

The Annual Re-Organization 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, Falkoski, Guis, Loesner, Wetzel, Carelli**
 Absent: **None**

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 8, 2011 General Election as follows:

NAME	OFFICE	TERM
William Budesheim	Mayor	4 Years
Theodore Guis	Borough Council	3 Years
Elaine Wetzel	Borough Council	3 Years

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED OFFICIALS:

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

INTRODUCTION OF NEWLY ELECTED OFFICIALS AND REMARKS BY SAME.

Mayor Budesheim stated that Morris County Freeholder Bill Chegwidde and Mount Arlington Mayor Art Ondish, who is also President of the New Jersey State League of Municipalities, stopped in earlier this evening to wish us well.

COUNCILWOMAN ELAINE WETZEL:

As I begin another term, I'd like to thank the Riverdale residents for their support and encouragement, and without the support of my family all of these years of service would not have been possible. I'm hopeful that this Mayor and Council will be able to move forward to continue the business of the town in a manner in which we are accustomed and proud of. I look forward to being a part of another successful year in Riverdale. As always, I make myself readily available to the residents, my committees, the mayor, and my other council members in the hope of keeping all lines of communication open for a more conducive outcome that will benefit all of us. Thank you again and may you all have a healthy and happy New Year.

COUNCILMAN THEODORE GUIIS:

I'd also like to thank the residents for my reelection. I look forward to continuing in my capacity working with the DPW and the Engineering groups to continue to improve infrastructure and hopefully we've been making some strides in the last months on the flood control and possibly some renovations and some work on the river. To be honest with everybody, that's going to be one of my major priorities this year and I'm hoping we can make some progress in that direction. Again, I thank everyone and everybody have a happy New Year.

MAYOR BUDESHEIM:

First of all, I'd like to thank the support that I received this past year. Much has transpired this past year requiring changes that must be addressed in 2012. Our approach towards governing needs reflect this new economic environment under which we now operate. In 2010 municipalities were forced to operate their budgets within a 2% cap on the local tax levy. For Riverdale that's \$90,000, or one tax point, out of a nearly \$7,000,000 budget. In order to continue to provide the same level of services that our residents and the business community have come to expect, we will have to be financially creative. When the cap was imposed, the towns were advised by the Governor that the cap would not work unless the state approved the necessary tool kit that changes the way in which we can operate. To date the tool kit has not been implemented. We have been searching out and contracting with alternative suppliers of utility services reducing costs of electric and phone services. We will continue to search out for even better deals. Another avenue to be explored is shared services. It is somewhat amusing to hear so many municipalities, especially the larger ones, discussing this phenomenon. The small towns invented shared services out of necessity. However, we must continue to work with neighboring towns to a greater degree than we have in the past. We have been approached not only to be provided with municipal services, but also inquiring whether we can provide some particular service to other towns. We must respond to these overtures diligently and promptly. This year we're going to another property revaluation. The drop in real estate values over the past few years makes this necessary. With the increase in tax appeals, the tax burden is shifting unjustly on too many of our residents. This must be rectified. Communication is critical today. Accurate and immediate information is anticipated by the residents on a daily basis. People need to know. We have implemented a new reverse 9-1-1 system and we were one of the first towns to sign on with the Morris County MC Urgent emergency notification system. The usual means of communicating are changing continuously resulting in a new vernacular. If you're not friending, tweeting, blogging or whatever you are in the dark. I'm sure there are more words out there as I try to get caught up with yesterday's technology. Therefore, I will be appointing this evening Riverdale's first Social Media Coordinator. This person will be responsible for dispatching the items of interest to so many members of our community not having the time to read newspapers with yesterday's news in it. There are many issues confronting our community this coming year and it will require all of us working together for the betterment of the people who put us here. I know we have met the challenges in the past. I am more confident that we will together meet them this year. 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 Astarita set forth the motion, seconded by Councilwoman Wetzel, to appoint Robert Oostdyk as Borough Attorney.

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

RESOLUTIONS:

Councilman Falkoski asked for clarification of resolution No. 6-2012. Borough Attorney Oostdyk stated that it is not changing anything. It's necessary for the fair labor standards.

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

RESOLUTIONS (continued):

- 1) **Resolution No. 1-2012;** Re: Official Legal Newspaper – Suburban Trends.
- 2) **Resolution No. 2-2012;** Re: Annual meeting schedule – 1st and 3rd Monday of each month at 7:30 p.m.
- 3) **Resolution No. 3-2012;** Re: Bank Signatures and Depositories.
- 4) **Resolution No. 4-2012;** Re: Delinquent Taxes & Interests.
- 5) **Resolution No. 5-2012;** Re: Local Public Contracts Law.
- 6) **Resolution No. 6-2012;** Re: Police Department – Setting Work Schedules.
- 7) **Resolution No. 7-2012;** Re: Official Holidays – Borough Employees.
- 8) **Resolution No. 8-2012;** Re: Cash Management Plan
- 9) **Resolution No. 9-2012;** Temporary Budget - 2012

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

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

Councilman Astarita offered the name of Joseph Falkoski as Council President; motion seconded by Councilwoman Wetzel.

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

COUNCIL TO APPOINT PLANNING BOARD LIASON:

Councilman Loesner offered the name of Joseph Falkoski as Planning Board Liaison, motion seconded by Councilman Carelli.

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

MAYOR BUDESHEIM NAMES COUNCIL COMMITTEES:

Mayor Budesheim stated the 2012 Council Committees:

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

Councilman Falkoski asked if the committee appointments could be held up until some legal questions are answered with regard to rejecting an appointment to serve on another committee. Borough Attorney Oostdyk stated that he could report back at the next meeting on the issue of whether or not a Councilperson has the ability to reject the Mayor's appointment. The committees will stand until the next meeting.

2012 APPOINTMENTS MADE BY MAYOR BUDESHEIM AND CONFIRMATION OF COUNCIL:

Mayor Budesheim stated that the Council had received a copy of the 2012 Appointment List. Councilman Falkoski asked if there were any new people. Mayor Budesheim stated there were a few. Councilman Falkoski stated he didn't see an appointment for EOM Director. Mayor Budesheim stated it would be done at the next meeting. He also stated there is an additional person on the Recreation Committee and that is Lori Clinton.

Mayor Budesheim requested Council confirmation of the 2012 Appointments.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, for Council confirmation of the 2012 Appointments as listed.

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

COPY OF 2012 BOROUGH OF RIVERDALE APPOINTMENT LIST IN FULL PAGE NO. 4-J

Councilman Astarita set forth the motion, seconded by Councilman Carelli, to appoint Elaine Wetzel as council representative to the H.U.D. Committee.

ROLL CALL: **Ayes: Astarita, Carelli, Falkoski, Loesner, Wetzel, Guis,**
 Nays: None
 (6 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.

SWEARING IN OF FIRE DEPARTMENT CHIEF AND ASSISTANT CHIEF:

Mayor Budesheim stated that the Fire Department had is reorganization meeting and election of officers.

The Oath of Office was administered to Department Chief Dan Sturm and Assistant Chief Jim Regeling, Jr.

SWEARING IN OF MEMBERS OF THE RECREATION COMMITTEE:

The Oath of Office was administered to the members of the Recreation Committee.

SWEARING IN OF OFFICERS OF THE FIRE DEPARTMENT:

The Oath of Office was administered to the newly elected officers of the Fire Department.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:44 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 7:45 p.m.

Mayor William Budesheim presiding.

ROLL CALL: Present: Astarita, Carelli, Falkoski, Loesner, Wetzel, Guis
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.

RESOLUTIONS:

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

- 1) Payment of Utility Bills:

a. Spectrotel	\$1,424.84
b. GDF Suez Energy	\$ 369.66
c. Cablevision	\$ 337.85
d. Line Systems, Inc.	\$ 37.90
e. JCP&L Co.	\$1,005.30
 TOTAL	 \$3,175.55
- 2) Authorizing payment to Hometown Newsletters for printing and mailing of newsletters in the amount of \$1,109.00

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

ORDINANCES:

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

ORDINANCE 01-2012

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION (N.J.S.A. 40a:4-53) FOR THE PREPARATION
AND EXECUTION OF A REASSESSMENT OF REAL PROPERTY
FOR THE USE OF THE LOCAL ASSESSOR AS APPROVED BY
THE COUNTY BOARD OF TAXATION

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 6-A

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:50 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, Loesner, Wetzel, Falkoski
Absent: None

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

Mayor Budesheim announced that we should establish the Council Committees. He asked the Borough Attorney for a legal opinion.

Borough Attorney Oostdyk stated that he was asked at the last meeting whether or not the Council had a role in the appointment of the Council Committees and whether or not they had the right to act upon or reject the Mayor's appointments. The response is that the Council does. The appointment is with the advice and consent of the Council. We need the Council to either confirm its agreement to the Mayor's appointments or not.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to deny the Mayor's appointments to Council Committees as made at the Reorganization meeting.

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

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to form the following 2012 Council Committees:

Finance	Councilpersons Loesner, Falkoski, Carelli
Public Safety	Councilpersons Falkoski, Wetzel, Carelli
Public Works	Councilpersons Guis, Astarita, Wetzel
Community Relations	Councilpersons Wetzel, Astarita, Guis
Buildings & Grounds	Councilpersons Astarita, Guis, Loesner
Personnel	Councilpersons Loesner, Falkoski, Carelli

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

APPROVAL OF MINUTES DATED:

Regular Meeting	-	December 19, 2011
Special Meeting	-	December 29, 2011
Re-organization Meeting		January 2, 2012
Workshop Meeting	-	January 2, 2012

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

ALL IN FAVOR

PUBLIC PARTICIPATION NO. 1:

Police Chief Kevin Smith stated that his first 2012 paycheck did not reflect the 2012 salary that he had expected. The minutes reflect that he was to have had an increase effective January 1st. Councilman Falkoski stated that at the July 6, 2011 meeting it was discussed that the Chief would be paid \$105,000 effective July 1 and increased to \$120,000 effective January 1, 2012 but a decision was not made. Someone recommended there be a probationary period but by ordinance there is not such a period. The Chief has done an excellent job and the next highest officer in the department makes \$113,000. By statute it is required the Chief have a salary greater than the highest paid officer beneath him.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to increase the salary of Police Chief Kevin Smith to \$120,000 effective January 1, 2012, not to include longevity.

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

Councilman Astarita stated that longevity could be discussed at a workshop meeting.

There being no further 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 01-2012

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION (N.J.S.A. 40a:4-53) FOR THE PREPARATION
AND EXECUTION OF A REASSESSMENT OF REAL PROPERTY
FOR THE USE OF THE LOCAL ASSESSOR AS APPROVED BY
THE COUNTY BOARD OF TAXATION

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

Borough Attorney Oostdyk announced that there were two typographical errors in the ordinance when it was introduced. One was that it noted the revaluation would be done for 2012 which should be 2013. Secondly, it referred to the statute as N.J.S.A. 40A:4-58 and it should have referred to N.J.S.A. 40A:4-53.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 01-2012 as read with corrections on second reading at this meeting, be adopted and finally passed.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 10-A

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

ORDINANCE 02-2012

AN ORDINANCE AMENDING ORDINANCE NO. 14-2010
ESTABLISHING SALARIES OR WAGES OF OFFICIALS AND
EMPLOYEES OF THE BOROUGH OF RIVERDALE, IN THE
COUNTY OF MORRIS, NEW JERSEY

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 10-B**RESOLUTIONS:**

Councilman Falkoski asked if the limousine license application at 15 Macopin Avenue was in a residential zone and if it was proper. Borough Attorney Oostdyk stated that the application was reviewed and approved by the Zoning Officer. The location is residential but there is no actual business operating there. The phones may be answered in his home but the vehicle will be kept at another location.

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

- 1) Payment of Claims.
 - a. Including – Payment to Dell-Tech, Inc. Glenburn Grant \$59,490.00
- 2) **Resolution No. 10-2012;** Refund of Tax Overpayments, Block 40, Lot 2.8311, Lisa M. Quinn, \$2,176.54, year 2009 – Reason Overpayment.
- 3) **Resolution No. 11-2012;** Refund of Tax Overpayments, Block 36.01, Lot 5.01, Peter & Fina Mooney, \$449.50, year 2010 – Reason O.P. Homestead Rebate.
- 4) **Resolution No. 12-2012;** Refund of Tax Overpayments. Block 29, Lot 9.317, Josephine Forino, Estate, \$352.43, year 2011 – Reason Overpayment.
- 5) **Resolution No. 13-2012;** Assignment of Tax Sale Certificate.
- 6) **Resolution No. 14-2012;** Emergency Temporary Appropriations.
- 7) **Resolution No. 15-2012;** Transfer of 2011 Appropriation Reserves.
- 8) **Resolution No. 16-2012;** Special Emergency Appropriation.
- 9) Authorization to declare police department shredder as scrap due to it being non-operational. Model #3260-1, serial number pui1335. Non-tagged item.
- 10) Authorization to schedule the receipt of bids for the Mathews Avenue Phase II project for Thursday, February 16th at 10:00 a.m. in the Municipal Building by the Borough Clerk.
- 11) Approval of tower contract for 2012 for repeater utilization with the North Jersey Police Radio Association for use of their communications tower in Pompton Lakes with a fee of \$1.00 per year. Continuation of yearly contract already in existence but renewed each year.

RESOLUTIONS (continued):

- 12) Approval of Limousine License application for Riverdale Limo and Car Service LLC, 15 Macopin Avenue, Riverdale, NJ with principal place of business located at this address. (Borough Attorney may address information regarding this application).

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 11-C, D, E, F, G, H, I AND J**CORRESPONDENCE:**

- 1) From Dennis McSpirit, Pompton Lakes/Riverdale Little League requesting use of the Riverdale baseball/softball fields located at Independence Park from March 11 through July 31, 2012 for games and practices. Games and practices will be held Monday through Saturday with some make up games and practices on Sunday. The regular season ends June 30th but we sometimes us the month of July to practice for the All-Star tournaments. Over the past several years these fields have played a critical role in making each season a great success for the children in our community. Certificate of Insurance will be supplied to the Borough Clerk as in the past. Thank you.

Councilwoman Wetzel stated that the Little League has always been given priority for field use time. She recommended we approve the dates based on our history with them. If anyone else requests field time we need to check their schedule first.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Astarita, to approve the request from Pompton Lakes/Riverdale Little League for use of baseball/softball fields at Independence Park.

ALL IN FAVOR**MAYOR REPORT:**

Mayor Budesheim reported that he received inquiries about sending a letter to the residents on Morris Avenue, Parkway, Newberry Place and Brown court advising that we have sewer allocation available and asking if there is interest in having sewers with an added assessment. Councilman Guis recommended Sewer Engineer Bill Ryden do a cost estimate so they have an idea of the cost.

Mayor Budesheim asked who is in charge of Finance. Councilman Falkoski stated that the committees will select the Chairmen and report back at the workshop meeting. Mayor Budesheim stated the budget has to be introduced by February 29th with an adoption date of April 20th.

Mayor Budesheim reported on the online credit card service, Point & Pay. Riverdale now takes MasterCard, Visa, Discover and American Express. There is a convenience fee. Credit card payments can be made online or in person for property taxes, sewer/water bills, court fines, dog and cat licenses, recreation programs, exercise classes and rentals for the Glenburn and Community Center.

MAYOR REPORT (continued):

Mayor Budesheim reported that DPW Superintendent Walter Mahon is retiring February 29th. The Mayor requested authorization to issue Mr. Mahon \$9,000 accumulated sick time and this year's five weeks vacation which comes to \$8,634.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita to authorize payment to Walter Mahon for \$9,000 accumulated unused sick time and \$8,634 for 25 days vacation time.

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

BOROUGH CLERK REPORT: No report.

BOROUGH ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

FINANCE: Councilman Carelli reported they will be scheduling a committee meeting to meet the budget deadlines.

PUBLIC SAFETY: Councilman Falkoski reported the court report for December 2011. He also reported that there is a tanker available to the Fire Department. Fire Chief Dan Sturm explained to the Council that the county has tankers available with 4,000 gallons of foam when mixed with water is roughly 15,000 gallons of firefighting foam which we could use in the areas with no hydrants or anywhere in town. There is no cost to the Borough except for insurance and fuel. Maintenance is covered by the county once a year and they take care of major problems. We would need a letter stating that we would take ownership. A letter would need to be sent back to the county stating it is insured.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, that a letter be provided to the Fire Chief stating that the borough will take ownership of a tanker from Morris County.

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

PUBLIC WORKS: Councilman Guis reported on the generator for the Police Department. PSE&G will be here Wednesday to evaluate the hookup on the gas line.

COMMUNITY RELATIONS: Councilwoman Wetzel reported that there was a transition meeting with the new Recreation Director, Krista Osborne, to discuss her responsibilities. The transition went smoothly and hopefully we'll have a successful year.

BUILDINGS AND GROUNDS: No report.

PERSONNEL: Councilman Loesner reported that Walter Mahon will be retiring next month and we will be making the transition in the DPW Department. We'll be discussing some things at the workshop in relation to a new structure in that department. He stated that he went through the revenue reports that were sent but he did not get one for the newsletter and asked if one was generated for that. Mayor Budesheim stated he would check with the bookkeeper.

COMMITTEE REPORTS (continued):

Police Chief Smith reported that they would like to donate the K-9 bed to Mountain Lakes as there is no use for it any longer. He also reported that he did overtime calculations and determined it would be financially feasible to hire an extra man in February. If we had that man in December and January we would have saved close to 100 hours in overtime. Mayor Budesheim stated that would be about \$5,000. Councilman Falkoski stated that we also have two men out with injuries.

UNFINISHED BUSINESS:

- 1) A to Z towing license, tabled at December 19th meeting.

Councilman Falkoski stated this was tabled at the last meeting due to the Police Chief's recommendation based on inferior service provided last year. Chief Smith stated that Rick Malanga said he is capable of handling the entire year. His recommendation is not to approve A to Z. Borough Attorney Oostdyk stated that no action needs to be taken.

PUBLIC PARTICIPATION NO. 2:

Joan Garcia asked for the purpose of salary Ordinance 02-2012. Councilman Carelli explained that in December there was an ordinance adopted that would allow the transfer of the Mayor's salary to be under Mayor as he stated he was not going to be the OEM Coordinator any longer. At the Reorganization meeting he stated he would appoint someone soon. This ordinance is in anticipation of that appointment because the minimum salaries for OEM Coordinator and Deputy were \$5,000 and \$2,500 with maximum of \$15,000 and \$7,500. Once we hire someone else we didn't want the salary that high and we want the option of it being zero. We currently have two deputies that we don't pay which contradicts our ordinance. Ms. Garcia asked Mayor Budesheim if he had made a decision to not be the OEM Coordinator. Mayor Budesheim asked if the Council would be willing to transfer all of his salary under the title of Mayor. Councilman Falkoski stated that at the time we discuss salaries pertaining to the budget would be the time that we would have that discussion. I would recommend we discuss it at a workshop. Councilman Astarita agreed. Mayor Budesheim stated that then no decision has been made yet. Councilman Falkoski explained that salaries are discussed when budgets are put together. Ms. Garcia asked if the Council Committees were the same as last year. Councilman Falkoski stated they are three member committees this year.

Glenn Venza asked Fire Chief Sturm additional questions about the foam tanker.

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

ALL IN FAVOR.

Mayor Budesheim stated that in light of these most recent Council Committee appointments, I believe there is a mistake on what's being done but that's something this Council will have to live with. The way it's been done, it's been done for about forty years that I'm aware of. Tonight I am forming an entirely new committee to be known as the Mayor's Taxpayer Advisory Committee. This committee will be the eyes and ears of the Riverdale Borough taxpayers, so it will be the taxpayers advocate. It will be comprised of citizen representatives from all neighborhoods from the community. There are decisions that have been put on hold this past year by the Council – decisions that could have saved the taxpayers literally hundreds of thousands of dollars. It's possible that input from the taxpayers might have helped the Council to come to decisions on these matters – decisions that would truly represent the opinions of the residents. This

taxpayer's committee will review all proposals and make recommendations sharing the community's perspective.

Councilman Falkoski stated that it appears as though the atmosphere is that this is being done in a vengeful way and it isn't. Basically the committees were not formed this way for so many years. I think that's the first time I've ever been on a governing body, and I've been on a governing body for quite a while, where the committees were just changed on reorganization night without anyone being aware of what was going to be happening. I think that everyone was a little unhappy with that. That's why as a group we decided what we'd like to do is to form our own committees because basically the purpose of the committee is to do the work of the Council, and then to report back to the Council, so the Council doesn't have to sit here and go through every minutia part of everything that goes through in every department. That's the reason we're doing this. We're not doing this to be even with anybody or to be nasty. We're doing this to foster the work of the Council and to ensure that it proceeds in an orderly manner.

Mayor Budesheim asked if this decision was made as a group.

Councilman Falkoski stated that nobody was happy on reorganization night. We didn't make a decision as a group but generally we all had input into what we would be happy doing.

Mayor Budesheim stated that he thinks that's something that should be discussed at a meeting and not behind closed doors.

Councilman Falkoski stated it was not done behind closed doors. We're trying to do the work of the Council. You do the work of the Mayor. We don't work for you. We work for the taxpayers of the Borough of Riverdale.

Councilman Astarita stated that we are paying the Mayor to act like a borough administrator and in that position he is working for us. I hear about all these hundreds of thousands of dollars that we messed up on last year and my thought was that someone acting as our borough administrator would have brought this to our attention. That gets me upset. It may be that we do need a borough administrator. Maybe we can look into sharing a borough administrator. The way things are going here it looks like maybe we need one to be kept up with some of these facts of some of the money we're missing. We have a dedicated Council trying to do the right thing for our residents over the years. All of a sudden we've been missing hundreds of thousands of dollars that we could have moved on that we didn't and it's unbeknownst to me where that money was. We rely on the person who's here day to day, not only as Mayor, but as borough administrator. Basically, that's why we're paying a full time salary so maybe we should look into some other things. I, too, don't like the level at which this all of a sudden has become adversarial. We've worked for many years as a good team and it seems like these little things are breaking us up very easily. At the workshop meeting we should explore other options.

Mayor Budesheim stated that the hundreds of thousands of dollars are dealing with medical insurance. To say that you weren't aware of the potential savings is unfair. I did bring that back to Council many times and you failed to act. Those are avenues we have to explore.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:13 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, Carelli, Guis, Loesner, 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.

RESOLUTIONS:

Councilman Falkoski asked for clarification of resolution No. 9. Councilman Guis clarified the survey is to define the area of the easement to install the sewage pump station for the Hamburg Turnpike sewer project. Councilman Falkoski stated that we should remove No. 6 to be discussed as other business. Councilpersons Loesner and Wetzel agreed.

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

- 1) Payment of Utility Bills, including approval of \$500 check to Mrs. Carelli for the Food Pantry.
- 2) **Resolution No. 25-2012;** Memorialize Police Department Petty Cash Fund in the amount of \$50.00 previously approved by governing body.
- 3) **Resolution No. 26-2012;** Memorialize Administrative Petty Cash Fund in the amount of \$50.00 previous approved by governing body.
- 4) **Resolution No. 27-2012;** Transfer of 2011 Appropriation Reserves.
- 5) **Resolution No. 28-2012;** Authorizing Steven A. Schotanus to file a tonnage grant report to the DEP.
- 6) Removed.
- 7) Approval of Change Order for street signs in the amount of \$4,510.00, and Change Order S1 - Clean & televise sewers at Arlington \$2,940.00; Change Order S2 – Mead Avenue - \$6,657.00; Change Order S3 – Mead Avenue - \$7,105.91; Change Order S4 – Mead Avenue - \$3,861.00; Change Order S5 – Arlington Place - \$5,847.00. Total changes - \$27,036.00. (copy of back-up paperwork transmitted to governing body with agenda)
- 8) Approval of payment #2 to Pacific Construction, LLC in the amount of \$247,566.45 which included \$27,036.00 in change orders for the improvement to Arlington Place, Mead Avenue & Haycock Avenue.
- 9) Authorize the use of Borbas Surveying and Mapping, LLC to perform a boundary and topographic survey of Tax Lot 15.01 Block 10, 29 Morris Avenue and a portion of the road right of way in the amount of \$3,450. Work is needed to finalize the Morris Avenue pump station. (copy transmitted)
- 10) Authorizing the Borough Clerk to sign NJDEP fish stocking permit applications for Pequannock Valley Middle School, Pequannock and Eastside High, Hackettstown to release trout into the Pequannock River at Post Lane as part of a school program called “Trout in the Classroom”.

RESOLUTIONS (continued):

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 17-A, B, C, D AND E**OTHER BUSINESS:**

- 6) Resolution to put total amount of Mayor's salary under Mayor's salary in salary ordinance.

Councilman Falkoski stated that instead of being passed as a resolution this should be discussed along with the total salary ordinance when we go through the budget. Mayor Budesheim stated that there is no change in the amount of money. Councilman Falkoski stated there is a change. Mayor Budesheim stated that we want to discuss it. Councilman Loesner asked Mayor Budesheim if the proposal is to move the entire amount from OEM to your Mayor's salary. Mayor Budesheim said that is right. Councilman Loesner asked if that leaves nothing for the next OEM Director. Mayor Budesheim stated the ordinance range is from zero to \$5,000. Councilman Loesner stated that at this time he feels it is premature. We're going to be discussing early preliminary budget hearings later in the meeting and any change in salary would not be warranted until we discuss our budget this year. Councilman Astarita agreed.

WORKSHOP DISCUSSION:

- 1) Showmobile Fees – Chapter 95-13 of the Code of the Borough of Riverdale for discussion of feasibility of offering discounted rates and possible amendment to existing ordinance. (copy of Chapter 95-13 transmitted to governing body with agenda)

Councilman Loesner stated that the Deputy Clerk asked for clarification of the fee to charge JC Promotions for rental of the showmobile on multiple dates. In the past the Council voted to give them a discount off of the non-profit rate of \$500. By ordinance they should be charged \$750 per use since they are not non-profit. Councilwoman Wetzel stated that if we're going to make an exception to the ordinance then we should establish how many uses constitute a discount and incorporate that in the ordinance. After further discussion Council decided that if a renter booked five or more dates they would be charged a discounted rate of \$500 per day instead of \$750 per day and the ordinance will be amended.

- 2) Amendment to Chapter 47 "Police Department" of the Code of the Borough of Riverdale. (copy of Chapter 47 and copy of proposed amendment transmitted to governing body with agenda)

Councilman Falkoski stated that the ordinance we have in place creates positions that don't exist and the methods for promotion are very convoluted. The ordinance on the table for discussion is simpler. Police Chief Smith explained that he prepared the draft ordinance based on a risk management seminar he attended. He answered questions from the Council. Mayor Budesheim stated his concerns with written exams for Sergeants and the cost for the exams. He feels it is a mistake to have it in the ordinance because you open yourself up to having to promote people who don't make the best candidate but scored well on the written test. It is the only objective part. Councilman Falkoski stated it is a protection. Councilwoman Wetzel stated that the exam is not the only part and suggested that it be pass/fail. After further discussion Council decided the weighting of

WORKSHOP DISCUSSION (continued):

the test for Sergeant should be based 20% on the written test, 40% on the Chief's oral exam and 40% on the Committee's oral exam with the option to waive the test when there are 6 or less candidates.

- 3) Administrative Code – (copy of proposed Administrative Code transmitted to governing body with agenda)

Councilman Falkoski stated that Administrative Code is a means of establishing duties of the Mayor and Council, the duties of the committees and the powers of the Council and powers of the Mayor. He suggested we introduce this and avoid some of the controversy that occurred on our reorganization night. He said he reviewed about 8 towns that have such an ordinance and selected those that are the most feasible for this proposal. Councilman Carelli asked why we need to adopt this if the duties are statutory. Councilman Falkoski stated that this establishes for this Council and the public what the responsibilities are. This is similar to what most of the towns have and I am suggesting we adopt something like this to prevent any more confrontation in the future. Mayor Budesheim stated that we have bylaws. Borough Attorney Oostdyk clarified that some of this is statutory and some of it is not. After further discussion, Council decided they would review the existing bylaws.

MAYOR REPORT:

Mayor Budesheim reported on establishing policies and procedures for social media. He distributed a policy obtained from the county for Council review. Councilman Loesner stated he would like the Council to establish a technology committee to encompass Twitter, Facebook, the website and the newsletter and determine how we want to go forward with this. We have to establish the position of a social media person before appointing one.

Mayor Budesheim announced that we try to acknowledge an employee who is here for 25 years for dedicated service. Unfortunately, she was here 25 years last March and I missed the date. Our Borough Clerk, Carol Talerico, has been here almost 26 years now as a dedicated and loyal employee for the town and community. Mrs. Talerico was presented with a watch in appreciation of her dedication. She thanked the governing body and said she's enjoyed her job tremendously over the years and it's been a pleasure working for the borough.

Mayor Budesheim addressed the residents who were present to discuss connecting to the sewer system. Letters had been sent to residents on Parkway, Morris Avenue, Newberry Place, Brown Court and Oak Street to determine interest in connecting to the sewer system. He explained the process and how the cost would be paid by the homeowner as an added assessment. When this was done on Greenwich and Van Duyne the cost was close to \$10,000. Cost for the assessment would not be known until we receive bids. He explained the remaining costs that would be involved for the homeowners. He and Councilman Guis answered questions. Residents of Morris Avenue were also concerned with the rising water table on that street.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported on items for the regular meeting agenda. The Senior Citizen Club has inquired about their budget so they can schedule their trips. Councilman Loesner stated that meetings will be set up with all departments including the seniors to discuss the budget. The Morris County Freeholders have requested Riverdale host a meeting on Wednesday, June 27, 2012 at 7:30 p.m. Council agreed to hold the meeting and asked Clerk Talerico to respond to the request. Clerk Talerico

BOROUGH CLERK REPORT (continued):

informed the Council that she started receiving invoices for individual dumpsters at The Grande in addition to the regular bid fees. She asked if there was an agreement put in place. Mayor Budesheim stated that we agreed to an extra pickup a week for the holidays and this should be the last invoice.

ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

Mayor Budesheim asked if the committees had selected their chairperson. Councilman Astarita stated he is in charge of Buildings and Grounds. Councilman Carelli stated he is in charge of Personnel.

PERSONNEL: Councilman Carelli reported that he will be working with Councilman Falkoski on the Administrative Code. We stated looking at salaries and the budget process and I will have more to report as time goes on.

PUBLIC SAFETY: Councilman Falkoski reported that he is in charge of Public Safety but has no report at this time. Mayor Budesheim asked if he had looked into an ordinance for the Fire Department that was handed out a year ago. Councilman Falkoski stated that he would need a copy and would look into it.

PUBLIC WORKS: Councilman Guis reported that he is in charge of Public Works. We are having problems with the Jet Vac and will have a proposal from the vendor at the next meeting. He also reported the progress on the flood remediation project with Wayne, Pequannock and Pompton Lakes. We have a total of \$360,000. We have permits in place that are good for 5 years which allow for desilting and debriaring of the river. Wayne broke away and we are working with Pequannock and Pompton Lakes. Mayor Budesheim stated that Pompton Lakes broke away from Pequannock and we stayed in with Pompton lakes since we share the same river. Pompton Lakes has gone through the bidding process and will be awarding their contracts Wednesday evening and the project will be underway by next week. Councilman Guis stated it was recommended we stay with Pequannock down by Harrison Road. He also recommended we use some Open Space money to complete the job if crews are in place and we need additional funds.

