 115.00
OEM	\$ 201.25
Tax Assessor	\$ 431.25
Court o/e	\$ 920.00
Sewer o/e	\$ 172.50
- 2) Approval of Escrow Payment to following:

a)Paul Darmofalski, P.E. Target Corporation	\$13,089.00
b)Paul Darmofalski, P.E. Majestic Homes/Beazer	\$ 500.00
c)Paul Darmofalski, P.E. D.R. Horton	\$ 2,516.00
d)Paul Darmofalski, P.E. K&K Developers	\$ 375.00
e)Anderson & Denzler RGK Development	\$ 2,491.55
f)Anderson & Denzler Target Corporation	\$ 1,345.70
	\$ 2,769.00
g)Anderson & Denzler K&K Developers	\$ 35.75
	\$ 150.03
h)Anderson & Denzler D.R. Horton	\$ 2,513.40
	\$ 1,301.65
i)Anderson & Denzler Alexan-Riverwalk	\$ 371.25
	\$ 67.50
- 3) Authorization to accept the \$20,000 remainder of the previously released performance bonds for Riverdale Crossing, L.L.C. as a cash bond in lieu of performance bond.
- 4) Authorizing the Borough Clerk to advertise for receipt of bids for gasoline.
- 5) Authorizing transfer of broker services to John Serapiglia of Polaris Galaxy Insurance, LLC – Risk Management Consultants Agreement effective June, 2006.
- 6) Authorization for the Memorial Day Parade Committee to spend up the amount collected in donations as of Friday, May 25th for various expenditures.
- 7) **Resolution No. 41-2007;** Authorizing execution of a Shared Library Services Agreement between the Borough of Riverdale and the Borough of Bloomingdale.
- 8) Authorizing Mayor Budesheim to apply for an \$80,000 Shared Services Implementation Grant.

RESOLUTIONS (continued):

- 9) Authorization to notify borough employees that effective January 1, 2008 health insurance premiums will be paid by the borough up to the cost of the NJ Plus Health Insurance Plan, and any additional premium for other plans selected will be paid by the employee.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 49-D AND E

PUBLIC PARTICIPATION NO. 2:

There being no 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 Guis, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 9:00 p.m.

Respectfully Submitted:

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

CLOSED SESSION**CONTRACTUAL NEGOTIATIONS FOR SHARED LIBRARY SERVICES AGREEMENT WITH BLOOMINGDALE:**

Mayor Budesheim discussed the proposed agreement for shared library services. Bloomingdale's Business Administrator agreed that payment terms could be renegotiated if the increase in use of the Riverdale library exceeds 65% during the one year trial period. Mayor Budesheim also obtained an application for an implementation grant that is available from the state. We will be notified of any award within 15 days after applying. Up until now we have been paying a lot of costs on behalf of the library. The Mayor stated that unless we get tax relief for Riverdale residents there is no incentive to enter into this agreement. He would like that relief to be close to one tax point. He stated that the Bloomingdale Administrator and Councilwoman Sue Smith attended the Riverdale Library Board of Trustees meeting. The Board agreed to proceed to go forward with this but wanted more money. Bloomingdale thinks this amount is fair. Mayor Budesheim stated he did not think it would cost the amount of money the library is anticipating. Councilman Guis asked why the agreement was specifying the hours the library is open. It was decided the agreement should state the hours are subject to change at the sole discretion of the Riverdale Library Board of Trustees. It was also decided that the agreement should specify that the library will be governed by the Riverdale Library Board of Trustees and Bloomingdale will not be entitled to voting membership on the Board.

CONTRACTUAL NEGOTIATIONS FOR CUMPUTER SERVICES FROM A.H.R. CONSULTING SERVICES

Borough Clerk Talerico stated that she had discussed an array of charges from A.H.R. Consulting with the Chief Financial Officer. He advised that there was not enough in the A&E budget to cover the amount of \$8,206.50 allocated. He recommended the charges be removed from the agenda for payment approval. She stated that some of the charges are from January and are for various problems that we did not have before. Councilman Falkoski commented that the charges total \$13,000 or \$14,000. Mayor Budesheim stated that everything started crashing when they transferred over to the new hard drives. Ms. Talerico stated that we've had meetings with A.H.R. and they seem to have all the answers, but we continue to have problems and we need to call them to make adjustments. The Silver support package is costing \$2,500 per quarter and doesn't cover anything except patches and upgrades that they do remotely. We bought new servers and some new computers as part of the contract and once everything was installed they were here three to five times a day because something wasn't working. Now we have these bills and they are calling for payment. Mayor Budesheim stated that A.H.R. is local and their services sounded good for \$2,500 per quarter when we believed that would be it. He stated that he can't deny they put in the time but doesn't know if everything they're doing is absolutely necessary. Councilman Astarita stated we are at a disadvantage because they know the computer business and we don't. Borough Attorney Oostdyk stated that most of our contracts are not open ended. Ms. Talerico stated they did give us a number of \$39,000 last year which included the purchase of servers. She doesn't know if they reached that amount yet and perhaps we didn't budget enough money. Mr. Oostdyk stated that we can't enter into agreements for services unless the money has been budgeted so something broke down in our system. We didn't understand that we would be incurring this liability. Ms. Talerico stated that the last time we did this with Atlantic Business Products they gave us a quotation of \$27,000 which included the computers, server and service. No matter what went wrong with the server after they worked on it the service was included until they got it working properly. A.H.R. charges us to come in and fix things that were working properly until they came in to fix something else. Ms. Talerico stated that she has been trying not to use them at all but we will definitely have to not use them after June. She asked what needs to be done now that

CLOSED SESSION (continued):

the money was not budgeted to pay this bill. Borough Attorney Oostdyk stated that the bills will have to be paid so it will have to be put in the budget. He can review the contract but the bills appear legitimate. It was decided to approve payment of the bills contingent on availability of funds.

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, Carelli, Guis, Wetzal, 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.

ORDINANCES:

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

ORDINANCE 05-2007

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

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.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 05-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 52-A

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

ORDINANCE 06-2007

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF PROPERTY IN
AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS,
NEW JERSEY, APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$200,000 BONDS OR NOTES OF THE BOROUGH TO
FINANCE PART OF THE COST THEREOF.**

ORDINANCES (continued):

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 Carelli, to close the public session.

ALL IN FAVOR.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, that adoption of Ordinance No. 06-2007 as read on second reading at this meeting, be **TABLED** until June 18, 2007.

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

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

ORDINANCE 08-2007**CALENDAR YEAR 2007****ORDINANCE TO EXCEED THE MUNICIPAL BUDET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 53-B**CORRESPONDENCE:**

1) From the Department of Transportation advising that applications will now be accepted for the NJDOT Fiscal Year 2008 Municipal Aid Program. The Municipal Aid program is a resource for municipalities to fund their transportation projects. The applications must be completed and submitted to NJDOT's Local Aid District Office on or before August 24, 2007.

Borough Engineer Darmofalski stated that roads would be reviewed to see which would be eligible.

OTHER BUSINESS:

- 1) Request from Mr. and Mrs. Reynaldo Marcelo of 20 Oak Street, asking for governing body approval for a new curb cut due to them extending their driveway between 8 to 9 feet so that it will line up with their property line. In the process of doing this they will also need approval to remove 2 trees that are located in that area. (copy of correspondence distributed to Mayor & Council)

After discussion Council agreed to approve the request subject to review and approval of the Borough Engineer and Shade Tree Commission.

OTHER BUSINESS (continued):

- 2) From Adolfo DeMartinis of 17 Overlook Drive, asking for governing body approval of a curb cut for a circular drive. This approval would place two curb cuts at this property. (copy of correspondence distributed)

Mayor Budesheim stated that Overlook Drive is not owned by the borough and they may not need our permission. He told them to be sure they comply with borough standards. Borough Engineer Darmofalski stated that Beazer and Majestic must approve the request.

MAYOR REPORT:

Mayor Budesheim read an article regarding state mandated taxes from the Trenton Times Editorials issued in a bulletin from the New Jersey Taxpayers Association dated April of 1938.

DISCUSSION OF 2007 MUNICIPAL BUDGET

Councilman Falkoski asked for clarification of the "CAP" calculation. Chief Financial Officer Sesholtz explained the "CAP". Councilman Falkoski asked why the anticipated Recycling Tonnage Grant was less than last year. Mr. Sesholtz explained that it is based on the tonnage. Councilman Falkoski asked why the total amount to be raised by taxes exceeds \$1,000,000 over last year. Mayor Budesheim stated that about \$500,000 is from added assessments. Councilman Falkoski asked for an explanation of the \$7,500 for Salaries and Wages for Public Buildings and Grounds. Councilman Carelli explained that a formula is used whereby the DPW employee salaries are totaled and then divided among the various departments. Councilman Falkoski asked if the Fire Department was notified that they have been appropriated \$25,000 for Other Expenses instead of the \$27,130 they requested. He stated that any department head who submitted a budget should be notified if something has been cut from that budget. He stated that the budget process is not right. We should be sitting with the department heads and have them tell us why they put that budget together. At that point we can discuss it with them. He stated that to receive a budget on a Friday to be introduced on Monday is unconscionable. This is an important document with a lot of information that none of us is familiar with how it was obtained. Councilman Carelli stated that there was a copy a few meetings back and he asked everyone to review it and did not get a response from anyone. Each department has a responsibility and he can't review every line item himself. Councilman Falkoski stated one person should not accept the responsibility for the budget. It is all of our responsibility and we should all interface with the department heads. Councilman Falkoski asked for an explanation of the \$5,000 for Salaries and Wages for the Senior Citizen's Program. Mr. Sesholtz stated the funds are allocated. Councilman Falkoski asked for an explanation of appropriations for Municipal Services Act. Mayor Budesheim explained it is service reimbursement to the condominiums. Councilman Falkoski stated that the Municipal Court appropriations are less than requested. They had requested additional funds for the expected extra caseload due to the questionable legality of the new DWI machine. Mayor Budesheim stated the money is available in the DWI fund from the grant they receive. Councilman Falkoski asked for an explanation of Payment of Bond Anticipation Notes and Capital Notes. Mayor Budesheim explained the money is allocated to pay off debt. Councilman Falkoski asked for the percentage of uncollected taxes. Mr. Sesholtz stated we are anticipating collecting 95.5% and last year we collected over 98%. Councilman Falkoski asked for an explanation of Public & Private Programs Offset by Revenues. Mr. Sesholtz explained it is a summary of appropriations on sheet 24 that are offset by grants. Councilman Falkoski asked for an explanation of the \$235,100 for Property Acquired by Tax Title Lien Liquidation. Mr. Sesholtz explained that is the assessed value of foreclosed properties. Councilman Falkoski asked if the \$210,000 in the Capital Budget for purchase of the Dube property would be obtained from a Green Acres grant. Mayor Budesheim stated that so far we

COMMITTEE REPORTS (continued):

Councilwoman Wetzel reported that she had left the council meeting to attend a special meeting of the Board of Health. There was discussion regarding a change involving our borough nurse and whether we should be buying nursing services from Pequannock. We could save approximately \$25,000 per year if we combine services with Pequannock for the nurse's salary. The nurse and members of the public in attendance were adamant against that change and voiced their opinions to the Board of Health. After discussion the Board decided that rather than eliminate the position completely we would keep our own nurse and decrease the nurse's services from 15 to 10 hours per week. This change in hours will be effective July 1st and will save \$9,328.80 annually. There was discussion regarding adjustment of the Board of Health and A&E budget amounts.

Councilman Guis reported that Tilcon removed a pump diesel engine from the fire structure by the pond. Tilcon is willing to do additional demolition for us but we would need to provide a dumpster.