COMMUNITY RELATIONS: Councilwoman Wetzel reported that she is in charge of Community Relations. She read the Recreation Director's report on current recreation events. She is scheduled to attend the next Board of Health meeting and will bring back a report.

BUILDINGS AND GROUNDS: Councilman Astarita reported that the Community Development Block Grant meeting will be held March 5th and 6th and he will be out of town. Councilman Loesner will attend those meetings. He stated that he believed we had an application for the grant for the Glenburn Estate. Mayor Budesheim stated that we do not since we have two open applications and are not eligible. Mayor Budesheim asked about the closet the library wanted. Councilman Astarita stated he hadn't heard anything about it and would look into it. He also reported that he did some research and handed out copies of the duties of a Borough Administrator.

FINANCE: Councilman Loesner reported that he is in charge of Finance. They will be starting preliminary meetings for the budget. He stated that he did not get a revenue statement for the newsletter again this month. When the turnover takes place in the DPW he would like to begin tracking hours at the Glenburn to get a better idea of how much we're spending there. We had a furnace problem at the Community Center two weeks

COMMITTEE REPORTS (continued):

ago. We may have an issue with rocks getting into the exhaust pipes coming out of the side of the building. If it continues to be a problem we may have to put a chain link fence around that area.

PUBLIC PARTICIPATION NO. 2:

Joseph Petracca of Highland Avenue spoke regarding his property and his disagreement with his property taxes and borough zoning regulations.

Joan Garcia asked if we were reimbursed for the charges for caring for the dogs that were removed from Mr. Petracca's property. Mayor Budesheim stated he was not aware that we were and did not know how we could get reimbursed.

Glenn Venza asked Councilman Loesner if he planned on asking for input from the residents regarding the budget. Councilman Loesner stated that we will have a budget presentation as we always do. The budget will be introduced on time and there will be a public hearing for comments prior to adoption. Mr. Venza questioned Councilman Falkoski regarding his knowledge of the existing Council Bylaws. He stated that the committees were formed in direct opposition to the bylaws which say the Mayor will be a member ex-officio of all committees. With three member committees and the Mayor as ex-officio you need to publicly advertise whenever you're going to have a meeting. Councilman Falkoski stated that is correct since it becomes a quorum. The Council Committees are formed by statute to do the business of the Council and report to the Mayor and Council about their various departments. Mr. Venza stated that with 3 member committees plus the Mayor you have created quorums for every meeting. Councilman Falkoski stated that ex-officio is because he's the Mayor and he's not really a member of the committee. If he attends the meeting he breaks it up and it is up to him if he chooses to attend. Mr. Venza asked if the Mayor is notified of all the meetings. Councilman Falkoski said he possibly is but that he did not notified him of the one meeting his committee had. Mr. Venza asked the Borough Attorney if the bylaws require the Mayor to be notified. Borough Attorney Oostdyk stated he would need to review the bylaws. When asked, Mr. Venza stated that his is point is you should stand by the bylaws of the Council currently which is 2 man committees with the Mayor as ex-officio. Councilman Falkoski stated this Council doesn't feel that's the proper way to administer the business of the Council. We decided to form 3 member committees and work forward from that point.

Michael Kheypets stated that if we haven't amended the bylaws since 1976 and they are typed with handwritten notes and arrows, I would guess that somebody made a mistake or they've been forgotten and we should probably rewrite them. Councilman Falkoski stated that is what we're attempting to do with the Administrative Code.

Fire Chief Dan Sturm reported that we did get the Morris County tanker and are in the process of getting it registered and insured. Training begins at the end of the month and expenses are paid by the County.

Joan Garcia encouraged all residents to attend a course on emergency preparedness on February 21st at the firehouse that's been arranged with the American Red Cross.

There being no further 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 Councilwoman Wetzel, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 9:40 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, Loesner, 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:

Regular Meeting - January 16, 2012
 Workshop Meeting - February 6, 2012

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

ALL IN FAVOR

PUBLIC PARTICIPATION NO. 1:

Mayor Budesheim was presented with a football signed by the members of the Pompton Lakes High School State Champion football team.

John Conroy, 17 Hartung Avenue, commented on the police budget. He recommended a feasibility study on merging with other towns before hiring for higher level positions in the police force.

There being no further 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 02-2012

AN ORDINANCE AMENDING ORDINANCE NO. 14-2010
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 Astarita asked if the adoption of this ordinance would change anyone's salary, specifically the Mayor's. Councilman Loesner stated that the ordinance

ORDINANCES (continued):

establishes the range of OEM Director from zero to \$5,000. Councilman Astarita asked if this would lower the Mayor's salary. Councilman Loesner replied that it would. Councilman Astarita said that he didn't think that was a fair situation. I thought we were changing the OEM salary range but not changing anybody's actual salary. Councilman Falkoski stated the ordinance is establishing a range for the position of OEM. Borough Attorney Oostdyk stated that the ordinance doesn't set the salary directly, but indirectly you lowered the range so you would have to adjust the salary in the salary resolution. Councilman Astarita asked if we could adjust another salary. Borough Attorney Oostdyk replied that you could adjust another portion of the salary to make up the difference if you chose to and that would require a resolution.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Falkoski, **RESOLVED** that Ordinance No. 02-2012 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 23-A

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

ORDINANCE 03-2012

**AN ORDINANCE AMENDING CHAPTER 95 OF THE REVISED
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
 AND AMENDING THE FEE FOR THE RENTAL OF THE
 BOROUGH SHOWMOBILE**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 23-B

- 3) This ordinance was **TABLED** after Council discussion:

ORDINANCE 04-2012

**AN ORDINANCE AMENDING CHAPTER 47 OF THE CODE OF
 THE BOROUGH OF RIVERDALE "POLICE DEPARTMENT"**

Mayor Budesheim stated that this ordinance is not ready for introduction. Councilman Falkoski stated that the committee had met and it was agreed at the last Council meeting to make changes to the ratio of the scores for testing. Mayor Budesheim pointed out discrepancies and deletions when comparing it to the current ordinance. He said there is a lot of cleaning up to do before it's ready for introduction. Councilman Falkoski asked him why he didn't give his input at the last meeting when it was presented for discussion. Mayor Budesheim said that he didn't have time to review it that night. Police Chief Smith told the Council the current ordinance will not pass a procedural challenge so this is providing a base or you can write your own. Councilman Astarita stated that if these points are valid we should do a second draft and get the Mayor's input, bring it to legal and then we'll have an ordinance we can live with. Councilman Guis stated that he

ORDINANCES (continued):

would support that. Councilwoman Wetzel stated that we've had two weeks to discuss this. She suggested between now and the next meeting everyone should communicate and be prepared to make a decision.

NEW BUSINESS:

- 1) Application for Towing License from Joseph A. Mecca, Esq. representing Rudge Towing applying to perform towing services for the Borough of Riverdale according to Chapter 154. Rudge Towing is located at 109 Main Street in Bloomingdale. All pertinent information has been supplied by Mr. Rudge as required by Riverdale Towing Ordinance. (application is non-compliant with Chapter 154 of the Code of Riverdale – section 154-1 “All storage facilities and business offices must be located in the Borough of Riverdale”).(copy of application transmitted to governing body with agenda)

Mayor Budesheim announced that the applicant's attorney was unable to attend and he requested we postpone discussion until the next meeting.

RESOLUTIONS:

Councilman Loesner felt that resolution 13, Approval of Borough of Riverdale Policy and Procedures Social Media, needed further discussion. He asked if there were any thoughts regarding the Technology Committee he proposed at the last meeting. Mayor Budesheim stated this is a social media policy that was developed by the County. Councilman Loesner felt this was a Council function and not a job for an appointed person. Councilman Carelli agreed. He said there are a lot of good things in the policy that we should incorporate but he'd rather have it under the guidance of the Council and not a separate person. It was decided that the Public Relations and Personnel Committees would review the matter.

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

- 1) Payment of Claims.
- 2) **Resolution #17-2012;** Professional Service Agreement – Legal Services – Planning Board – John Barbarula.
- 3) **Resolution #18-2012;** Professional Service Agreement – Legal Services – Robert Oostdyk, Esq. – Murphy, McKeon.
- 4) **Resolution #19-2012;** Professional Service Agreement – Water & Sewer Engineering – William Ryden, P.E. – Anderson & Denzler Assoc.
- 5) **Resolution #20-2012;** Professional Service Agreement – Legal Services – Bond Counsel – John L. Kraft, Esq.
- 6) **Resolution #21-2012;** Professional Service Agreement – Legal Services – Special Counsel – Richard Clemack, Esq.
- 7) **Resolution #22-2012;** Professional Service Agreement – Professional Engineering Services – Paul Darmofalski, P.E. – Darmofalski Associates.
- 8) **Resolution #23-2012;** Professional Service Agreement – Land Surveying Services – DMC Associates, Inc.
- 9) **Resolution #24-2012;** Professional Service Agreement – Auditing Services – Vincent Montanino, R.M.A. VM Associates, Inc.
- 10) Change Order #1 for the Glenburn Phase II Rehabilitation Project which results in a decreased amount of \$426.87. (copy of change order transmitted to governing body with agenda)
- 11) **Resolution #29-2012;** Tribute to Assemblyman Alex DeCroce and his legacy of public service.

RESOLUTIONS (continued):

- 12) **Resolution #30-2012;** Refund of Tax Overpayments – Block 40, Lot 2.7211 – Law Office of Daniel Danzi, in the amount of \$1,119.92 year 2012, overpayment.
- 13) Resolution removed.
- 14) **Resolution #32-2012;** Emergency Temporary Appropriations
- 15) **Resolution #33-2012;** Redeeming Tax Sale Certificate #10-00001
- 16) **Resolution #35-2012;** Approval of Award of Bid for Mathews Avenue Improvements to D.R. Mullen Construction Company, Inc., Oakland, NJ who was the lowest bidder with a bid amount of \$314,220.75. (recommended for award by Borough Engineer Paul Darmofalski and also by Borough Attorney Robert Oostdyk.)
- 17) **Resolution #34-2012;** Opposing the New Jersey Water Supply Fluoridation Act.
- 18) Mayor to appoint Linda Roetman as a member to the Board of Health to fill the open seat of John Nolan who has resigned, with consent of Borough Council.
- 19) Authorizing Steve Schotanus to conduct Motor Vehicle business transactions on behalf of the Borough of Riverdale.
- 20) Resolution to dismiss Top Gun Cleaning Services and appoint Juan DelCastillo as part-time custodian at a salary of \$15.00 per hour up to 15 hours per week, effective March 1, 2012.
- 21) Appointing John Scialla as Acting Construction Sub Code Official.
- 22) Appointing Vincent Pellegrini as part-time Building Inspector.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 25-C, D, E, F, G, H, I, J, K, L, M, N, O, P AND Q**MAYOR REPORT:**

Mayor Budesheim reported on the vote responses for sewers. Parkway needs 15 votes and have 14 yes, 10 no and 5 no vote. Brown Court and Newberry Place need 15 votes and have 11 yes, 3 no and 14 no vote. Morris Avenue needs 14 votes and have 12 yes, 7 no and 7 no vote. Oak Street needs 8 and have 3 yes, 3 no and 8 no vote. The cutoff for voting is February 29th. Mayor Budesheim reported on the OEM First Aid - Get Ready presentation hosted by the Fire Department. Over 65 people attended and the Fire Department did a great job. He also reported on a meeting he was invited to attend in Pequannock to discuss shared services. One proposal was sharing court and the other was sharing police services. He told Pequannock a decision would have to be made by the Council and he turned it over to the Finance Committee.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that the revised Dial-A-Ride Budget amount the borough will have to contribute is \$27,951. Last year's amount was \$22,339. She also read a letter of thanks from the Pompton Lakes/Riverdale First Aid Squad for our donation for vehicle detailing.

BOROUGH ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

PERSONNEL: No report.

PUBLIC SAFETY: Councilman Falkoski reported the court report for January 2012.

Police Chief Kevin Smith reported that the county is holding a Class II Academy beginning April 10th. He asked the Council what their pleasure would be before he contacts anyone to attend.

PUBLIC WORKS: Councilman Guis reported that the Mathews Avenue project was approved today. He checked with the CFO and by next year we may have to look at the bond ordinance. There won't be much left if we get more grants with the matching funds on the roadwork. He also reported that he and the Borough Engineer were looking at the river cleanup project with Pompton Lakes. Work should be started the end of the week and he's very encouraged. Mayor Budesheim said that Pompton Lakes is requiring a letter stating that our share is going towards the joint project and asked Councilman Guis if he wants 25% redacted for Pequannock. Councilman Guis stated he would get clarification. An audience member inquired about the Mathews Avenue project and Councilman Guis explained the project and financing.

COMMUNITY RELATIONS: Councilwoman Wetzel reported on the Board of Health meeting. The fee ordinance was adopted increasing the fees for dog and cat licensing. The late fee will increase each month past the deadline. The board discussed a request from the Animal Control Officer who suggested we do a canvassing house to house which results in getting more animals registered. This was last done by Charlie Quant several years ago. The \$4,000 cost is based on population and is a one time fee. They feel it would be recovered in fees once all those animals are registered and the board requested consideration of a budget increase to do the canvassing.

BUILDINGS AND GROUNDS: Councilman Astarita reported on a walk-through of the firehouse with the Chief and distributed a report of work that needs to be done. He did a walk-through with Steve Schotanus and the DPW will be doing some of the work. Reiner looked at the heating unit and recommends putting a larger drain pipe which they will do under warranty. We will get a contractor to look at the gutter. He will do a walk-through of all the buildings and report back.

FINANCE: Councilman Loesner reported on concerns with the newsletter. We changed vendors a year and half ago and everyone seems to be satisfied but we need to tighten our accounting practices. It was suggested by our auditor that we get receipts for anything we reimburse our vendor for since there is no contract service agreement. They cannot do that for us so we need a contract service agreement and a fee ordinance for the advertising rates.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member asked who requested the meeting with Pequannock and who attended. Mayor Budesheim replied that the Pequannock Mayor and Deputy Mayor made the request and he met with them. The audience member asked if there was any news on the budget and Councilman Loesner said they are working on it.

John Conroy commented on the feasibility study and said he would email a copy to the Mayor. Mayor Budesheim stated any information is appreciated and would be forwarded to the Finance Committee.

PUBLIC PARTICIPATION NO. 2 (continued):

An audience member identified himself as a newsletter advertiser and asked if there was a problem with people paying for advertising. Councilman Loesner stated that there was not.

Mayor Budesheim provided additional information on the newsletter. By state law we have to issue a water confidence report. The cost for printing and mailing of that is about \$2,500. We used to do a mailing of the recycling schedule. We have to send Stormwater Management Advisory Notices to the public. These are all now incorporated into the newsletter so they are sent for free. This newsletter covers about \$5,000 to \$6,000 a year in mailing costs and it is self sustained by the advertisers.

An unidentified audience member asked if the Council members have obtained and read the Council bylaws and what was going on. Councilman Loesner stated that after much searching he was able to find them. They are a little outdated but we're taking care of that with the Administrative Code. Councilman Carelli stated that they are 36 years old with handwritten corrections and he doesn't know if they were actually adopted by the Council. The proper thing to do is incorporate them into the new Administrative Code which becomes part of borough ordinance. The audience member asked if the Mayor was being invited to Committee meetings as required by the bylaws. Councilman Loesner replied that he was not. Councilman Carelli stated that prior to Mayor Budesheim you had a Mayor that had three person committees for 25 years. The Mayor did not attend those meetings unless one of us wasn't there. The same bylaws were in place then.

An unidentified audience member asked the reason for the 300% increase in animal licensing fees. Councilwoman Wetzel explained that the fees haven't been increased in many years and we're very behind in the fee schedule in comparison to surrounding areas. The decision was made by the Board of Health members. The audience member commented on the \$4,000 cost for canvassing. He stated that we have two police officers out on disability who are on full pay. He asked if we could get the officer with the hand injury to do that survey. Councilwoman Wetzel stated that was not her decision but she offered to bring the concern to the Board of Health. Borough Clerk Talerico explained that part of the reason for the fee increase is to cover the overhead costs of supporting licensing which is required by the state.

John Conroy stated that he couldn't find the bills list on the website. Mayor Budesheim told him it has been there ever since he first suggested it.

Police Chief Smith asked if the Council wanted to appoint Class II officers. There was a discussion regarding the matter and Mayor Budesheim offered the names of Kyle Parrill and Michael Reilly.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to appoint Kyle Parrill and Michael Reilly as Special Police Officers for the Riverdale Police Department.

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

Joseph Petracca of Highland Avenue spoke regarding his property, his taxes and restrictions on what he can do with his property because of zoning. He said he wants his property put in the Highlands. Mayor Budesheim told him that six years ago we wrote to the Highlands Council requesting that and they denied us. Mr. Petracca stated that you

PUBLIC PARTICIPATION NO. 2 (continued):

put a drainage system through my property and you're the only one using it. Mayor Budesheim told him that the state had created it.

There being no further comments, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, 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: 8:55 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:** **Carelli, Loesner, Wetzel, Falkoski**
 Absent: **Astarita (family medical reason), Guis (death in family)**

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

PUBLIC PARTICIPATION NO. 1:

Joan Garcia stated she would like discussion on the bylaws. She never heard of an organization that simply decided not to follow bylaws because they were old. Borough Attorney Oostdyk stated that the old bylaws remain the bylaws of the Council until such time as they are repealed and new bylaws are adopted. He urged the Council to make changes as they feel appropriate. Councilman Carelli stated that the Council is working on it. He asked how we know that the typewritten bylaws are the ones that were adopted. Borough Clerk Talerico stated that the minutes could be searched.

An unidentified audience member asked how many person committees we have. Borough Attorney Oostdyk stated that the Council put three on each committee. With the Mayor as member ex-officio they are four member committees and would have to be published and noticed in the event the fourth person was going to attend.

Mr. Ball asked if the Mathews Avenue intersection was now completed because property markers were to be put back when the job was done. Mayor Budesheim stated that it is and he will check the status with the Borough Engineer. Mr. Ball asked how deep the quarry is allowed to go. Mayor Budesheim replied that they can't go below the Hamburg Turnpike elevation except for a retention basin at the footing.

An unidentified audience member commented on the bylaws. Assuming the bylaws are dated they will be followed from this point forward. Borough Attorney Oostdyk stated that they are the bylaws in effect until they are repealed or amended.

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

ALL IN FAVOR.

RESOLUTIONS:

Councilman Loesner commented on payment to Hometown Newsletter. We haven't received any additional revenue since the last meeting. If we pay this tonight, we'll be behind \$1,425.57. Additionally the auditor has asked for verification on the invoices for shipping and postage which we have not received. He offered a temporary solution until we have a contract in place for this vendor. If we have the newsletters shipped here, he would verify the count and deliver them to the post office in Paterson and get a receipt. Mayor Budesheim stated that we would need a bulk mailing permit that will cost \$190 in order to do that. Councilman Loesner asked the Mayor to discuss the matter with the auditor since the bookkeeper is concerned. He stated that he's never seen a situation where advertising is not collected up front.

RESOLUTIONS (continued):

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

- 1) Payment of Utility Bills. (including the following)
 - a. Hometown Newsletters, LLC A&E o/e \$1,002.57
 - b. Vertical Lift Platform HUD Grant \$9,506.00
- 2) **Resolution #36-2012;** Transfer of 2011 Appropriation Reserves
- 3) **Resolution #37-2012;** Emergency Temporary Appropriations
- 4) **Resolution #38-2012;** Refund of Tax Overpayments – Block 29, Lot 9.516 – Assunta Areal, in the amount \$875.80 year 2012 – Reason Total Disability.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 30-A, B, C AND D

BOROUGH CLERK REPORT: No Report

ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

PERSONNEL: Councilman Carelli reported that he's been working with the Finance Committee and distributed handouts with analysis for some of the departments and some of the matters that have been discussed lately including the court, police, and dispatch. They are working on bylaws and will try to have something ready for everyone to look at for the next meeting. They are also working on a social media policy.

Mayor Budesheim stated that the question came up at the last meeting whether we had a light duty policy. There is a light duty policy in our handbook if we want to use it.

PUBLIC SAFETY: Councilman Falkoski reported that the County is ready to implement uniform standardized ID cards which all first responders in the state will have. In order to participate they are requiring each town to authorize this by resolution which we should have by the next meeting.

Mayor Budesheim asked how we were coming along with the fire ordinance. Councilman Falkoski replied that the Fire Chief said they weren't interested in it when you spoke with him. You told them to get in touch with you if they were and that was quite a while ago. Based on the information from the Fire Chief and reviewing the ordinance myself nobody seems to be interested.

PUBLIC WORKS: Mayor Budesheim reported that we need a letter from the Governing Body regarding the \$87,500 grant from the DEP for desnagging and desliting of the river and confirming that 25% will go to Pequannock and 75% to Pompton Lakes.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilwoman Wetzel, to authorize Mayor Budesheim to send a letter to Pompton Lakes confirming that of the \$87,500 grant awarded to Riverdale by the NJDEP for desnagging and desliting the river, 25% will go to Pequannock and 75% will go to Pompton Lakes.

ALL IN FAVOR.

COMMITTEE REPORTS (continued):

Mayor Budesheim reported that former Chief Soules contacted him requesting his check for 2012 based on the resolution we adopted when he retired.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to authorize a check in the amount of \$15,748 be issued to former Police Chief Soules for payment of comp time and vacation time.

ALL IN FAVOR.

COMMUNITY RELATIONS: Councilwoman Wetzel read the Recreation Director's report on current recreation events. She also reported that she brought the information and comments from the last meeting to the Board of Health and they will follow that up at their next meeting.

FINANCE: Councilman Loesner distributed the CFO's analysis for this year's budget and a draft copy of the budget prepared by the Finance Committee for 2012. He reported that the draft copy of the budget puts us under the cap by \$30. We left everything out – we reduced salaries for Mayor and Council, took out salaries for recreation, didn't allow for an increase in salary for any employee, didn't put a provision in to hire a police officer, and didn't put a provision in for any promoting outside of DPW Superintendent. If you want to put something in we have to find where to get the money. At least this way we're working from the ground up. We were \$492,000 over in the original draft. He asked for any suggestions to be sent in. Mayor Budesheim asked if the budget would be ready for introduction at the next meeting. Councilman Loesner replied that it would.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member asked if the budget includes paying our debt. Mayor Budesheim stated the payment was reduced by \$200,000. Councilman Loesner stated we are making a \$400,000 payment towards our debt this year. The audience member asked what it's supposed to be. Councilman Loesner stated the interest is \$39,000 so anything above that. Mayor Budesheim stated it was supposed to be \$600,000. Councilman Loesner stated that's what we paid last year but we're not held to that. We'd have to take \$200,000 from somewhere else. The audience member said as a taxpayer I recommend you take the full amount. You're extending the debt and you won't get the interest rate you got last year.

Joan Garcia asked if there will be no pay for the Mayor and Council. Councilman Loesner said that we didn't make provisions for a lot of things to get it down to the cap number. What I handed out is the draft copy and we could introduce it as it is. If we want to put things back it has to come from somewhere else. Ms. Garcia stated she is concerned with the things that were not included in the budget. Councilman Loesner stated that they made provisions for gas, utilities and roads. Councilwoman Wetzel explained that recreation programs can still work by raising the fees.

An unidentified audience member asked how much the Council salaries were reduced. Mayor Budesheim stated it is about 7%.

An unidentified audience member asked if they would reconsider the new health care option that could potentially save \$200,000. Councilman Loesner stated that they will definitely do something with healthcare this year. The new state plans are in place and the PBA contract will be up. Councilman Carelli stated that this is the first year of a four year phase in for employee contributions to health care.

PUBLIC PARTICIPATION NO. 2 (continued):

An unidentified audience member asked if any of the Council members were receiving health benefits. Councilman Loesner stated that one is but he is paying for it.

An unidentified audience member inquired about the health plan that could save \$200,000. Councilman Loesner stated that the PBA would have had to agree to it. We brought the people in to give a presentation and the PBA rejected it. It was not a similar plan. Councilman Carelli explained the employee contribution plan. The audience member asked if there was a state mandate for the police to start to pay towards their benefits. Councilman Carelli replied that there is when their contracts are up. The contract terminates the end of this year and we'll start negotiating a new contract at some point this year.

An unidentified audience member asked if the police ordinance that was in contention at the last meeting has been rewritten yet. Councilman Falkoski replied that it is still in the works.

There being no further 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 Carelli, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:10 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 7:30 p.m. with the Pledge of Allegiance.

Mayor Budesheim presiding.

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

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

APPROVAL OF MINUTES DATED:

Regular Meeting - February 22, 2012
Workshop Meeting - March 5, 2012

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

ROLL CALL: **Ayes:** **Astarita, Carelli, Loesner, Wetzel**
 Nays: **None**
 Abstain: **Astarita, Guis (March 5, 2012 only)**
 (5 ayes – 0 nays – motion carried)

PUBLIC PARTICIPATION NO. 1:

There being no comments, Councilman Loesner 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 03-2012

**AN ORDINANCE AMENDING CHAPTER 95 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
AND AMENDING THE FEE FOR THE RENTAL OF THE
BOROUGH SHOWMOBILE**

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

ALL IN FAVOR

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 03-2012 as read on second reading at this meeting, be adopted and finally passed.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 34-A

2) Councilman Carelli set forth the motion, seconded by Councilman Loesner, to introduce the following ordinance and moved its adoption.

ORDINANCE 06-2012

**CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE
MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 34-B

RESOLUTIONS:

Councilwoman Wetzel stated that the payment to Jordan Transportation was still in question and should be tabled.

Mayor Budesheim requested Resolution No. 5 be removed for discussion.

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

- 1) Payment of Claims. (including the following)
 - a. Lincoln Financial 2011 LOSAP Payment \$39,660.00
 - b. Jordan Transport 2011 Bus-Street Fair **TABLED**
 - c. Krista Osborn Food-Easter Parade \$ 170.00
 - d. Global Connect Reverse Phone Services \$ 660.00
 - e. Power Supply Final pay on Generator \$ 5,000.00
- 2) **Resolution No. 39-2012;** Emergency Temporary Appropriations.
- 3) **Resolution No. 40-2012;** Transfer of 2011 Appropriation Reserves.
- 4) **Resolution No. 41-2012;** First Responder Identification Card – Police Department.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 34-C, D, E AND F

RESOLUTIONS (continued):

- 5) Approval of Application for Towing License from Joseph A. Mecca, Esq. representing Rudge Towing applying to perform towing services for the Borough of Riverdale according to Chapter 154. Rudge Towing is located at 109 Main Street in Bloomingdale. All pertinent information has been supplied by Mr. Rudge as required by Riverdale Towing Ordinance. (application is non-compliant with Chapter 154 of the Code of Riverdale – section 154-1 “All storage facilities and business offices must be located in the Borough of Riverdale”.) Application has also been reviewed by Police Chief Kevin Smith and a copy of his memo has been transmitted to governing body with agenda. (**TABLED**)

Joseph Mecca, Esq., attorney for Michael Rudge of Rudge Towing, stated that application has been made to be included on the list of qualified towers for the borough. Mayor Budesheim stated that the applicant doesn't qualify. Mr. Rudge stated that there is a provision in the ordinance that's exclusive to companies that have a principal place of business in the Borough of Riverdale. He asked if that was the reason he doesn't qualify. Mayor Budesheim stated that he doesn't have a yard in Riverdale and I don't think he has the necessary equipment. Mr. Mecca stated that he hasn't received a response to the application. Borough Clerk Talerico replied that you spoke to the Deputy Clerk several times and she did confirm that you would be on the agenda and gave you a copy of the ordinance. There's no requirement that I'm aware of that I have to notify somebody when they apply for something that it's been placed on the agenda. Mr. Mecca stated that the issue is that there's no written response as to exactly why Mike Rudge and Rudge Towing don't qualify under the ordinance. He requested that the Council put in writing the conditions that he has not met. Borough Clerk Talerico stated she would send him a letter outlining why he didn't qualify.

UNFINISHED BUSINESS:

- 1) **Ordinance No. 02-2012** vetoed by Mayor Budesheim as of March 7, 2012 with his statement of objections which was forwarded to the Governing Body by the Clerk on March 8, 2012. The council can over ride the veto by 2/3rd vote of the full council. Ordinance was adopted by the governing body on February 22, 2012 and ordinance was forward to Mayor Budesheim by the Clerk for his approval on February 24, 2012.

Mayor Budesheim stated that he agreed with what the Council was trying to do but pointed out some things that could be changed. Councilman Carelli asked if the Council needed to respond by a certain time. Borough Attorney Oostdyk stated that it stays on unless the Council overrides the veto anytime during the year.

OTHER BUSINESS:

- 1) Invoice submitted by Dan Salameno, 1070 Ringwood Avenue, Pompton Lakes for top soil he applied to the Riverdale fields. Mr. Salameno had sent a letter in October of 2011 and this letter appeared on the agenda of October 17th. He was advised at the council meeting the he would bring the invoice into the clerk to be placed on the bills list for payment. An invoice was never received by the clerk's office at that time. Mr. Salameno has since submitted an invoice for best top infield mix in the amount of \$2,100.00 a copy of which has been transmitted with the agenda.

Councilwoman Wetzel explained that there had been a question as to whether Mr. Salameno was proceeding with the knowledge and approval of the Little League. The President of the Pompton Lakes/Riverdale Little League confirmed that although Mr.

OTHER BUSINESS (continued):

Salameno does not sit on the board he is an actively involved parent and frequently does field care. He was not misrepresenting himself as an active member of the Little League. He was willing to get the bids and purchase the clay since the Council had given him permission to do that.

Mr. Salameno was present and explained the work that he has already done to the fields. He is very pleased with the way they turned out and said Riverdale should be very proud of what you have there serving the kids. He explained additional work he would like to do to enhance the fields. They need 25 tons more of clay and he would like to aerate the grass and put rye grass in the outfield. He would also like to see if we can get the sprinkler system working. In addition to the invoice for the clay he had additional expenditures for the rake, pitching mound and bases. The total spent so far to \$2,738.33. For an additional \$1,500 he could purchase the additional clay, grass seed and rent an aerator. Mayor Budesheim thanked Mr. Salameno for the time he has spent on field care.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Carelli, to approve payment of \$2,738.33 to Dan Salameno for materials, and to make funds available not to exceed \$4,500.00 for the remainder of the field care.

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

INTRODUCTION OF 2012 MUNICIPAL BUDGET:

Councilman Loesner set forth the motion, seconded by Councilman Carelli, **RESOLVED**, for the introduction of the 2012 Municipal Budget.

Councilman Astarita stated the budget that was submitted for approval does not include the Mayor's salary. Councilman Loesner stated that it does but the OEM portion was not moved.

Councilwoman Wetzel stated that she wanted to be sure that we're voting to introduce the budget and this does not approve any and all of the figures. Councilman Loesner stated that even though we had disagreements in what we want to pay we have the money budgeted. Councilman Carelli explained that a budget amendment could be done prior to adoption.

Councilman Astarita stated that we should have a budget representative of what we want in it. I made it clear, and the people of Riverdale made it clear, that we wanted a full time mayor and keep his salary at the same rate and the budget we introduce should show that. Councilman Loesner stated that it does. The only thing we didn't allow for is the movement of the entire OEM salary. Councilman Astarita stated that we have an alternative budget to propose that includes that.

Mayor Budesheim stated that we have a motion on the floor.

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

Councilman Astarita stated that we have an alternative budget that keeps the Mayor's full time salary as it was. Everything else is identical. He distributed copies of the alternate budget to the Council.

INTRODUCTION OF 2012 MUNICIPAL BUDGET (continued):

Councilman Astarita set forth the motion, **RESOLVED**, for introduction of the 2012 Municipal Budget.

Councilman Loesner asked where the extra money came from. Councilman Astarita replied that things were moved from several different places. Councilman Loesner asked why we didn't get this budget before tonight. Mayor Budesheim stated that we just got it over the weekend from CFO Ken Sesholtz. Councilman Loesner asked Mr. Sesholtz how the second budget came about. Mr. Sesholtz replied that there was another set of budget documents the Mayor had suggested he prepare for if the budget document was voted down. Councilman Loesner asked why he didn't get a call or see it. Mr. Sesholtz replied that was not up to him. Councilman Astarita stated that these numbers are not hard and fast. Councilman Loesner stated that he sent an email asking for any suggestions and he only heard from Councilwoman Wetzel. Councilman Astarita stated that he made himself clear at several meetings that we needed a full time mayor and the people of Riverdale voted for a full time mayor.

Thereupon, Councilman Astarita set forth the motion, **RESOLVED**, for introduction of the 2012 Municipal Budget.

Borough Attorney Oostdyk clarified that four affirmative votes are required to introduce the budget. Introduction of the budget does not mean it has to be the budget that is adopted.

Thereupon, Councilwoman Wetzel seconded the motion, **RESOLVED**, for the introduction of the 2012 Municipal Budget.

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

Councilman Loesner stated that he voted yes to move the budget process forward but did not agree with the way this was done.

Councilwoman Wetzel stated she voted yes and is making it clear she agrees and thought everyone had been given a copy of this budget. There are definitely issues that need to be addressed and I strongly feel it will not be passed as is.

Councilman Carelli stated he changed his vote from no to yes.

Public Hearing and Adoption scheduled for April 16, 2012 at 7:30 p.m. To be published in the Suburban Trends Newspaper on Wednesday, April 4, 2012.

COPY OF 2012 MUNICIPAL BUDGET IN FULL ON PAGE NO. 37-G

MAYOR REPORT:

Mayor Budesheim stated that as most people are aware our Construction Code Official, Joe Montemarano, passed away on Friday. At the meeting previous we appointed John Scialla as Acting Construction Code Official. The Mayor requested the salary be transferred effective March 16th. Councilman Guis stated we need to make the Construction Code Official and Building Sub Code titles permanent. Mayor Budesheim stated that John Sciala would have the same responsibilities that Joe Montemarano had but he will remain as "acting".

MAYOR REPORT (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Loesner, to transfer \$5,000 salary to John Scialla for the positions of Acting Construction Code Official and Acting Building Sub Code Official effective March 16, 2012.

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

Mayor Budesheim reported that we went to bid for a new electric company. The low bid from Hudson Energy came in about 21% lower than JCP&L rates and is lower than our current rate with Suez Energy.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Carelli, authorizing Mayor Budesheim to sign a contract with low bidder Hudson Energy Services to provide electricity for a term of 36 months at the rate of .08763/kWt.

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

Mayor Budesheim requested approval for Morris County 2012 Historic Preservation Grants due by March 30th. One is for \$75,173 and the other is for \$35,480 and the County funds whatever they award at 80%.

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

Resolution No. 42-2012; Authorizing applications for Morris County 2012 Historic Preservation Trust Fund Non-Construction Grant in the amount of \$35,480 and Construction Grant in the amount of \$75,173, and authorizing Mayor Budesheim to endorse the grant applications.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 38-H

Mayor Budesheim reported that COAH is back in business. We have about \$1.1 million in that fund we received from developers and if we didn't spend at least \$400,000 by July 1st the state would have confiscated it. We went into contract to buy the Verizon building so that could be used in the future for affordable housing. The state approved our plan that we don't have to do anything with it until they establish our obligations. The price was \$650,000 and is being taken out of this trust fund. With the spending plan we adopted and that was approved by the state we have two more years to spend the remaining amount of money. That money has to be spent on housing rehabilitation, acquiring some housing for possible group homes. We have to get active with this program so we don't lose this money and help families in need in town right now.

Mayor Budesheim reported on a meeting with representatives of JCP&L and the library. They under billed us about \$100,000 over the last ten years. They wanted to go back two years rather than the six years they are allowed under their tariff. We told them that was unacceptable and we would pay on a going forward basis. They agreed to not request the back payment which would have been \$23,000.

MAYOR REPORT (continued):

Mayor Budesheim announced that June Carelli would speak to the Council regarding the Glenburn. June has been working with The Land Conservancy and this is the result of many hours of work for the future of Glenburn.

Mrs. Carelli distributed packets for review for installation of air conditioning in the house and parking lot lighting in the gravel parking lot. She explained that air conditioning is important when the house is rented for larger events as well as protecting the historical property and the antique furniture. The gravel parking lot is very dark and lighting is important for safety reasons. Mayor Budesheim stated that the money would come out of the Open Space Trust Fund which through this year will have about \$240,000. A lot of interest is being shown in the Glenburn and April is booked already. The pricing was obtained from the contractor on site and would be done as a change work order. Councilman Loesner stated he did not have a problem with the lighting but was concerned that the cost of cooling that building in the summer would be astronomically expensive. He asked if we are doing historical remediation or are we in the wedding business. The payback for a \$28,000 outlay has to be 25 years and it doesn't make sense. Mayor Budesheim stated that the idea was to make this building self sustaining. The more you can rent it out the more it will pay for itself. Councilwoman Wetzel stated that people renting a public building will expect it to be air conditioned. I think \$28,000 is a lot of money and we should get more price quotations. Councilman Loesner suggested trying window units. Mrs. Carelli stated that cosmetically she wouldn't like to see window units. Councilman Guis suggested small split units. He also stated that we've already put \$180,000 into Glenburn out of Open Space and we should look at some other things. We had the ball fields tonight and there's a chance we may need some money on the river cleanup project which affects a lot of residents. I have no problem with lights but I think we can do a lot better on price if we work with our DPW and use our local electrician. Mrs. Carelli said she would research that. It was decided to obtain price quotations on the lighting.

BOROUGH CLERK REPORT: No report.

BOROUGH ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Carelli reported the court report for February 2012.

PERSONNEL: Councilman Carelli stated that the Borough Clerk did some research on the bylaws. It appears that we couldn't find any documentation that the bylaws that were 36 years old were ever adopted. The bylaws previous to that were done on January 22, 1955. I started to put together a new version that will be passed out at the next workshop meeting for discussion. We got the social media policy from Morris County. We'll finalize that and have a draft copy at the next workshop as well.

PUBLIC WORKS: Councilman Guis reported that the river cleanup has started. They should be starting on the Pequannock River on Thursday or Friday.

COMMUNITY RELATIONS: No report.

BUILDINGS AND GROUNDS: Councilman Astarita reported that the state will be inspecting the Post Lane recreation area the week of March 26th because of Green Acres. The main floor in the Community Center needs to be refinished and he asked June Carelli to obtain price quotations.

FINANCE: Councilman Loesner reported that he will review the introduced budget.

PUBLIC PARTICIPATION NO. 2:

Police Chief Smith asked if there was any objection to applying for a DOJ Office of Community Oriented Policing Grant. The amount is \$125,000 with 25% from the town. There is no penalty if it's awarded and we don't do it. Mayor Budesheim stated that we were told there is no money for hiring anyone. Chief Smith stated that we would have until the end of 2013.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Astarita, to authorize the Police Chief to apply for a DOJ Office of Community Oriented Policing Grant in the amount of \$125,000.

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

Joan Garcia advised the Council that they are in the process of finishing arrangements for the second educational meeting like the one they had at the firehouse. It should be scheduled in April and the theme will be Extreme Emergencies.

Mayor Budesheim announced that the Book Fair will be Friday, Saturday and Sunday next week.

Councilman Loesner set forth the motion, seconded by Councilman Guis, to appoint Steve Schotanus as DPW Superintendent – Grade A at a salary of \$85,608 effective April 1, 2012.

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

Michael Reilly, Greenwich Street, recommended that if the Council moves forward with air conditioning at Glenburn that they hire a mechanical engineer for bid specs.

Glenn Venza asked if there was any progress on the police ordinance. Councilwoman Wetzel replied that they are in the talking stages.

An unidentified audience member asked about the long term implications of cutting the debt service in the budget. Councilman Carelli stated that there may be some changes before the budget is adopted. He found that the Open Space Trust Fund can be used to pay down debt and he would like the Council to consider that. Councilman Loesner stated that they are putting together a plan for debt reduction for the budget hearing. Mayor Budesheim stated that next year we have to go back to \$600,000 in order to keep within the statutory requirements.

Tom Batelli asked if there would be a revaluation this year. Mayor Budesheim stated that we awarded the contract and our tax maps have been approved by the county.

Joseph Petracca, Highland Avenue, spoke regarding his property zoning and taxes and claimed there are errors. Borough Attorney Oostdyk explained that this body cannot correct them. The only body that can correct an assessment is the Assessor and the County Board of Taxation and the State Tax Court.

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

ALL IN FAVOR.

ADJOURNMENT:

Councilman Carelli 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

PUBLIC PARTICIPATION NO. 1 (continued):

him and this Council. We get our money's worth out of him. Mr. Kheypets asked how you know that. Mayor Budesheim stated that this is becoming argumentative and asked Mr. Kheypets to talk to Councilman Astarita after the meeting. Mr. Kheypets continued to disagree with Councilman Astarita regarding a job description and accountability for the Mayor and argued whether the residents voted for a full time Mayor with this salary.

An unidentified audience member asked what the average salary for an administrator around here would be and what they Mayor is paid. Mayor Budesheim replied that an administrator would be \$100,000 plus and that his total salary is \$57,275.

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

ALL IN FAVOR.**RESOLUTIONS:**

Councilman Loesner asked if we had backing receipts from the post office for the Hometown Newsletter. Mayor Budesheim stated they haven't been mailed yet. Councilman Loesner suggested we table the bill until we get them. Mayor Budesheim stated that they have to put the money out beforehand. Councilman Loesner stated he is uncomfortable with the Mayor going to bat for the Hometown Newsletter when he has a relationship with the company. He asked how he should address the auditor's suggestion not to pay these invoices without the proper documentation. Mayor Budesheim stated he never saw anything from the auditor. If anyone should be concerned it should be the advertisers because this doesn't cost the town a penny.

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

- 1) Payment of Utility Bills. (including the following)
 - a. Hometown Newsletters Newsletter \$1,117.07

Councilwoman Wetzel stated that if we have an issue with this we should resolve it prior to the next month's mailing. We can approve this tonight based on the fact that we will get receipts. Councilman Loesner stated the suggestion was to put the vendor under contract and bring them into compliance. I think we're supposed to have a fee ordinance for any money we collect. Mayor Budesheim stated that we've been doing this for eight years and the auditor has never said anything. Councilman Loesner stated that the bookkeeper asked the auditor how she should be paying the invoices without the documentation. The auditor sent her an email, which she sent to me, telling her that we should not be paying these invoices without the proper documentation or the vendor being under contract. Council continued to discuss the method of reimbursing for postage and whether a contract or additional quotes are required. Mayor Budesheim stated that we could get a bulk mailing permit for \$190 and pay the postage direct but there's an investigation going on. He asked Police Chief Smith for the status of the investigation. Chief Smith said the postal service has an investigation and Sgt. Bogert talked to them. Mayor Budesheim asked for the name of the postal inspector who called, a copy of the incident report and a recording of the phone call. Borough Attorney Oostdyk stated that we have this resolution to pay this bill and a suggestion that in the future we commit to writing a contract and look into whether we need two proposals. Mayor Budesheim will obtain a second price quotation.

RESOLUTIONS (continued):

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

COPY OF BILLS LIST IN FULL ON PAGE NO. 44-A**CORRESPONDENCE:**

- 1) From Stacy Przybylinski representative of Cub Scout Pack 38 advising that they would like to run a Plastic Pink Flamingo Fundraiser as they did last year. The date would start March 31, 2012 and run until May 15, 2012. The Cub Scouts will be moving the bird every second evening and if a problem arises please contact Stacy at her number supplied to the Borough Clerk.

Mayor Budesheim stated that they did this last year.

- 2) From the Pompton Lakes/Riverdale Little League inviting the Mayor and Council to their Opening Day festivities on Saturday April 14, 2012. The parade leaves the High School parking lot at 12:00 pm and marches to the Little League Joe Grill complex. (copy of letter transmitted to governing body via e-mail on 3/27/2012)

MAYOR REPORT:

Mayor Budesheim reported that there will be another OEM meeting at the firehouse on April 10th. The Riverdale Ready is the second in a series. The first one was very successful and this one is Being Prepared for Spring Emergencies. He reported on his meeting with the Secretary of Transportation, the DOT Commissioner, Jim Simpson discussing the issues of Route 23. I asked him if we could set up a meeting of the Mayors along the Route 23 corridor to address the issues and he was open to that idea. The Mayor reported on his meeting with the League of Municipalities in Princeton last Friday. There is no offensive pending legislation to review. He also advised the Council that Ruth Pasquariello was named the Town Historian. She's been taking courses at Drew University and is a member of the Riverdale Land Conservancy.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that it is important to update the code book every year. The next update is for the last quarter of 2011 and one ordinance from 2012. The quote for this is \$2,730 and it will be approximately the same about four times a year. She asked if the Council was in favor of updating the code book. Mayor Budesheim felt it was something that had to be done and there were no objections from the Council. She also distributed a letter from Mr. Clemack regarding litigation updating us on the status of the Paige Development case.

ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

PERSONNEL: Councilman Carelli distributed a social media policy with a page containing comments for everyone to review. He asked for comments to be directed to him or Councilwoman Wetzels.

PUBLIC SAFETY: No report.

COMMITTEE REPORTS (continued):

PUBLIC WORKS: Councilman Guis reported on the river de-snagging and cleanup process. The contractor is doing a first rate job. He suggested we reserve approximately \$100,000 of the open space money in case we need it to complete this work. When the project is over we can release the reserve if we don't need it. Mayor Budesheim stated this is one of the purposes for the open space money and is a good idea. Councilman Guis also reported that he spoke with our new Construction Official, John Scialla. His opinion is that he and our plumbing inspector can cover everything that's being done and there will be some restructuring in that department. He reported that Bloomingdale passed a resolution requesting the DEP finance repair the flood gates at the Charlotteburg Reservoir. This could be a major help to us and he suggested we prepare a resolution mirroring this for the next meeting. He also reported on sewer allocation and additional streets being sewerred. The I&I and flow rates are back up. We want to contact our sewer engineer Bill Ryden and possibly Newberry who did the several hundred thousand dollar analysis three years ago because we're not going to get permission to hook up to sewers unless we resolve this I&I problem.

Mayor Budesheim reported on a meeting with the Freeholders. They studied a new program to use open space tax money at the county level for flood buyouts. They have \$16,000,000 in their fund this year and that will be a good use of that money.

COMMUNITY RELATIONS: Councilwoman Wetzel reported that Recreation is organizing the annual egg hunt at 11:00 and Easter Bunny breakfast at 9:00 this weekend at the Community Center. Summer Recreation registration is underway. We tabled an issue with Jordan Transportation regarding an outstanding bill and I am working with them to resolve that issue. She also commented on a letter to the editor from a resident that appeared in the Trends regarding the social media policy. She tried to reach out to the resident to keep her updated and see if she had any input but she hasn't been able to find her. She asked that if anyone knows of Mary Hollister or where she is ask her to get in touch with me.

BUILDINGS AND GROUNDS: Councilman Astarita reported that work on the Community Center elevator is moving forward and June Carelli will be getting prices for refinishing the floor. The furnace at the fire department was worked on but is not fixed and he will follow up on that. The DPW did the weather stripping and painted the interior wall.

FINANCE: Councilman Loesner reported that he and Councilman Carelli were working on using open space money to reduce debt service. Also the passing of Mr. Montemarano changes our arrangement and how much we have to budget in the Building Department. They would like to work with the CFO to come up with a budget amendment to address those issues. Councilman Carelli distributed our debt schedule and explained that we have to go to permanent financing if we don't pay down our notes in 10 years. Two or three are approaching that and we have to pay a bulk of our debt in the next three years. He gave an alternate schedule of using \$100,000 of open space for debt service this year and then we can decide if we want to continue that. Right now we're at \$300,000 and next year the CFO has us back at \$550,000. This is for consideration of the Council. He explained the procedure for the public hearing of the budget and the budget amendment. He stated that his schedule has us paying off the debt in four years.

PUBLIC PARTICIPATION NO. 2:

Glen Venza asked where the money would come from to pay down the debt in four years. Councilman Carelli replied it is in the budget. He explained that he has asked the Council to consider using some open space money to pay some of our open space debt.

PUBLIC PARTICIPATION NO. 2 (continued):

Mr. Venza stated that we don't have an excess of money anywhere and you're talking about an aggressive move to pay off our debt in four years. Councilman Carelli said it is less than the \$600,000 we were paying last year. We recommended lowering it to \$400,000 and it was lowered to \$300,000. I would like to get it back up to \$400,000. Mr. Venza asked where he proposed that money is going to come from. Mayor Budesheim stated that any increase next year would be through tax increases. Councilman Carelli stated that it would all be a tax increase because debt service is not under the cap and unfortunately taxpayers would have to pay the brunt of that in addition to any other increases we have. Mr. Venza then stated that this is the fourth month that the Council is acting in direct opposition to the bylaws. He asked what the opposition is to the bylaws as currently written. Councilman Carelli stated that the bylaws from 1976 were never formally adopted by any council so the bylaws in play are from 1955. We are actively working on them.

Joseph Petracca, Highland Avenue, stated that during the last storm his neighbors brush was chipped and his was not. He also spoke regarding his property taxes being raised and not being able to use his land. He stated he is being miserably mistreated. Borough Attorney Oostdyk advised Mr. Petracca that he knows the tax appeal has to be heard in Morris County. This body has no control over the assessment. Mr. Petracca stated that this body changed the zoning and his land is not usable. He said that every town has beautiful homes on the mountain except this one. You allowed building by the river and it flooded horrible.

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 Councilman Guis, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:30 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:** **Carelli, Guis, Loesner, Wetzl, Falkoski**
 Absent: **Astarita**

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

APPROVAL OF MINUTES DATED:

Regular Meeting - March 19, 2012
 Workshop Meeting - April 2, 2012

Councilman Loesner noted a correction to the minutes of March 19th. The last line of the first paragraph on page 37 contains a comment attributed to him that was made by Councilman Astarita.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis, to approve the above listed minutes as corrected.

ALL IN FAVOR

Abstain: Falkoski (March 19, 2012 only)

PROCLAMATION DECLARING WEDNESDAY, APRIL 11, 2012 AS “THE RIVERDALE WOMAN’S CLUB DAY” IN THE BOROUGH OF RIVERDALE.

Mayor Budesheim proclaimed April 11 as Riverdale Woman’s Club Day in the Borough of Riverdale. They had their 60th Anniversary and dinner at the Community Center and were presented with a Proclamation honoring them for their 60 years of service to the community.

COPY OF PROCLMATION IN FULL ON PAGE NO. 47-A

PUBLIC PARTICIPATION NO. 1:

There being no comments, Councilman Falkoski 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 06-2012

CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

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

ORDINANCES (continued):

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

ALL IN FAVOR

Thereupon, Councilman Carelli set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED** that Ordinance No. 06-2012 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 48-B**PUBLIC HEARING AND ADOPTION OF 2012 MUNICIPAL BUDGET.**

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

An unidentified audience member commented that the municipal and school budgets will result in a \$100 tax increase on individual households. Councilman Carelli stated the municipal portion is about \$48. Mayor Budesheim stated the school budget that will be voted on tomorrow represents approximately a \$26 annual increase on a \$350,000 house. The unidentified audience member also inquired whether salaries were reduced since we lost a number of employees last year. Mayor Budesheim stated we are down four employees in the Police Department and one in the DPW. There would have been a reduction if those four employees were here all of last year, but the balance is made up in scheduled raises per the contract.

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

ALL IN FAVOR.**Resolution No. 47-2012 – INTRODUCTION OF AMENDMENT TO 2012 APPROVED BUDGET.**

The Municipal Clerk read the Amendment to the 2012 Approved Budget.

Chief Finance Officer Ken Sesholtz explained that the amendment corrects an error he had made in the calculation of the levy cap.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Carelli, for the Adoption of the 2012 Municipal Budget and the Amendment to the 2012 Budget.

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

Mr. Sesholtz stated there is no need for resolution No. 3 Emergency Temporary Appropriations.

COPY OF 2012 MUNICIPAL BUDGET AND AMENDMENT IN FULL ON PAGE NO. 48-C

RESOLUTIONS:

Councilman Loesner stated that last month we made a new DPW Superintendent and we need a resolution to set his pay at Level A of the salary structure. There was a brief discussion regarding who would get standby water pay.

An unidentified audience member asked if the raise for the DPW Superintendent was at least as much as the amount he made on the weekend. Councilman Carelli stated it was about a 3-1/2% raise. Councilman Guis stated that he was promoted from Foreman to DPW Superintendent.

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

- 1) Payment of Claims.
- 2) **Resolution No. 43-2012;** Urging the New Jersey DEP to Provide Critical Funding on an Emergent Basis for the Repair of the Bascule Flood Gates at the Charlottesville Dam to Protect the Residents of Riverdale, Bloomingdale, Butler, Pequannock and Pompton Lakes.
- 3) Removed.
- 4) **Resolution No. 45-2012;** Tax Identification Statement (Recycling Tonnage).
- 5) Approval of driveway curb cut at Carelli Residence, 42 Cottage Place. Application and drawings transmitted to Borough Engineer and approved.
- 6) Resolution to approve the designation of Open Space Trust Funds in the amount of \$100,000 for the river de-snagging project.
- 7) Resolution to approve payment to Dan Salameno for work done on Independence Field for Loader rental in the amount of \$311.42 and one load of infield mix in the amount of \$1,050, for a total amount of \$1,361.42. Total paid to date for field maintenance \$4,144.75.
- 8) **Resolution No. 46-2012;** Municipal Enlistment in the Military Initiative to find Employment for our Returning Veterans and the Spouses of Those Who Continue to Serve. (N.J. League of Municipalities requesting that all 566 municipalities pass this resolution)
- 9) Mayor to appoint Ruth Pasquariello as Riverdale Historian with confirmation of borough council.
- 10) Approval of salary increase for DPW Superintendent Steven Schotanus to the amount of \$85,608 (Level A) effective April 1, 2012.

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

COPY OF BILLS LIST AND RESOLUTIONS ON PAGE NO. 49-D, E, F AND G

OTHER BUSINESS:

- 1) Building Department Re-Structuring and funding.

Councilman Guis reported on this item during Committee Reports.

UNFINISHED BUSINESS:

- 1) **Ordinance No. 02-2012 (tabled at March 19 Mayor and Council meeting)** vetoed by Mayor Budesheim as of March 7, 2012 with his statement of objections which was forwarded to the Governing Body by the Clerk on March 8, 2012. The council can over ride the veto by 2/3rd vote of the full council. Ordinance was adopted by the governing body on February 22, 2012

UNFINISHED BUSINESS (continued):

and ordinance was forward to Mayor Budesheim by the Clerk for his approval on February 24, 2012.

There was no discussion on this ordinance.

MAYOR REPORT:

Mayor Budesheim reported that Morris County is going to repave Hamburg Turnpike from Route 287 to the Bloomingdale border. He has been in touch with DOT Commissioner Simpson's office regarding the Route 23 improvements and will be sending him a letter on the items that we're concerned with. The Mathews Avenue repaving project is starting tomorrow for about 6-8 weeks. He reported on a meeting last Thursday with the Mayors in the area and NJDEP Commissioner Bob Martin on the flooding. They've given us a 15 point plan for flood mitigation that will be on our website tomorrow. He asked everyone to read it and provide comments. Tomorrow he is going to Trenton for the Energy Receipts Task Force Committee meeting. The state retains literally hundreds of thousands of dollars each year. This used to be part of our local property tax and the state started collecting it and said they would turn it over to us. They're retaining about 55% of all the money they collect. He asked the members of the Governing Body to attend the dedication and tour of the Glenburn on Saturday, May 5th, at 10:00. He announced that proceeds from the Lia Sophia jewelry sale at Rock Creek club house this Saturday between 11 am and 3 pm will be donated to the Riverdale Food Pantry.

BOROUGH CLERK REPORT: No report.

BOROUGH ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

PERSONNEL: Councilman Carelli distributed a draft of the social media policy and asked for comments so it can be adopted at the next meeting.

PUBLIC SAFETY: Councilman Falkoski reported there is a membership application for the Fire Department from John James Mullen.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Loesner, to accept the application from John James Mullen for membership to the Riverdale Fire Department.

ALL IN FAVOR.

Councilman Falkoski reported the court report for March 2012.

PUBLIC WORKS: Councilman Guis reported on restructuring in the Construction Department. We had a special relationship with the previous Construction Official because he had retired and we provided with him with an automobile and paid him only \$5,000 a year. Councilmen Loesner and I had met with the acting Construction Official and he has proposed that he would take over as Construction Official, Building Sub-Code and Building Inspector including all of The Grande inspections. He is looking for \$34,000, or \$17,000 each, for those two positions. We would then raise our current plumbing inspector to plumbing sub-code and he would take over The Grande inspections plus the sub-code responsibilities at the same rate we paid in 2011. He explained that after working out all of the numbers we end up with a \$5,300 increase which would be prorated for the rest of the year and would be about \$3,000. The Grande

COMMITTEE REPORTS (continued):

still has to be finished and the inspections still have to get done. I envision we'll be doing a lot of examination in some sort of joint shared service in the Building Department next year but for this year we have a responsibility to finish this project and this seems like a reasonable approach. Councilwoman Wetzel asked how many hours he would work here for that salary. Councilman Guis stated that it's one of those positions where the job gets done and it depends on the level of work each week. There was additional discussion regarding the position and salary.

COMMUNITY RELATIONS: No report.

BUILDINGS AND GROUNDS: Mayor Budesheim reported that Mayor Katie Cole of Pompton Lakes is here this evening to request a contribution of \$2,000 from our Open Space Trust Fund to finish the work on the ball fields at the Joe Grille complex. Mayor Cole stated that she was approached by the Little League to reach out to Riverdale to ask for help with the cost of clay. Councilman Guis stated that when we had the floods in 2010 we gave quite a bit of money for the fields. He asked if any of that money was generated from FEMA to recoup any of that. Mayor Cole replied that there was FEMA money for some other things but no money was generated for the fields themselves. Councilman Guis stated that when we were approached to help with that project, we were told that we might get some of that back because nobody could wait for the FEMA money. The amount was \$25,000 and he would like to see a report that says FEMA denied it or if something did come back. Mayor Cole said she would check on that. Mayor Budesheim stated that he understands the concern but he never asked for anything back because they had even more devastating floods after that. Councilman Guis stated that we have been funding some money for the Little League for the fields here in Riverdale also. Mayor Cole stated that the Little League said they have not received money directly from Riverdale. Mayor Budesheim recommended we authorize this contribution since our kids use those fields more than our own and it's coming out of the Open Space. Councilman Carelli concurred. Resident Joan Garcia stated that it's one of the worst flood areas in that area and we keep putting more money into the fields. Councilwoman Wetzel stated that the flood problem is ongoing and random. In the meantime we do use those fields and they need clay there to play.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilwoman Wetzel, to authorize up to \$2,500 to purchase clay for the ball fields at Joe Grille Field in Pompton Lakes.

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

FINANCE: Councilman Loesner reported that the last two weeks they've been working on the budget and the amendment and a few other things with regards to the Open Space going into next year. Going forward we still have the Building Department to work on.

Mayor Budesheim asked Police Chief Smith how the investigation on the postal inspection is coming along. Sgt. Bogert replied that it shouldn't be discussed. Mayor Budesheim asked if it was near done. Sgt. Bogert replied that he did not know.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member suggested someone look at the low power lines and telephone lines on Mathews Avenue prior to the construction. Councilman Loesner stated that would be checked when they do the One-Call. Mayor Budesheim stated that we would double check.

PUBLIC PARTICIPATION NO. 2 (continued):

An unidentified audience member asked if there would be sewage capacity for the streets that got letters to vote on sewers or if they're not getting them. Councilman Guis stated that right at this moment he did not believe so. The audience member asked if the vote would be voided since we're not moving forward. Mayor Budesheim clarified that we do have capacity in the sense that it's on the books but we have Inflow and Infiltration that really peaked during the storm. At the last report there was still I&I coming into the pipes and we're still trying to find the source into our sewer system. Once that's cleared up, there is capacity. The audience member asked how long the vote will remain valid before it is voided and they revote based on the ability to connect to the sewer system. Mayor Budesheim stated that the letters were to get a sense of whether the people wanted us to go forward or not. Before we do anything we have to have an ordinance and that requires a public hearing. At that time, if the people have changed their mind, they can come in and say they do not want to go ahead with this project. If someone wants to change their vote, it will be duly noted, but we're going to continue to try and resolve this and make it work because a number of the residents want the sewers. The audience member asked if it does move forward and everyone on the block can hook up to it, will there be an issue with capacity or leakage or any possibility we won't have the ability to hook up to it. Mayor Budesheim replied there would not. Councilman Guis explained that we get our approvals in advance and they will never tell you to unhook from the sewers. The audience member stated he is worried about the raw sewage. Mayor Budesheim stated that occurred during Irene when the sewer treatment plant was flooded.

An unidentified audience member asked if we were paying for this I&I. Mayor Budesheim replied that we pay hundreds of thousands of dollars. We spent hundreds of thousands of dollars looking for it and still feel it's largely the meters. TCR spent over \$200,000 looking for it with one of the biggest engineering firms in the state and they couldn't find it. The audience member also requested the streetlights be turned on later.

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

RESOLUTIONS (continued):

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

- 1) Payment of Utility Bills List.
- 2) Payment #5 to Dell-Tech, Inc. for the Glenburn Phase II Rehabilitation Project in the amount of \$79,650.00 which has been approved by Eric Holterman, Architect.
- 3) Approval of a boundary survey for 83 Newark Pompton Turnpike, Riverdale, Lot 21.03 Block 26 in the amount of \$1,700 to be performed by DMC Associates, Inc.
- 4) Payment to Hometown Newsletters in the amount of \$1,117.07.