RESOLUTIONS:

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

- 1) Approval of payments for the following items for the Recreation Department:

a) New York Red Bulls	July 11 Day Camp	\$600.00
b) Funtime Junction	Trip June 28	\$500.00
c) Rickey's Rides N' More	Activity June 27	\$650.00
d) Tomahawk Lake Inc.	July 20 Day Trip	\$ 30.00
e) Dynamite Falls	July 10 Day Trip	\$350.00
f) Dynamite Falls	July 24 Day Trip	\$350.00
- 2) Resolution to approve payment for outside contractor work performed by the Lieutenants be paid at Lieutenants overtime rate during overtime hours only.
- 3) Resolution to permit a fireworks display to take place on August 25, 2007.
- 4) Resolution to approve curb cut request from Mr. and Mrs. Reynaldo Marcelo of 20 Oak Street, subject to approval by the Borough Engineer and Shade Tree Commission.
- 5) Resolution to appoint Eric Hollenstein as a Probationary Police Officer for the Riverdale Police Department effective June 8th.
- 6) Approval of payment not to exceed \$1,000 to provide a dumpster for construction debris from work to be done by Tilcon.

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

INTRODUCTION OF 2007 MUNICIPAL BUDGET

Councilman Carelli set forth the motion, seconded by Councilman Guis, **RESOLVED**, for the introduction of the 2007 Municipal Budget.

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

Public Hearing and Adoption scheduled for July 2, 2007 at 7:30 p.m. To be published in the Suburban Trends Newspaper on Sunday, June 17, 2007.

COPY OF 2007 MUNICIPAL BUDGET IN FULL ON PAGE NO. 57-C

PUBLIC PARTICIPATION NO. 2:

There being no comments, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to close the public session.

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:15 p.m.

Respectfully Submitted:

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

ORDINANCES:

1) Adoption of an Ordinance entitled:

ORDINANCE 06-2007

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF PROPERTY IN AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

The Municipal Clerk read the notice for the second reading and final adoption.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 06-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 59-A

2) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 07-2007

ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 12, LOT 1, FROM DUBE DEVELOPMENT, INC., L.L.C.

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.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 07-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 59-B

ORDINANCES (continued):

3) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 08-2007

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 08-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 60-C

There was discussion regarding multiple complaints against one of the Liquor Licensees. Borough Attorney Oostdyk stated that if we do not renew the license they can apply to the state for temporary renewal. Councilman Falkoski asked if we could approve the renewal for Dexter’s with conditions. Mr. Oostdyk stated the ABC rules require the conditions to be reasonable and equitable. They can also appeal to the ABC.

Henry Vitz stated that he still can hear noise from the music and the parking lot at his residence. He said Dexter’s was supposed to soundproof the building but whatever they may have done is not effective.

After additional discussion regarding the complaints, Council agreed to add four conditions to the resolution approving Liquor License Renewal for Dexter’s.

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

- 1) Payment of Claims and the following additional payments for the Recreation Department:

Basketball Camp-Freedom Park	-	Ron Eford	\$ 1,200.00
Darlington County Park	-		\$ 744.00
New York Bulls	-	Final Paymt.	\$ 600.00
Steve Max!	-		\$ 400.00
Ringwood State Park	-		\$ 110.00
Home Field Advantage	-		\$ 200.00
Toys-R-Us	-		\$ 300.00
- 2) **Resolution No. 42-2007; Emergency Temporary Appropriations.**
- 3) Approval of Escrow Payment to following:

RESOLUTIONS (continued):

- a)Paul Darmofalski, P.E. Target Corporation \$18,736.00
 b)Paul Darmofalski, P.E. Majestic Homes/Beazer \$ 3,496.00
 c)Paul Darmofalski, P.E. D.R. Horton \$ 125.00
 d)Paul Darmofalski, P.E. K&K Developers \$ 2,500.00
- 4) **Resolution No. 43-2007;** 2007/2008 Liquor License Renewal, including conditions set forth below for Dexter's only. Copy of Police and Fire Officials inspection reports to be attached to resolution.
1. No alcohol to be served after 12:00 midnight when there is a live performance.
 2. Maintain \$5,000 in an escrow account for police security every time a DJ or live music will be performing. This is to provide one police officer to patrol the parking lot from the time the music begins until the parking lot is clear.
 3. Post escrow in amount to be determined to cover costs associated with a Health Officer to monitor sound at the property line four nights per month.
 4. Post escrow in amount to be determined to have sound expert make recommendations and provide sound proofing proposal.
- 5) Resolution to Appoint Sherry Van Wy as Technical Assistant, part-time on call for no more than 20 hours per week at \$18.00 per hour on a contractual basis.
- 6) Resolution to Appoint the following Recreation Personnel:
- | | | |
|--------------------|----------------------|----------------------|
| Ryan Cleary | Returning Counselor | \$7.15 per hour |
| Kelly Flynn | Returning Counselor | \$7.15 per hour |
| John Sarrao | Returning Counselor | \$7.15 per hour |
| Michael Destito | Returning Counselor | \$7.15 per hour |
| Carolyn Cocilovo | Returning Counselor | \$7.15 per hour |
| Laina Gagliardi | Returning Counselor | \$7.15 per hour |
| Dan Kearney | Returning Counselor | \$7.15 per hour |
| Daniella DiMarco | Returning Counselor | No Pay (scholarship) |
| Charleen Maldonado | New Counselor | \$6.50 per hour |
| Evan Lodder | New Counselor | \$6.50 per hour |
| Dylan Sylvestri | New Counselor | \$6.50 per hour |
| Marc Sarrao | New Counselor | \$6.50 per hour |
| Kelly Stanton | New Counselor | \$6.50 per hour |
| Casey Flynn | New Counselor | \$6.50 per hour |
| Christopher Appel | New Counselor | \$6.50 per hour |
| Sean Carey | New Counselor | \$6.50 per hour |
| Joey DeGroot | Substitute Counselor | \$6.50 per hour |
| Mary Wolbach | Director | \$10.00 per hour |
| Kristin Appel | Director | \$10.00 per hour |
- 7) Approval for Terri Pellegrini to work additional hours as needed at current rate of pay to process billing and record payments for the Water Department.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 61-D, E AND F**OTHER BUSINESS:**

Memo from Board of Health stating under State ruling every Municipality must have a policy that approves the Bloodborne Pathogen Exposure Control Plan. The Board of

OTHER BUSINESS (continued):

Health has approved the attached plan and recommends the Mayor and Council adopt this plan as a policy for Riverdale. (copy of plan distributed to Mayor and Council)

Councilwoman Wetzel set forth the motion, seconded by Councilman Astarita, to adopt the Bloodborne Pathogen Exposure Control Plan as a policy for Riverdale.

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

COPY OF BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN IN FULL ON PAGE NO. 62-G**MAYOR REPORT:**

Mayor Budesheim requested that the Borough Attorney write a letter to the New Jersey D.O.T. to advise them of intolerable conditions at the traffic light at the Cotluss Road and Route 23 jug handle. On weekends it is on a 45 second cycle and the traffic is backed up past Wal-Mart. It needs to be green longer for the Route 23 traffic. He said we've asked them in the past and they have refused to change it. Mayor Budesheim also reported that he asked Bruno Associates to prepare the grant application for the Morris County Open Space Trust Fund for the Dube Property. He said if they get us \$50,000 or \$60,000 they will be done.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to authorize Bruno Associates to submit a grant application to the Morris County Open Space Trust Fund for purchase of the Dube Property.

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

BOROUGH CLERK REPORT:

Borough Clerk Talerico asked if a representative would be attending the Riverdale School graduation ceremony on June 22nd at 6:30. Councilman Guis will attend as representative. Clerk Talerico stated that she would be on vacation for the next meeting and asked for agenda items early so that it can be prepared before she leaves on June 30th. She also reported that the Fire Marshall has requested we paint the curb yellow and post a sign to indicate "no parking - fire zone" in front of the Senior Community Center. It was agreed the DPW department would paint the pavement. The Fire Marshall also wants to know if he can obtain the funds that Tom Dillon requested for a portable radio for the Fire Prevention Bureau. Councilman Falkoski will check with the Fire Marshall to see what type of equipment he needs. Clerk Talerico also reported on the invoice we received from Clearwater Services for \$9,072.00 for rebuilding equipment called a Muffin Monster at the sewer pumping station. Clearwater Services performs monthly maintenance at the pump station for approximately \$300 per month. This repair work was done without anyone's knowledge and a purchase order was not issued and money was not budgeted. The charge is for necessary repairs to equipment which did save us money over the cost of replacement which would have been approximately \$13,000. Borough Attorney Oostdyk stated the law in this situation is that they will get paid the fair value of the work he performed. Councilman Guis stated that he would get a contract in place for the future and advised Clerk Talerico to forward the invoice to Sewer Engineer Bill Ryden for evaluation to determine if it is a fair value of the work performed.

BOROUGH CLERK REPORT (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to approve payment to Clearwater Services for repair work performed at the sewer pump station, subject to the review and approval of the invoiced amount by the Sewer Engineer.

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

Borough Clerk Talerico reported that Rock Creek is starting to inquire about the reimbursement for snow plowing and street lighting. Councilman Guis stated he did not have the 2006-2007 plowing totals yet and he would get the information.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported on the environmental study being performed at the Glenburn site. The consultant completed the testing to satisfy the D.E.P. and there is a small problem at the greenhouse. The soil in that area is showing a slight overage in lead and they feel the D.E.P. will probably insist on soil removal which would cost approximately \$5,000. They recommend we do this but the greenhouse would need to be demolished and removed first. Mayor Budesheim stated the money would come from Open Space. Councilman Guis stated that we could separate the metal and glass and avoid disposal fees.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to authorize overtime for the D.P.W., and additional temporary help at the rate of \$10.00 per hour if required, to demolish the greenhouse at the Glenburn site.

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

PUBLIC PARTICIPATION NO. 2:

There being no 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 Councilwoman Wetzel, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:45 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

PUBLIC HEARING OF 2007 MUNICIPAL BUDGET:

Jane Rowan, 13 Evans Road, stated that she wants to know about raising the taxes and about the nurse. She said she thought the taxes were going down with the additional industry and instead we are getting more traffic and a 14 point tax increase. You're letting go of the nurse after they said they would keep her part time. Mayor Budesheim stated that was a Board of Health decision and the Governing Body does not control the Health Department or nurse. They are replacing the nurse with the services provided by Pequannock who is providing our other health department services. Ms. Rowan stated that at the last Board of Health meeting it was decided that they would keep the nurse and reduce her time. Then the next day that was cancelled. Various unidentified audience members also commented and asked questions regarding the nurse. They wanted to know why the Board of Health members changed their minds after deciding to keep her at the last meeting. Councilwoman Wetzel stated that she is the council liaison to the Board of Health and even she did not know about it in advance. She said the last she heard was of the decision made at the last meeting where the nurse's hours were reduced from 15 to 10. She was not available to attend the rescheduled meeting and the matter was not on the agenda. She explained that the Board of Health met and the subject was discussed under "old business". She said it was an advertised public meeting and although she was not there she does not believe anything was done behind anybody's back. She stated she can give her opinion but is not a voting member of the Board of Health. The decision was made for financial reasons, and because it's contractual and Pequannock does provide nursing service. We had a duplication of services that we were paying for. She stated that the residents will not have the nurse they had but they will be getting nursing services.

Mary Gambino asked if a nurse would continue to come to the Senior Center once a month to take blood pressure. Councilwoman Wetzel stated that because she was not at the meeting she does not have all of the information but she will get it. She stated the Health Officer comes to Riverdale to conduct business and she has no reason to think that the nurse would not. The blood pressure clinics, flu clinics and SMAC testing will continue and we will not be deprived of services. She stated that our relationship with the Pequannock Health Department has been very reasonable. Mrs. Gambino stated that we have people willing to have the nurse come and pay her because that's how good she is. Councilwoman Wetzel stated that none of this has to do with Stacey personally. It had to do with the position. Mrs. Gambino asked if eliminating the position has something to do with the budget. Councilwoman Wetzel stated that every department tries to save money in their budget. We were paying more money for a second nurse while we were already paying for a contract that included a nurse. Several unidentified audience members asked questions regarding services in the contract. Councilwoman Wetzel stated the services include the Health Officer, the clinics, and the sanitarian. Councilman Guis stated that in addition to traditional health services the Health Officer is responsible for responding to any type of spills or emergencies, the sanitarian is responsible for work on septic systems, restaurant inspections, etc. An unidentified audience member asked why we couldn't negotiate a contract that did not include a nurse so we could keep the nurse we had. Mayor Budesheim stated that the difference in cost

PUBLIC HEARING OF 2007 MUNICIPAL BUDGET (continued):

was \$24,000. The nursing services from Pequannock cost about \$8,700 versus the \$34,000 it cost for our nurse's salary and benefits. He explained that for 25 years we contracted with Lincoln Park for Health Services. Last year they gave us 90 days notice that they were cancelling the contract and we had to find another provider for those health services. Pequannock's contract cost almost half of what Lincoln Park was charging. The contract provides for a nurse to come to Riverdale and provide the services we now get with clinics. To have a nurse come and spend additional time here cost an additional \$8,700 which is about a \$24,000 savings. The Board of Health negotiated the contract and made this decision knowing that we are trying to cut expenses.

An unidentified audience member asked if the taxes were going up to pay the debt for the fire engines. Mayor Budesheim stated that was a small part of it. She asked why the taxpayers have to pay for that when we didn't need it until the apartments and stores came in. Mayor Budesheim stated that we are not allowed to charge the stores and they pay taxes like everyone else. He explained the shift in the tax burden from commercial to residential properties after the re-val we had two years ago.

An unidentified audience member asked if they would still get home visits from the nurse. Mayor Budesheim stated that he did not know. She said we always had our own nurse and there must be a way to keep our own nurse. Mayor Budesheim stated that Lincoln Park provided our nurse for 20 years as part of their contract and we got our own nurse about 5 years ago when they gave that up. Another unidentified audience member stated that for 10 hours a week we should have our own nurse to support the seniors in our community. Several other unidentified audience members commented that there were other items we should not spend money on so that we can have the nurse. Councilwoman Wetzel stated that this concern needs to be brought to a Board of Health meeting because they are the ones who would make or change that decision. Their next meeting will be July 24th. She explained her position as the liaison between the two boards. She also stated that the money is in the budget right now and the budget has not been adopted yet. Mayor Budesheim stated that he believed they had already signed the contract with Pequannock.

An unidentified audience member asked why we would entice businesses to come into Riverdale when they are getting tax breaks and costing us money. We had to get more fire trucks, more police and a lot of people really didn't want them. Mayor Budesheim stated that we took a big hit with the revaluation. We were ordered to do the re-val by the county. He also stated that you need some businesses and you need to have a balance. Several unidentified audience members stated that the taxes were too high and keep going up. Mayor Budesheim stated that the borough's share of municipal taxes has not gone up in three years. The rest was county and school tax. He stated the school's tax levy went up \$600,000 this year and that was approved by a 3 to 1 vote.

An unidentified audience member asked why the Mayor's salary is \$45,000 and the Mayor in Wayne only gets \$18,000 and Haledon gets \$4,000. Mayor Budesheim stated that they have full time administrators and that salary is from \$100,000 to \$150,000 per year.

Mrs. Adornetto asked how much it would increase the taxes to keep the Borough Nurse because we all agreed to have our taxes raised to keep a full time nurse like that. Mayor Budesheim stated he is getting mixed signals. Some people want us to cut spending and others want us to increase it. Some people want us to buy property to preserve open space and others are telling us to sell it. We are trying to provide the services you need at a price that we can afford. He explained the miscellaneous revenues went down last year \$756,000 and reserve for uncollected taxes went up \$114,000. We have to start paying

PUBLIC HEARING OF 2007 MUNICIPAL BUDGET (continued):

off debt because we pay a lot of interest on that. He stated that a lot of things are out of our control. An unidentified audience member asked how much of it is in your control. Mayor Budesheim gave examples of some state mandated regulations and paperwork requirements. The audience member said he is only asking about the controllable amounts in each department and things that we decide that we want. Councilman Falkoski explained how the individual departments request their budgets from the council through the liaisons. Mayor Budesheim stated that the total increases for all the departments amounted to 1 tax point this year. Our total operating budget amounted to a 4 point tax increase which would have been more than offset by the increase in ratables.

An unidentified audience member asked why we were paying for health benefits for the elected officials. Mayor Budesheim stated that it is state law to offer them to members of the governing body when you are in the state health plan. John Conroy stated that there are more and more cops and cars and if you don't have the money you don't spend it. Another unidentified audience member stated that it's the priorities of what we spend money on that makes some people uncomfortable in terms of the fiscal responsibilities. Mayor Budesheim asked for examples of where priorities are mixed up. The audience member stated that she sees additional cars, cars not being used for business purposes, a decrease in human services such as the nurse. Mayor Budesheim stated that 3-1/2 years ago we invited the residents to discuss our plans for the future which included a police and fire presentation explaining everything we were going to purchase. At that time our taxes were going up 10 points and when Councilman Carelli explained everything he got an ovation. We did not deviate from that plan. Mayor Budesheim explained the need for the new emergency vehicles and emergency service expenses. He stated that our police department collects more money per person than any other department in Morris County and the police cars were paid for the first year out of the ticket money.

Mayor Budesheim commented on handout sheets that were anonymously left in the lobby prior to the meeting. He stated the handout contained many inaccuracies and he addressed the issues listed. He stated that several of the purchases listed were paid for with grant money received for those purposes. Fire Chief Pat Cleary stated many fire department purchases are also made with grant money and donations.

An unidentified audience member asked when work would begin on the Grecco House. Mayor Budesheim stated that we just received a \$140,000 grant and received a \$35,000 grant last year to begin restoration. Councilwoman Bush explained that certain governmental inspections were required before we can receive the grant money.

Board of Education member Pat Salvati stated that we all do our best to manage our spending but she wanted it on the record that for the 2007 tax rate the school's increase was offset by the increase in ratables and the net effect to the taxpayers was a reduction of about 1/3 of a tax point. She asked for confirmation from the C.F.O. or Finance Officer that the tax rate went from .707 down to .698. Councilman Carelli stated that was correct. Councilwoman Bush stated that some people are wondering why it is that we have all these ratables coming in and we're not enjoying a tax break. That is because the ratables have come in and they've been used. What could have been a reduction to the population goes to services, like the school, for example.

An unidentified audience member stated that he was present at the meetings in 2004 when our taxes went up 10 points and we were lead to believe than when all the industry and apartments came into town that our taxes were going to drop, and we haven't seen it. Mayor Budesheim stated that he did not disagree. Councilman Falkoski stated that it is important to become informed citizens so that you can provide input throughout the year and make an educated decision as to whether the budget is fair. He said the budget is a very complex document. Mrs. Ezzo stated that people feel that if they come out, no

PUBLIC HEARING OF 2007 MUNICIPAL BUDGET (continued):

matter what they say it is not going to do any good because it's already planned. She said that a lot of us can't stay in town any more with the tax rate going up. Mayor Budesheim stated there isn't one person on the Council who wanted to have a tax increase. We have a responsibility and everyone wants services to continue. He said that in spite of the increase we still have some of the lowest taxes in New Jersey. The Mayor and Council continued to answer questions regarding the budget, debt, taxes and ways to cut costs.

Mayor Budesheim stated that there is a Budget Amendment resolution tonight and he will put both the budget and amendment on our website. Final adoption of the budget will be on July 11th. Councilman Carelli stated the only other thing we can do is reduce the amount we pay for debt and change the library line item amount. There was additional discussion regarding reducing the debt service and how that will affect the tax levy.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to close the public session.

ALL IN FAVOR.**ORDINANCES:**

Borough Attorney Oostdyk stated that Ordinance 09-2007 amends our existing ordinance to permit contribution by employees for medical insurance.

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

ORDINANCE 09-2007**ORDINANCE AMENDING CHAPTER 45 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 67-A

Mayor Budesheim stated that Ordinance 10-2007 primarily affects large commercial properties.

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

ORDINANCE 10-2007**ORDINANCE AMENDING CHAPTERS 136 AND 164 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND AMENDING CERTAIN WATER AND SEWER RATES.**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 67-B

RESOLUTIONS:

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

- 1) **Resolution #44-2007;** Tax Title Lien #5-03 Redemption.
- 2) Approval of Permit for Social Affair for the Riverdale Fire Department for one day to be held on August 25, 2007.
- 3) Approval of Cash Management Plan for the Borough of Riverdale as required by N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14.
- 4) Approval of soil movement permit for Daniel & Susan Sautner, 1 Stoneleigh Terrace Block 37 Lot 69. (this is a minor soil movement permit per Borough Engineer Paul Darmofalski)
- 5) **Resolution #45-2007;** Refund of Tax Overpayments.
- 6) **Resolution #47-2007;** Emergency Temporary Appropriations.
- 7) Approval of payments for the following:

a) Walter Mahon	Petty Cash	\$ 54.06
b) Ringwood State Park	Recreation Trip	\$110.00

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 68-C, D AND E**Scheduling of special meeting for public hearing of amendment and adoption of budget.**

Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to schedule a special meeting to be held at the Municipal Building on July 11, 2007 at 7:00 p.m. for a public hearing of amendment and adoption of the 2007 budget.

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

RESOLUTIONS:

- 8) **Resolution #46-2007;** Amendment to 2007 Approved Budget.

Councilman Falkoski made the recommendation of reducing the debt service by \$100,000 and library aid \$35,000 and to include this in the budget amendment. He stated that this would reduce the tax rate by almost 2 points. Councilman Carelli stated it is short-term tax relief for a year. There was discussion regarding the matter. It was determined these additional changes would reduce the average residential tax increase by about \$70. Mayor Budesheim and Councilman Guis stated they agreed with the library aid reduction but think it's a mistake to reduce the debt service. Councilwoman Bush agreed. Councilwoman Wetzel stated she would agree with both reductions because that is what she feels the public wants. Councilman Carelli agreed with her.

Mayor Budesheim announced a 10 minute recess at 10:20 for the Chief Financial Officer to make the changes to the budget amendment.

Back to Order at 10:35 p.m.

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

The Deputy Borough Clerk read the Budget Resolution Amendment in its entirety.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to approve **Resolution No. 46-2006**; Amendment to 2007 Approved Budget, as read.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 69-F

BOROUGH CLERK REPORT:

Deputy Clerk Forbes reported on the Local Finance Notice dated June 20, 2007 to alert the Mayor and Council to new sections of “CORE” legislation relating to budget adoption and employee contracts. She also reported that the Borough of Bloomingdale will hold a public hearing on July 17 at 7:30 p.m. regarding a Zoning Ordinance to establish a new AH Affordable Housing zone.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported that Mr. Canella has requested a refund of his money and he disagrees with that for valid reasons. Majestic Homes is about to request their money back and there are legitimate reasons not to do that. He distributed letters to the Mayor and Council to explain these matters. He reported that the Newark Pompton Turnpike and Mead Avenue are his recommendations for the state aid applications due in August. His opinion is Newark Pompton Turnpike is the number one priority. He reported on the Mathews Avenue project. He reviewed a road opening request for 17 Overlook Drive and recommended against a circular drive on that lot which is only 100 feet wide. However, it is a private road and we don't have any control.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member asked if she could get a no U-Turn sign on Wayside off of Windbeam. Mayor Budesheim stated the cars are using it as a through street and that could only be done if we made the road one-way which would be an inconvenience.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to close the public session.

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 10:45 p.m.

Respectfully Submitted:

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

The Special Meeting of the Mayor and Council opened on the above date at 7:00 p.m. with the Pledge of Allegiance.

Mayor William Budesheim presiding.

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

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

THE PURPOSE OF THIS SPECIAL MEETING IS FOR THE PUBLIC HEARING OF AMENDMENT TO THE 2007 BUDGET AND ADOPTION IN ITS ENTIRETY

RESOLUTIONS:

Councilman Falkoski set forth the motion, seconded by Councilwoman Bush, to approve the following resolution.