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

COPY OF BILLS LIST IN FULL ON PAGE NO. 54-A**CORRESPONDENCE:**

- 1) From James Harding, 7 Hillside Avenue, Riverdale advising that he along with Mark Benway a Riverdale resident are putting together a youth town travel baseball team for their sons in the 8U division (must be 8 years old or younger as of April 30th, 2012. Our privately funded team would like to get access to either of the baseball fields at Independence Park or the fence field at Riverdale Elementary School during their summer season for home games. The season runs from June 2nd through July 20th and would like use of the field Tuesday nights from 5PM to dark, Thursday nights from 5PM until dark and Saturday mornings from 8AM until 2PM. (a copy of the letter transmitted to governing body with agenda via e-mail)

Councilwoman Wetzel advised Mr. Harding that they need to contact the Board of Education regarding field use at the school. Pompton Lakes/Riverdale Little League is already approved and has priority for the field at Independence Park. She advised him to obtain their schedule so he can be approved for specific dates and that a certificate of insurance is required.

- 2) From R.J. Maroon Realty stating that they are experiencing difficulty with the septic system at their location of 1 Windbeam Road (33 Route 23 South) and would like to connect to the town sewer system. The estimated sewer capacity is 3,000 to 4,000 gallons per day. Please advise if there are any special procedures other than this request to address this situation. (copy of letter transmitted to governing body with agenda via e-mail)

Mayor Budesheim instructed the Deputy Clerk to send them a letter advising that their engineer would need to complete a TWA permit application.

WORKSHOP DISCUSSION:

- 1) Salary Guidelines for DPW Superintendent.

Mayor Budesheim stated that we need to clarify whether the new DPW Superintendent would receive the on-call water standby fee and overtime for snow plowing. Councilman Guis addressed the issue and recommended that routine overtime would not be paid.

WORKSHOP DISCUSSION (continued):

Standby pump house duty is a scheduled duty on off hours and he recommended we pay the stipend of \$125 to the licensed individual who performs the duty. In other towns some Superintendents receive overtime pay for snow plowing and some do not. Our Superintendent is willing to work with us and accept overtime pay less than his full time and a half rate. It has not been determined whether he is exempt or non-exempt. Council discussed the matter. It was decided that the DPW Superintendent be exempt but pay him \$50 per hour for overtime for snow plowing purposes only. The water standby stipend will be paid to the individual who performs the duty. Councilman Guis will have a resolution prepared for the next meeting.

Mayor Budesheim stated that the other item for discussion is promoting Rob to Senior Utility Person Grade C effective May 1st. Councilwoman Wetzel asked for clarification. Councilman Guis explained that with Walter Mahon leaving, Rob will become the next Foreman once he completes his education. He is acting as a Foreman now and we'd like to move him from Grade B to Grade C in the interim. Councilman Carelli asked the CFO to certify the funds for the increase in salary. He stated that he is reluctant to do this because 19 people didn't get a raise again this year and he got a 10% raise last year. CFO Ken Sesholtz stated that there are funds in the budget as long as we don't spend too much overtime. Councilman Astarita said he agreed with Councilman Carelli. He stated that we gave him a 10% raise last year and I don't think we should bump him up since nobody else got raises and it demoralizes the whole group. He suggested we see how he performs and if he passes his course we can promote him. Mayor Budesheim stated that we know how he performs and that's why he was getting a promotion. CFO Sesholtz stated that we have a very tight budget but we had a good snow season and if we have a decent snow season in November and December we should be able to cover 2/3 of the \$3,200 if it's effective May 1st. Councilman Loesner stated that he agreed with Councilman Astarita that what somebody makes is inconsequential when they see somebody getting an increase and they haven't in two years. I'd like to find the money to do both. Councilman Guis agreed but said he separated promotions from cost of living increases. He suggested we could make it effective July 1st. He stated that the amount of money wasn't as important as the acknowledgement of his increased responsibilities. Councilwoman Wetzel stated that you would be sending a very positive message to him and a very negative message to everybody else who hasn't gotten a raise and that's really going to cause a problem. Councilman Loesner stated that he feels it's justified but he would like to find the money to do both if we could whether it's July or November. Councilman Carelli agreed. Councilwoman Wetzel suggested that we should table it until we can better work our numbers and give him a chance to finish his schooling.

2) Salary Guidelines for Construction Department.

Councilman Guis stated that he received a call from the DCA today wanting to know who our Construction Official and Building Inspector are. The acting title is only good for 60 days. We don't have enough money in the budget to do what the Acting Construction Official has proposed. Councilman Guis stated he is very uncomfortable making changes this year while trying to finish up a project with personnel that have worked it through 6 buildings and now we're going to the 7th building trying to make changes. After discussing the matter, Council decided to ask the Acting Construction Official if he is willing to be appointed as acting for another 60 days. If he refuses, Mayor Budesheim will appoint someone.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to authorize the Mayor to extend the appointment of John Scialla as Acting Construction Official and Acting Building Sub-Code Official for an additional 60 days, and if he refuses, to authorize the Mayor to pursue other areas.

WORKSHOP DISCUSSION (continued):

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

3) Social Media Policy Draft.

Fire Chief Sturm asked if the Social Media Policy could be used for the Fire Department. Mayor Budesheim stated that it would apply.

4) Purchasing Procedures Draft.

Councilman Loesner stated that he had asked CFO Ken Sesholtz to prepare a draft outline of purchasing procedures and to explain the reason behind it. Mr. Sesholtz explained the biggest problem is that people aren't encumbering funds prior to purchasing goods or services. He explained the proper procedures and answered questions from the Council. The procedure has not changed but it needs to be enforced by the department heads.

MAYOR REPORT:

Mayor Budesheim reported on the flood buyout properties and a meeting he attended with the county regarding different approaches. Riverdale did not qualify under FEMA or through Blue Acres for the house buyouts because the loss ratio wasn't high enough. A viable approach is to go to Green Acres and buy those properties as open space acquisition to be used to construct soccer fields on Harrison Road. The other property is 145 Riverview Terrace which adjoins our park. Councilwoman Wetzel was concerned with the cost for reconstruction with new soil and sod in a known flood area. Mayor Budesheim stated that the assessed value of the seven houses is \$1.4 million and we are going through a re-val right now so that should be less.

Mayor Budesheim reported on a suggestion for saving money on the state LUARCC website. With creative scheduling we could solve manpower concerns at a cost we could afford by using the two Cass II Special Police Officers currently in the academy.

BOROUGH CLERK REPORT: No report.

ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

PERSONNEL: No Report.

PUBLIC SAFETY: No report.

PUBLIC WORKS: Councilman Guis reported on the river de-snagging and cleanup project. The work on the river itself is basically done and we've expended \$58,000 so far. We had \$87,000 from the state and we allotted 25% to Pequannock and they have not yet started anything. What remains to be done is stabilize the banks and Borough Engineer Darmofalski has recommended various types of plantings. The planting area is 145,000 square feet with an estimate of \$35,000 for material plus \$20,000 labor. Pompton Lakes side is about \$25,000 for plants. Mr. Darmofalski is recommending \$30,000 for plantings (\$20,000 for plants, \$10,000 labor) and \$10,000 for jutes and grass which is less expensive and should cover most of the area. He also recommends we use the balance of the grant money which we had pledged to Pequannock first, because they don't appear to be doing anything, and we have some open space money reserved if we need it at such time as Pequannock gets started.

COMMITTEE REPORTS (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to authorize an amount not to exceed \$40,000 for plantings for river bank stabilization, utilizing balance of grant money first with the balance from the Open Space Trust Fund if Pequannock begins work on the river.

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

COMMUNITY RELATIONS: Councilwoman Wetzel reported that she will have a final report on staffing and participants for Summer Recreation at the next meeting. There will be summer concerts scheduled on Wednesdays from July 11th through August 8th. All of the money comes from fundraising and not from the budget.

Mayor Budesheim stated that the dedication of The Glenburn was on Saturday and was very well attended. The open house and tours continued on Sunday. He thanked Town Historian, Ruth Pasquariello and Community Center Director, June Carelli who did an excellent job. He also thanked the Land Conservancy for everything they did.

BUILDINGS AND GROUNDS: Councilman Astarita reported that he did a walk through of the library and there is repair work to be done. He will work with the DPW Superintendent. He attended the CDBG community grant final hearing where the recommendations were finalized. He thanked Councilman Loesner for attending the actual presentation. This year there was a 23% decrease in funding and they're expecting it to go down further for the next year. Federal funds are getting lean.

FINANCE: Councilman Loesner reported on the cell phone bill. He would like to do an audit on our plan and see if we can do better. Fire Chief Sturm addressed the Council regarding the current plan that does not have a text messaging plan and last month he spent \$76 on a \$25 plan. He would like to manage his two phones under the Fire Department budget.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member commented that it seems a little disingenuous that we wouldn't give something to the employee who's been working since March and being paid the same rate. In the last two meetings we've spent \$5,000 on clay that's probably going to get washed into the river. Keeping your employees happy is kind of important and that seems like more like a promotion than a merit increase that the whole town would get. Councilman Loesner stated that we recognize his value to the borough and are going to try to do something for everybody. He explained that if he gets the qualifications he needs to be Foreman that will be his job. We would like to increase his salary within his current job title, but in order to do that we recognize that we have a vast amount of employees that haven't gotten any raise in two years and we want to do something for them, too. We can always make it retroactive if we feel it's necessary. Councilman Astarita explained that the money for the clay came from Open Space which is dedicated for open space and can't be put in the general fund.

There being no further 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 Guis, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:30 p.m.

Respectfully Submitted:

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

RESOLUTIONS (continued):

- 6) Resolution to approve scheduling and payment of standby water stipend for weekend on call services by DPW personnel.
- 7) Approval of release of escrow funds for Lawrence J. Cioffe, 39 Macopin Avenue in the amount of \$665.90; the project was completed and satisfied final inspection in 2005.
- 8) Approval of Borough of Riverdale Purchasing Procedure Policy (copy of policy transmitted to governing body with agenda).
- 9) Approval of Borough of Riverdale Social Media Policy (copy of policy transmitted to governing body with agenda).

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 60-A AND B

UNFINISHED BUSINESS:

- 1) Appointing of Construction Official/Building Sub-Code Official per letter received by Municipal Clerk from Chris Ferrara of the Department of Community Affairs stating that per State Law NJSA 52:27D-126.b in a non-civil service municipality shall be appointed for a term of four (4) years. Documentation of the Borough’s appropriate appointment(s) for these officials must be supplied to the Department of Community Affairs no later than June 1, 2012.

Councilman Guis reported that the Acting Official feels his proposition is a fair number and prefers not to assume those responsibilities for less. As of Friday we are still short by \$2,500 for half a year. Borough Attorney Oostdyk explained that the state gives a 30 day period to appoint an acting and they’ll extend that up to an additional 60 days. The ultimate consequence is that the state takes over the Construction Department. Councilmen Guis and Carelli will meet with the Acting Official to discuss options. It was agreed to request the additional 60 day extension.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, to request that the Department of Community Affairs grant us leave to have an appointment of an Acting Construction Official/Building Sub-Code Official for a 60 day period.

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

CORRESPONDENCE:

- 1) From Ray Maroon, Jr. stating thanks for the letter dated May 9th regarding sewer allocation at their site at One Windbeam Road which they anticipate will be used as a car dealership as it has in the past. We anticipate having twenty employees. If the usage is 15 gallons per employee we would generate 300 gallons per day. We are prepared to apply for a Treatment Works Approval (TWA) but would like to know if the gallonage is available.

Mayor Budesheim stated that last week they estimated 3,000 to 4,000 gallons per day. You don’t need a TWA application for 300 gallons per day. He stated to advise the applicant to file his application and we’ll send it to Water/Sewer Engineer Bill Ryden.

CORRESPONDENCE (continued):

- 2) From Bicycle Touring Club of North Jersey advising of their yearly bicycling event that will take place on Sunday, August 19, 2012. Some or all of the 800+ participants will ride through Riverdale between the hours of 7 AM and 5:30 PM. Volunteers who are supporting the Rally will carry the Borough emergency numbers with them. A certificate of insurance will be obtained as in the past and turned over to the Municipal Clerk prior to the event.
- 3) E-mail received from COAH stating that on March 7, 2012, the Council on Affordable Housing (COAH) emailed all Trust Fund Preparers indicating trust fund monitoring for 2011 was due on or before March 31, 2012. As of this writing, our records indicate your municipality has not designated a Trust Fund Preparer to record your municipality's affordable housing activities and expenditures into the electronic tracking and monitoring system, the CTM System. Your Municipality must designate someone as the Trust Fund Preparer(s). The designated person(s) must complete an online training session to obtain access to the CTM System, and record your municipality's affordable housing activities and expenditures into the electronic tracking and monitoring system. Upon completion a signed Affordable Housing Trust Fund Monitoring Certification form as well as the bank statement with the year to date interest for December 31, 2011 must be submitted. A Designation Form has been supplied which has to be filled out and returned for the Municipal Officials and submitted to COAH as soon as possible.

Mayor Budesheim stated that if the Council chose to appoint him as the Trust Fund Preparer he would take the online course and be responsible for the COAH certifications.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to appoint Mayor Budesheim as Affordable Housing Trust Fund Preparer.

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

REMINDER:

Mayor Budesheim announced the Freeholder meeting:

- 1) On Wednesday, June 27, 2012 the governing body has agreed to host a Freeholder Meeting here at the Borough of Riverdale. Diane Ketchum will contact the Municipal Clerk prior to the event.

BOROUGH CLERK REPORT:

Borough Clerk Talerico asked for clarification of the terms of resolution No. 6. Councilman Guis stated that the terms are that the water standby is a fixed rate stipend paid to whoever does it and the intention is that it will be split by the DPW Superintendent and the other qualified men. Overtime for emergency snowplowing for the DPW Superintendent will be at the rate of \$50.00 per hour and any incidental overtime such as water main breaks will be exempt.

MAYOR REPORT:

Mayor Budesheim reported that he worked out a shared services agreement with Bloomingdale regarding street sweeping. They agreed to come to Riverdale one day a week from April through October and will be responsible for disposal for \$1,600 per

MAYOR REPORT (continued):

month. The contractor we had charged \$2,000 to do the entire town and it may have taken him three days.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, to approve a shared services agreement with the Borough of Bloomingdale for street sweeping one day per week from April through October at a cost of \$1,600 per month.

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

Mayor Budesheim reported that our Engineer obtained prices for lighting for the parking lot at Glenburn. The light fixtures and poles are \$4,189.20 and we have one price for installation at \$5,060.00. The prices are considerably less than he had estimated and it would be appropriate to have lighting in the parking lot for the events scheduled there.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve the purchase and installation of light fixtures and poles for the parking lot at the Glenburn at a cost not to exceed \$9,260.00.

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

COMMITTEE REPORTS:

PERSONNEL: No report.

PUBLIC SAFETY: Councilman Falkoski reported the court report for April 2012. He also reported there is a membership application for the Fire Department from David Allen James.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to accept the application from David Allen James for membership to the Riverdale Fire Department.

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

Councilman Falkoski reported that the PBA contract expires on December 31st and that Council has received a letter from their attorney. They have formed a negotiations committee and are looking forward to start meeting with representatives from the Council.

PUBLIC WORKS: Councilman Guis reported that residents on Dalton Drive were concerned with the stream in that area that ultimately drains into the Pequannock River. We found that the pipe was half full with sediment and sludge. They dug out by hand and went 430 feet with the Jet-Vac but our heads are not big enough and we ran out of hose. DPW Superintendent Steve Schotanus is trying to get a proposal from Newark Water Main to jet the pipe out. He also reported that he and Borough Engineer Darmofalski went to Hillside to the spot that collects water. Mr. Darmofalski is putting out a spec to three contractors to repair that long standing condition where the road has settled. He reported that residents along Riverview Drive where the river banks have been cleaned up are having a problem with people walking and even driving cars along

COMMITTEE REPORTS (continued):

the bank of that tributary. It used to be heavily wooded. Mr. Darmofalski looked at it and we're probably going to need some kind of fence or barrier to put in there.

Councilman Guis stated that he would like to discuss the DPW Foreman position again. The Superintendent is on vacation and we have someone filling in and doing the job. We had some incorrect information at the last meeting. The schooling he is going for is actually for the Assistant Superintendent position and is not required for Foreman. He's fully qualified and there's nothing technical in the ordinance to keep him from becoming Foreman. Understanding the budgetary constraints this year with some conversations he had with the Mayor, he was looking for some acknowledgement and recognition by going to Senior Utility Person Class C which is a \$3,000 a year bump in steps and \$7,000 more for the Superintendent. I think it's very important. We're asking a man to act as a Foreman in the Superintendent's absence to run the crew. We're talking \$1,600 but it's recognition of the job he's doing. If we can make him the Senior Utility with a promise of going to Foreman at the beginning of next year I feel he's meeting us more than half way. He's doing the job and I believe we owe it.

Thereupon, Councilman Guis set forth the motion to promote Rob Nichols to Senior Utility Person Class C effective June 1, 2012.

Councilman Astarita stated that the CFO said we don't have the money. Mayor Budesheim stated that he never said that. The overtime we budgeted for was dependent on normal snowfall that we didn't have this year. The \$1,600 is available.

Thereupon, Councilman Astarita seconded the motion.

ROLL CALL: **Ayes: Astarita, Guis**
 Nays: Carelli, Loesner, Falkoski
 (2 ayes – 3 nays – motion defeated)

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to promote Rob Nichols to Senior Utility Person Class C effective June 1, 2012 with the authorization to take the \$1,600 salary increase out of Councilman Guis' salary.

ROLL CALL: **Ayes: Astarita, Guis**
 Nays: Carelli, Loesner, Falkoski
 (2 ayes – 3 nays – motion defeated)

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis, to promote Rob Nichols to Foreman Grade A effective January 1, 2013.

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

BUILDINGS AND GROUNDS: Councilman Astarita reported that he received several complaints from residents. Several complained of speeding at DeGraw now that the gate is open from The Grande due to construction on Mathews Avenue. The Police Chief was advised of the matter. Several residents noticed that some residents continuously put out a lot of garbage and asked if we have a way to see if people are importing garbage from other towns or businesses. Borough Attorney Oostdyk stated the way to enforce it is to have a limit on the number of garbage cans that can be put out and he will check the code. Some people complained that dog owners are allowing their animals to go on private property and not picking up after them and wanted to know if that is legal. Borough Attorney Oostdyk stated he would check the ordinance.

COMMITTEE REPORTS (continued):

FINANCE: Councilman Loesner reported that it's almost June and they will start to work with the CFO to prepare a six month budget analysis to see where we stand. He should be able to report back in July.

Pat Cleary reported the Fire Chief hasn't been getting copies of building plans and there is a new building at The Grande. Mayor Budesheim stated there hasn't been anything before the Planning Board in over a year and that building is a mirror of the existing one. If the Chief has any recommendations, let us know and we'll try and get it done.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member stated that the Council approved things here tonight that weren't on the resolution list and it would be better if you give us an option to ask a question before you vote. Borough Attorney Oostdyk stated that public hearings are required on ordinances and not on resolutions or motions of the Council. You can ask that the Mayor ask for input. Mayor Budesheim stated that most of these things are routine and he has no problem procedurally opening the meeting to the public once all the resolutions are identified.

An unidentified audience member commented on the street sweeping agreement. He also asked where the money for the lighting at Glenburn would come from. Mayor Budesheim replied it would come from the Open Space Trust Fund. The audience member also commented on the salaries in the Construction Department and asked if this is something we can share services with. Borough Attorney Oostdyk stated that you can but it doesn't mean you will be able to do it at a lesser cost. Councilman Loesner stated that we're looking at shared services for next year but we have to get through this year. The audience member asked if the man you're hiring realizes it could be temporary. Borough Attorney Oostdyk stated it's a four year term beginning at the time of regular appointment. The audience member stated you should have transparency of government. You should look at shared services before you agree to anything. Councilman Guis explained that everyone, including the man we're talking to, realizes when those buildings are done there are going to be some changes here. The audience member asked if there was a line item for snow removal. Councilman Carelli replied that it's under salary and wage.

Joseph Petracca, Highland Avenue, spoke regarding his property and his dogs. He stated no one listens to him. Mayor Budesheim stated that he is repeating the same thing and the Council doesn't have the authority to do what he wants.

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 Carelli to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:35 p.m.

Respectfully Submitted:

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

RESOLUTIONS (continued):

- 4) Approval of repair project on Hillside Avenue to be completed by D.R. Mullen Construction Co., Inc. in the amount of \$9,950.00. (2 quotations were received)

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 67- B, C AND D**BOROUGH CLERK REPORT:**

Deputy Borough Clerk Forbes reported that the Riverdale School asked if someone from the Council would present the awards to the third rank student at graduation on June 20th. Councilman Loesner stated he would attend.

ATTORNEY REPORT:

Borough Attorney Oostdyk reported that he has one matter for closed session.

COMMITTEE REPORTS:

PERSONNEL: Councilman Carelli reported that he and Councilman Guis met with John Scialla to discuss the Construction Office. They tentatively have a plan and will formalize it for the next meeting.

PUBLIC SAFETY: Councilman Falkoski reported that the Police Chief requested the purchase of a full size SUV to replace the two 2004 Durangos. The cost is approximately \$31,000 and three price quotes were obtained. Mayor Budesheim stated that Councilman Guis is in charge of vehicles and he would like to hear from him first regarding the need for this vehicle. Councilman Falkoski reported that he met with the Court and Police Chief to discuss security concerns. Everything is fine except for weapons screening. Police Chief Smith stated that they discussed purchasing a wand and utilizing the two Special Officers. Mayor Budesheim suggested the Chief inquire whether this is state mandate - state pay.

COMMUNITY RELATIONS: Councilwoman Wetzel reported the Summer Recreation Committee report including enrollment, staffing, cost, trips and programs. She also reported the other summer programs being held through Recreation. All of the information is in the newsletter and online.

Councilwoman Wetzel reported as a resident that several people on her block had issue with the odors coming from Riverdale Recycling which have been horrendous. She notified the Board of Health and Zoning and discussed it with the Mayor. They were in touch with the owner of the facility and he sent a letter stating he acknowledges the issue and assures that he is addressing the problem. There was some follow up and he will get back to us again.

Councilwoman Wetzel also stated she wanted to address a statement that was in the Trends that she takes issue with. In Gary Mastrangelo's bio there was a statement that said "The contract for the borough's police officers is up this year and the council members that are on the Contract Negotiation Committee were also the ones the PBA endorsed during the last previous Mayoral election". She stated that she wants to clarify that she sits on that committee and wants to state publicly that she was never asked for

COMMITTEE REPORTS (continued):

any kind of endorsement from the PBA during this last election or any other election and takes offense to the implication in that statement.

Gary Mastrangelo was in the audience and asked if he could respond. He said that when he made that statement it was clear that Councilwoman Wetzel didn't run as Mayor last year and it wasn't aimed at her. He also said things were taken out of context and he spoke with the reporter about that. Councilwoman Wetzel stated that she received two phone calls about that statement.

BUILDINGS AND GROUNDS: Councilman Astarita reported that he gave a punch list to our DPW from the walk through of the library and they are working on the problems.

FINANCE: Councilman Loesner reported the office personnel reminded him that Christmas Eve falls on a Monday this year. Normally we only allow a few people off per day and they asked if the Council would allow all of the borough employees to each use a personal or vacation day to take the day off. Council had no objection. Councilman Loesner directed the Deputy Clerk to notify the borough employees that they can use a personal or vacation day for December 24, 2012.

Councilman Astarita stated that he noticed a proliferation of clothing bins on a lot of properties and Staples has two sets. Mayor Budesheim stated he will notify the Zoning Officer. Councilman Astarita stated he noticed that cars are exiting where they are not allowed to exit onto Hamburg Turnpike from the Sunoco Station. The signs are bleached and not appropriate and should be flipped around. Mayor Budesheim stated that the Zoning Officer will be notified of that also.

PUBLIC PARTICIPATION NO. 2:

Alan Lewis spoke regarding the odor at Riverdale Recycling. He said there is grass there which is not allowed. He also suggested no parking lines be put on Morris Avenue and Curtis Street. Sometimes cars are left overnight and it creates a problem for trucks that can't make the turn and hit the signs. Mayor Budesheim will discuss the matter with the Police Chief.

Mary Lou Radcliffe of Riverview Terrace stated she is not happy with what was done to her property during the work on the riverbank. She provided pictures and stated that they removed a berm from her property that she asked them not to remove. Councilman Loesner stated that he looked at the property on Saturday with Councilman Guis and agreed to meet Mrs. Radcliffe at her property tomorrow to assess the situation.

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

ALL IN FAVOR.

CLOSED SESSION:

Mayor Budesheim announced that the Council would go into closed session to discuss matters of property acquisition.

ALL IN FAVOR.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:27 p.m.

Respectfully Submitted:

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

CLOSED SESSION

Present: Astarita, Carelli, Wetzel, Falkoski
Recused: Loesner
Absent: Guis

Borough Attorney Oostdyk informed the Council of environmental concerns with the property at 83 Newark Pompton Turnpike. We hired PK Environmental to review the reports on the property. When Verizon moved out they had to do a Phase I Environmental Assessment. They removed the old tanks but they didn't do enough soil testing. The property had a septic tank and seepage pits. The recommendation from PK Environmental is to do more soil testing. This could cost \$15,000 and delay things at least a month.

Council discussed the matter. Since we plan to demolish the building for residential units we feel we have no choice but to do the additional testing. Borough Attorney Oostdyk will request a proposal from PK Environmental.

Council adjourns closed session to return to open session.

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, Loesner, 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:

Regular Meeting - May 21, 2012
 Workshop Meeting - June 4, 2012

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

ALL IN FAVOR

PUBLIC HEARING ON RIVERDALE'S APPLICATION TO THE MORRIS COUNTY OPEN SPACE TRUST FUND.

Mayor Budesheim announced the meeting was open for the public hearing for the application to the Open Space Trust Fund.

Aaron Cela of the Land Conservancy of New Jersey made the presentation. He stated that this is the official public hearing for the Morris County Open Space Trust Fund grant in which the borough seeks to purchase seven flood damaged properties and convert them into open space for flood storage and active recreation purposes. Six of these properties are located on Harrison Road along the border of Pequannock and the other one is located on Riverview Terrace adjacent to public parkland. This funding will be combined with what we hope will be Green Acres funding and the money will be used to buyout these homeowners and turn it into parkland for the public use.

Mayor Budesheim asked if there were any questions from the public.

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

ALL IN FAVOR

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

RESOLUTIONS:

Mayor Budesheim asked if everyone had an opportunity to review the plan for resolution #53-2012. Councilman Astarita asked what the implications were and if it has any negatives. Mayor Budesheim stated this is for the Stormwater Managements and deals with development and redevelopment. Any plan has positives and negatives and it means

RESOLUTIONS (continued):

some curtailment in development in some areas. Councilman Astarita requested that resolution #53-2012 be tabled for further review. Mayor Budesheim stated that we had a quote of \$5,000 for labor to install lighting at Glenburn. He obtained a quote of \$3,550 from Q & S Electric to do the same work plus some additional work. Councilman Carelli asked for clarification of the need for renewal of the agreement with the Land Conservancy of New Jersey. Aaron Cela replied that it would be to finish the job. Once we apply for this funding we take on the role of negotiating with the landowners and handle it from grant application through closing. Borough Attorney Oostdyk concurred.

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

- 1) Payment of Claims. (including the following)
 - a. N.Y. Mets Recreation Dept. Trip \$1,937.50
 - b. Carefree Bus Tours Recreation Dept. Trip Trans. \$ 800.00
 - c. Krista Osborne Recreation Trip/tolls & tips \$ 166.00
- 2) Approval of the 2012 Agreement with The Land Conservancy of New Jersey effective July 1, 2012 through June 30, 2013 at a total sum of \$12,000 with quarterly payments of \$3,000. (copy of proposal and agreement transmitted to governing body with agenda)
- 3) **Resolution No. 51-2012;** Enabling Resolution for the application to the New Jersey D.E.P. Green Acres Program Local Blue Acres Floodplain Acquisition Program.
- 4) **Resolution No. 52-2012;** Approval of 2012/2013 Liquor License Renewals.
- 5) Approval of change of work order in the amount of \$1,386.00 for a new door for the Community Center Director's office. (from CDBG – elevator grant)
- 6) Approval to hire Q & S Electric, 279 Hamburg Turnpike, Riverdale, for installation of outside lighting at the Glenburn at a cost of \$3,550.00.

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

- 7) Payment to Hometown Newsletters for June newsletter in the amount of \$250.00.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 72-A, B AND C**UNFINISHED BUSINESS:**

- 1) Appointing of Construction Official/Building Sub-Code Official per letter received by Municipal Clerk from Chris Ferrara of the Department of Community Affairs stating that per State Law NJSA 52:27D-126.b in a non-civil service municipality shall be appointed for a term of four (4) years. Documentation of the Borough's appropriate appointment(s) for these officials must be supplied to the Department of Community Affairs no later than June 1, 2012. Recent letter received has the date of June 18th as the final date for the governing body to appoint a Construction/Sub Code Official for a four year term. (copy of letter transmitted to governing body with agenda)

UNFINISHED BUSINESS (continued):

Councilman Guis reported that he and Councilman Carelli met with the Acting Construction Official/Building Sub-Code Official. They agreed to make the appointment with a salary through November 1st and then we'll see if we can get the extra money. If not, we'll be back where we are. Councilman Guis stated he didn't have an alternative right now.

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

Mayor to appoint John Scialla as Construction Official/Building Sub-Code Official with confirmation of borough council.

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

REMINDER:

- 1) On Wednesday, June 27, 2012 the governing body has agreed to host a Freeholder Meeting here at the Borough of Riverdale. Diane Ketchum will contact the Municipal Clerk prior to the event.

Mayor Budesheim announced that the Freeholders will be presenting us with a plaque for the Glenburn at this meeting.

MAYOR REPORT:

Mayor Budesheim reported that there is a vacancy on the Board of Health and he would like to appoint Susan Conroy to fill the unexpired term.

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

Mayor to appoint Susan Conroy as Board of Health member with confirmation of Borough Council.

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

Mayor Budesheim reported that two months ago we declined an invitation from the Mayor of Pompton Lakes to have a meeting to discuss sharing police services. He has since asked the Pompton Lakes Mayor if they would be interested in Riverdale providing police services for Pompton Lakes. She said they were interested in a joint meeting where both towns abolish their police departments and form an authority. I told her Riverdale was not interested in that and she was going to talk to some people on her council but has not gotten back to us. Rumors are starting and I wanted to let everybody know that we've had no meetings.

Mayor Budesheim designated Lori Clinton as Social Media Coordinator.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that she had emailed the Governing Body a petition from residents to abandon a dwelling at Mickens Avenue. Councilman Astarita stated he met with the Zoning Officer and that is being resolved. She also received the reservation form for the League of Municipalities Convention and asked that anyone planning to attend let her know as soon as possible since rooms get booked quickly.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported that he received an estimate from our environmental consultant on the purchase of 83 Newark Pompton Turnpike. The total cost to do the seven recommendations they made is \$25,695.00. The property owner sent a letter agreeing to certain tests but is raising questions about others. There was a brief discussion regarding the matter.