- 1) **Resolution No. 48-2007;** Authorizing Self-examination of 2007 Municipal Budget.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 71-A

PUBLIC HEARING OF AMENDMENT TO 2007 MUNICIPAL BUDGET:

Mayor Budesheim announced the meeting was open to the public for comments on the budget amendment.

John Conroy stated that he still would like to look at the expenses and see how we can reduce the cost to the town further. He said he followed up on the comment that we have the lowest taxes in New Jersey and that is not entirely accurate. We are the lowest in Morris County however we are the highest in terms of tax increase since 2000. Mayor Budesheim stated the reason was the year we had the revaluation and there was no increase in the municipal tax levy for that year. He stated that the biggest tax burden is the school and that budget is approved by the voters. That budget and the second question were approved by a 3 to 1 margin and only about 20 percent came out and voted this year. Mr. Conroy stated that he thinks the police department budget is high. He asked about the base salary figures as quoted in the Star-Ledger and said he would like to know what the overtime portion would be. He said he is not just questioning the salary but the number of people we have. He would still like to know about other costs and see if there are other areas where they can be reduced. Mayor Budesheim stated that we will work with him and will accept all the help we can get. There was additional discussion regarding the effect of the revaluation on the residential and commercial taxes.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to close the public session.

ALL IN FAVOR.

ADOPTION OF 2007 MUNICIPAL BUDGET:

Councilman Carelli set forth the motion, seconded by Councilman Guis, for the Adoption of the 2007 Municipal Budget.

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

COPY OF 2007 MUNICIPAL BUDGET IN FULL ON PAGE NO. 72-B

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:30 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

The regular 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 Budesheim presiding.

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

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

APPROVAL OF MINUTES DATED: June 18, 2007

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

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

PROCLAMATION: TO PROCLAIM SEPTEMBER AS OVARIAN CANCER AWARENESS MONTH AND TO DECLARE SUPPORT FOR THE KALEIDOSCOPE OF HOPE WALKATHONS.

Mayor Budesheim read the proclamation declaring support for the Kaleidoscope of Hope walkathons and proclaiming September as ovarian cancer awareness month. He stated that this is an excellent program and he is glad that the foundation reached out to the Borough of Riverdale. Borough Clerk Talerico presented the proclamation to two of the founders of Kaleidoscope of Hope, Gail MacNeil and Lois Myers.

COPY OF PROCLAMATION IN FULL ON PAGE NO. 73-A

PROCLAMATION: TO PROCLAIM THE 22ND OF SEPTEMBER, 2007 AS “KIDS DAY AMERICA/INTERNATIONAL” IN THE BOROUGH OF RIVERDALE.

Mayor Budesheim read the proclamation declaring September 22, 2007 as “Kids Day America/International” dedicated to the efforts of doctors of chiropractic in helping to educate all citizens on the importance of health, safety and environmental issues affecting our community. He stated that he is very proud to have Dr. and Mrs. Stewart and their family supporting our community. Mayor Budesheim presented the proclamation to Dr. and Mrs. Stewart.

COPY OF PROCLAMATION IN FULL ON PAGE NO. 73-B

PUBLIC PARTICIPATION NO. 1:

Sal Poli, 25 Post Lane, stated that he heard his taxes would be going up tremendously and would like to know why. Mayor Budesheim stated they were going up about 9 percent and explained that school tax, paying off debt service and reductions in miscellaneous revenues were the main reasons. He also explained how the revaluation affected the taxes. Mr. Poli asked what the increased costs were that offset the additional ratables last year. Councilman Carelli explained how the additional ratables did provide a tax break and also discussed ways that we are trying to cut costs.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 75-D**RESOLUTIONS:**

Councilwoman Bush stated that Resolution 52-2007 is the application for a Municipal Alliance grant of \$6,000. It is our responsibility to match these funds 25 percent in 2008 and to procure donations of materials that we will be using at different events. At this time we are planning 10 different events throughout the year and a copy of the proposal is available for review.

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

- 1) Payment of Claims.
Including the following Items:

a) Carefree Bus	-	Yankee Game	\$1,300.00
b) Tomahawk Lake	-	Recreation Trip	\$1,100.00 (max)
c) Treas.-St. of NJ	-	Ringwood St. Park	\$ 110.00
d) Toys-R-Us	-	Recreation Supplies	\$ 81.20
d) Paul Darmofalski, P.E.	-	Mathews Ave.	\$2,556.00
e) LaGuardia Associates	-	Concert Series	
		(upon availability of funds)	\$14,000.00
- 2) Approval of Escrow Payment to following:

a) Paul Darmofalski, P.E.	Target Corporation	\$16,380.00
b) Paul Darmofalski, P.E.	Majestic Homes/Beazer	\$ 500.00
c) Paul Darmofalski, P.E.	D.R. Horton	\$ 375.00
d) Paul Darmofalski, P.E.	Aburomi (Soil Movement)	\$ 250.00
e) Anderson & Denzler	Target Corporation	\$ 7,640.85
f) Anderson & Denzler	D.R. Horton	\$ 294.80
g) Anderson & Denzler	RGK Dev. Storage	\$ 945.75
h) Anderson & Denzler	TCR/Alexan Riverwalk	\$ 337.50
i) Anderson & Denzler	D.R. Horton	\$ 589.20
j) Anderson & Denzler	TCR/Alexan Riverwalk	\$ 270.00
k) Anderson & Denzler	RGK Dev. Storage	\$ 36.55
l) Anderson & Denzler	Majestic Home Builders	\$ 1,101.30
m) Anderson & Denzler	Target Corporation	\$11,197.03
n) Michael Moratto – Stoneleigh Project - Bond Release		
	(subject to approval of Borough Engineer)	\$ 1,000.00
		\$ 750.00
		\$ 165.00
- 4) **Resolution No. 53-2007;** Declaring the Governing Body’s review of at least the “General Comments & Recommendations” section of the 2006 Annual Audit, and that N.J.A.C. 5:30-6.5 has been complied with, to be verified with “Group Affidavit Form”.
- 5) **Resolution No. 49-2007;** Establish a New Petty Cash Fund in the amount of \$100.00 for the Recreation Department, and to name June Carelli, Director as Custodian.
- 6) **Resolution No. 50-2007;** Agreement to continue its membership in the “New Jersey Intergovernmental Insurance Fund” for a period from January 1, 2008 through December 31, 2010.
- 7) Resolution to appoint Karen Spiridakis as a member of the Riverdale Fire Department.
- 8) **Resolution No. 51-2007;** Approval of a Professional Services Agreement with PK Environmental to perform a Phase 1 Environmental Site Assessment of 203 Paterson Hamburg Turnpike, Block 12, Lot 1. (Dube Property to be purchased by the Borough of Riverdale)

RESOLUTIONS (continued):

- 9) **Resolution No. 52-2007;** Authorization of submission of an application for a Municipal Alliance grant for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Morris for a grant amount of \$6,000 for the year 2008.
- 10) **Resolution No. 54-2007;** Supporting the Over the Limit Under Arrest 2007 Crackdown.
- 11) Resolution to dismiss the application of Yassin Aburomi, 36 Wilson Avenue East, Riverdale application for soil movement for non compliance with Chapter 140 of the Code of the Borough of Riverdale.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 76-E, F, G, H, I, J AND K**COMMITTEE REPORTS:**

Councilman Falkoski reported the Municipal Court Report for the month of June.

Councilman Astarita reported that we are mandated by the state to have our playgrounds made safe and brought up to code by October 18th.

Councilwoman Bush reported that the Municipal Alliance proposal will be submitted to the county tomorrow.

MAYOR REPORT:

Mayor Budesheim reminded everyone that the concert series will begin on Wednesday. There was additional discussion with audience member Sal Poli regarding taxes and the budget.

CLOSED SESSION:

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, 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 Astarita to open the meeting to the public.

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

RESOLUTIONS (continued):

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

RESOLUTIONS (continued):

- 1) Agreement in principal with the PBA contract and to make January 1st the anniversary date of all salary increases.

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

Councilman Falkoski set forth the motion, seconded by Councilwoman Bush, to approve the following resolution:

- 2) **Resolution No. 55-2007;** Authorizing amendment to contract for sale of real property between the Borough of Riverdale and Dube Development, Inc.

COPY OF RESOLUTION IN FULL ON PAGE NO. 77-L

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:05 p.m.

Respectfully Submitted:

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

CLOSED SESSION**PBA CONTRACTUAL NEGOTIATIONS:**

Mayor Budesheim stated that everyone received the e-mail regarding the police agreement. It includes a salary chart and they've agreed to give up the Traditional Plan for the New Jersey Plus health insurance plan. Mayor Budesheim stated that during the last negotiations Councilman Carelli stated we were getting them to the salaries they wanted but it would take them five years to get there. Lt. John Peine had stated he would have to work two years longer than he had wanted to achieve that pay. Mayor Budesheim stated that Lt. Peine has done more on his own time and expense for this community than any other policeman. It had been discussed to possibly accelerate his and Lt. Roemmele's retirement with the understanding that they would retire three years from now. Mayor Budesheim stated that would be a \$300,000 savings. He suggested giving them the title of Captain to maintain the integrity in the contract for those Lieutenant positions. It would be written in the agreement that this is being done as an honorary Captain position and in no way reflects our intention to create these positions on a permanent basis and were not put in the PBA contract for that reason. They would retire as Captain but the salary would remain the same as Lieutenant. Councilman Carelli stated that he would like to make all of the anniversary dates January 1st to make the bookkeeping less cumbersome. There was discussion regarding the matter. Councilman Falkoski stated that the police ordinance specifies that there are certain requirements for any kind of promotion and asked if we should pass a resolution in this particular case. Borough Attorney Oostdyk stated that to be technically accurate the statutes require that all of our police positions be established by ordinance. In this instance we could perhaps put in the ordinance an exception for an honorary promotion. There was discussion regarding the matter. Mr. Oostdyk stated that we would work on something to put in the ordinance.

DUBE PROPERTY:

Borough Attorney Oostdyk reported that we had hoped to close title of the property. We learned that if we do that now it would prevent us from getting the funding from the County of Morris in the cycle that will be announced in November. In order to preserve our ability to acquire additional county funds, we have gotten Mr. Dube to agree that we will increase the amount of the deposit we're paying, agree to release part of the deposit to him, and take a mortgage back to secure our interest. We will delay the closing until the end of the year to preserve our chance to acquire the county funding. This will be an amendment to the contract. Mr. Oostdyk stated that unless anyone had a problem with this, he agrees we handle the matter in this way. He also reported that Dexter's will be filing an appeal on the conditional liquor license. Once an appeal is filed we will have the opportunity to discuss the conditions with them.

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, Carelli, Guis, Wetzal, Falkoski**
 Absent: **Bush (vacation)**

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

BOROUGH ENGINEER REPORT:

Mayor Budesheim stated that he did not agree with the recommendation of Mead Avenue and the Newark Pompton Turnpike as the two roads selected for improvements in resolution No. 61-2007. He feels that Arlington Place is in worse condition. Borough Engineer Darmofalski stated that there is a point system of criteria for awarding of the grants and traffic is a major condition. He said he feels strongly that the Newark Pompton Turnpike is ready to fall apart and if we don't do something now we'll spend a lot more money than what we're anticipating. It is a very heavily traveled road and the condition of the asphalt is at a point that it will start unraveling and it is a bigger expense than Arlington. Mead Avenue includes sidewalk replacement on both sides. Councilman Guis stated his opinion is that Mead Avenue is the worst in terms of sidewalks and curbing from a liability standpoint. It is heavily traveled by pedestrians. Borough Engineer Darmofalski explained the grant applications and the amounts we are requesting. There was additional discussion regarding the assessment of the roads, curbs and sidewalks. Mayor Budesheim stated that he is concerned with the cost to the borough not covered by grants. Councilman Carelli agreed. Mr. Darmofalski stated that we do not have a paving program in the borough and the roads do need attention. There was additional discussion regarding the matter and it was decided to include Arlington Place on the Newark Pompton Turnpike project and submit one application. Borough Engineer Darmofalski will modify the application and it will be placed on the agenda for the August 20th meeting.