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

Resolution No. 55-2012; Authorizing the Borough Attorney to enter into a professional agreement with PK Environmental for additional environmental testing of the property at 83 Newark Pompton Turnpike at a cost of \$25,695.00.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 74-D**COMMITTEE REPORTS:**

PERSONNEL: Councilman Carelli reported on an article in the Trends regarding the shared services agreement with Bloomingdale that we took action on at the last meeting. The article indicated that several council members in Bloomingdale were upset because they didn't know anything about it. He wanted to say publicly that he wasn't negotiating in bad faith or trying to exclude them and apologized if they didn't know about it. Mayor Budesheim stated that a Bloomingdale Councilman and the Mayor were both here at that meeting.

PUBLIC SAFETY: Councilman Falkoski reported the court report for May 2012.

PUBLIC WORKS: Councilman Guis stated that at the last meeting Police Chief Smith brought up the possibility of buying another Police Department SUV. I've been working with the Chief and our mechanic and the two 2004 SUV's are in bad shape. We potentially had a plan to purchase one patrol car and one SUV this year. Obviously with our budget situation, a patrol car was out of the question. My concern is that we've been trying to overcome where we were when at times we had one reasonable car and the rest were literally broken down more than running. I believe the SUV's should be aggressively looked at right now. If we want to have it by this winter we should probably have it ordered by August. Councilman Carelli asked about the use of other vehicles we have and there was discussion regarding the matter.

COMMUNITY RELATIONS: No report.

BUILDINGS AND GROUNDS: Councilman Astarita reported that he met with the Library Committee and there was a carpenter ant problem along with some termites. They approved an exterminator and it's been done. For the workshop meeting he would

COMMITTEE REPORTS (continued):

like to bring up several things regarding the Community Center and the Glenburn. June Carelli obtained prices for floor refinishing at the Community which is about \$4,400. There is a garbage issue at the Glenburn with garbage being left inside and it leaks which can lead to a rodent problem.

FINANCE: Councilman Loesner reported that he asked the CFO to prepare a budget report once the June bills were approved and to have it ready for the July regular meeting. He also reported that he met with Mary Lou Radcliffe at her property on Riverview Terrace. He and Councilman Guis will take another look at it.

Mayor Budesheim reported that the Morris County OEM sent out a heat advisory for Wednesday, June 20th through Thursday June 21st and may extend to Friday, June 22nd. He announced that anyone requiring assistance can call the front office to notify the OEM and we will find a cooling station and provide water.

PUBLIC PARTICIPATION NO. 2:

Joan Garcia stated that she understands Mr. Petracca was fined again for illegal dumping and wants to know what is being done about the fact that he's a repeat offender and he's just given a fine that he may or may not pay. Police Chief Smith stated it is a matter for the court. Borough Attorney Oostdyk stated that the court ultimately has the authority to put him in jail or fine him or put him on probation. Mrs. Garcia asked if the dirt dumped on his property is tested and found to be toxic will he be forced to remove it. Mayor Budesheim stated he would think so.

An unidentified resident spoke regarding witnessing illegal u-turns and cars running red lights on Route 23 at Windbeam Road. He requested more of a police presence on Route 23.

An unidentified resident stated that the Council approved a building inspector until November but it's a four year appointment. He asked what happens in November. Mayor Budesheim stated that November 1st by law we can transfer money from line item to line item and I think the committee's intent was that hopefully we can find the money to continue paying him.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:10 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, Carelli, Guis, Wetzal, Falkoski**
 Absent: **Loesner (vacation)**

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

PUBLIC PARTICIPATION NO. 1:

Joan Garcia asked if there was anything that could be done about a bear that lives in the Stoneleigh section. Officer Pat Harden responded.

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

ALL IN FAVOR.

RESOLUTIONS:

Councilman Carelli commented on resolution No. 2. He stated that no documentation was provided with the agenda. The Borough Clerk sent the change order and it looks like it's to renovate a bathroom and the work was done two months ago. We shouldn't be authorizing spending the money to do additional work two months after it is done. It's another area where we are not adhering to the purchasing rules and he asked if anyone could comment. Councilman Astarita stated that someone had to approve it for the contractor to do the work. Mayor Budesheim stated that he was there and the Land Conservancy. This was supposed to have been offset by credits we were getting.

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

- 1) Payment of Utility Bills List.
- 2) Approval of Change Order #1 for the Glenburn Project, Contractor Dell-Tech, Inc. in the amount of \$6,340.
- 3) **Resolution No. 54-2012;** Participation in the Morris County First Responder Identification Card Program.
- 4) Memorialize the approval of PK Environmental Professional Agreement to be known as **Resolution No. 55-2012** with a total amount of \$25,695.00 to be paid out of the Affordable Housing Trust Fund for the purchase of property at 83 Newark Pompton Turnpike. (copy of proposal transmitted to governing body with agenda)
- 5) Approval of the submission of a grant application to the New Jersey Forest Fire Services in the amount of not less than \$1,000 and not more than \$5,000 for firefighting equipment, maintenance and training.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 76 – A, B, AND C

UNFINISHED BUSINESS:

- 1) Floor Refinishing at Riverdale Community Center – 3 quotations received by Councilman Astarita – JDL Wood Floors, \$3,942.75; Tri Star Flooring LLC, \$4,400.00 and Keri Wood Floors, \$7,203.00.

Councilman Astarita stated that the quotes seemed excessive and that the Community Center Director would like to use Tri Star Flooring. Borough Attorney Oostdyk stated that you don't have to use the lowest quote if you have a reason. There were differences in the finish on the quotes and Borough Clerk Talerico suggested they specify what they need and get it re-quoted.

- 2) Reiteration of appointment of John Scialla as Sub Code Official at June 18th Mayor & Council meeting regarding his salary.

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

Mayor to appoint John Scialla as Construction Official/Building Sub-Code Official at a salary of \$34,000 per year effective July 1, 2012 through November 1, 2012, with confirmation of borough council.

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

- 3) Tabled **Resolution No. 53-2012** Consent Resolution, Wastewater Service Area Map for Morris County Proposed Amendment to the Upper Delaware, Upper Raritan and Northeast Water Quality Management Plan (WQMP). Tabled at the June 18th Mayor and Council meeting to be revisited at workshop meeting. (information was transmitted to governing body with the June 18th meeting agenda)

Mayor Budesheim asked if everyone had a chance to look at the resolution. Councilman Carelli stated that he did and is not sure exactly what it all means. Borough Attorney Oostdyk asked if we have gotten a recommendation from our Engineers. Mayor Budesheim said we do not. Councilwoman Wetzel stated that she doesn't feel qualified to approve or disapprove it and would rather have a recommendation from our professionals. Mayor Budesheim said it's more from a planning perspective. There are no planned sewers on the other side of the highway and that restricts development. After discussion, it was decided that Resolution No. 53-2012 be tabled until the next meeting.

- 4) Glenburn garbage issues – fees to possibly be included in rental fees.

Councilman Astarita explained that the DPW is having a hard time clearing the garbage left by the renters. The bags were leaking inside the building which was causing odor and other issues. We're seeing a lot of use of that building and we should develop a plan to deal with the garbage. Any cost should be included in rental fees. Councilman Astarita will set up a meeting with the Mayor, DPW Superintendent and Glenburn Director to develop a plan.

CORRESPONDENCE:

- 1) From Linda Roetman, Zoning Officer stating that zoning permits for sheds, pools, fences and signs is \$10.00. In checking with surrounding towns it has been observed that Riverdale has the lowest fees in the area. Most of the surrounding towns charge \$35.00 for these permits. It is requested that the Mayor and Council consider raising the fees for these permits as \$10.00 is very minimal and the fee should at least cover the paperwork and time involved in preparing and researching the permits, especially in the matter of signage.

MAYOR REPORT:

Mayor Budesheim reported that the courts ruled on the Verizon business personal property tax. In order for them not to pay the tax they have to document and that has been our position all along. Mayor Budesheim also reported on the flood property buyouts. He met with the County and they will work with us and possibly provide us 75% on the funding. They will meet with us again on Friday and give us maps and all the information we need. He asked that Councilman Guis and the Borough Engineer attend. We're still going through Green Acres to try to get money from the State. He also reported on the Purchasing Policy. Councilman Loesner had sent an email as Finance Chairman suggesting that the Mayor review all purchase orders. The Mayor agreed with the idea and he will review every purchase order before it is issued. Borough Clerk Talerico asked for clarification. Mayor Budesheim stated that he would approve all requisitions prior to a purchase order being issued.

Mayor Budesheim asked the Council to reconsider a promotion for DPW employee Rob Nichols to the position of Foreman effective July 1st. He stated that not doing this is destroying initiative and incentive because he is doing the work and was told this would happen and when the time came he was told no. We have a great department that is short handed right now and it would benefit us to have him in that position. There was a discussion regarding the salary increase. Councilman Astarita agreed with the promotion. Councilman Carelli stated that this Council already voted to promote him effective next January 1st and he didn't know who promised him July 1st. He got a 10% raise last year when we restructured the DPW salary guide and this would be another 8% in a year where once again no one else is getting a raise. Mayor Budesheim argued that this is a promotion. Councilwoman Wetzel stated that this then leads to other job promotions and raises in other departments and we need to consider that. We have a letter regarding a similar situation in the Police Department. Audience member Joan Garcia asked if the Foreman position needs to be filled. Councilman Carelli explained that we have a Utility Person and a Senior Utility Person who would be the overseer of a group and there's a Foreman position as well. That job does not have to be filled but it would be nice to fill it. We are promoting him as of January 1st but he has to wait because of the budget and other factors that we have to consider as well.

Thereupon, Councilman Astarita set forth the motion to promote Rob Nichols to DPW Foreman effective July 1, 2012.

Motion: Fails for lack of a second.

Mayor Budesheim stated he has a matter for closed session.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that we are starting to have problems with the software for the court room recorder. It is very important for court and all of the boards use it for recording and transcribing the minutes. She will check into the cost of new software and bring it back to the Council since the company cannot replace what we have.

ATTORNEY REPORT:

Borough Attorney Oostdyk reported that he has one matter for closed session.

COMMITTEE REPORTS:

PERSONNEL: Councilman Carelli reported that he and Councilman Guis will work out the details for Plumbing Sub-Code for the next meeting.

PUBLIC SAFETY: Councilman Falkoski stated that there is correspondence on the agenda. The Zoning Officer has submitted a request that fees for permits for fences and signs be increased. Most of the surrounding towns charge about \$35.00 for those permits and we charge \$10.00. We might want to consider raising those fees.

PUBLIC WORKS: Councilman Guis reported that we discussed an SUV for the Police Department at the last meeting. I went through the capital accounts and there is apparently enough money there to cover it. The line item in the ordinance is for administrative equipment, police vehicles and equipment, and fire vehicles and equipment. We should double check to be sure there's nothing else anybody has planned for those funds. It could take a while to get this ordered and if we don't do it now we're putting ourselves backwards. Borough Clerk Talerico stated that our IT person told us we need to upgrade our server and our Word program is out of date.

COMMUNITY RELATIONS: Councilwoman Wetzel reported the Recreation Committee report. Summer Recreation is up and running and the Summer Concert Series starts a week from Wednesday from 7:30 till 9:00.

BUILDINGS AND GROUNDS: No report.

CLOSED SESSION:

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, RESOLVED that the Council go into closed session to discuss matters of litigation and property acquisition.

ALL IN FAVOR.

Closed session being completed, the meeting returns to public session.

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

PUBLIC PARTICIPATION NO. 2:

Gary Mastrangelo stated that it isn't fair to make the employee who took over Walt Mahon's position wait until January for a raise and that he should be paid retro back to March. Councilman Guis responded that we're not talking about the Superintendent position and he feels giving him the full Foreman position on January 1st as voted on will be a better position for him.

John Conroy stated that he would like to see Cotluss and Stoneleigh zoned for sewers.

An unidentified audience member asked the status of the sewer capacity. Mayor Budesheim stated that he spoke with the sewer authority and there is capacity.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:50 p.m.

Respectfully Submitted:

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

CLOSED SESSION:

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

83 Newark Pompton Turnpike Property Purchase:

Borough Attorney Robert Oostdyk reported to the council that Sandra Kehrley of PK Environment had concerns about the hydraulic lift at the site and would need proof that it is encapsulated to ensure that there had not been any oil contamination. The council agreed that the tank should be investigated to be sure that this is not the case.

Mayor Budesheim also advised the council that Governor Christie had not yet approved the issue of the towns keeping the Affordable Trust Account moneys or making the towns turn over the funds to the state.

This brought up the discussion of being covered for the purchase of the property at 83 Newark Pompton Turnpike and the Borough Attorney stated it would be as we were already under contract for the purchase. It was suggested that the funds be transferred to the Borough Attorney's Trust Account for safe keeping until the closing of the property.

Paige vs. Borough of Riverdale/Sewer Case:

Borough Attorney Robert Oostdyk reported that the Paige's had offered a settlement in their sewer case that the Borough would pay them the \$96,000 plus the \$400 fees. The 18% interest rate could be negotiated down between the parties rather than the Judge make the final decision. The council discussed this issue and decided that they would keep the case in the Judges hands for the final decision at this point.

Closed session adjourned and back to open session.

RESOLUTIONS (continued):

- 3) Approval of Change Order #1 – for English Paving in the amount of \$26,642 for street signs along the Newark Pompton Turnpike to be paid for by the DOT grant for the recent paving project. (another quotation was received by the Borough Engineer and he recommends awarding the change order)
- 4) Approval of proposal from Borough Engineer Paul Darmofalski for an additional \$3,000 for additional work on the Mathews Avenue Phase II project.
- 5) Authorizing transfer of \$650,000 plus \$20,000 from the Affordable Housing Trust Fund to the Borough Attorney's Trust Account.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 83-A AND B**UNFINISHED BUSINESS:**

- 1) Tabled **Resolution No. 53-2012** Consent Resolution, Wastewater Service Area Map for Morris County Proposed Amendment to the Upper Delaware, Upper Raritan and Northeast Water Quality Management Plan (WQMP). Tabled at the June 18th and July 2nd Mayor and Council meeting to be revisited at July 16th meeting. (information was transmitted to governing body with the June 18th meeting agenda) (also transmitted separately was a letter from Dan Kelly of the PRBRSA regarding their opinion on this matter)

Councilman Astarita stated he was unable to get on the map site. He stated that it appears to be a sewer master plan and he doesn't see a problem approving this. Mayor Budesheim said he just wanted to make sure everybody reviewed it.

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

Resolution No. 53-2012; Consent Resolution, Wastewater Service Area Map for Morris County Proposed Amendment to the Upper Delaware, Upper Raritan and Northeast Water Quality Management Plan (WQMP).

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 83-C

- 2) Floor Refinishing at Riverdale Community Center – 3 quotations received by Councilman Astarita – It was decided that Councilman Astarita would make up an RFP to re-quote the job with identical requirements.

Councilman Astarita stated that he did not make a new RFP but did call two of the companies who had provided quotes and specified four coats of polyurethane. Prices quoted are JDL Wood Floors, \$5,632.00; Tri Star Flooring LLC, \$4,400.00. He recommended we use Tri Star Flooring. Mayor Budesheim stated that the 6 month budget report prepared by the CFO projects the budget for buildings and grounds at 110%. Councilman Astarita said that if we don't have the money to keep our infrastructure going things are going to start decaying. Another point is that we rent these

UNFINISHED BUSINESS (continued):

properties at bargain basement rates and they should be supporting themselves, so we may have to look into raising the rental prices. Councilman Loesner said this was discussed during the budget hearings. We should work out a fee structure that will support the Community Center and the Glenburn. Borough Attorney Oostdyk will have an ordinance prepared to revise the rental fees.

NEW BUSINESS:

- 1) Rental of the apartment at 87 Newark Pompton Turnpike to Mary O'Keefe.

Mayor Budesheim stated that the apartment has been vacant for several months and the rent will be \$600 per month.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilwoman Wetzel, to approve rental of the apartment at 87 Newark Pompton Turnpike to Mary O'Keefe for \$600.00 per month.

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

- 2) Possibility of enjoining the appeal with the League of Municipalities and Hopewell Township regarding the loss of the Verizon business personal property tax along with the 68 towns, including Riverdale, that have lost the receipt of the Verizon business personal property tax to their revenues. If all 68 towns enjoin the cost per town would be \$220.

Mayor Budesheim stated we would be immediately affected by this. It would cost \$220 to join in the appeal and we're looking at \$15,000.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to authorize enjoining the appeal with the League of Municipalities and Hopewell Township regarding the loss of the Verizon business personal property tax along with 68 towns, including Riverdale, that have lost the receipt of the Verizon business personal property tax to their revenues. If all 68 towns enjoin the cost per town would be \$220.

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

- 3) Camfil Farr requesting permission for the use of the field adjacent to their parking lot located at Independence Field to conduct games and hold their Company Picnic scheduled on Friday, September 14, 2012, from 12:00 noon to 5:00 p.m.

Councilwoman Wetzel set forth the motion, seconded by Councilman Astarita, to approve the request by Camfil Farr for the use of the field adjacent to their parking lot located at Independence Field to conduct games and hold their Company Picnic scheduled on Friday, September 14, 2012, from 12:00 noon to 5:00m p.m.

ALL IN FAVOR.

UNFINISHED BUSINESS (continued):

- 4) Disposition of OEM salary line item for salaries and wages has been fully executed requested by Finance Officer stating the salary should have been adjusted effective May 1, 2012.

Tabled.

MAYOR REPORT:

Mayor Budesheim appointed William Felegi to fill the unexpired term of Paul Carelli as Library Trustee.

Mayor Budesheim named the Police Negotiating Committee as Councilman Guis, Councilman Astarita and Mayor Budesheim.

BOROUGH CLERK REPORT:

Borough Clerk Talerico asked that anyone who has not responded regarding the League Convention please see her after the meeting and let her know if they will attend or not.

BOROUGH ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PERSONNEL: Councilman Carelli reported on his ideas to keep track of the issues and concerns the council has with matters we discuss at meetings. He distributed a list and asked the council for feedback.

PUBLIC SAFETY: Councilman Falkoski reported the court report for June 2012.

PUBLIC WORKS: Councilman Guis reported on borough vehicles and his recommendations including to order a new Durango for the Police Department. Once it is on the road we can sell the two 2004 Durangos. Transfer the Ford 500 used by the previous Construction Official to the PD and once it's on the road, sell the silver Impala. There are four cars in the DPW yard that are not being used. At least two of them run and they can all be sold. The Ford Explorer the Construction Department uses now should be sold. The Jeep the previous DPW Superintendent used should remain for use at the municipal building and the Building Department. The result is seven vehicles off the insurance and hopefully we recover enough in selling the old vehicles to outfit the new Durango if the council chooses to purchase it and it cleans up the DPW yard.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to declare the following vehicles as surplus and to authorize the Mayor to sell them on GovDeals.com.

- 1) 2000 Pontiac Grand Am VIN# 1G2NF52E8YM880268
- 2) 2006 Chevrolet Impala VIN# 2G1WS551769369707
- 3) 1999 Chevrolet Tahoe VIN# 1GNEK13R3XR147944
- 4) 1999 Chevrolet Tahoe VIN#1GNEK13R5XR140445

ALL IN FAVOR

Councilman Guis set forth the motion, to authorize the Police Chief to research purchasing a new SUV for the Police Department and that the intent of the Council is to purchase the vehicle.

COMMITTEE REPORTS (continued):

Mayor Budesheim stated that we need to get the price and also the availability of funds. The money would come from administration capital expense and the Borough Clerk is working to obtain prices for the recording and transcription system. Councilman Carelli suggested that we have our IT consultant provide us with a status report of the computer equipment in the borough.

The motion on the floor was not seconded.

Councilman Guis reported on the reorganization of the Construction Department. The temporary employee is gone and John Scialla is resigning pending the appointment of Vinnie Pellegrini as new plumbing sub-code at salary of \$13,775.

Mayor Budesheim stated that he thought at the last meeting we established a policy that if you get a promotion with increased workload and added responsibilities you don't get your raise until January. He stated that none of the other employees received a raise in the past two years and you gave one employee a \$21,000 raise last week. We didn't have the money last week for the DPW Foreman. Councilman Guis stated that he didn't think it was a policy. This proposal is the same one he wrote up three or four months ago. We had to replace our Construction Official and this is the method we used to cover the hours. Councilman Guis stated that he would make the motion. Mayor Budesheim stated that it was his appointment and he is not going to make it until the money issue is resolved. There was disagreement whether the salary had been budgeted.

COMMUNITY RELATIONS: Councilwoman Wetzel clarified the \$2,000 for math tutoring is to pay the tutor. It is part of the summer recreation program and the cost to participate is collected in advance.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Carelli, to approve the payment for math tutoring in the amount of \$2,000.00.

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

BUILDINGS AND GROUNDS: Councilman Astarita reported that the county inspector came to the Community Center to look at our progress on the lift. Everything was in order. He also reported that there are sheds for under \$1,500 that could be used for garbage storage as well as other storage if needed at the Glenburn.

FINANCE: Councilman Loesner stated that everyone received the budget projection reports from the CFO. He inquired about the disposition of an invoice from Malanga's for a vehicle that was towed last month. Mayor Budesheim asked where it was. Councilman Loesner said he will check with Mr. Malanga.

Mayor Budesheim stated that a resident wanted to know why the portable sign on Mathews Avenue was removed because they're trying to slow down speeders. He also asked if the police chief could give us a report on how we could set up a no parking area on Morris Avenue where it intersects with Curtis Street. Councilman Falkoski will advise the police chief of these matters.

PUBLIC PARTICIPATION NO. 2:

Alan Lewis spoke regarding the parking issues on Morris Avenue. He asked about the status of the river clean up and Councilman Guis responded. He asked about the meter issue and Mayor Budesheim responded that we are waiting to hear from Dan Kelly on

PUBLIC PARTICIPATION NO. 2 (continued):

their testing of the meters. He suggested we rent a sander and have the DPW sand the floor at the Community Center. Councilman Astarita told him that you need someone with experience or the floor will be wavy.

Dave Desai asked if there were any other shortcomings projected in the budget. Mayor Budesheim told him that court and legal services have over-expenditures. Mr. Desai asked about the three year budget plan that the Finance Committee was going to work on. Councilman Loesner stated that he's looking at six months for this budget since he won't be here next year. He's working with Councilman Carelli for things going into next year.

Susan Conroy asked what the Council was thinking about doing about the budget deficit with regard to the Board of Health. Councilman Loesner stated that we'll have to make a judgment for the next six months to bring those items into compliance.

Mr. Fontana voiced his opinion on the POW flag not being flown at the municipal building and various other topics.

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 Guis 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: Astarita, Carelli, Guis, Loesner, 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 Astarita, to close the public session.

ALL IN FAVOR.

RESOLUTIONS:

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

- 1) Payment of Bills:
 - a. N.Y. Yankees Recreation Trust a/c \$2,277.00
- 2) **Resolution No. 58-2012;** Certification of governing body that all members have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "General Comments & Recommendations" as evidenced by the group affidavit form of the governing body.
- 3) **Resolution No. 59-2012;** Corrective Action Plan.
- 4) Resolution authorizing the payment of snow removal costs for the 2010/11 season as follows:

a. Rock Creek Crossing	-	\$5,582.50
b. Powder Mill	-	\$2,791.25
c. The Grande	-	\$7,675.94
- 5) Resolution authorizing the payment of snow removal costs for the 2011/12 season as follows:

a. Rock Creek Crossing	-	\$1,007.54
b. Powder Mill	-	\$ 503.77
c. The Grande	-	\$1,385.36
- 6) Resolution to authorize the purchase upgraded software for the court recording system to be downloaded to new computer. Furnishing and installation of software cost of \$6,550.00 and computer cost of \$800.00, to be charged to administration capital account.
- 7) Resolution authorizing the release of the Performance Letter of Credit #1089 for Powder Mill Development in the amount of \$94,728.00 to Samuel Cannella, Developer.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 88 – A, B AND C

UNFINISHED BUSINESS:

- 1) Glenburn garbage issues – fees to possibly be included in rental fees. It appears Chapter 135 “Senior Community Center” needs to be amended to include new anticipated charges and increases. (copy of Chapter 135 distributed to governing body with agenda)

Councilman Astarita reported that he is working on these issues.

- 2) Appointing of Vincent Pellegrini as Plumbing Sub code Official – tabled at the July 16th Mayor and Council meeting. (John Scialla still carrying title until appointment has been completed)

Councilman Carelli distributed a spread sheet and reported on the salaries being paid for Construction Official, Plumbing Sub-Code and Plumbing Inspector. We are still paying Mr. Scialla for Plumbing Sub-Code since we didn't appoint Mr. Pellegrini. Once we appoint Mr. Pellegrini, Mr. Scialla will cease getting that payment so it does not affect the budget at all. We would no longer be paying the Plumbing Inspector salary. Councilman Guis agreed that it is to our advantage financially and every other way to make this change. Mayor Budesheim stated that if we were to do as you propose, we'll be spending \$81,327 which is \$1,400 over our budget. If Mr. Pellegrini gets appointed and makes the same salary he's making now we'll be \$600 under budget. These figures are from the CFO. Councilman Falkoski asked how we would be spending more money if the salary for Plumbing Sub-Code is budgeted and we stop paying Mr. Scialla and pay Mr. Pellegrini. Mayor Budesheim stated that you just gave Mr. Scialla a \$21,000 raise and the money wasn't appropriated. Councilman Carelli stated that we would have to do a transfer to pay him for that position for the entire year. There was disagreement about the numbers. Mayor Budesheim asked Mr. Pellegrini if he would take the position for his current rate of pay until November 1st and if there are no funds available then you would continue getting that pay through January 1st. Mr. Pellegrini indicated he would not. Councilman Falkoski stated that if we have to pay someone \$573.96 until the end of the year to do plumbing inspections the question is who we will pay it to. Councilman Guis stated that if we appoint Mr. Pellegrini we save half a year Plumbing Inspector salary which helps fund the salary for Construction Official. Councilman Astarita stated that he is confused on how our CFO comes up with different numbers. Mayor Budesheim said he tends to go with the CFO. Councilman Carelli stated that we should at least make the appointment and stop paying Mr. Scialla as plumbing sub-code. He agreed with the Mayor that it would be about \$1,400 over budget to pay Mr. Scialla through the end of the year. Mayor Budesheim stated that he's not prepared to make an appointment for a position where we don't have the money.

BOROUGH CLERK REPORT: No Report

ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PERSONNEL: No Report

PUBLIC SAFETY: No Report

PUBLIC WORKS: No Report

BUILDINGS AND GROUNDS: Councilman Astarita reported that he met with the president of Ber Plastics regarding the truck traffic on Morris Avenue. Ber Plastic leases the right-of-way for the dirt road from the railroad and that is their main ingress from Hamburg Turnpike. The only time trucks come in on Morris Avenue is when drivers are

COMMITTEE REPORTS (continued):

new and don't know that they're not supposed to use Morris Avenue. A sign will be put on Morris Avenue limiting truck traffic to a certain gross weight.

FINANCE: Councilman Loesner reported that we should be getting the state health care rates for 2013 soon. We talked last year about moving the employees to high deductible plans which didn't come out in time to make an informed decision. I'd like to give them as much notice as we can about what our intentions are going into 2013.

MAYOR REPORT:

Mayor Budesheim reported that he has a proposal from our Sewer Engineer, William Ryden, to start the plans for the sewer projects. The estimated total is \$20,500 and we have the capital improvement ordinance in the sewer department that would cover this. I would like to get authorization to have him start preparation plans for Newberry, Brown, Oak, Parkway and Morris. Councilman Guis was concerned that we didn't have a commitment in writing from Dan Kelly stating that we can hook up. The last report still shows us as being over allotment. Mayor Budesheim will ask Mr. Kelly if he is willing to do that.

Mayor Budesheim reported that he was contacted by Morris County about a resident who needs a new septic system and they qualify for a COAH unit. The cost for a new septic is between \$15,000 and \$20,000. The husband is working, the wife is severely ill, they have a handicapped child and they don't have the funds to do this. We have under our spending plan under COAH \$150,000 donated by developers for housing rehabilitation. I spoke to our COAH planner, Bob Michaels, and this would definitely qualify. There would be a 10 year deed restriction on the house that it could only be sold as a low or moderate income house during that time. There are no other restrictions. This would be administered by the county and we would just provide the funding out of that trust fund.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Loesner, to authorize funding in an amount between \$15,000 and \$20,000 from the COAH trust fund for a new septic system for a qualified Riverdale resident, to be administered by Morris County.

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

Mayor Budesheim asked if the Finance Committee was working on shared services with other towns for the Construction Department and DPW. Councilman Loesner stated he made contact with Pequannock for the Construction Department and was rebuffed.

Mayor Budesheim stated that he would like to appoint Dan Sturm as OEM Coordinator effective August 16th and that he would stay on as Deputy OEM Coordinator. Dan has all of the qualifications and I think it would be appropriate that he takes over.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to appoint Dan Sturm as OEM Coordinator and Mayor Budesheim as Deputy OEM Coordinator effective August 16, 2012.

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

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member asked if the OEM Coordinator would be paid. Mayor Budesheim replied that they could speak with the gentleman and report back at the next meeting to make a determination. The audience member asked about the concerns with hooking up to the sewer. Councilman Guis explained the ongoing infiltration and influx problem and his concern is that the director of the sewer authority has verbally told the Mayor that we can hook up and he would like that commitment in writing before we expend funds.

Russ Hazel, Deputy OEM Coordinator, resigned his position and stated it is important for Chief Sturm to be able to appoint his own deputy. Mayor Budesheim and Chief Sturm agreed there would be a meeting to discuss the matter.

Tom Batelli stated that there is a large sink hole near building 7 at Powder Mill and he questioned the release of the performance letter authorized in resolution No. 7.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to hold release of the Performance Letter of Credit #1089 for Powder Mill Development in the amount of \$94,728.00 to Samuel Cannella, Developer (resolution No. 7) until the Borough Engineer looks at the sink hole.

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

Glenn Venza asked if Mr. Pellegrini and Mr. Scialla are being paid to do the same job. Mayor Budesheim explained that one is a plumbing inspector and one is a plumbing sub-code official.

Joan Garcia stated that it's a little disconcerting that we have at least three employees who have titles but right now there isn't money to pay them for the job they're doing. Councilman Guis responded regarding the DPW employee.

Tom Batelli asked how the snow removal cost is calculated. Borough Attorney Oostdyk and Councilman Guis responded.

There being no further 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: 8:17 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:** **Guis, Loesner, Wetzel, Falkoski**
 Absent: **Astarita (personal reasons), Carelli (vacation)**

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

APPROVAL OF MINUTES DATED:

Regular Meeting - July 16, 2012
 Workshop Meeting - August 6, 2012

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

ALL IN FAVOR

Abstain: Wetzel (July 16, 2012 only)

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR

RESOLUTIONS:

Councilwoman Wetzel asked for clarification of Resolutions 6 and 7. Mayor Budesheim responded that the matching funds will be from the Open Space Trust Fund.

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

- 1) Payment of Claims.
- 2) **Resolution No. 60-2012;** Refund of Tax Overpayments – Block 40, Lot 3.2108, Patrick Haftek in the amount of \$1,328 for the year 2012 – County Board Tax Appeal.
- 3) **Resolution No. 61-2012;** Refund of Tax Overpayments – Block 29, Lot 23.01, Weiss Management, LLC, DLA Realty Management Company, in the amount of \$429.58, year 2012 – Overpayment.
- 4) Approval of expenditure in the amount of \$4,170.00 for vehicle maintenance of the DPW Backhoe. (copy of quotation distributed to governing body with agenda)
- 5) **Resolution No. 62-2012;** Tax Sale Redemption – Certificate #10-00003 in the amount of \$1,161.73.
- 6) **Resolution No. 63-2012;** Chapter 159 – Glenburn House Repair of Porch, Terrace and Interior Lighting - \$52,373 with borough matching funds of \$13,093.
- 7) **Resolution No. 64-2012;** Chapter 159 – Glenburn House – Construction Documents for the Store Building - \$35,480 with borough matching funds of \$8,870.

RESOLUTIONS (continued):

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 93-A, B, C, D E AND F**UNFINISHED BUSINESS:**

- 1) Appointing of Vincent Pellegrini to the position of Plumbing Subcode Official.

Mayor Budesheim appointed Vincent Pellegrini to the position of Plumbing Subcode Official effective August 16, 2012 with the annual salary of \$5,000. He will maintain his current positions as Plumbing Inspector and Building Inspector with separate salary.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to appoint Vincent Pellegrini to the position of Plumbing Subcode Official effective August 16, 2012 at the annual salary of \$5,000.

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

- 2) Glenburn garbage issues – fees to possibly be included in rental fees. It appears Chapter 135 “Senior Community Center” needs to be amended to include new anticipated charges and increases. (copy of Chapter 135 distributed to governing body with August 6th workshop agenda)

Mayor Budesheim stated that Councilman Astarita has been working on this.

- 3) Decision as to salary for Dan Sturm’s appointment as Emergency Management Coordinator.

Councilman Loesner stated that he just received Dan Sturm’s proposal regarding salaries and deputies. We budgeted \$14,375 for OEM salaries this year and as of August 17th we have \$808.80 left in that account. The Finance Committee will have further discussion and report back at the next meeting.

- 4) Proposal for sewer projects from William Ryden in the amount of \$20,500 tabled at the August 6th meeting until a letter is received from Dan Kelly of the PRBRSA stating the project is acceptable.

Mayor Budesheim reported that he spoke with the sewer authority and the I&I numbers are down to almost nothing now. They said they have no problem with us connecting. Councilman Guis was still concerned that we don’t have a written commitment. Mayor Budesheim didn’t feel he would provide that and would like to start the process. Councilman Guis reported that we had problems today at the Riverdale Road pump station and we could be looking at \$20,000 to \$25,000 in repairs. He recommended this matter be tabled until the next meeting.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to authorize Sewer Engineer Bill Ryden to apply for permits from the sewer authority and the NJDEP as required, to allow the Hamburg Turnpike sewer line that is currently dry go wet.

ALL IN FAVOR.**MAYOR REPORT:**

Mayor Budesheim reported that our zoning map is out of date. DMC Associates prepared a quote of \$2,225 for preparation of a 2012 zoning map plus five color 24 x 36 sheets and a PDF file. We have the money available in professional engineering to cover the cost. Councilman Falkoski stated that we are in the process of reviewing the zoning ordinance and we may be changing some zones. Mayor Budesheim said he asked about that and it would be nothing to change that designation.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to approve the purchase of updated zoning map from DMC Associates at a cost of \$2,225.00.

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

Mayor Budesheim reported that the court decision came down on the Paige lawsuit against the sewer authority and the \$500,000+ they were looking for. We won that lawsuit. He thanked Richard Clemack, Esq. for the work he did.

BOROUGH CLERK REPORT: No Report

BOROUGH ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Falkoski reported the court report for July 2012.

PUBLIC WORKS: Councilman Guis reported on problems with the alarms at the sewer pump station. We're paying several different alarm companies for central station monitoring and I think if we can consolidate that into one vendor there should be cost savings. If we were to do this monitoring in house through dispatch we would be better served. He asked if administration could prepare a report with an exact list of what we're paying now. He also reported on his recommendations for the borough vehicles. We've talked about the police SUV and need an answer.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to direct the CFO to increase the amount of existing Bond Ordinance #11-2004/2-2006 by \$40,000.00 for Various Equipment and direct the Police Chief to begin obtaining prices for a new SUV for the Police Department.

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

Councilman Guis set forth the motion, seconded by Councilman Falkoski, to assign the Jeep to the Building Department and the Ford 500 to the Police Department; the DPW mechanic will do the equipment conversion at a cost not to exceed \$500.00.

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

COMMITTEE REPORTS (continued):

COMMUNITY RELATIONS: Councilwoman Wetzel reported on the rescheduled concerts.

FINANCE: Councilman Loesner reported that they are continuing to monitor the state health benefits website for healthcare information for 2013. Once they have pricing it will be forwarded for discussion.

PUBLIC PARTICIPATION NO. 2:

Joan Garcia stated that it was announced at a senior meeting that the borough was no longer going to subsidize the senior Christmas party. Councilwoman Wetzel said that she oversees that committee and was not aware of that. Borough Clerk Talerico explained that the seniors ask her how much money is in their budget every year. The Dial-A-Ride increased 20 percent this year and the amount that was left in their budget was used for their trips. The borough attorney will confirm that they can have fundraisers.

An unidentified audience member spoke regarding problems with the businesses behind Cotluss Road. They have been operating earlier or later than the hours allowed and there are dilapidated buildings on the property. Mayor Budesheim said he would speak with the Zoning Officer and check into whether they are in violation of any ordinance.

Glenn Venza asked where the money went that was budgeted for OEM salary and wage. Councilman Loesner replied that it went to the Mayor. Mayor Budesheim clarified that it was only budgeted through April 30th and the rest was budgeted for mayor salary. Mr. Venza asked if we would get a quote for the cost of conversation of the police vehicle. Councilman Guis explained that we are doing it in house. Mr. Venza asked what the new SUV would be used for. Councilman Guis explained the plan for the patrol vehicles.

John Conroy asked about a shortfall in the budget. Councilman Loesner said that was a discussion about the Building Department. Mr. Conroy asked what the bond ordinance is for. Councilman Guis explained the ordinance. Mr. Conroy asked about the newsletter. Councilman Loesner explained that he had asked for a contract with the vendor so we could plan what we're going to pay every month and for the advertisers to pay in advance. Mr. Conroy asked why we would give up on something that cost \$350 a month and start an investigation. Councilman Loesner stated that nobody asked the Mayor to give it up and he did not start an investigation and doesn't know what it's about. Councilwoman Wetzel stated that no one wants to lose the newsletter but because there is so much conflict with the way we are doing it now, things need to be addressed. She suggested that one solution is to get simple questions answered, a second is to dissolve the newsletter, or we could go back to the way it was before when it was printed here and we mailed it ourselves.

Brad Clinton stated that there was a \$250 invoice from the printer and Councilmen Carelli and Loesner voted no. Councilman Loesner stated that was because there was probably no documentation to back it up. Councilman Loesner responded to Mr. Clinton's continued questions regarding the billing and collection of payment from advertisers.

Mayor Budesheim stated he wanted to go on record saying one thing:

I had nothing to do with preparing the budget this year. Ken rewrote the budget that was done by the Finance Committee. I had one request - the Finance Chairman said that if anybody wants anything in the budget to let the CFO know. The only thing I asked for was that my salary be put under the mayor's. That was the only input I had and so I had nothing else to do with that.

PUBLIC PARTICIPATION NO. 2 (continued):

Joan Garcia stated that she spent a good deal of her life in advertising and wanted to make two points. One is that the newsletter was a wonderful way for local vendors to get their message out. The other is that it's unheard of to bill an advertiser in advance.

An unidentified audience member stated that there are a number of us here that just want a newsletter. She asked the Council to just find a way to get together and make it work.

An unidentified audience member asked if someone could shed some light on the reassessment. Mayor Budesheim responded.

An unidentified audience member asked how much the 28 page color newsletter costs. Mayor Budesheim stated he would answer when we're done here.

John Conroy asked if there was an ordinance that the supervisors have to drive four wheelers and why can't they drive a normal car. Councilman Falkoski explained that a normal car as a police vehicle is not considered to last more than five years. A four wheel drive SUV is considered a vehicle that will last more than five years so you can bond and pay off over the years. Councilman Guis explained that we are trying to provide service in inclement weather.

An unidentified audience member stated that many times she drives behind the police station and there are seven police vehicles parked. When you go to any other town you never see seven.

An unidentified audience member asked what the official answer was as to why the newsletter was cancelled and who cancelled it. Mayor Budesheim stated that he cancelled it and he would respond.

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

ALL IN FAVOR.

MAYOR BUDESHEIM RESPONDS TO NEWSLETTER QUESTIONS:

The newsletter did start as the four-page black and white that I did on the copy machine here and it did have an advertiser every month to pay for that. We got a new copy machine and that allowed for folding and stapling and we were able to expand that. I'm the one who puts it all together. I spend all the time on that. Believe me, I wasn't looking to create more work and you would not believe how much I have to edit. Even out of that 28 page newsletter, so much information is always coming in. Understand that I have no kids in the school and it has no particular interest to me. I've never been to Italy and I don't plan on going, so I have no particular interest for that. The same with the library and recreation. All these things, while I may not have any particular interest in it there are segments of the population, the residents, who count on that and who enjoy that. So to take it out, which do you take out? Some of the fonts are so small, the library fonts, you can hardly read them - even recreation. The number of events that are going on in this town is incredible and I think that's a tribute to the volunteers who are providing those services and those programs, and this was the best way to get it out. So it did expand.

MAYOR BUDESHEIM RESPONDS TO NEWSLETTER QUESTIONS
(continued):

Everybody heard that my cousin is the one who's "our vendor". Well, first of all she isn't "our vendor". She's a real estate agent and she liked our newsletter so much that she approached Pequannock and asked if they would want her to do it for them and they said yes. Well, Pequannock being five times the size of Riverdale, she prepared the newsletter and was ready to run it off on the copy machine and it was going to take 120 hours. Obviously you can't do that so she scurried around to find a printer. She found a printer in Philadelphia that would do the newsletter in the format that you had come to see each month in full color. I asked her "can we piggyback on with yours?" By this time she had a number of other towns. I think at one time she had over 10 towns just as a real estate agent. She said fine, she got the price, and it turned out to be not much more than we were paying to do it on our own copy machine. I said fine, make arrangements. I dealt with the printer. She didn't deal with the printer. I sent the mailing information. She didn't do it. The only thing she did was to pay for it in advance because the printer wanted to be paid in advance because she wasn't an established account, because she wasn't in the business. She was just a real estate agent. Since the borough can't pay for things in advance, she would front the money for us and we would reimburse her. That's the extent of her involvement in this.

Now, after November it did become an issue. It was never questioned before. I hear tonight that nobody knew the length of the contract, the size of the ads, how often. Nobody contacted me. I'm the one who solicited all those advertisers and it isn't easy going out there and trying to get that many advertisers to advertise month after month. It takes a lot of work. But again, nobody asked me what arrangements I had. I did bill at the end of the year. I had my own business for 22 years and I never paid for advertising in advance. As Mrs. Garcia said, you get billed, you get a proof – a tear sheet is what they call them. They actually tear out the entire page that your ad was in and they mail it to you. Once you get that, then you pay for it. So we weren't doing anything differently. Not only that, it's a small town. These are our local businessmen. I have to treat them with the callousness of some big business? We never got stuck yet. In fact, I should say one advertiser a number of years ago, before I went to the color didn't pay us. A contract? We don't have a contract. We have Lenny Becker who did \$12,000 worth of excavating for us last year. We don't have a contract with Malanga's. We don't have a contract with Circle Auto Parts. We don't have a contract with Napa. We don't have contracts. I checked with our auditor. He said no, you don't have to have a contract because technically she isn't a vendor. We're just reimbursing her. I paid for one of the newsletters on my credit card one month. The town reimbursed me. Did the town have to have a contract with me? Of course not.

Back in March, at the March 5th meeting, the question came up "we don't know if they're all being mailed". With the setup that we have with the post office, we have a saturation rate which is the lowest rate we could get. The only way you get that is if you send a piece of mail to every single mailing address in town. You can't cut any out, you can't do partial, you can't send to one person and not another. Right now there are 2,131 mailing addresses in this town and I have to prove that number to the post office. You have to prove that that's the number and you have to have that number of pieces. They won't take the mailing unless you have that so there's no way that anybody could skimp on the mailing and keep the money. Four days later Sgt. Bogert is in the library photocopying the backs of the newsletters. The librarian asked him what was going on and he said he was doing an investigation into the bulk mailing permit. There were about six other towns who were being mailed with the same bulk mailing permit, the same printer, the same post office and no other town was being investigated - just Riverdale. I called the Chief and he was totally unaware this investigation was going on.

MAYOR BUDESHEIM RESPONDS TO NEWSLETTER QUESTIONS
(continued):

In June - and these questions came up every month - the auditor said we don't need a contract. The practice is in the industry you don't bill before the ads are put in. June 18th, Mr. Carelli and Mr. Loesner voted against paying for the newsletter which had already been printed and delivered. Now I cannot - whether it's my cousin, it's a friend or a stranger - I felt I didn't have the right, I felt it was unethical, to put a person who had absolutely nothing to gain in a situation where this Council could vote not to reimburse them the money. It did cost us these last few months \$250, and how did I work that deal out? Well, I agreed to go down to Old Bridge and pick up our newsletters from the printer because they were going to start a \$250 per town delivery charge. I told my cousin I'll pick up hers. I brought them here, sorted them out into the sacks. You have to bring them to Paterson first, unload the truck, they have to weigh them, you have to prove your mailing, and you have to have the money there. You have to load them back up in the truck, then you have to bring them to your local post office. I had to bring them to the Riverdale post office. I also brought hers to the Oak Ridge post office and the Jefferson post office. For doing that, we saved \$500 a month. She knocked that money off our printing bill. So instead of it costing \$600, \$700, \$800 a month for printing it now cost us \$250 and I took the time to go and deliver that. I feel that I can't put anybody in jeopardy like that and so I called the same printer that we had been using and the cost for us to go it alone would be \$1,500 a month. That's \$18,000 a year. You add the \$309 in postage and you're looking at \$21,600 a year. I don't feel that I would be able to get the advertisers to cover those expenses. Like I said, I wasn't going to put her in that position anymore.

Go back and do it ourselves? Well, I did this one - twenty hours printing time. The output tray holds 25 copies so you have sit here and count 25 copies. It does about two a minute. You figure you've got about 20 minutes, you go take a break, you come back and one printed - the copier jammed, the toner ran out, it ran out of staples - so you have to sit here for 20 hours. And that was just for an 8 page newsletter. If somebody wants to sit here for 20 hours - it can't be during the day because we use that copy machine. It's at night and on weekends. This one, I left here at 1:00 in the morning. It ran out of toner. It can't be done that way any longer unless somebody wants to sit here all those hours. That's why I felt I had to suspend the newsletter. There's no choice and I do feel it became a political issue.

Councilman Loesner said that the word "hero" is going around so much it's lost all meaning.

An unidentified audience member shouted that everybody that voted against this newsletter - shame on all of you and if you got voted out of office, good.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:00 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, Carelli, Guis, Wetzal, Falkoski**
 Absent: **Loesner (work)**

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

PUBLIC PARTICIPATION NO. 1:

An unidentified audience member asked Councilman Carelli if the balance of the unpaid newsletter advertising fees were still unpaid and if someone was working on it. Councilman Carelli stated that half was not paid and he would have to check with the finance office.

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

ALL IN FAVOR.

RESOLUTIONS:

Councilman Falkoski stated that the Police and Fire Departments would like to purchase a digital message board with grant money and asked if the \$2,000 from Target would benefit that. Mayor Budesheim said that it would if they haven't spent it already.

Mayor Budesheim stated that he had a problem with the Capital Budget Amendment. Bond Counsel has advised that the vehicle cannot be purchased out of the Capital Fund if it will be used for patrol. After discussing the matter, Council decided to table Resolution No. 66-2012 and Ordinance No. 08-2012 until a determination is made.

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

- 1) **Resolution No. 65-2012;** Chapter 159 Special Item of Revenue for Target Donation to the Police Department in the amount of \$2,000.
- 2) **Resolution No. 67-2012;** Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for Improvements to Highland Avenue, Hillside Avenue, Wilson Avenue and Carper Lane in the amount of \$300,000.00.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 99 – A AND B

ORDINANCES:

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

ORDINANCES (continued):**ORDINANCE 07-2012****AN ORDINANCE AMENDING CHAPTER 95 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
AND ESTABLISHING A FEE FOR THE NEW JERSEY FOREST
SERVICE SHADE TREE COMMISSION CONTINUING
EDUCATION PROGRAM**

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. 100-C**UNFINISHED BUSINESS:**

- 1) Glenburn garbage issues – fees to possibly be included in rental fees. It appears Chapter 135 “Senior Community Center” needs to be amended to include new anticipated charges and increases. (copy of Chapter 135 transmitted to governing body with August 6th agenda)

Councilman Astarita reported on the garbage issues and presented examples of shed costs.

- 2) Decision as to salary for Dan Sturm’s appointment as Emergency Management Coordinator. (Chief Sturm’s proposal transmitted to governing body with August 20th agenda)

Councilman Carelli reported that Chief Sturm made a presentation to the Finance Committee. Chief Sturm presented his proposal to the Council.

Thereupon, Mayor Budenheim appointed Jim Regeling Jr. and Pat Cleary as Deputy OEM Coordinators.

Councilwoman Wetzel asked for a breakdown of the salaries. Councilman Carelli explained how the budget was prepared this year and last year for Mayor and Council salary and wages and the Office of Emergency Management. Chief Sturm requested a \$5,000 annual stipend for the OEM Coordinator, \$2,500 for one Deputy and \$1,000 for the other Deputy. Councilman Guis stated that he supported the salary for the Coordinator but we should revisit the deputies in January. Councilman Falkoski said that we should be able to find \$2,500 to meet this obligation for the balance of the year with the amount of work that needs to be done to be in compliance. Councilwoman Wetzel stated that she did not support exceeding our budget this year and expand to a three man OEM team. Councilman Falkoski stated that we would take the risk of losing the ability to have the OEM structure here, having the state take it over and losing some of the grant money we receive. Councilwoman Wetzel stated that this is the beginning and if they remain a three person team those numbers will multiply in the new year. There was additional discussion regarding the matter.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to establish the annual salaries for the following positions, effective August 16, 2012:

OEM Coordinator, Dan Sturm	-	\$5,000.00
Deputy OEM Coordinator, Jim Regeling	-	\$2,500.00
Deputy OEM Coordinator, Pat Cleary	-	\$1,000.00

UNFINISHED BUSINESS (continued):

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

- 3) Proposal for sewer projects from William Ryden in the amount of \$20,500 tabled at the August 6th meeting until a letter is received from Dan Kelly of the PRBRSA stating the project is acceptable.

Councilman Guis reported that the new numbers look good but the CFO isn't sure we have enough money to do it without going to bond. It was decided to wait until the next meeting.

ADDED AGENDA ITEM:

- 1) Request from The Land Conservancy of New Jersey to "sign on" to the Borough's Open Space and Recreation Plan. This will allow them to contribute some of their own Green Acres grant money to Riverdale's projects (if needed, and with the approval of their Board). The use of these funds would only be for projects that the Borough would like assistance. In order for The Land Conservancy to expend their state funding in Riverdale, Green Acres requires that they go through the "sign on" process.

Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to allow the Land Conservancy of New Jersey to "sign on" to the Borough's Open Space and Recreation Plan.

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

Mayor Budesheim reported that we took part in the new program established by the County for the buyouts. We've been approved in the amount of about \$880,000. We also have applications before the Green Acres program and the Land Conservancy hopefully will help us out. That represents 75% of the appraised values right now.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that she noticed our shared services agreement contract with Butler for 9-1-1 services expired last year. They billed us \$8,000 a year for 2009, 2010 and 2011 and they did bill us for 2012 at the same amount. The Best Practices policy requires us to submit this to the State. Mayor Budesheim stated we will approve a three year extension.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to approve a three-year contract for shared services with the Borough of Butler for 9-1-1 Emergency Assistance as follows:

2012	-	\$8,000.00
2013	-	\$8,000.00
2014	-	\$8,000.00

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

BOROUGH CLERK REPORT (continued):

Borough Clerk Talerico reported that Target has requested extended hours for the day after Thanksgiving and she will put it on the next agenda for approval.

ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PERSONNEL: Councilman Carelli reported that Linda Roetman did an excellent job arranging the Forestry Seminar sponsored by the Shade Tree Commission and we had a very nice turnout. Each person that attended received five education credits and each town needs eight for the year.

PUBLIC SAFETY: Councilman Falkoski read a letter from the Pompton Lakes Awards Committee who voted to give merit awards to Sgt. James McIntosh and Patrolman Gary Keil who assisted with a hostage situation. The awards will be presented at the September 19th meeting of the Pompton Lakes Mayor and Council at 7:30 p.m. in the municipal building.

PUBLIC WORKS: Councilman Guis reported that we still have problems with the pumping station on Riverdale Road. The new pump has been ordered, a new motor for the Muffin Monster, and we're trying to get proposals on maintenance of that entire station. The river cleanup this spring went well on the lower end. On the upper end, Pompton Lakes has agreed to act as the middle man and we can have the same contractor.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to authorize payment not to exceed \$50,000.00 to the Borough of Pompton Lakes to complete the debriaring and desnagging of the river using the same contractor who did the other grant work.

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

Councilman Guis reported that he would like to follow up with the central station alarms.

COMMUNITY RELATIONS: Councilwoman Wetzal reported that the street fair went well. There was a good turnout and positive feedback on the vendors this year. She thanked the police and fire departments and the DPW for their help.

BUILDINGS AND GROUNDS: Councilman Astarita reported on problems at the library. They're periodically getting water in the basement.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member asked if the river cleanup would get down to Morris Avenue. Mayor Budesheim said that is the goal.

Glenn Venza asked if we make money on the street fair. Councilwoman Wetzal replied that we get a stipend from JC Promotions and it varies between \$400 and \$600 depending on the number of vendors. The only cost is that our employees get paid for the day. Mr. Venza asked councilman Carelli where the \$7,200 came from in the OEM budget. Councilman Carelli replied that there is zero money left in the OEM budget and salary has been paid out of the Mayor and Council line item.

PUBLIC PARTICIPATION NO. 2 (continued):

There being no further 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 Carelli, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:25 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, Loesner, 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:

Regular Meeting - August 20, 2012
 Workshop Meeting - September 3, 2012

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

ALL IN FAVOR

Abstain: Astarita, Carelli (August 20 only)
Loesner (September 3 only)

RIVERDALE LIBRARY VOLUNTEERS AWARDS TO BE PRESENTED TO THE FOLLOWING:

Elizabeth Boyle	Vaiona Toska	Hallie Mansoor
Christine Holl	Jessica Titus	Sana Malik
Amanda Edwards	Yuti Gandhi	Cassidy Tibbits

Mayor Budesheim stated that this is the tenth year we have recognized the young people who have volunteered their time helping out at the library during the summer. This is a great program and we are proud of the young people who dedicate their time here. He also thanked the parents. Councilwoman Wetzel presented certificates to the volunteers. Library Director Carol Heinz expressed her gratitude to the volunteers.

PUBLIC PARTICIPATION NO. 1:

Will Felegi asked if the council would find a way to bring the newsletter back. Councilwoman Wetzel stated that she was not spearheading it but had suggested the Mayor and Council all work together. There is a small publication being put out at the Community Center and Library with recreation and Community Center events so some information is getting out there. One idea is to have the newsletter put on line and just have some paper copies available since the majority of people can access the internet.

John Conroy asked if we were looking into shared services. Councilman Loesner stated that he approached Pequannock but they didn't seem to be interested. We did look into garbage collection with Bloomingdale and we learned we are not allowed to take our garbage to another county. Councilman Carelli explained that the big savings would have been lower tipping fees in another county. We looked at Construction with Bloomingdale as well.

Barbara Lukash, Mathews Avenue, asked why it is when people speak they don't mention their name or where they live. She said that would proper protocol so it can be addressed properly in the minutes.

PUBLIC PARTICIPATION NO. 1 (continued):

Mayor Budesheim agreed and said he should start requiring that.

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

ALL IN FAVOR**RESOLUTIONS:**

Mayor Budesheim stated that our lease on the copy machine is about ready to expire. We could continue to lease but by purchasing it outright there's about a \$5,000 savings over leasing. The cost is pretty much the same as the machine we have and the service contract is identical. The lease is inside our cap and by purchasing it that relieves almost \$459 a month. The new machine would give us the capability to fax.

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

- 1) Payment of Claims. (including the following)
 - a. Q & S Electric- Open Space Trust - \$3,550.00 less 20% to be held until work is complete for total payment of \$2,850.00 per Mayor Budesheim.
- 2) Approval of request for a one day extension of Target store hours on Friday, November 23, 2012, the day after Thanksgiving, not sure of the time opening but would like the flexibility to be open at any time on this day. (copy of letter transmitted to governing body with agenda)
- 3) **Resolution No. 66-2012;** Capital Budget Amendment.
- 4) **Resolution No. 68-2012;** Best Practices Worksheet 2012 Appropriations.
- 5) **Resolution No. 69-2012;** Tax Sale Certificate #10-00002 Redemption. Block 12 Lot 10, B and M Provisions LLC, in the amount of \$7,390.77.
- 6) **Resolution No. 71-2012;** Cancellation of Taxes, Block 26, Lot 21.03, North Jersey Ind. c/o W. Patterson. Amount of \$6,129.45 in tax payments due are to be cancelled as the property is now owned by the Borough of Riverdale.
- 7) **Resolution No. 72-2012;** Settlement of Tax Court Litigation – Riverdale South v. Riverdale Borough.
- 8) Approval of the purchase of a new borough copier from Atlantic Copier in the amount of \$26,157.00 to be charged to the Capital Account and availability of funds has been verified by Ken Sesholtz, CFO. (copy of proposal distributed to governing body with agenda)
- 9) Approval of a "One Day Social Affair Liquor License" for Fashion & Beauty Week a Non Profit Organization, to hold a Network Mixer Party & Runway Preview, to raise funds and awareness for the Diabetes Research Institute. (copy of application distributed to governing body with agenda)
- 10) **Resolution No. 73-2012;** Riverdale Library Petty Cash change in custodian to Carol Heinz.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 105-A, B, C, D, E, F AND G

ORDINANCES:

- 1) **Introduction of Ordinance No. 08-2012:** Bond Ordinance Amending Section 6(d) of Bond Ordinance Numbered 4-2010 and Providing a Supplemental Appropriation of \$40,000 to Section 3(a) of Bond Ordinance Numbered 4-2012 Finally Adopted March 15, 2010 in and by the Borough of Riverdale, in the County of Morris, New Jersey and Authorizing the Issuance of \$38,000 Bonds or Notes of the Borough for Financing the Appropriation.

Mayor Budesheim stated that nothing has changed since this ordinance was tabled at the last meeting. No action was taken.

UNFINISHED BUSINESS:

- 1) Proposal for sewer projects from William Ryden in the amount of \$20,500 tabled at the August 6th meeting until a letter is received from Dan Kelly of the PRBRSA stating the project is acceptable.

Mayor Budesheim reported that the CFO advised there is money in the budget to start the engineering on the sewer project.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski to authorize Sewer Engineer William Ryden to begin work based on his proposal in the amount of \$20,500.

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

CORRESPONDENCE:

- 1) Letter from Best Buy to open the store at 12:00 a.m. on November 23, 2012 the day after Thanksgiving. Thank you for your consideration. (copy of letter transmitted to governing body with agenda)

Councilwoman Wetzel asked if they are looking for police coverage and if we are leaving it to the discretion of the Police Chief. Mayor Budesheim stated that the Chief should be instructed not to enter into any agreement until it is discussed by the Governing Body.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Carelli, to approve the request from Best Buy to open the store at 12:00 a.m. on November 23, 2012 the day after Thanksgiving.

ALL IN FAVOR.

Borough Clerk Talerico distributed correspondence that was received today from a property owner regarding sewers. Mayor Budesheim stated that he would speak with him and provide the information he is looking for.

MAYOR REPORT:

Mayor Budesheim reported that we closed on the Verizon building last Tuesday. He thanked Joe Stewart of Q & S Electric for the great job he is doing with the parking lot lights at Glenburn and the pavilion lights. The Borough Engineer recommended we hold 20% of the payment until the work is completed. The Mayor reported that he purchased a 10 x 10 wood shed at Home Depot for \$550 which is less than half of the others we were looking at.

BOROUGH CLERK REPORT: No Report

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk advised the Council that at the next meeting an individual will be making a request to extend the six month disability period, which is at the discretion of the Mayor and Council per the collective bargaining agreement with the PBA.

COMMITTEE REPORTS:

PERSONNEL: No Report

PUBLIC SAFETY: Councilman Falkoski reported the court report for August 2012.

Mayor Budesheim asked Councilman Falkoski to check into why the Police Chief has not been attending the Council meetings. Mayor Budesheim asked for clarification of a requisition for \$500 deductible for body work on a police car before he signs it. Councilman Falkoski will check into it.

PUBLIC WORKS: Councilman Guis reported that our electrical inspector was injured over the weekend and will be out for three to six months. There are inspections that need to be done and our ordinance allows \$25 to \$35 per hour for a part time inspector.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to authorize the Construction Official to hire a part time electrical inspector at the rate of up to \$30.00 per hour.

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

Councilman Guis reported that the roof at Mario's is leaking and we have one quote and will be obtaining two others.

COMMUNITY RELATIONS: No Report

BUILDINGS & GROUNDS: No Report

FINANCE: Councilman Loesner reported that the State has only put out a guideline for healthcare benefits for 2013. They haven't put out specific numbers yet but the guideline is an 8% increase. The high-deductible plans are going up significantly less – 3% on one and 0% on the other. If the plan is only to provide for the high-deductible plan, I suggest you do it quickly. The open enrollment period starts October 15th and there is substantial savings to be had there.

PUBLIC PARTICIPATION NO. 2:

Brad Clinton, Wilson Avenue, asked if there was any update on the uncollected advertising dollars for the newsletter. Councilman Carelli responded that it's not finalized but it's about \$10,000 billable, \$4,000 collected and we'd have to bill around \$6,000.

Riverdale Library Director, Carol Heinz, asked for clarification of Resolution No. 73-2012. Borough Clerk Talerico responded.

PUBLIC PARTICIPATION NO. 2 (continued):

Kathy Olson, Halsey Avenue, asked what the town was planning for the Verizon building. Mayor Budesheim explained the plan to use it for COAH, affordable housing, and it will stay residential in nature. The total amount of \$650,000 was paid for from the Affordable Housing Trust Fund through contributions by developers. When they set up the number of units that we need, those units will have to be built and occupied within 10 years. Someone has approached us about possibly leasing the property in the meantime. Mayor Budesheim stated his vision is the units will be one or two stories and the density will be kept as low as possible.