Mayor Budesheim stated that Mr. Bell at 1 DeGraw Road is concerned with the realignment at the intersection of DeGraw and Mathews Avenue. He asked if a guardrail could be installed if the owner requests it. Borough Engineer Darmofalski will meet with the owner. Mr. Bell arrived and discussed his concerns with Mr. Darmofalski. They will meet tomorrow at the site. Mayor Budesheim asked if 3 Linden Street would be able to tie in to the manhole on his own. Mr. Darmofalski stated there is more than adequate depth to allow him to tie in but he will need to do it quickly.

Mr. Darmofalski reported that bids will be received for the Paterson Hamburg Turnpike Sewer on August 15th. He also reported that Target is quickly completing their site work. There was discussion regarding financial responsibility for the traffic signal in resolution No. 57-2007. It was decided to table the resolution. Borough Engineer Darmofalski will send an estimate with a recommendation for escrow.

PUBLIC PARTICIPATION NO. 1:

There being no comments, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzal, to close the public session.

ALL IN FAVOR.

Mayor Budesheim read a portion of a letter sent by the Senior Planner for the Morris County Department of Planning, Development and Technology regarding our Master Plan. The letter commended the Planning Board for their comprehensive review of various subjects and redevelopment issues. Mayor Budesheim stated that we originally appropriated \$100,000 and have \$25,000 left that we can use to finish the Master Plan.

PUBLIC PARTICIPATION NO. 1 (continued):

Audience member John Conroy asked for justification for hiring a new DPW employee. Councilman Guis stated the DPW is down two employees and we are hiring a replacement. Mr. Conroy asked how many employees the DPW has and if it was really necessary to hire another one. He stated he is against hiring anyone this year because the taxes have gone up so much. Mayor Budesheim described various responsibilities of the DPW and stated there are 7 employees. Councilman Guis stated that there is work in town that is not getting done and the DPW employees in Riverdale are constantly busy. He assured Mr. Conroy that it has been evaluated and is a legitimate need. Mr. Conroy was unconvinced and said he is only complaining because his taxes have gone up tremendously. Councilwoman Wetzel stated that there is a cost for the quality of services we expect in this town. Mayor Budesheim stated that no one has come forward with any suggestions for cutting expenses since he put the bills list on the website. Mr. Conroy stated that he does look at it but doesn't understand some of the expenses because it is not detailed enough.

COMMITTEE REPORTS:

Councilman Guis reported things are status quo and running well.

Councilwoman Wetzel reported the concerts have been running smoothly.

Councilman Astarita reported the library roof is still leaking. The roofer has been called in multiple times and can't find the leak. He will be asking other experts to come in and has not been charging except for the ceiling he did. He said the Library Committee wants to meet with him to discuss the matter.

Councilman Falkoski reported he has an application for Bruce Dickerson to be appointed to the Riverdale Fire Department. Councilman Falkoski passed around photographs he took on June 28th of a tree laying on the wires across Cotluss Road. He said the tree belongs on state property so he stopped and called the dispatcher on his cell phone. It was reported to the state and they wanted nothing to do with it. He then told dispatch to get in touch with JCP&L and they arrived within 1-1/2 hours to remove the tree. He asked what the state's liability is for that tree. Borough Attorney Oostdyk stated that if the tree is on their property they have responsibility and he could send them a letter informing them of our disappointment at their lack of response. Councilman Falkoski reported that a while ago he had referred the Fire Chief to Borough Clerk Talerico regarding their insurance policy. It had not been reviewed in over 20 years. There are 30 members, 12 auxiliary members and 3 junior members and the existing policy does not cover auxiliary and does not completely cover juniors. The current life insurance coverage is \$25,000 for a premium of \$997.50 per year. The Fire Chief has obtained 3 quotations. The policy they have gotten quotations on would cover the auxiliary and juniors and the top level would raise the life insurance to \$100,000 for a premium of \$2,564 per year. There is a level of \$50,000 for a premium of \$1,947 per year. Fire Chief Cleary described the services performed by auxiliary and junior members at a fire scene. He stated that we can get \$25,000 coverage for all members, auxiliary and juniors for the same premium we are now paying. Borough Clerk Talerico stated that if they are injured while on duty they are covered and also have \$25,000 life insurance under Workman's Compensation. Councilman Guis asked if this is a redundancy. Borough Attorney Oostdyk stated that typically when you have Workman's Comp you still have

COMMITTEE REPORTS (continued):

life insurance. He said that we should be comparing the additional life insurance policy to the new quotations. There was discussion regarding the matter.

RESOLUTIONS:

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

- 1) Approval of check issuance to Mary Wolbach for supplies bought for the summer recreation program from BJ's Wholesale Club in the amount of \$104.89.
- 2) Approval of sewer line tie in by Mr. Stewart, located at 279 Hamburg Turnpike, Riverdale Block 3 Lot 5.
- 3) Approval of check issuance of the down payment check in the amount of \$100,000 to Charles Dube for the purchase of the property known as Block 12, Lot 1 on the tax maps of the Borough of Riverdale as approved by Ordinance #6-2007 and Ordinance 7-2007.
- 4) Mayor to appoint Matthew E. Cline as a Provisional Employee to the DPW Department with consent of council, at a pay rate of \$14.00 per hour.
- 5) Approval of governing body for Special Counsel Richard Clemack to represent the Borough in the Dexter's v. Borough of Riverdale case, at the rate approved with 2007 Professional Agreement.
- 6) **Resolution #56-2007;** Authorizing Mayor Budesheim to execute an application and agreement and any amendment thereto if awarded with the County of Morris known as the Land Acquisition on Hamburg Turnpike, in the amount of \$75,000.
- 7) **Resolution #58-2007;** Special Item of Revenue and Appropriation – Chapter 159 – U.S. Department of Homeland Security – FEMA – FY 2007 Assistance to Firefighters Grant in the amount of \$39,778.00.
- 8) **Resolution #59-2007;** Lien Redemption.
- 9) **Resolution #60-2007;** Professional Agreement with PK Environmental; total cost of \$13,115.00 - \$6,000 00 for PK Environmental and \$7,115.00 direct costs.
- 10) Mayor to appoint Jordan Pellegrini and Bruce Dickerson as Riverdale Firemen with consent of council.
- 11) **Resolution #62-2007;** Acceptance of the Natural Resources Inventory for the Borough of Riverdale as prepared by the Pequannock River Coalition.
- 12) **Resolution #63-2007;** "Designation of the National Incident Management System (NIMS) at the Basis for all Incident Management in the Borough of Riverdale".
- 13) **Resolution #65-6007;** Special Item of Revenue and Appropriation – Chapter 159 – County of Morris – Historic Preservation Trust Fund – Glenburn House (Van Ness House) Project - \$142,040.00.
- 14) Approval of insurance upgrade for the Fire Department with VFIS at a premium of \$2,564.00 per year.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 81-A, B, C, D, E, F, AND G.

MAYOR REPORT:

Mayor Budesheim reported on an advisory from the Commissioner of the DOT regarding the traffic light on Route 23 by the Home Depot. They've made a firm commitment to the local and state politicians in Morris County to resolve the situation in a timely and expeditious manner.

BOROUGH CLERK REPORT:

Borough Clerk Talerico said she will contact the Borough Attorney for advice regarding COAH. She also asked Borough Attorney Oostdyk if he had reviewed the correspondence from Crown Castle. Mr. Oostdyk stated it appears they are replacement antennae and they don't need separate approval for replacements. They are advising us.

Mayor Budesheim asked Borough Attorney Oostdyk for his opinion on the definition of road frontage. Borough Attorney Oostdyk stated there are two issues. One is whether you front on an improved public street that provides access to the property. The second is how to calculate the amount of frontage you have. You want to be sure the property does front on a street that provides accessibility but your entire frontage does not have to give you accessibility. There was additional discussion regarding a landlocked property with frontage on Route 287. Mr. Oostdyk stated that the accessibility has to be over what you are calling the frontage. He will review the ordinance.

PUBLIC PARTICIPATION NO. 2:

John Conroy stated there was an article in the Trends regarding insurance in Kinnelon that he wanted to comment on but he didn't bring it with him.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to close the public session.

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:21 p.m.

Respectfully Submitted:

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

The regular 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 Budesheim presiding.

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

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

APPROVAL OF MINUTES DATED:

July 2, 2007 - Workshop
 July 11, 2006 - Special Meeting – Budget Adoption
 July 16, 2007 - Regular
 August 6, 2007 - Workshop

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

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

PUBLIC PARTICIPATION NO. 1:

Valerie Russinko, 40 Wilson Avenue, stated that the condition of Highland Avenue and Wilson Avenue is dangerous and deplorable. She said something has to be done before the winter and asked if there was any money budgeted for this. Mayor Budesheim stated there was not. Councilman Guis stated that the DPW could address the pot holes on Wilson Avenue. He suggested Mrs. Wilson call him or the DPW Superintendent when it rains so they can evaluate the drainage issues. He explained that the DPW has been shorthanded and the catch basin is on the list to be patched. Councilman Guis also said he would look at the road again and discuss the matter with the Borough Engineer and DPW Superintendent but there was not money budgeted for repaving.

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

ALL IN FAVOR.

PUBLIC HEARING OF THE APPLICATION FOR THE MORRIS COUNTY 2007 OPEN SPACE TRUST FUND.

Mayor Budesheim announced the meeting was open to the public for comments on the application for the Morris County Open Space Trust Fund.

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

ALL IN FAVOR.

RESOLUTIONS:

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

Resolution No. 56-2007; Authorizing Mayor Budesheim to endorse the application for the Morris County Open Space Trust Fund grant in the amount of \$65,000 and also to execute an agreement with the county to be known as Land Acquisition on Hamburg Turnpike.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 84-A

Mayor Budesheim asked for resolution No. 3 to be tabled at this time. He clarified that the money in resolution No. 6 is a donation for the concerts. Councilman Guis clarified that the money in resolution No. 7 will be held until the Borough Engineer is satisfied the remaining items are complete. Councilman Falkoski stated that we have an application from Nicholas Greco Jr. for membership to the Fire Department.

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

- 1) Payment of Claims.
 Including the following Recreation Items:
 - a) Theater tickets – Theatre Direct International – Mary Poppins \$4,683.00
 - b) Additional Concert – August 22nd – Luke Landolfi \$1,000.00
- 2) Approval of Escrow Payment to following:
 - a) Paul Darmofalski, P.E. Target Corporation \$12,704.00
 - b) Paul Darmofalski, P.E. Majestic Homes/Beazer \$ 250.00
 - c) Paul Darmofalski, P.E. D.R. Horton \$ 261.00
 - d) Paul Darmofalski, P.E. Alexan at Riverwalk \$ 125.00
 - e) Anderson & Denzler Target Corporation \$ 4,772.75
 - f) Anderson & Denzler D.R. Horton \$ 80.30
 - g) Anderson & Denzler Riverdale Crossing \$ 43.75
- 3) **Resolution No. 61-2007;** Authorization of Mayor William Budesheim to endorse an application to the NJDOT for State Aid Grant for Milling, resurfacing, line striping of entire length of Newark Pompton Turnpike and milling, resurfacing, curb, sidewalks, manholes and inlets for Arlington Place. The total proposed amount of the project is \$639,996, with a request of \$589,996 in State funds and a Borough contribution of \$50,000.
- 4) **Resolution No. 64-2007;** Authorizing a Professional Services Agreement between the Borough of Riverdale and Holt Morgan Russell Architects, P.A. in the total amount of \$36,884 contingent on State approval of Chapter 159.
- 5) Authorization to pay \$2,000 to the Riverdale Fire Department for the fireworks display on their 100th Anniversary Celebration.
- 6) Authorization to make the final payment to Storer Construction Services for the construction of the Riverdale Senior Center in the amount of \$5,000 as recommended by Borough Engineer, Paul Darmofalski. Storer Construction Services has placed its 2 year maintenance bond in the amount of \$71,814.80 which represents 10% of the total project amount.
- 7) Acceptance of letter of resignation of Jason Casbarro, Senior Utility Person for the DPW Department effective August 24, 2007.

RESOLUTIONS (continued):

- 8) Mayor to appoint Shawn Mowla as a DPW Employee effective August 16, 2007 at a pay rate of \$12.00 per hour, and authorization to hire an additional DPW employee.
- 9) Resolution of Governing Body to reject all bids received for the Paterson Hamburg Turnpike Sewer Project – due to the bids coming in over 150% of engineers estimate, and to re-schedule bid date at the discretion of the Borough Engineer.
- 10) Mayor to appoint Nicholas Greco Jr. as Riverdale Fireman with consent of council.

ROLL CALL: **Ayes:** **Astarita, Bush, Guis, Wetzel, Falkoski**
 Nays: **None**
 Abstain: **Guis (Resolution No. 9 only)**
 (5 ayes – 0 nays – motion carried)

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 85-B, C AND D**CORRESPONDENCE:**

- 1) From Pompton Lakes High School Band Boosters USSBA “Super Saturday” Marching Competition seeking advertisers for their fundraiser for this competition. Requests for sponsor donations in the following amounts – 1) Gold Sponsor - \$500.00; 2) Silver Sponsor - \$400.00; 3) Bronze Sponsor - \$300.00; and Special Award Sponsor \$100.00. (copy of correspondence distributed to Mayor and Council)

Councilman Guis suggested that in lieu of a donation we contact Mr. Venza and offer the band an opportunity to earn money from the Clean Communities Grant. They could spend a day cleaning the park or similar project and earn \$500 or possibly more. Council agreed with the suggestion.

OTHER BUSINESS:

- 1) Apartment Rental – 87 Newark Pompton Turnpike.

Mayor Budesheim stated that our new librarian is interested in renting the apartment above Mario’s. It has been empty for two years and there are repairs that need to be made including a new roof. There was discussion regarding the matter. Borough Attorney Oostdyk stated that we should go to bid but will check if we could offer the apartment as housing in lieu of salary.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to authorize the Borough Attorney to prepare a rental agreement for month to month tenancy of the apartment at 87 Newark Pompton Turnpike, based upon employment of the tenant by the borough.

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

- 2) Agreement – TCR and Borough of Riverdale – Sewer Capacity.
(copy of agreement distributed to Mayor and Council)

Mayor Budesheim stated he had a few minor items to discuss with Mr. Clemack to clarify some wording in the agreement. It would not change any terms of the agreement.

OTHER BUSINESS (continued):

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to authorize Mayor Budesheim to execute the Sewer Capacity Agreement between TCR and the Borough of Riverdale.

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

ORDINANCES:

Mayor Budesheim stated that Borough Attorney Oostdyk had prepared a definition to clarify the term "Lot Frontage".

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

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"**

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. 86-E**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that Mr. Aberami had been scheduled for a soil mining hearing in July but he failed to comply with the ordinance. A new hearing date has been set for September 17th.

ATTORNEY REPORT:

Borough Attorney Oostdyk reported that he had e-mail communication with the attorney regarding the issue of sale of the cell tower site. The next step is to take a closer look at the property which is bigger than the area needed to deal with the tower. We have to establish a minimum bid and there is no survey or metes and bounds for the property. There was discussion regarding the matter. Mr. Oostdyk will prepare a draft ordinance to authorize the sale of the property.

COMMITTEE REPORTS:

Councilman Falkoski reported the Fire Department is having difficulty with their daytime response times. They are asking if we could encourage DPW and other borough employees to join. There was discussion regarding the matter and Councilman Guis stated he would also discuss the matter with the DPW Superintendent. Councilman Falkoski also reported the Fire and Police Departments are doing an analysis regarding the concern with getting equipment through narrow streets with parking on both sides. Councilman Falkoski reported the Municipal Court Report for the month of July.

COMMITTEE REPORTS (continued):

Councilman Guis reported that he asked the Borough Attorney to write letters regarding the garbage problems at Rock Creek and The Grande so we maintain a paper trail. He arranged for dumpsters at Rock Creek to alleviate the paper recycling problem. The Grande will still require a compactor and is still getting the garbage privately hauled.

Councilman Falkoski reported that our newest Police Patrolman, Eric Hollenstein, received a letter of commendation for a job well done regarding the arrest of two drug dealers on August 7th.

Councilwoman Wetzel reported on the Shirelles concert. Target is the primary sponsor for the event on Saturday and they have provided various public relations items as well.

Councilwoman Bush reported that the Partnership for a Drug-Free New Jersey is surveying communities as to whether they have adopted a host ordinance prohibiting consumption and possession of alcoholic beverages on private property by persons under legal drinking age. It's an ordinance that they have worded to make it illegal for the host to serve or allow minors to consume alcoholic beverages on their property. Borough Attorney Oostdyk stated that it is a state statute and would exempt family members and religious observances. There was discussion regarding the matter.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member asked if the meeting minutes are available to the public. Mayor Budenheim stated that the minutes and agendas are posted on the Borough Clerk's page on our website.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, 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

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, Carelli, Guis, Wetzel, Falkoski**
 Absent: **Bush**

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.

ORDINANCES:

- 1) **Introduction of Ordinance No. 12-2007; Cell Towers.**

The introduction of Ordinance No. 12-2007 was tabled until the next meeting.

MAYOR REPORT:

Mayor Budesheim stated that the Target traffic signal would not be enforceable until the state approves Title 39 for Target and Home Depot. Discussion took place concerning the traffic signal and the agreement with the property owner. Mayor Budesheim questioned bills we received from SESI Engineering for preparation of a site plan for the connector road. Borough Engineer Darmofalski stated he would review the bills and report his findings. Mayor Budesheim stated the grant money for the youth center would not be available until late September at the earliest. There was discussion regarding the work to be done and price quotations that have been obtained. Mayor Budesheim stated that the vehicle we had given to the First Aid Squad is costing them \$3,000 a year to insure. After discussion it was decided to put the car back on the borough insurance policy. There was also discussion regarding the damage to roads being done by trucks that are over weight limits and the enforcement of weight limits by the State Police.

COMMITTEE REPORTS:

Councilman Falkoski reported that the Police Chief has requested using OEM grant funds to purchase road signs and supplies in preparation for the street fair. He also reported that the Police Department has responded to 213 alarm calls in 2007. Our alarm ordinance is written in regard to fire alarms and it should be amended to include all alarms.

Councilwoman Wetzel reported on the Outreach Mobile Health Van which provides free treatment for minor illnesses and injuries for uninsured adults. She also reported that she ordered a banner for the street fair which will be held September 30th from 10 to 5. She also reported that Pequannock is opening a dog park at Foothills Park on West Parkway that will be available to non-residents.

Councilman Astarita reported the curbs are deteriorated on Halsey Avenue between Federal and Post Lane. There was discussion regarding budgeting for road repairs.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that Pompton Lakes High School is having a band competition on September 29th and the location in the event of rain is the Riverdale School. They want to use the Riverdale Pistol Team parking lot for bus parking. Councilman Guis stated that would not be a problem. Clerk Talerico will request a certificate of insurance. She also advised that the Riverdale Seniors plan to have an entertainer perform during their October meeting. Mr. Aberami is scheduled for a public hearing for his soil mining permit on September 17th at 8:00 p.m. and the Library teens will also be at that meeting. She reported that Certificates of Insurance were received from the NJ Youth Soccer Association for Kinnelon and Pequannock. There was discussion regarding use and maintenance of the soccer fields.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported on the status of the Mathews Avenue project.

RESOLUTIONS:

Councilman Guis stated that Clough Harbour and Associates did an impressive job on the Draft Master Plan but questioned whether we really need to spend another \$20,000 for an Extra Work Authorization. Mayor Budesheim and Councilman Falkoski recommended we do in order to get the Master Plan finalized and adopted. There was additional discussion regarding the Clough Harbour EWA proposal.

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

- 1) Approval of payment to Caldwell/W Caldwell Center for Continued Education in the amount of \$650.00 for water/wastewater course for Allen Kelley, DPW Department.
- 2) Approval of payment To Staples for laminating of 24 maps for the OEM drill in the amount of \$48.00.
- 3) Authorization to dispose of a copier with tag number 00749 located in the building department – no longer useable.
- 4) Mayor to appoint Matthew Kronyak as a temporary hourly employee at a pay rate of \$11.00 per hour, with consent of Council.
- 5) Authorizing reimbursement to Mary Ann Murphy for purchase of copier - \$444.97.
- 6) Authorization to use OEM Grant Funds to purchase road signs and supplies in the amount of \$909.98 plus shipping.
- 7) Authorizing payment of \$250.00 to EMPRO Signs for purchase of Street Banner.

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

- 8) **Resolution No. 66-2007;** Authorizing a Professional Services Agreement between Borough of Riverdale and Clough Harbour & Associates, L.L.P. for Master Plan Update.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 89-A.

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 Councilwoman Wetzel, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 9:10 p.m.

Respectfully Submitted:

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

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.

ORDINANCES (continued):

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 11-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 92-A

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

ORDINANCE 12-2007**ORDINANCE TO VACATE ANY PUBLIC INTEREST OVER A PORTION OF MATHEWS AVENUE**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 92-B**RESOLUTIONS:**

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

- 1) Payment of Claims.
Including the following items:

Valero Marketing - Fuel	\$ 5,955.42
Pitney Bowes - Postage Meter Rental	\$ 384.00
- 2) Approval of Escrow Payment to following:

a) Paul Darmofalski, P.E. Target Corporation	\$15,132.00
B) Paul Darmofalski, P.E.D.R. Horton	\$ 193.00
c) Paul Darmofalski, P.E. C&F Demolition	\$ 170.00
d) Paul Darmofalski, P.E. RKG Development	\$ 1,215.00
e) Anderson & Denzler Target Corporation	\$ 6,048.10
f) Anderson & Denzler Alexan-Riverwalk	\$ 284.00
- 3) Authorization to accept a proposal from Homestead Lawn Sprinkler Co., Inc. to install an addition to the existing sprinkler system at the soccer field on Dalton Drive for a total amount of \$2,343.00, and to authorize an issuance of a check in the amount of \$781.00 to be paid at the signing of the contract.
- 4) Authorization of Change Work Order #1 in the amount of \$50,000 for water main repairs that was unknown at the time of the bid which will include 5 new water services for existing homes. This represents less than 20% of the original bid which was \$559,905.00.
- 5) **Resolution #67-2007**; Special Item of Revenue and Appropriation – Chapter 159 to appropriation Clean Communities funds in the amount of \$4,000.00.

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

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

COMMITTEE REPORTS:

Councilman Falkoski reported that the court had requested \$106,760 be appropriated for salaries in their budget. We appropriated \$105,000 and after the 4 percent increase the full amount had not been utilized. They are now requesting the remaining amount be proportionately distributed among the employees in the department. The amount is approximately \$5,000. Councilman Guis stated that if we did that then we would be appropriating \$115,000 or \$120,000 next year. Mayor Budesheim stated that what we had agreed on was the 4 percent raise. He stated that over the last two years the court clerk received a 28 percent and the judge received 45 percent total raise and that we have been very fair to them. Councilman Falkoski stated that they also went from two to three sessions per month. He asked why we appropriated that amount if we don't want to give it to them. Councilman Carelli stated he was not sure whether the remaining amount was appropriated for something else that we're not thinking of. After further discussion a motion was made by Councilman Falkoski to distribute the remaining budgeted amount as court salaries. The motion failed for lack of a second.

Councilman Guis reported that we have been actively trying to resolve the garbage and compactor issue at the Grande and they have been dragging their feet. Rock Creek and Powder Mill are both resolved.

Councilwoman Wetzel reported that the street fair went well this year. There were no problems with the Baptist Church but a few of their parishioners felt it was inappropriate that it was held on a Sunday. She also stated that cleanup was not good this year and there should have been more food vendors. She will address these issues with JC Promotions.

Councilman Astarita reported the library is planning what needs to be done next year. One of the air conditioning units is over 20 years old and needs to be replaced, they want to put in a security system, replacement windows in the front office, and an intercom system. They also asked if the DWP could change their HVAC filters and clean the gutters.