John Conroy asked about the tax burden on the property. Mayor Budesheim stated that the property is exempt the same as other municipal property. Mr. Conroy asked if the stores open late on Black Friday pay for the police in full. Mayor Budesheim replied that they do. Mr. Conroy asked if we go to a high deductible health plan would it include the police. Councilman Loesner said that it should since their contract is up.

Glenn Venza asked about the savings for the different plans. Councilman Loesner replied that they put out a guideline of 8% for planning the 2013 budget. They didn't get specific.

Mayor Budesheim asked Councilman Falkoski for clarification of a \$1,900 expense on the bills list for an accreditation for the police department. He asked that the bill be held until Councilman Falkoski gets more information.

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 Councilwoman Wetzel, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:20 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. with the Pledge of Allegiance.

Mayor William Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Guis, Loesner, Wetzel, Falkoski**
 Absent: **Carelli (personal reasons)**

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

Mayor Budesheim announced that there is a personnel matter to be discussed in closed session.

CLOSED SESSION:

Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, RESOLVED that the Council go into closed session to discuss a personnel matter

ALL IN FAVOR.

Closed session being completed, the meeting returns to public session.

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

Mayor Budesheim announced that today he ordered the flag to be lowered to half staff in honor and in memory of John Carelli, Councilman Paul Carelli's father. John Carelli was a Councilman back in the 1960's and 1970's and today was his funeral. I had known Mr. Carelli for about 37 years and got to know the Carelli's very well. We extend our deepest sympathies to Paul and his entire family.

PUBLIC PARTICIPATION NO. 1:

Allen Lewis, Morris Avenue, asked for an update on the river cleanup. Councilman Guis stated that the contractor that Pompton Lakes was using has been let go. The agreement we had to get this work done is not viable at this point. We are in the process of working with the Borough Engineer to try to get a contractor and get the job done. Mr. Lewis asked about the signs that were going to be put on Morris Avenue and the ongoing problem with trucks. Mayor Budesheim stated that we can't do anything to restrict access to that industrial road. Possible solutions were discussed.

There being no further 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:

ORDINANCES (continued)**ORDINANCE 07-2012****AN ORDINANCE AMENDING CHAPTER 95 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
AND ESTABLISHING A FEE FOR THE NEW JERSEY FOREST
SERVICE SHADE TREE COMMISSION CONTINUING
EDUCATION PROGRAM**

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 set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 07-2012 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 110-A**INFORMATIONAL PURPOSES ONLY:**

- 1) “Certificate of Determination and Award” Issuance of a Bond Anticipation Note in the amount of \$2,650,000 on September 28, 2012 with a maturity date of September 27, 2013, numbered 2012-1. Interest rate per annum is 1.40% payable at maturity, net interest cost 1.2596%, awarded and sold note to TD Securities (USA) LLC, New York, New York with a total payout of \$2,653,710 on September 27, 2013.

MAYOR REPORT:

Mayor Budesheim reported that an appeal has been filed on the lawsuit we won for the sewer fees filed by the Paige family. Mr. Clemack will not be able to handle the appeal due to his current work load so a proposal was obtained from the attorney who worked on the Enclave. It will cost from \$10,000 to \$20,000 for this appeal and the CFO has determined funds are available.

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

Resolution #75-2012; Professional Service Agreement – Legal Services – Special Counsel & Appeals – Anthony P. Seijas, Esq. - Weber Gallagher Simpson Stapleton Fires & Newby LLP

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

MAYOR REPORT (continued):**COPY OF RESOLUTION IN FULL ON PAGE NO. 111-B**

Mayor Budesheim thanked Brad Clinton and Gary Mastrangelo for putting up the shed at the Glenburn.

BOROUGH CLERK REPORT:

Borough Clerk Talerico distributed a letter received by the Fire Official from the State advising that they require two new accounts to be set up. We also received a request from Wal-Mart to be open extended hours the day after Thanksgiving and to open at 12:00 a.m.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzol, to approve the request from Wal-Mart for extended hours and to open at 12:00 a.m. the day after Thanksgiving.

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

ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PUBLIC SAFETY: Councilman Falkoski reported on questions he was asked at the last meeting regarding the patrol car that was damaged and the accreditation process.

PUBLIC WORKS: Councilman Guis reported that he did further research on the use of SUV's being purchased from capital. Six other towns are doing it. The CFO said it can't be used exclusively for patrol but the use of SUV's is permitted and done all over the state.

Mayor Budesheim stated that isn't what the CFO told him tonight. If it's used for patrol, then it's not allowed.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to introduce the following ordinance and moved its adoption based on first obtaining the written opinion of Bond Counsel as to the propriety of the expenditure.

BOND ORDINANCE NO. 08-2012

**BOND ORDINANCE AMENDING SECTION 6(d) OF BOND ORDINANCE
 NUMBERED 4-2010 AND PROVIDING A SUPPLEMENTAL APPROPRIATION
 OF \$40,000 TO SECTION 3(a) OF BOND ORDINANCE NUMBERED 4-2010
 FINALLY ADOPTED MARCH 15, 2010 IN AND BY THE BOROUGH OF
 RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY AND
 AUTHORIZING THE ISSUANCE OF \$38,000 BONDS OR NOTES OF THE
 BOROUGH FOR FINANCING THE APPROPRIATION.**

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

Mayor Budesheim stated that at this time he feels going into further debt to buy a vehicle is a mistake.

COMMITTEE REPORTS (continued):**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 112-C****COMMUNITY RELATIONS:** No Report**BUILDINGS AND GROUNDS:** No Report

FINANCE: Councilman Loesner reported on the “Certificate of Determination and Award” Issuance of a Bond Anticipation Note. He commended CFO Ken Sesholtz who put together a great package for the banks and it resulted in a lower interest rate of 1.2596%.

PUBLIC PARTICIPATION NO. 2:

John Conroy inquired about the \$40,000 bond. He asked how much we have on bond currently. Mayor Budesheim replied \$2.65 million. Mr. Conroy asked if the people in town through taxes will have to pay for this. Mayor Budesheim replied that they would. Mr. Conroy asked Mayor Budesheim to consider not signing off on that ordinance. Councilman Guis stated that you have to provide your employees with the tools to do their job. Mr. Conroy stated that as a taxpayer he would like to know how you’re going to offset that so our taxes don’t go up. There was further discussion on the matter.

Mayor Budesheim announced that the two Special Police Officers we sponsored are graduating from the academy tomorrow evening. The most they can work is 20 hours per week. We’d be using them for very specific duties, like court, and they can’t be used to take the place of an officer.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to authorize the Police Chief to hire Kyle Parrill and Michael Reilly as Special Police Officers at the rate of \$13.00 per hour for a maximum of 20 hours each per week.

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

John Conroy asked if closed session matters will be made public. Mayor Budesheim stated that it will be made public when the issue is decided and over with.

Michael Reilly, 14 Greenwich Street, asked if there were capital replacement plans for DPW and the Police Department. Councilman Guis responded that there were.

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

ALL IN FAVOR.

Mayor Budesheim requested that the record show the Police Chief and Fire Chief are in attendance.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:54 p.m.

Respectfully Submitted:

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

CLOSED SESSION**MAYOR & COUNCIL MEETING**
OCTOBER 1, 2012

ROLL CALL: PRESENT: Astarita, Guis, Loesner, Wetzel, Falkoski
 ABSENT: Carelli

PERSONNEL & CONTRACTS:

Robert Oostdyk, Borough Attorney explained that this closed session had to do with Patrolman John Barone's Workman Comp Claim from which he has a medical condition that causes him to be unable to perform his duties as a police officer. He is looking for an extension of his paid benefits for another 6 months but this is not part of the PBA contract, and this would be a decision of the governing body.

Mr. Barone explained that he had been involved in an altercation with a suspect during a DWI call and during the altercation he had an injury to his index finger. During his compensation period he had received surgery on his index finger and did come back to work for 3 or 4 months for light duty which is at the discretion of the Chief, but was then told that the light duty had ended. He was also advised that he should not get the second surgery. He is now at a point where he will only receive workman comp paid leave which would cut his pay to \$792 per week and he cannot live on that pay and is requesting that the council allow him to use his sick time to cover the period until he can apply for a Disability Pension with the State. The time period it will take to obtain the approval for the Disability Pension is unknown but he has approximately 177 days of sick time and also vacation time.

Councilman Astarita asked Mr. Barone if he could retrain himself to use his other hand for qualifying at the shooting range. Mr. Barone stated he would not want to take the chance of using the other hand because he was afraid if a situation developed he may automatically use the hand he had been using to shoot with for the past 13 years, which could be dangerous to him as a police officer.

Robert Oostdyk explained that if Mr. Barone is permitted to use this time in lieu of comp time payments he will probably lose his Workman Comp benefits at that time, but this is something he will double check with our comp carriers to be sure this is what would be the case. Also the PBA contract does say the entitlement can be extended another 6 months upon approval by the governing body.

The governing body did express concern with past practices.

Mr. Barone explained that he would have to file for Disability Pension after he receives 2 more reports from 2 different doctors and file by December or January and it may take 4 months for Pension to approve or deny his retirement.

Mr. Barone is asked to leave the meeting at this time so the council could discuss some matters. Mr. Barone leaves.

Also comp is paying the medical expenses which may mean you will not be able to come off of comp. When the doctor determines you no longer qualify for comp you will then go on disability. There is also a possibility that Pension may call you disabled but the Workman Comp Carrier will not determine you are disabled.

Councilwoman Wetzel asked what would happen if the council declined the request.

Mr. Oostdyk stated he is not sure but if he uses his vacation time and sick time he would probably lose his workman comp pay and no longer be considered a comp case, but Mr. Oostdyk will check into this to clarify. Also Mr. Oostdyk is not sure if once off of comp if he could then re-file for comp with the same injury.

CLOSED SESSION (continued):

Councilman Falkoski stated his only concern is if we grant this to Mr. Barone other officers on comp may want to do the same thing.

Mr. Oostdyk presented an alternative to the council to keep Mr. Barone on comp and pay the difference in his salary out of his sick time and vacation time. An accounting of the pay would be subtracted from this time due and if he goes to a disability retirement he will not be paid for the sick time he has used at the time of his retirement. An agreement would have to be set up for this and Mr. Barone would have to be in agreement with the terms. The council was agreeable to this alternative.

Mr. Barone is asked back into the meeting.

Mr. Oostdyk explained the new scenario to Mr. Barone stating he could in turn use his sick time and vacation time along with comp for the difference in his pay until it runs out, if it runs out. Mr. Oostdyk stated his concern that if Mr. Barone goes off of comp he may not be able to go back on it, but he will check all of this out for a definite answer. This would break down as an accounting adjustment with the payroll department keeping track of his sick and vacation time with the deductions being taken from it as time goes on which may or may not leave him with a balance of either left once he finds out if he receives his pension disability retirement from the state.

Mr. Barone asked how this would proceed from now and Mr. Oostdyk stated he will make up the agreement which will be reviewed by the borough council and Mr. Barone and his attorney and the decision would be made from there. Part of the agreement would probably include Mr. Barone waiving all of his sick time towards the difference of the comp time pay. Health benefits were also questioned and Mr. Oostdyk will also check the workings of health benefits during this situation.

Mr. Barone was asked what he would do if he is denied the pension disability retirement and he stated that he would then have to come back to work but would also have to have the second surgery and if that does not work he would have to go through the same process.

Mr. Barone was also advised that until his decision is made he will no longer receive the gap payment along with the comp payment.

Closed session adjourned: 8:25 p.m.

ROLL CALL:	Ayes:	Astarita, Guis, Loesner, Wetzel, Falkoski
	Nays:	None
	Absent:	Carelli

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, Loesner, 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:

Regular Meeting - September 17, 2012
 Workshop Meeting - October 1, 2012

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

ALL IN FAVOR

Abstain: Carelli (October 1 only)

CLOSED SESSION:

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, RESOLVED that the Council go into closed session to discuss a matter of attorney-client privilege.

ALL IN FAVOR.

Closed session being completed, the meeting returns to public session at 7:50 p.m.

ROLL CALL: Present: Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski
Absent: None

Police Chief Smith and Assistant Fire Chief Regeling are also in attendance.

SWEARING IN OF KYLE PARRILL AND MICHAEL REILLY AS SPECIAL POLICE OFFICERS:

Mayor Budesheim announced that tonight we will be swearing in two new police specials. Both officers are lifelong residents of Riverdale and the families have been involved in all areas of the community. Hopefully this will open the door to them to become full time officers.

Police Chief Kevin Smith stated that both officers excelled academically and did an outstanding job at the academy.

Borough Clerk Talerico swore in Kyle Parrill and Michael Reilly as Special Police Officers.

PUBLIC PARTICIPATION NO. 1:

Councilman Carelli thanked the employees, Mayor and Council of the Borough of Riverdale and all of the residents who paid respects to his father. It meant a lot to my family.

PUBLIC PARTICIPATION NO. 1 (continued):

Allen Lewis, 16 Morris Avenue, stated that he brought up the problem with parking on Morris Avenue and Curtis at several meetings. It's been an ongoing problem for vehicles to be able to make turns. Nothing has been done. He described a situation that took place on Tuesday the 9th at 4:00 whereby an 18 wheeler once again damaged property and phone lines. He passed out photos and asked the Council to evaluate the problem and have Behr Plastics put up a sign on the gravel road. The matter was discussed and Mayor Budesheim asked the Police Chief to have a summons issued to the driver for violating a truck route. He told Mr. Lewis to call the police if he sees any other trucks and they will be issued summonses and the word will get out quickly. A sign will be put up on Morris Avenue stating no trucks are allowed and at the gravel road stating it is the truck route. Councilman Astarita will speak with the owner of Behr Plastics.

Michael Reilly, 14 Greenwich Street, suggested the owner should notify the shipper to indicate on the bill of lading the special instructions for using the gravel road.

John Conroy, 17 Hartung Avenue, stated that he reviewed the 2012 budget and has suggestions to offset the cost of the \$38,000 vehicle the Police Department wants to purchase. Mayor Budesheim asked him to write down his suggestions and they would be forwarded to the Finance Committee.

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

ALL IN FAVOR**RESOLUTIONS:**

Mayor Budesheim stated that we waived construction code fees for victims of Hurricane Irene and the auditors advised that should be done by resolution.

Councilwoman Wetzel asked for clarification on payment of claims. According to an article in the Trends it was referenced that the shed for the Glenburn was purchased by a resident and was donated along with their time. We've gotten multiple bills for the shed. Mayor Budesheim stated that the borough paid for the shed and the article in the Trends was not correct. Councilwoman Wetzel asked if the total cost on the bills list for the shed is \$761.00 and Mayor Budesheim confirmed that it was.

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

- 1) Payment of Claims.
- 2) **Resolution No. 76-2012;** Refund of Tax Overpayments Block 36.02, Lot 1.02 – The Irwin Firm – FBO Riverdale South Plaintiff for County Board Judgment; Year 2010, \$4,401.00; Year 2011, \$5,968.00 and Year 2012, \$6,068.00 for a total of \$16,437.00.
- 3) Authorizing the waiver of construction code fees for victims of Hurricane Irene through October 31, 2012.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 118-A AND B

ORDINANCES:

- 1) **Introduction of Ordinance No. 09-2012:** An Ordinance Amending Chapter 100 of the Revised General Ordinances of the Borough of Riverdale.

Mayor Budesheim stated that he didn't know who was putting this forward or the purpose. Borough Clerk Talerico stated that it was the Fire Official. Mayor Budesheim stated that it only changes the statutes it refers to and raises the fees considerably which he believes is a mistake in this economy. The ordinance was tabled.

UNFINISHED BUSINESS:

- 1) **Introduction of Ordinance No. 8-2012** with stipulation of introduction to depend on Bond Counsel's approval of the purchase of police vehicle with bonded money for the purpose of the intended use. Mayor Budesheim contacted bond counsel and was advised that the use intended for the vehicle is not a permissible purchase with bonded money. The introduction of the ordinance was not published as introduced because of this information.

Mayor Budesheim stated that he called our bond counsel. According to him there's a 1962 law that says all vehicles can be bonded except for passenger vehicles and station wagons. SUV's weren't in existence at the time. If the car is going to be used for equipment and not carrying passengers it can be bonded. Councilman Guis stated that he and the Police Chief did some research. Kinnelon, Bloomingdale, Boonton, Lincoln Park and Little Falls all bought SUV's for their Police Department with capital money this year or last year. I also contacted Gordon Ball from the DCA Division of Local Government Services and specifically told him how we use the vehicles. He said SUV's for police departments at this time are allowed to be purchased with capital money. I think DCA trumps bond counsel. After further discussion, Council decided to invite bond counsel to the public hearing.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, that **Ordinance No. 8-2012** which was introduced on October 1, 2012 be published in the Suburban Trends on October 21, 2012 and together with a Notice of Introduction thereof shall be considered for final passage at the Meeting of the Mayor and Council on November 5, 2012.

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

BOROUGH CLERK REPORT: No Report

BOROUGH ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PERSONNEL: No Report

PUBLIC SAFETY: Councilman Falkoski reported the court report for September 2012.

PUBLIC WORKS: Councilman Guis reported on the river work. Borough Engineer Darmofalski reached out to the same contractor that did the work so far and we have his proposal for \$28,975.00. This is to complete the desilting under the Riverdale Road bridge and some additional desnagging as far as we can go. Some of this money should be coming back from Pompton Lakes. A second proposal was obtained.

COMMITTEE REPORTS (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to approve a contract with DMK Services, LLC of Pompton Lakes to complete the desilting and desnagging work on the river at a cost of \$28,975.00. (money from Open Space Trust Fund)

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

COMMUNITY RELATIONS: Councilwoman Wetzel reported the Recreation Committee report on current and upcoming events. A meeting is being arranged to review the Senior Citizen Club bylaws which they feel are outdated. She had an inquiry from a first responder regarding the policy of flu shots being administered for free to emergency personnel. She will follow up and get an answer.

BUILDINGS & GROUNDS: No Report

FINANCE: No Report

MAYOR REPORT:

Mayor Budesheim reported that with all the rule changes regarding finances and the budget we have to be creative and find different ways of making ends meet. We've been looking for shared services. Earlier this year we contracted with Bloomingdale to provide the street sweeping services and it seems to be working out very well. With shared services you lose a bit of control and lose some convenience but you do save money. Within the next few days I'll be given a copy of a contract for Building Department services. I don't want to mention the town until I get the paperwork but the town will provide all the Building Department services for us for next year at no direct cost. They will simply collect the fees. This year salaries alone without benefits come to about \$86,000 to run our Building Department. If you take out the one permit from D.R. Horton for the last building at the Grande, we've taken in about \$20,000. That means we'd have to take about \$60,000 out of our cap to fund this one department and our cap is only \$90,000 a year. Over all these years we've had our Building Department and it's done very well. There've been some years we've taken in close to \$1 million in building permit fees and we've done that with a part time department. There's no way we can continue that. There will be a slight inconvenience to the residents, but we absolutely cannot go forward with our Building Department next year. At the next meeting I hope to have a contract in hand reviewed by our attorney and I will send it to the Council for review. Councilwoman Wetzel asked if any consideration would be given to transferring our personnel. Mayor Budesheim stated those jobs would be eliminated. It would be up to the host community but they have a full time department. Councilwoman Wetzel asked how many jobs that would be. Mayor Budesheim replied that they are all part time. You have the Construction Code Official, Electric Sub-Code Official, Plumbing Sub-Code Official, Fire Sub-Code Official and you have the TACO. Except for the TACO they're all working in other towns.

PUBLIC PARTICIPATION NO. 2:

Joan Garcia, Wilson Avenue, asked about paving in the Stoneleigh section and other parts of town that were mentioned months ago. Mayor Budesheim stated that we reapplied for the grant and should hear within the next month.

PUBLIC PARTICIPATION NO. 2 (continued):

Tom Batelli, 712 Canella Way, spoke regarding the performance bond that the Council voted not to give back to the developer, Mr. Canella. The problem is that there's a sinkhole on the site and it keeps returning and it's deeper than before. He provided photos showing the problem.

John Conroy, 17 Hartung Avenue, stated that we already owe \$2.65 million in bonds. Now you're throwing another \$40,000 without one person saying any concern about the residents of this town and the economy that's facing us. You're telling us you're raising taxes without one consideration for the town taxpayer. I have a problem with that. There's recommendations how you can do it without raising taxes but it's tough decisions and every business including local government has to make tough decisions.

Allen Lewis, 16 Morris Avenue, asked if the Building Department would include zoning being handled through that other town. Mayor Budesheim replied that zoning will stay here.

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

ALL IN FAVOR.

Councilman Guis asked if any of the other vehicles have been put on E-Gov yet. Mayor Budesheim stated that the mechanic is going to put air in the tires and move them so he can take pictures. Councilman Guis and Police Chief Smith described a seized vehicle that we will be able to use in the Police Department. It is a Lexus and our mechanic looked at. It can be used as the chief's car and the current car can be sold.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:43 p.m.

Respectfully Submitted:

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

CLOSED SESSION – PERSONNEL MATTERS

**ROLL CALL: Present: Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski
Absent: None**

Borough Attorney Robert Oostdyk explained to the council that he had received a harassment complaint from Sergeant Gregory Bogert against Mayor Budesheim and Glenn Venza who is a resident and also a Planning Board Member. In the complaint Mr. Bogert sets forth that Budesheim has created a hostile work environment and harassing him in other regards.

Mr. Oostdyk recommended that the council look into hiring another attorney other than himself for this matter as it would be a conflict for him to handle the complaint.

The question was asked if there is a mediator at the Department of Community Affairs that could handle this matter. Mr. Oostdyk replied no there is not.

Councilman Loesner stated that he has had newspaper articles written about him that he considers being slander and do we really need an attorney.

Councilwoman Wetzel stated, “Do we really have to spend this money on these frivolous matters?”

Mr. Oostdyk stated that we cannot just sit here and do nothing, a complaint has been made and the council has to act with regard to the matter.

Mr. Oostdyk suggested the he contact the labor counsel to recommend an attorney that would look into the matter and possibly advise if there should be any further steps. Also to set a maximum payout to this attorney of up to possibly \$5,000 at an hourly rate.

The question was asked why the council had not received a copy of the document and if they could receive a copy for their information. Mr. Oostdyk stated that yes he could supply a copy to the council for their knowledge but it should remain unpublicized at this time and not to be shared with anyone outside of this council.

Closed Session Adjourned: 7:48 p.m.

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

Also Present: Police Chief Smith, Fire Chief Sturm, Assistant Fire Chief Regeling

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

Mayor Budesheim commented on the events of the past week. This has been the greatest natural disaster this area has suffered in many years and the community has really pulled together. I'd like to thank Councilman Guis for all his assistance throughout the week – whenever we needed it he was there. The volunteers, the Fire Auxiliary, the Fire Department, the OEM, the CERT team, residents just stopping in asking if they could help. It was a great display of the community pulling together. This was the first time we had such an event where we were able to use the social media that we've been working on for the past year. Lori Clinton is our Social Media Coordinator and we've gotten many compliments from people on the free flow of information. I'm really proud of that and I'd like to thank everybody. Also, Congressman Frelinghuysen called a number of times to make sure we were doing okay and he's one of the best as far as reaching out to the community and he's been a great friend to Riverdale. Freeholder Ann Grossi also called to see how we were doing. This is our first major event that we've had with our new OEM Coordinator and Assistant Coordinators and that's exactly what they did. It ran smoothly and I was really proud of the job that they did and are still doing because this event isn't over yet. We still have two neighborhoods that are without power – Hartung and Stoneleigh sections and a few houses here and there. We've been in constant contact with JCP&L and residents have been calling continuously. We're putting together a file because no matter who calls or who you speak to, we get a different answer. The latest update shows we still have over 600 houses without power and they keep pushing back the dates when they expect to have power restored. It's been frustrating, extremely unfair and unjust and we will be filing a complaint with the BPU. Mayor Budesheim thanked the OEM Coordinators, staff and volunteers for the excellent job.

PUBLIC PARTICIPATION NO. 1:

John Conroy, Hartung Avenue, stated that quite a few people in his development showed appreciation to the Mayor and Gary Mastrangelo for going to every house to ask how they can help. He also stated that he was opposed to adding another \$40,000 onto the bond. He cited the reason was that last year Paul Carelli told us they were reducing the bond payment by \$300,000 and he was trying to increase it to \$400,000. When asked how you were going to pay for this he answered that the taxpayers would have to pay for it. He told me he never said that. Mr. Conroy handed the Deputy Clerk a copy of the minutes from the meeting where the statement was made.

Joan Garcia, Stoneleigh, asked if it was possible to open a gas station for those that have no power. Mayor Budesheim said he would work something out.

Melissa Harsley, Wilson Avenue, thanked the Mayor and others with him who brought them bread and water after the storm. She stated she would like thank any other members of the board as well if they would like to say something as far as what they did for this.

PUBLIC PARTICIPATION NO. 1 (continued):

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

ALL IN FAVOR.**ORDINANCES:**

Public Hearing & Adoption of Ordinance No. 08-2012: Bond Ordinance Amending Section 6(d) of Bond Ordinance Numbered 4-2010 and Providing a Supplemental Appropriation of \$40,000 to Section 3(a) of Bond Ordinance Numbered 4-2012 Finally Adopted March 15, 2010 in and by the Borough of Riverdale, in the County of Morris, New Jersey and Authorizing the Issuance of \$38,000 Bonds or Notes of the Borough for Financing the Appropriation.

Mayor Budesheim announced that we need a minimum of four council people to be present to take action on the ordinance.

RESOLUTIONS:

Mayor Budesheim stated that we need a minimum of four council people to take action on resolution No. 79-2012.

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

- 1) Requests for approval of extended hours for November 23, 2012 the day after Thanksgiving from the following:
 - a. The Sports Authority – at The Riverdale Crossing shopping plaza, to open at 12 am. (letter transmitted to governing body with agenda)
 - b. Lukoil – 100 Rt. 23 North, to be open at 12:00 am. (letter transmitted to governing body with agenda)
- 2) **Resolution No. 77-2012** – Refund of Tax Overpayments – Block 40 – Lot 2.7406, Michael Collins in the amount of \$749.40 for the year 2012 – County Board Judgment.
- 3) **Resolution No. 78-2012** – Renewal of Inactive License pursuant to N.J.S.A. 33:1-12.39 (Special Ruling of Division of Alcoholic Beverage Control) for Liquor License #1433-33-002-002, License Name – Dexter’s Inc. under ABC Docket No. 08-12-7824.
- 4) Approval of payment to NJSEA/Izod Center Group Sales in the amount of \$715.00 for Disney on Ice Recreation Program to be paid from trust fund.
- 5) **Resolution No. 80-2012;** 2013 Green Communities Grant.

ROLL CALL: **Ayes:** **Carelli, Wetzol, Falkoski**
 Nays: **None**
 (3 ayes – 0 nays – motion carried)

The following resolution was **TABLED**:

Resolution No. 79-2012; Transfer of Appropriations.

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 123-A, B AND C

Mayor Budesheim announced that Councilman Falkoski needs to leave the meeting for a family situation. This means we will not have a quorum and cannot conduct any business. He asked if there was any business to bring forward.

Councilman Falkoski stated that he would like to add his appreciation and thanks to the hardworking people and volunteers who helped out in the past week.

BOROUGH CLERK REPORT:

Deputy Clerk Forbes reported that Councilman Loesner, who could not be here tonight, asked her to announce that he is uncertain how many more meetings he will be able to attend and he would like his last paycheck to be donated to the American Red Cross on behalf of the citizens of Riverdale.

COMMITTEE REPORTS:

Councilwoman Wetzel reported there is a drive being conducted for supplies for victims of the hurricane here and those living at the Jersey Shore. Items can be donated at the Community Center Monday through Friday from 10:00 to 8:00.

Councilman Falkoski left the meeting at 7:45 p.m.

ADJOURNMENT:

The meeting is adjourned due to lack of a quorum at 7:45 p.m.

Respectfully Submitted:

Linda C. Forbes, R.M.C.
Deputy 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, Loesner, Wetzel, Falkoski**
 Absent: **None**

Also Present: Police Chief Smith, Fire Chief Sturm

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

MAYOR BUDESHEIM COMMENTS ON HURRICANE SANDY:

I think we'd call this cabin fever. Could you imagine yourself on your eighth day without power, it's 49 degrees in your house and you have a five and three year old, and you call the provider for the utilities and tell them what's going on. The person who's sitting in a warm, well-lit room somewhere in Ohio, responds "Well, sir, I think you're suffering from cabin fever and maybe you should take your kids for a walk in the park." It's 32 degrees out there and they're supposed to warm up? I'm sure this is a rare case but it showed the attitude that our residents were getting from the people at Jersey Central. They were told every time they called that they were low priority, despite having paid tens of thousands of dollars to their utility provider over many years. They've been given misinformation, no information, the daily updates were always wrong. One person was told that because they're on wells they should be listed as a priority. They called somebody else who said there's no such thing. We don't know what to believe. We hear from the out of state utility companies that they've never seen such antiquated equipment before. They complained about the lack of direction and lack of coordination from Jersey Central. I had a resident say that up on Berkshire Valley Road in Oak Ridge in a parking lot there were about 12 out of state utility trucks just sitting up there. I reached out to Senator Kevin O'Toole's office for assistance with addressing these problems. I had the good fortune of being in constant touch with the Chief of Staff of Senator O'Toole. We outlined all the problems – they were getting those complaints from all over. We told Jersey Central, we told the Senator, that especially in the Stoneleigh section there were no wires down, no trees down, no poles down. The only thing hanging was a fuse. The residents who lived up there for many years have seen Jersey Central come and reset that fuse time and again when their power goes out. Nobody would listen. So five, six extra days our residents stayed up there in the cold without water, without heat, without power waiting for a truck to come from Jersey Central. Finally, on the evening of the tenth day, I called Senator O'Toole's office and told him that the residents were about ready to take things into their own hands. They were ready to get a pole and reset that fuse themselves. Well, that started things going. We sent out a desperate plea to the Board of Public Utilities and I got a call from the general counsel of the BPU who set up a special contact with an area manager for Jersey Central. In less than 12 hours a crew was up there. They reset the fuse and they had power. They went to Hartung which took about 20 minutes for them to fix and Stoneleigh about 15 minutes. All we kept asking for was somebody to come up there and assess this problem. But this is what it took to get somebody up there. There is legislation that's been introduced that would increase the penalties against the utilities for extended power outages. Somehow I feel that cost is just going to be passed on to the rate payers and that doesn't help them. That money just goes to the state. I spoke to our Senator and told him I'd like to see a 10% reduction in the following month's bill for every day their power was out after the initial two days. Jersey Central would then feel the pain and it would help our residents who are spending between \$60 and \$100 a day in fuel to run these standby generators. It's costing them a fortune. They should get some compensation and relief for what they had to go through for 12 days without power. I'd

MAYOR BUDESHEIM COMMENTS ON HURRICANE SANDY (continued):

say our residents for the first four or five days were very patient and very understanding. When you have over 1,000,000 people without power they understand the greater numbers, that the greatest ease to get the power restored. But after four or five days those excuses begin to wear thin. There were over 11,000 utility workers in the state throughout this event. We only have 565 towns and I think it would benefit even these low priority rate payers to have one crew in each town so these quick fixes could be taken care of right away so our residents wouldn't have had to be without power six days longer than was necessary. And equipment upgrades – that fuse up in Stoneleigh has been blown out we know for at least 13 years. We don't know if that was the original fuse when the development was first built. Since then 11 new houses have been put up with a lot more electronic gadgets. It's almost understandable when somebody plugs in a toaster the whole neighborhood goes dark. They should start spending their time and money in assessing the equipment wherever we have these problems, evaluating, assessing and do the necessary upgrades so that our residents and rate payers aren't so seriously inconvenienced. There's been a lot of talk about going to Butler Power. I've been speaking to the administrator about this for years. They have better rates and their response time; they're more attuned to the needs of their customers. We could right now go to any third party we want but Jersey Central still owns the infrastructure and that's the problem. Butler Electric, I don't know if they're in the position or, first of all Jersey Central would have to be willing to sell them all their lines and poles. But they are a different voltage capacity than Butler so it wouldn't even work. I don't think that's the answer as nice as it would be to have Butler Electric it's not going to happen. But I think there are other ways that we could get Jersey Central to be more responsive. On the 28th we have a meeting with the Mayors. Senator O'Toole has put this together with the President of the BPU to voice our concerns. We said that we're going to file a complaint with the PBU against Jersey Central but we're going to wait to see what happens with this meeting to see if the other towns are going to do it and see if the Senator is going to do it. We could all join it together. If anybody has any stories they want to give me just email them and I'll make sure that your voice will be heard. I know a lot of these are just anecdotes but they have to realize what we were going through here. I think after the 28th I'd like to have a meeting with all those residents who were affected by the power outages and we'll discuss what we were told at this meeting and where we can go from here.