Councilwoman Bush reported the Riverdale Land Conservancy will be having a meeting and presentation to address a timeline for how we can get the Van Ness House to a state where there won't be further deterioration, address electrical and mold issues and additional grants.

Mayor Budesheim asked Borough Clerk Talerico if there was a plan in place for records storage. He said there are water department records stored at the pump house and he would like all records consolidated. Clerk Talerico stated that there is not a plan and she does all record storage and filing herself. She also stated that the record building next door is a mess and needs new file cabinets because they are a hazard. She participated in the classes for the Paris Grant and Morris County is applying on the behalf of participating municipalities, but if records are less than 100 years old they are not considered historical. She felt that the grants may go to larger municipalities. Clerk Talerico stated the first thing that needs to be done is use the records retention forms for each department to determine which records can be destroyed. She explained that records have different retention periods and permission from DARM is required before they can be destroyed. There was discussion regarding different methods of records storage and retrieval. Mayor Budesheim stated we should make budgetary provisions to start digital records storage. He would like all records centralized so we know what we have.

RESOLUTIONS:

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

- 1) Authorization to release cash bond in the amount of \$66,755.28 plus interest allowed to Samuel Canella for the Power Mill Development project as recommended by the Borough Engineer Paul Darmofalski and Building Inspector Joseph Montemarano.
- 2) Payment of Claims – Recreation Department for the following:
 - a. Madison Square Garden – Cirque du Soleil Trip - \$4,795.00 (trust)
 - b. D.T.M. Productions – Masquerade Ball – Oct. 27 - \$250.00 (public events)
 - c. D.T.M. Productions – Fright Night – Oct. 20 - \$250.00 (trust)
 - d. Park Forest Creations – Fright Night – Deposit - \$340.00 (trust)
- 3) Declare Fire Department gear as surplus, to be donated to another government agency.
- 4) Authorize snow plowing reimbursement to Powder Mill in the amount of \$652.24 and Rock Creek in the amount of \$1304.49.
- 5) Authorize payment of \$270 to Michael Bonelli to repair damage to fence incurred during police incident as per estimate submitted.
- 6) Authorize purchases not to exceed \$4,000 plus additional amount collected as donations for Fright Night.
- 7) Accept (2) Grant of Utility Easements from Target Corporation.

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

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 Councilwoman Wetzel, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:50 p.m.

Respectfully Submitted:

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

The regular 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 Budesheim presiding.

ROLL CALL: Present: Bush, Carelli, Guis, Wetzel
Absent: Astarita (Business Trip), Falkoski (Medical)

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

APPROVAL OF MINUTES DATED:

September 17, 2007 - Regular
 October 1, 2007 - Workshop

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

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

PROCLAMATION: MAYOR BUDESHEIM PROCLAIMS THE WEEK OF OCTOBER 22, 2007 THROUGH OCTOBER 27, 2007 AS NEW JERSEY STATE FEDERATION OF WOMEN’S CLUBS WEEK IN THE BOROUGH OF RIVERDALE.

Mayor Budesheim read the Proclamation and presented a copy to Mrs. Jean Revis, President of the Riverdale Women’s Club. He stated that we are very fortunate and proud to have such an active Women’s Club in our community.

COPY OF PROCLAMATION IN FULL ON PAGE NO. 98-A

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

1) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 12-2007

ORDINANCE TO VACATE ANY PUBLIC INTEREST OVER A PORTION OF MATHEWS AVENUE

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

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

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:

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

The regular 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 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:

October 15, 2007 - Regular
 November 5, 2007 - Workshop

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

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

MAYOR BUDESHEIM WELCOMES RIVERDALE RESIDENT CHRIS SCILINGO, USMC, AND EXPRESSES GRATITUDE TO HIM AND HIS FAMILY FOR THEIR SACRIFICES.

Mayor Budesheim announced that Chris Scilingo has been in the U.S. Marine Corp since graduating from Pompton Lakes High School in 2005. After advanced training at Camp Lejuene in North Carolina he left for Japan in the spring of 2006. While there he volunteered and was chosen to go to Iraq where he spent over six months on the Al Asad base in the Al Anbar province. After leaving Iraq he returned to Japan and came home on November 12th for 16 days. It's been over a full year since he's been home with his family. At the end of his leave he will report back to Japan, then to Korea for a month and then back to Japan. There is a good possibility he will return to either Iraq or Afghanistan in the spring of 2008. When his military service is complete he hopes to enter the field of law enforcement. Mayor Budesheim read congratulatory letters from the Morris County Board of Chosen Freeholders and the New Jersey 26th Legislative District. Councilman Astarita assisted in presenting a certificate of appreciation from the Mayor and Council and a most grateful community. Chris was also presented with a letter from the manager of Chili's Restaurant thanking him for his service and inviting him and his family for a complimentary dinner while home on leave.

PUBLIC PARTICIPATION NO. 1:

Mrs. Hook, 4 Hamburg Turnpike, inquired as to the status of sewer lines to her home. Mayor Budesheim stated that we are currently out to bid on the sewer pipe extension. Councilman Guis stated that the best estimate is construction would start no earlier than April 1st and it will take 4 to 5 months to complete if everything gets approved and the money is authorized.

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

ALL IN FAVOR.

- | | | |
|--|---|-------------|
| | b) Paul Darmofalski, P.E. Cotluss Development | \$ 125.00 |
| | c) Paul Darmofalski, P.E. TCR/Horton | \$ 750.00 |
| | d) Paul Darmofalski, P.E. RKG Development | \$ 312.50 |
| | e) Anderson & Denzler Target Corporation | \$ 3,548.90 |
- 3) **Resolution #77-2007;** Person to Person Liquor License Transfer – from 92 North Corp to Rupperts of N.J., Inc. License #1433-33-008-005.
 - 4) Approval of voice mail system by Black Box Network Services – in the total amount of \$6,299.91 to be charged to Capital Administrative Equipment.
 - 5) Approval of release of escrow funds to Starwood Heller Properties and Heller-Riverdale LLC (BJ's/Home Depot site) in the amount of \$3,255.63.
 - 6) **Resolution #78-2007;** Appointing of Judy Martisek, Authorized Agent as HAS Manager and the NJ Housing and Mortgage Finance Agency (HMFA) as administrator for the units at Rock Creek Crossing.
 - 7) **Resolution #79-2007;** Transfer of Appropriations.
 - 8) **Resolution #80-2007;** Authorize Mayor Budesheim to execute lease agreement between the Borough of Riverdale and The New York, Susquehanna, and Western Railway.
 - 9) Authorization to pay PLFAS VSAP award for 2007 at a maximum payout of \$500.00 – totals to be paid through payroll is \$16,476.60. (copy distributed to Mayor & Council).
 - 10) Authorize Mayor Budesheim to endorse Open Space Trust Agreement for Dube property acquisition in the amount of \$65,000.
 - 11) Authorizing payment in the total amount of \$5,371 for 2007 clothing allowance for the Fire Department.

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

COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 110-C, D, E, F AND G

Mayor Budesheim distributed budget worksheets for each department. There will be a budget discussion at the next workshop meeting and he advised that we are cutting back wherever possible.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that it was discussed several months ago to change the insurance for the Fire Department. It was decided at that time the Council would make the change for 2008 and we need to contact the insurance company with the decision. Clerk Talerico will e-mail the quotations to the governing body so a decision can be made at the next meeting.

COMMITTEE REPORTS:

Councilman Falkoski reported that we received a letter from the Morris County Prosecutor expressing gratitude for allowing Patrolman Patrick Harden to be a part of their Narcotics Task Force for Operation Redirect. The utilization of this officer throughout different phases of the operation and the arrests made was critical to the overwhelming successful conclusion of the investigation, and would not have been possible without your commitment to this partnership. Councilman Falkoski also reported that Patrolman Anthony LaPorto will complete his probationary period on December 11th.

Councilwoman Wetzel reported that JC Promotions sent us a check for \$425 which is our profit from the street fair.

COMMITTEE REPORTS (continued):

Councilwoman Bush reported that she will attend a meeting on December 10th with the Department of Human Services. They will explain the procedures to be followed for the Municipal Alliance Committee. Beth Jacobson will be working with her personally on budget procedures.

Mayor Budesheim reported that John Bruno will be coming to meet with us on November 27th at 11:00 a.m.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:40 p.m.

Respectfully Submitted:

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

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, Wetzl, 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.

MAYOR REPORT:

Mayor Budesheim stated the purpose of the Riverdale Sewer Master Plan is to assure that existing homes are protected from gallonage being given to new development. The plan can be revised at any time. The plan was discussed and revisions were made.

Mayor Budesheim presented a proposal from John Bruno of Bruno Associates. They will guarantee \$100,000 in grants within the first year for \$50,000 and will refund \$25,000 if that goal is not met. Council discussed the proposal and decided to decline.

Mayor Budesheim announced that Pat Cleary has decided not to run for Fire Chief next year. He stated that Pat had always done a tremendous amount of administrative work and his successor will not be able to do that. The Mayor stated that no one has done the administrative work the way Pat has and suggested we consider creating the position of Fire Administrator for him to continue the administrative paperwork. There was discussion regarding the matter and it was decided to include the position in the salary ordinance.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that she requested a quote from NJIIF for the Fire Department insurance. They advised that our carrier could not meet the price quotation and will see if we can go directly to the VFIS. Details of the coverage were discussed. The new figures will be available for the next meeting. Clerk Talerico reported the amount for the county 911 Dispatcher Services next year will be \$8,310.65. The Morris County Board of Chosen Freeholders will have a public hearing to amend their 1996 Morris County Official Map on December 12th at 7:30 p.m. Clerk Talerico stated there is still confusion regarding the status of the Stormwater Mitigation Plan. We received approval from the Planning Board. Borough Attorney Oostdyk stated that we did two sets of ordinances. Borough Engineer Darmofalski stated we don't have to have a mitigation plan but the county planning board has strongly encouraged it. To be in compliance with the recommendation we now need to amend the stormwater plan in the form of an ordinance. It was decided we will do an ordinance regarding mitigation in 2008 which will amend the Stormwater Management Plan.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported his recommendations for the Mathews Avenue pedestrian safety improvements. After discussion it was decided to authorize a change order for the improvements.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported that the attorney for the purchaser of the cell tower indicated they are hoping to do so by the end of the year.

COMMITTEE REPORTS:

Councilman Falkoski reported that on December 16th Patrolman Anthony LaPorto will have completed his probationary period and Chief Soules has recommended he be permanently appointed to the position on that date.

Councilwoman Wetzel reported that the Holiday Gathering will take place in the Community Center on December 15th. She stated that we should consider budgeting for decorating the Community Center for the holidays next year.

Councilman Astarita reported he will be attending the first Community Development meeting this Thursday. There was discussion regarding possible projects.

Councilwoman Bush reported the first official meeting of the Municipal Alliance Committee will be on January 14th.

RIVERDALE QUARRY REPRESENTATIVES ATTEND MEETING IN RESPONSE TO DUST COMPLAINTS AS NOTIFIED BY BOROUGH ENGINEER.

Borough Engineer Darmofalski stated that the quarry representatives were asked to attend to report how they can start better addressing the dust emission and the stockpiles. There are constant complaints and we want to know what will be done to try to minimize complaints from this point forward.

Brian Montag, counsel for the Tilcon Quarry, introduced Beth Sisk, P.R. Director, Bill Aspinall, NJ General Manager of Operations, and Tony Jones, Plant Manager. Mr. Montag reviewed some of the actions that have already been taken. A new sweeper was purchased, the Nesco system was upgraded, a pond was constructed, calcium chloride use is continued, roads were resurfaced, traffic controls are in place, a water truck is dedicated and there is a backup truck. He stated that if there is any problem with a system on site leading to any dust emission the company will shut down until it fixes that problem. This is as much or more than at any other site and the newest systems are in place. He stated if more things can be done within reason the company will be happy to talk about them, but they feel they are addressing the problems and there has been substantial improvement. If there is a dust complaint received they request we contact the quarry immediately so something can be done. Mayor Budesheim asked whether the plant would shut down for a dust complaint on a high wind day. Councilman Carelli asked if there are any different procedures in place for high wind days. Mr. Jones stated they use two water trucks and delegate the larger truck to larger volume on the piles. Mayor Budesheim asked how they decide which asphalt plant to use when they have a project such as the George Washington and Tappan Zee Bridge or the NY State Thoroughway. The noise and smell from the asphalt is overpowering and getting worse. He asked why they don't use the West Nyack plant. The quarry representatives did not know. The Mayor stated that the ordinance requires the quarry to pay us \$500 per night for night operations and we have not received anything and our Borough Clerk has had

QUARRY REPORT (continued):

difficulty getting compliance with the dates. Mr. Montag stated that he would make sure we get that information. Borough Engineer Darmofalski requested a list of contacts on quarry letterhead with phone numbers and e-mail addresses for dust complaints. Councilman Astarita stated that we've been dealing with these problems for years and whatever efforts are being made are not working. He asked what can be done to make it work. There's always stone and gravel on the entrance to Route 287, mud on Hamburg Turnpike and dust on the cars and houses. Councilwoman Wetzel stated that the comments and complaints from the governing body have always been the same and the responses from the quarry representatives have always been the same. The quarry representatives did not agree with that perception. It was agreed that most problems occurred during dry and windy weather. The quarry is planning to shut down operations for the winter on January 1st and restarting on March 1st. Mayor Budesheim stated he would add a feature to the website for quarry complaints. The quarry requested the complaints be reported immediately so they can be addressed.

RESOLUTIONS:

There was discussion regarding resolution No. 9. Mayor Budesheim stated that we had agreed to reimburse the Building Inspector for convention costs, cell phone, publications and association meetings. This coming year he is requesting we budget for these expenses totaling not more than \$6,990. In addition we will be paying him \$3,800 salary and providing his car. The Building Inspector has submitted a voucher for \$1,358.04 for his International Building Code convention in Reno and \$564.87 for the convention in Atlantic City. Councilwoman Wetzel asked for clarification as to why any of this is our responsibility and whether we are benefiting directly. Mayor Budesheim stated we do benefit because the building codes change every year and he provides a list of the classes he takes. The Mayor stated that this is part of the agreement we made when we brought his salary down from \$34,000 to \$5,000 plus expenses when he retired. These expenses were previously paid by Oakland. Borough Clerk Talerico stated that as an employee and resident she would like to comment. She is a full time employee and belongs to the International Institute of Municipal Clerks. They have international conventions every year that she could attend but never has asked for that. It is not fair to other employees that one person gets special treatment. She said she would not approve this voucher unless the Council was aware and approved it. Councilwomen Bush and Wetzel commented that we have a policy not to reimburse part-time employees for classes. Councilwoman Wetzel stated it was the personal interest of the Building Inspector to attend the convention and we shouldn't have to pay. There was additional discussion regarding whether it was necessary for the Building Inspector to travel out of state to attend his classes. Mayor Budesheim stated that he was shocked by the expenses submitted but it was the arrangement we made when he decided to retire and it is still less than paying his salary. Councilman Guis stated that if the Building Inspector was making a full salary he would agree with Clerk Talerico, but in this case he is working for pennies because of his retirement situation. He asked for the car, \$5,000 salary and expenses and with that agreement we came out \$15,000 ahead. Councilwoman Wetzel asked if the convention receipts included airfare for anyone else. Mayor Budesheim stated it included airfare for his wife. Councilwoman Wetzel stated that has to be addressed because that's not acceptable. There was discussion to clarify the expenses he requested for next year. Councilman Guis stated we were all shocked at the details of the invoices he submitted for the convention. The mistake was that we did agree to it without knowing the details. Councilwoman Wetzel did not feel we should pay for his wife based on principle. Borough Attorney Oostdyk stated that we are not legally required to pay his wife's expenses. The question is, based on what he believed the agreement to be, do we feel obligated? Councilman Falkoski stated that we agreed without knowing the specific items and do not have pay in the future.

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 116-C

There was discussion regarding preparation of the 2008 municipal budget. Councilman Falkoski requested that the Council receive an itemized budget for each department.

PUBLIC PARTICIPATION NO. 2:

There being no comments, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, 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: 10:50 p.m.

Respectfully Submitted:

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

The regular 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 Budesheim presiding.

ROLL CALL: Present: Astarita, Carelli, Guis, Wetzal, Falkoski
Absent: Bush

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

APPROVAL OF MINUTES DATED:

November 19, 2007 - Regular
 December 3, 2007 - Workshop

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

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

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 14-2007

**ORDINANCE AMENDING CHAPTER 108 OF THE REVISED
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
 AND ESTABLISHING REGULATIONS ON DUMPSTERS
 SERVING RESIDENTIAL MULTIPLE DWELLING COMPLEXES**

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 Astarita, to close the public session.

ALL IN FAVOR.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 14-2007 as read on second reading at this meeting, be adopted and finally passed.

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

ORDINANCES (continued):**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 118-A**

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

ORDINANCE 15-2007

**ORDINANCE AMENDING CHAPTER 26 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
AND PROVIDING FOR AN ANNUAL CPI ADJUSTMENT TO
THE LOSAP CONTRIBUTION WHEN APPROVED BY THE
GOVERNING BODY**

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, Falkoski set forth the motion, seconded by Councilman Astarita, to close the public session.

ALL IN FAVOR.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 15-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 118-B

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

ORDINANCE 16-2007

**AN ORDINANCE AMENDING ORDINANCE 3-2007
ESTABLISHING SALARIES OR WAGES OF OFFICIALS AND
EMPLOYEES OF THE BOROUGH OF RIVERDALE, IN THE
COUNTY OF MORRIS, NEW JERSEY**

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 Astarita, to close the public session.

ALL IN FAVOR.

Councilman Falkoski stated that the maximum salary for Police Chief may not be high enough to keep that salary at least five percent higher than the next lowest as had been previously agreed. Borough Attorney Oostdyk stated that we would need to do another amendment to the ordinance to increase the maximum Police Chief salary.

ORDINANCES (continued):

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 16-2007 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 119-C**RESOLUTIONS:**

Borough Attorney Oostdyk explained that resolution No. 10 is a policy that will allow the use of voluntary drug and/or alcohol testing when established as a condition of employment.

Councilman Guis stated he would like to table the resolution to authorize an increase to an individual employee's salary upon the waiver of health benefits. Borough Attorney Oostdyk stated that cannot be done on an individual basis and would have to be a policy option for all borough employees. Upon opting to decline health benefits an employee can be paid an amount up to 50% of the cost of the health insurance as a stipend. Mayor Budesheim stated that the state allows us to give payment up to 50% so we can offer an incentive for an employee to decline duplicate coverage. The Mayor said he feels that 50% is too much but we should come up with a policy so we can advise this individual. Councilman Carelli stated that one option would be to offer 50% of the premium for a single member. Councilman Falkoski suggested we get comparisons from other towns that already have a policy. Borough Attorney Oostdyk stated a health benefit waiver policy could be established by resolution. There was discussion regarding the policy but no decision was reached. Mayor Budesheim asked if we wanted to downgrade the position of Technical Assistant/Water-Sewer Clerk from full-time to part-time and this would become a non-issue. The Mayor said the employee holding the position understands this is a possibility and had told him he would work full or part time. There was discussion regarding whether the position should be part-time but no decision was reached. It was decided there should be a policy in place for any employee who decided to waive health coverage.

Councilman Carelli stated we are not ready to do the salary resolution.

Mayor Budesheim stated the total price for a granite sign on the Senior Community Center is \$375. A deposit of \$200 is required.

COMMITTEE REPORTS:

Councilman Astarita reminded everyone the Community Development block grant applications must be in by January 25th. The grants should be the same amount as last year.

Councilwoman Wetzel reported that the Christmas gathering went well.

Mayor Budesheim reported that we will be making a presentation to the retiring Fire Chief at the reorganization meeting. He asked everyone to let him know if they felt anyone else should be recognized.

Councilman Guis reported that complaints have been received regarding the recent snow plowing. He stated that the DPW is doing their best under difficult circumstances.

COMMITTEE REPORTS (continued):

Councilman Falkoski reported the court report for the month of November. He also stated that he hopes the Police Chief's salary increase will be taken into consideration.

Councilman Carelli reported the salary resolution was tabled due to there being several requests for additional increases. He distributed a listing of salary histories for a 4 year period including a 4% increase for 2008 and the added requests. Councilman Astarita asked if we had to give the same increase across the board. He stated that 4% at a high salary is a lot of money but at a low salary is minimal. Mayor Budesheim agreed and there was discussion regarding the matter. Councilman Guis recommended increases above the 4% for three DPW employees. He stated it is based upon their reviews and performance. The DPW would also like to make the temporary Utilityperson permanent and give him a 50 cent increase. He stated that it is imperative that we keep these experienced employees. There was discussion regarding the additional increases requested for the DPW and court employees. The consensus was to approve a 4% increase for all employees, no additional increase for court employees, approve additional increase of \$2080 for DPW Foreman, approve one promotion from Utilityperson to Senior Utility Person with an additional increase of \$2080, keep the temporary Utilityperson the same, and to approve the additional increase for the Police Chief. Councilman Carelli will prepare the revised salary resolution for the next meeting.

RESOLUTIONS (continued):

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

- 1) Payment of Claims.
- 2) Approval of Escrow Payment to following:

a) Paul Darmofalski, P.E. Target Corporation	\$ 2,250.00
b) Anderson & Denzler Target Corporation	\$ 787.85
c) Anderson & Denzler D.R. Horton	\$ 207.65
- 3) **Resolution #84-2007:** Refund of Tax Overpayments.
- 4) **Resolution #85-2007:** 2008 Interlocal Services Agreement for E-9-1-1 Dispatch Services at a cost of \$8,310.65 for the year.
- 5) **Resolution #86-2007:** 2008 Interlocal Services Agreement for Mobile Data Terminal Services with a \$1.00 fee for the year.
- 6) **Resolution #87-2007:** Authorizing an Agreement with paybycomputer.com/National Processing Corporation through International Merchant Solutions, LLC, Consultant Service for a credit card payment system for the Borough of Riverdale.
- 7) **Resolution #88-2007:** Appropriation Transfers.
- 8) **Resolution #89-2007:** Cancellation of Appropriations.
- 9) **Resolution #90-2007:** 2008 Temporary Budget.
- 10) Approval of Employee Agreement and Consent to Drug and/or Alcohol Testing.
- 11) Authorizing escrow agreement for Housing Trust Fund.
- 12) Approval of Fire Department Elected Officials.
- 13) Authorization to issue a check in the amount of \$200 for a deposit for Senior Community Center sign.

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

COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 120-D, E, F, G, H, I, J AND K

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:20 p.m.

Respectfully Submitted:

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

The Special Meeting of the Borough of Riverdale Mayor and Council opened on the above date at 9:00 a.m.

Mayor William Budesheim presiding.

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

Mayor Budesheim announced that proper notice of this meeting was made as to time, date, place and agenda.

THE PURPOSE OF THIS SPECIAL MEETING IS TO ACT ON ANY FINANCIAL MATTERS OR OTHER MATTERS DEEMED NECESSARY BY THE GOVERNING BODY FOR THE CLOSING OF THE YEAR 2007:

RESOLUTIONS:

Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to approve the following resolution.

- 1) **Resolution No. 91-2007:** Cancellation of Debits & Credits on the Tax Books.
- 2) **Payment of Claims:**

a) Carefree Bus Tours	NY Show Trip (Trust a/c)	\$ 1,160.00
b) Cross Match Tech.	P.D. Live Scan System	\$28,954.74
c) Nextel Commun.	Cell Phones	\$ 348.85

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 122-A

ADJOURNMENT:

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

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

Adjourned: 9:07 a.m.

APPROVED:

Respectfully Submitted:

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