Councilman Loesner stated that he saw the lack of preparation first hand. For two weeks their presence here was nonexistent. It wasn't just Riverdale, it was the whole area.

Councilman Falkoski stated that at the other end of Cotluss Road a wire is still hanging down between two poles.

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR**APPROVAL OF MINUTES DATED:**

Regular Meeting	-	October 15, 2012
Workshop Meeting	-	November 5, 2012

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

ALL IN FAVOR

Abstain: Astarita, Loesner, Guis (November 5th only)

ORDINANCES:

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

BOND ORDINANCE NO. 08-2012

BOND ORDINANCE AMENDING SECTION 6(d) OF BOND ORDINANCE NUMBERED 4-2010 AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$40,000 TO SECTION 3(a) OF BOND ORDINANCE NUMBERED 4-2010 FINALLY ADOPTED MARCH 15, 2010 IN AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$38,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE APPROPRIATION.

Municipal Clerk Talerico announced that the public hearing was scheduled to take place at the last meeting on November 5, 2012. Due to lack of the required number of Council members present to either pass or reject the ordinance, the public hearing was held over until this evening. A letter of opinion supporting the purchase of the vehicle through a bond ordinance was received from Bond Counsel and sent to the Governing Body via email. Bond Counsel spoke with our Finance Officer and has withdrawn the letter of approval as the letter had stated the vehicle was being used as a chief's car.

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

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

John Conroy inquired about bond counsel withdrawing their approval. Mayor Budesheim stated that bond counsel said we cannot use this money to buy the SUV. Councilman Guis stated that the letter was withdrawn because it incorrectly stated the vehicle would be used as a chief's vehicle when it will be used as a supervisor's vehicle. Borough Clerk Talerico stated that the finance officer told her that bond counsel's question was whether the vehicle was going to be used as patrol car.

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

ALL IN FAVOR

Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 08-2012 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 127-A**RESOLUTIONS:**

Borough Clerk Talerico stated that the Finance Officer asked her to advise the Council that he is not able to certify that funds are available for the Professional Service Resolution 81-2012. Borough Attorney Oostdyk stated that we cannot adopt the resolution if funds are not certified.

RESOLUTIONS (continued):

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

- 1) Payment of Claims, including the following:
 - a. DMK Services LLC – Pequannock River Cleanup - \$5,000.00
- 2) **Resolution No. 79-2012**; Transfer of Appropriations.

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

The following resolution was **TABLED**:

- 3) **Resolution No. 81-2012**; Professional Agreement – Jacqueline A. DeGregorio, Esq. of Weiner Lesniak, LLP to investigate the internal complaint filed by an employee at a rate of \$150.00 per hour. (copy of professional agreement transmitted to governing body with agenda)

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 128-B AND C

BOROUGH CLERK REPORT: No Report

BOROUGH ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PERSONNEL: No Report

PUBLIC SAFETY: Councilman Falkoski reported the court report for October 2012.

PUBLIC WORKS: Councilman Guis reported on DMK Services progress on the river cleanup. He also reported that we purchased a transfer tank for supplying diesel to the standby generator. We had a problem with some fuel during the storm and he thanked resident Ricky Malanga, our DPW Mechanic Al Kelley, Police Sgt. Bogert, and the Fire Department for working together to resolve the problem quickly.

COMMUNITY RELATIONS: Councilwoman Wetzel reported that the holiday event will take place entirely at the Community Center this year. The tree on the front lawn of the school cannot be lit this year due to problems with the lighting and some storm damage. She also did a follow up with the attorney on questions the seniors had regarding fundraising and those issues have been resolved. She reported on the Shore to Warm Clothing Drive which was a huge success and she thanked all of the residents who donated clothing. We're no longer accepting donations. She is scheduled to attend the Board of Health meeting tomorrow evening. There are concerns that we are changing providers which will be brought up. She was not given any information on that and asked if there was any information she should be bringing to that meeting. Mayor Budesheim stated that he spoke to the President of the board because we were \$8,000 to \$10,000 short this year. He was trying to see if anyone could provide the same service for less money but nothing is happening right now.

BUILDINGS & GROUNDS: Councilman Astarita reported that he received a note from Assemblyman Scott Rumana saying that we received \$12,122 in recycling tonnage grant awards. He also reported the schedule for applying for the CDBG grants is the

COMMITTEE REPORTS (continued):

same as last year, however the eligibility maps are being realigned according to the last census so we're not sure if we'll be eligible this year.

FINANCE: Councilman Loesner stated he could not attend the last meeting because he was involved with damage assessment from Hurricane Sandy. He commended Chief Sturm and his OEM team for their work during and following the storm. Outside of the power issues with JCP&L, Riverdale was extraordinarily lucky. The devastation I've seen in the last three weeks is not to be believed.

Councilman Guis stated that we talked in the past about vehicle planning. The insurance is based on the vehicles we have on it as of January 1st. We still have six vehicles I'd like to see auctioned off, sold, scrapped or taken out of service and unregistered. Borough Clerk Talerico will check with the insurance company to see which vehicles have been taken off. Chief Smith has an offer of \$6,000 from Kinnelon for the chief's car which is within \$300 of Blue Book value. Mayor Budesheim asked why we don't use it as a patrol car. Councilman Guis stated we don't have equipment for it and the car is out of production. It has over 60,000 miles on it already and new equipment to outfit it will cost about \$4,000. Councilwoman Wetzel asked if we have a \$6,000 offer why would we not take it. Councilman Guis stated we have the seized car that's in better shape and the Chief can use it for the next few years.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Guis, to authorize the sale of the 2005 Chevy Impala VIN #2G1WF55K059326323 to Kinnelon Borough for \$6,000.00.

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

CORRESPONDENCE:

- 1) From the Riverdale Fire Department Auxiliary advising they propose to organize a town-wide garage sale for September 2013 as a fundraiser for the Auxiliary and Fire Department. The Auxiliary would like to the governing body's input on this idea. (copy of letter distributed to governing body)

Mayor Budesheim stated that they don't need a permit for this.

MAYOR REPORT:

Mayor Budesheim stated that he was handed a requisition this morning for an emergency call out for traffic at the corner of Newark Pompton Turnpike and Hamburg Turnpike on October 30th. I was called by the police dispatch for authorization to call these people out and I told them no because the power is out. If the lights don't work when the power comes back on then we'll call them out. Somehow that was disregarded and it cost us \$420.00 to be told there's no power going to the light. Mayor Budesheim asked Councilman Falkoski to find out who authorized this.

Mayor Budesheim reported that the Gulf station kept enough fuel in reserve in case our borough vehicles needed gas so we would have a supply. We were buying the gas there and the receipts came to \$602.56. The owner wants the check made out to the Pompton Lakes/Riverdale First Aid Squad because he knows they want a new rig. That was very generous of him.

MAYOR REPORT (continued):

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to approve a check to be issued in the amount of \$602.56 payable to the Pompton Lakes/Riverdale First Aid Squad for gasoline purchased from the Gulf station.

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

Mayor Budesheim stated that he sent the Council a shared services agreement with the Borough of Lincoln Park for our Building Department. Councilwoman Wetzel has called with some questions that I answered. If there are no other questions I'd like to act on this tonight.

Councilman Guis stated that he's been talking with our Building Department to try to keep it going. Their revenues are above what we expected and they are willing to make some concessions on salaries for next year. I don't feel we should be outsourcing this department at this time. This is a department we've made hundreds of thousands of dollars on. They've carried themselves this year and I think they will next year. I don't want to make a change that will require our residents to travel to Lincoln Park for every permit and lose that personal touch.

Councilman Carelli distributed a spread sheet that he put together at the request of Councilman Guis. We only received this yesterday. You want to see the advantages to the borough and you want a financial advantage or provide a better level of service to the residents. Letting five people go is a serious thing to consider and we want to do our due diligence. He explained the numbers and how the proposal impacts our budget for next year. I don't see a difference between outsourcing or reducing the payroll. All things equal, my recommendation would be to keep the Building Department and that level of service to our residents. If I'm missing something, let me know. The Building Department has supported our budget in many ways over the last five years.

Councilman Guis stated that the level of service, and morally and ethically as far as what we have achieved over the years, I think we owe it to the employees and our residents to carry it at least a year. This time next year we have to reevaluate this and it may make a lot more sense if the \$60,000 isn't achieved. I'm looking at two options – cutting back in the department verses outsourcing. Councilman Carelli's analysis shows these are costing us essentially identical amounts of money. It would be a dramatic reduction in service and autonomy for the town.

Councilman Astarita asked if the \$60,000 anticipated revenue is based on our normal permits or if we anticipate any large development next year. Councilman Guis stated that without the Grande we did about \$45,000 this year and we've seen an increase the last few months. It's an estimate of what we feel we can generate next year. The only big one that's been approved is the Pio Costa. We also have almost \$30,000 of open permits that have been paid and I don't know how much service that will get from another town.

Councilwoman Wetzel asked for clarification of the \$10,000 payment to Lincoln Park. Mayor Budesheim stated that they will count as revenue all the fees with guaranteed minimum of \$10,000.

Mayor Budesheim stated he has concerns with the numbers. You say we've taken in \$90,772 so far this year. The Grande for the building is \$58,000 so that leaves us with \$32,000 so far this year for routine stuff. I don't see how in the next six weeks, the month of Christmas, you're going to take in anywhere near what you're hoping. I think you're estimated may be \$40,000 a year. They've agreed to these salaries already? You

MAYOR REPORT (continued):

have to add a minimum of 20% onto that \$70,000 for Social Security, Pension and Workers Comp. The danger is with the 2% cap if you fall below your revenues you're going to have to take the money out of our \$90,000 cap and subsidize this department. Previous years we never went below our operating costs and still managed to cover the payroll. Back then we didn't have a 2% cap. Everyone is talking about shared services. Here is a department where we could share the service, eliminate any exposure to the town budgetary-wise. This was a big campaign issue.

Councilman Astarita proposed that Mayor Budesheim put his numbers and arguments in a spreadsheet similar to this so the Council can look at both and make a decision.

Councilman Carelli asked Mayor Budesheim to provide a proposal with the different options. You gave us a contract that has more questions than answers without any of the specifics. I had 24 hours to put this together. Councilman Carelli and Mayor Budesheim had differing opinions on the issue and how it was presented.

Mayor Budesheim stated the concern he had is the impact this will have on our cap and our budget next year trying to subsidize this department. I got the contract. I was waiting for Bloomingdale and they never came through. I couldn't wait any longer. I don't want to give these people two week's notice. I'll prepare a spreadsheet and it's going to be a \$45,000 savings from our cap. Be ready to make a decision at the next meeting.

Councilman Loesner stated that something should be looked at about part timing the department. I'm not looking forward to going to Lincoln Park to do my business.

PUBLIC PARTICIPATION NO. 2:

John Conroy spoke (indiscernible). Mayor Budesheim stated that he understands and nobody likes the idea of losing a department. It's not to save money. It's to reduce our exposure to the loss of the money for our 2% cap. The borough employees haven't had a raise in two years. My concern is if you cut that cap in half where to get the money to cover the other expenses that go up. We're also in contract negotiations with the police that may go to arbitration.

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: 8:32 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:** **Carelli, Guis, Loesner, Wetzel, Falkoski**
 Absent: **Astarita**

Also Present: Police Chief Smith, Fire Chief Sturm

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

PUBLIC PARTICIPATION NO. 1:

John Conroy, Hartung Avenue, asked Mayor Budesheim what he brought the total savings up to when he did his worksheet for the shared services agreement. Mayor Budesheim stated it's not so much a savings but preventing having to subsidize the department. Next year the anticipated revenues will fall far short about \$54,000 which means we'd have to subsidize that with our tax cap levy which is \$90,000. Mr. Conroy stated that he prefers going this way but wants to know we'll get services equal or better than what we get today.

Will Felegi, Rock Creek Crossing, read an excerpt from an article saying the state is talking about a bill to try to force us to do shared services.

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

ALL IN FAVOR.

RESOLUTIONS:

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

- 1) **Resolution No. 82-2012;** Transfer of Appropriations.
- 2) Authorization of an End of Year Special Meeting to take place on Friday, December 28, 2012 at 9:00 a.m. to finalize any financial matters deemed necessary to close out the year's business.
- 3) Approval of half payment for Affordable Housing Trust Fund work to be performed on home of qualified homeowner in the amount of \$9,250.00 to be paid on a confidential basis as required through the Affordable Housing Rules and Regulations. This project was approved by the governing body at the August 6, 2012 meeting up to \$20,000 payable from Riverdale's Affordable Housing Trust Fund.
- 4) Approval for payment of the following items:

a. RFM Printing	Newsletter – Recycling Grant	\$1,102.00
b. Postmaster	Bulk Mail Permit – A&E o/e	\$ 190.00
c. Postmaster	Newsletter Mailing – A&E o/e	\$ 310.30

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 132-A

TABLED ITEMS (from November 19, 2012 meeting):

- 1) **Resolution No. 81-2012;** Professional Agreement – Jacqueline A. DeGregorio, Esq. of Weiner Lesniak, LLP to investigate the complaint filed by an employee at a rate of \$150.00 per hour. **Tabled Resolution from November 19th Mayor & Council meeting due to absence of Certification of Availability of Funds from the Finance Officer.**

Borough Clerk Talerico stated that she has not received a certification of funds from the Finance Officer. Councilman Carelli stated that the CFO was concerned that the agreement contained an hourly rate not to exceed 60 hours which was \$9,000. He said that \$4,500 would be okay. Borough Attorney Oostdyk stated that we could start with that and come back to the council to extend it if the number of hours is not adequate.

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

Resolution No. 81-2012; Professional Agreement – Jacqueline A. DeGregorio, Esq. of Weiner Lesniak, LLP to investigate the complaint filed by an employee at a rate of \$150.00 per hour, not to exceed \$4,500.00, pending official certification of funds from the CFO.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 133-B

- 2) Shared Services Agreement between Lincoln Park and the Borough of Riverdale for Construction Department Services. (After discussion between the Governing Body it was decided to table this item in order to gain more facts from Mayor Budesheim regarding the savings to be procured due this agreement)

Mayor Budesheim asked for a motion. No motion was made.

Mayor Budesheim asked if there was any reason why the Council is not moving forward with this.

There was no response.

INFORMATIONAL PURPOSES ONLY:

- 1) “Certificate of Determination and Award” Issuance of a Bond Anticipation Note in the amount of \$80,000 on November 29, 2012 with a maturity date of November 29, 2013, numbered 2012-1. Interest rate per annum is 1.25% payable at maturity, awarded and sold note to Lakeland Bank, Oakridge, New Jersey.

MAYOR REPORT:

Mayor Budesheim stated that we were able to do the December newsletter because the cost for sending out the recycling schedule was more than the cost of a 28 page newsletter. We have two other mailings that have to go out to all of the residents during the year. One is the Stormwater Management Report which costs another \$1,500, and the Water Confidence Report usually costs \$2,500 - \$3,000. It's about \$5,000 to \$6,000 that we were saving by incorporating these mailings into the newsletter. He asked the Council if they would consider, if we continue with the newsletter, that the town pay the postage which is \$310.00 a month or about \$3,700.00 a year, and is about half of what

MAYOR REPORT (continued):

we'd pay to do the other mailings. The advertising will cover the cost of the printing. If the Council agrees I will work on getting sponsors starting in January.

Councilman Falkoski stated that if one cost equates the other he has no problem with that.

Councilwoman Wetzel asked about budgeting for the postage and collecting payments from the sponsors. Mayor Budesheim stated that the postage cost for the water confidence report will come from the Water Department, recycling schedule from the Clean Communities and stormwater management from Streets and Roads. The rest we will budget for in A&E. All other costs will be paid by the sponsors.

Councilman Guis stated the proposal sounds good but he would like to see a monthly report.

Councilman Carelli stated that about 40% of the newsletter is ads and suggested a smaller newsletter might be a better option. It would be interesting to know what it would cost to do it with no advertisements and just budget the money. We started out with 4 pages which went to 8 then 12 then 20 then 28 pages full-color and it gets expensive.

Councilwoman Wetzel stated that it grew significantly and we try to cover a lot of areas. I like the newsletter and it serves a great purpose but I do think it got beyond its scope of things that pertain to the town.

Mayor Budesheim stated that he needed an answer in order to begin work on the January newsletter.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to resurrect the Riverdale Newsletter for a period of three months after which it will be reevaluated. A monthly financial report is to be submitted to the Council to include the amount billed for advertising, amount collected for advertising, cost of printing and cost of mailing.

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

BOROUGH CLERK REPORT: No report.

BOROUGH ATTORNEY REPORT: No report.

COMMITTEE REPORTS:**PUBLIC SAFETY:**

Councilman Falkoski set forth the motion, seconded by Councilman Guis, to remove the Chevy Impala from the insurance policy and add the Lexus to the insurance policy.

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

Councilman Falkoski set forth the motion, seconded by Councilman Guis, to accept the application for membership to the Riverdale Fire Department from Russell Stammer as a Chaplain.

COMMITTEE REPORTS (continued):

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

Councilman Falkoski reported the Fire Department is requesting that we name a street in honor of Captain Joe Ezzo who served the borough for 44 years and is the only individual who died while serving the borough. This issue initially came up in March 2012 but we never made a decision.

Councilwoman Wetzel clarified why she originally said no to this request. There have been other requests that we declined and that becomes an issue. I wasn't asked to vote on the first two streets being named after somebody and I wasn't in favor of that either. I think the Fire Department can find something personal to dedicate to Mr. Ezzo at the firehouse as opposed to naming a street. We did dedicate a street lamp to him.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to name a borough street in honor of Captain Joe Ezzo.

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

COMMUNITY RELATIONS: Councilwoman Wetzel reminded everyone of tomorrow's celebration at the Community Center at 6:30.

FINANCE: No report.

BUILDINGS AND GROUNDS: Councilman Guis stated he would like to resurrect the subject we've talked about since April – the SUV for which the money was vetoed. I would like to make a motion for all the reasons previously stated to override the veto.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to override the Mayor's veto of **Bond Ordinance #08-2012**.

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

COPY OF BOND ORDINANCE IN FULL ON PAGE NO. 135-C

Councilman Guis reported on the sewer pumping station at Morris and Hamburg Turnpike. I spoke with the engineers and the best estimate is \$300,000. We have \$80,000 left on the communities grant. They are ready to go out to bid and a question has come up on the generators. I had been a proponent of a portable generator for the firehouse, this new pumping station and the senior center which functions as an emergency shelter. I am changing by mind. It might be better to look at full time standby generators at all three locations. We had specified the pumping station to go out to bid without a generator with merely a transfer switch and the ability to hook a generator up to it. We have the option to put a standby generator into that contract or do more research and possibly do these three buildings with a generator contractor. We may get a better product if we separate the two. He asked the Council how they would like to proceed and answered their questions.

COMMITTEE REPORTS (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, to authorize going out to bid for the Sewer Pumping Station at Morris Avenue and Hamburg Turnpike with two alternates within the bid spec; one alternate for a portable 25 kilowatt generator and the second for a permanent natural gas fire standby generator.

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

PUBLIC PARTICIPATION NO. 2:

Glenn Venza, 14 Macopin Avenue, stated that the Council tonight approved spending over \$47,000 and would not even discuss saving \$54,000 by entering a shared services agreement. He said this Council is disgusting.

John Conroy stated that four people on this Council said they were going to look into shared services. If you're on the Council you represent the taxpayers first and I don't see that going on. Approving this is taking a step in the right direction. If you don't have what it takes to run this town so the taxes stay low my recommendation is you step down. Three of you said you looked into shared services and couldn't do anything about it. The Mayor came up with a real plan and no one wants to vote. I'm getting tired of it. What does not discussing it mean for this proposal? Mayor Budesheim stated that he asked for a motion and there was none so the issue is dead.

Allen Lewis, 16 Morris Avenue, stated that he's glad the newsletter got approved because he is a sponsor. It did get me business and I was able to help a lot of seniors in this town. I think the shared service is a good idea if my taxes are not going to go up. I'll drive to Lincoln Park. He asked why the inspectors can't be contractors. Mayor Budesheim explained that if you have a Building Department state law requires you have certain employees. Mr. Lewis stated he does not agree with Morris Avenue getting sewers. Everyone voted yes to go to bid for the pumping station. Councilman Guis explained the pumping station is not for sewers for Morris Avenue. It is where the station is located for a previous project. Mr. Lewis asked the Mayor to provide the residents with an itemized cost of sewers for Morris Avenue. Mayor Budesheim stated that when the issue comes up for a formal vote we will have more concrete figures available. Mr. Lewis expressed thanks for the great job with the cleanup on Morris Avenue. He also thanked Councilwoman Wetzel for the great job with the clothing drive at the Senior Center.

Carolyn Masone, President of Riverdale Land Conservancy, reported on the Glenburn Estate. The Riverdale Land Conservancy was started in 2006 to guide, support and rehabilitate the Glenburn. We've been working very closely with HMR Architects and the Morris County Historic Trust to ensure the preservation of this historic site. Countless hours of volunteer time has made all of these things happen. This year we hosted the dedication of Glenburn and gave tours throughout the weekend. Rental of the property generates income for the town. We participated in the state's Pathways to History Tour this year for the first time. So many people are interested in what this community has done with this property. Outpouring from the community and generous donations from former residents and decedents of the property encourage us to continue our efforts in rehabilitation and fundraising activities. We just completed our fifth year of our farmer's market. The grand total from the farmer's market fees for the five years is about \$19,500. Other donations we've received from the Loehmann's photo shoot, the Art and Food event, donations from Riverdale Square events and individual donors total almost \$12,000. The Riverdale Land Conservancy also covers costs that are not eligible to be covered under grants from the Morris County Historic Trust. This included removing bats, removing mold, paying for grills and picnic tables, interior décor,

PUBLIC PARTICIPATION NO. 2 (continued):

lighting, electrical work. Among future plans we want to have a sign, landscaping, additional interior improvements, community outreach through education events and exhibits that promote local history. We have also received donations of beautiful period appropriate furniture. She thanked the Council for taking the gamble on the Riverdale Land Conservancy because it has benefited the community greatly.

June Carelli, Facility Director, reported on the rentals and activities that have taken place at the Glenburn Estate. There were a total of 13 house rentals, 26 barn rentals and 50 activities at the estate. The amount of visitors is frequent and numerous phone calls come in for rental requests. I show both the barn and house weekly for private use. We've had everything from bridal showers, first birthday parties and a haunted house birthday party in October. In 2013 we have three weddings and nine confirmed rentals overall. There are four confirmed activities. I'm confident these numbers will double if not triple.

Mayor Budesheim expressed his appreciation to the Riverdale Land Conservancy and Facility Director June Carelli for the time they put in. You've made it one of the gems of the community and I thank all of you.

John Conroy asked for clarification of the salary for Sam Dedio in the Building Department. Mayor Budesheim responded.

Allen Lewis stated that he had his son's Christening at the Glenburn and it was amazing.

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 Wetzel, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:28 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, Loesner, Wetzel, Falkoski**
 Absent: **None**

Also Present: Police Chief Smith, Fire Chief Sturm

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

APPROVAL OF MINUTES DATED:

Regular Meeting - November 19, 2012
 Workshop Meeting - December 3, 2012

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

ALL IN FAVOR

PUBLIC PARTICIPATION NO. 1:

John Conroy, 19 Hartung, spoke regarding the non-vote on shared services and asked about the newspaper article in the Trends saying that the Council did not agree with the Mayor's numbers. Councilman Carelli stated he said that but was not speaking for the Council. Mr. Conroy stated being there was a non-vote he felt there was an agreement before the meeting. Mr. Carelli stated there was no pre-agreement.

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

ALL IN FAVOR

RESOLUTIONS:

Councilman Guis asked that Resolution No. 11 be tabled until the next meeting. He feels he can get the figures lower.

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

- 1) Payment of Claims.
- 2) Scheduling of the 2013 Reorganization Meeting to be held on Monday, January 7, 2013 at 7:00 p.m.
- 3) Approval of payment from the TCR/Alexan at Riverwalk Escrow Account for the following:
 - a. Darmofalski Engineering Services (William St.) \$ 868.00
 - b. Tilcon New York, Inc. Paving William Street \$20,812.19
- 4) Approval of an Agreement between the Borough of Riverdale and Verizon New Jersey Inc. to allow Verizon access to 83 Newark Pompton Turnpike to perform an environmental cleanup at the site that was recommended by the Borough's environmental consultant and to authorize Mayor Budesheim to endorse the agreement. (copy of agreement transmitted to governing body with agenda)

RESOLUTIONS (continued):

- 5) **Resolution No. 83-2012;** Approval of a Professional Agreement with PK Environmental for monitoring costs for the environmental work to be performed by Verizon on borough property located at 83 Newark Pompton Turnpike. (copy of proposal transmitted to governing body with agenda)
- 6) **Resolution No. 84-2012;** Cancellation of Taxes – Block 26, Lot 21.03, North Jersey Ind. c/o W. Patterson in the amount of \$12,159.53 reason is property acquired by the Borough of Riverdale.
- 7) **Resolution No. 85-2012;** Cancellation of Taxes – Block 11, Lot 1.17, Kalsi, Charan/Paramjeet/et als in the amount of \$7.10 reason to cancel interest charged that was not due to resident late payment.
- 8) **Resolution No. 86-2012;** Transfer of Appropriations.
- 9) **Resolution No. 87-2012;** Cancellation of Reserve Balance.
- 10) **Resolution No. 88-2012;** Cancellation of Prior Year Outstanding Checks.
- 11) Tabled
- 12) Approval of final payment for Affordable Housing Trust Fund work performed on home of qualified homeowner in the amount of \$9,250.00 to be paid on a confidential basis as required through the Affordable Housing Rules and Regulations. This project was approved by the governing body at the August 6, 2012 meeting up to \$20,000 payable from Riverdale's Affordable Housing Trust Fund and the first payment approved at the December 3rd meeting.

ROLL CALL: **Ayes:** **Astarita, Carelli, Guis, Loesner, Wetzel, Falkoski**
 Nays: **None**
 Abstain: **Loesner (resolutions 4 and 5 only)**
 (6 ayes – 0 nays – motion carried)

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 139-A, B, C, D, E, F AND G

The following resolution was **TABLED** until the December 28, 2012 meeting:

- 11) **Resolution No. 89-2012;** Authorization to lower the salaries of certain building department employees as agreed upon to maintain the building department in the Borough of Riverdale. (copy of resolution distributed to governing body)

BOROUGH CLERK REPORT: No Report

BOROUGH ATTORNEY REPORT: No Report

COMMITTEE REPORTS:

PERSONNEL: No Report

PUBLIC SAFETY: Councilman Falkoski reported the court report for November 2012.

PUBLIC WORKS:

Councilman Guis set forth the motion, seconded by Councilman Astarita, to declare the old municipal building generator as surplus having no value to the borough and authorize that it be given to give it to Malanga's Automotive, Inc.

COMMITTEE REPORTS (continued):

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

COMMUNITY RELATIONS: No Report

BUILDINGS & GROUNDS: No Report

FINANCE: No Report

MAYOR REPORT:

Mayor Budesheim reported on Title 39 for Rock Creek Crossing.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to authorize the Borough Engineer to begin work on Title 39 for Rock Creek Crossing.

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

PUBLIC PARTICIPATION NO. 2:

The following residents were heard:

- Gary Mastrangelo, Mathews Avenue
- Brad Clinton, Wilson Avenue
- Al Lewis, 16 Morris Avenue – Trucks and Behr Plastics

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 Councilwoman Wetzel, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:02 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. with the Pledge of Allegiance.

Mayor William Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Falkoski, Wetzal, Guis, Carelli**
 Absent: **Loesner**

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 FINALIZE ANY MATTERS DEEMED NECESSARY BY THE MAYOR AND COUNCIL BEFORE YEAR END.

RESOLUTIONS:

Councilman Carelli stated there have been changes to the building department salaries since the last meeting. Councilman Guis distributed revised amounts and they were agreed on by Council. The salary for the TACO will be brought up at the next meeting.

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

- 1) **Resolution No. 89-2012;** Approval of building department salary resolution tabled at the December 17, 2012 meeting.
- 2) **Resolution No. 90-2012;** Support of Assembly Bill A-2753 Requiring Direct Payment of Energy Taxes to Municipal Government.
- 3) Approval of release of cash escrow/bond to Riverdale Road Holding, L.L.C. (originally TCR/Riverwalk project on Riverdale Road) in the amount of \$28,432.81. Release of escrow funds has been approved by the Borough Engineer.
- 4) **Resolution No. 91-2012;** Refund of Tax Overpayments – Anthony Piccinich – Block 40, Lot 3.2208, for the year 2010, in the amount of \$686.56 – State Appeal.
- 5) **Resolution No. 92-2012;** Transfer of Appropriations.
- 6) Approval of payment to Dell-Tech, Inc. for the Glenburn Phase 2 Rehabilitation New wood decking & rehabilitation of concrete terrace in the amount of \$28,890.00. Payment has been approved by Eric Holterman architect/engineer of project.
- 7) Authorization of a check in the amount of \$1,102.00 for payment of newsletters.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 141 A, B, C AND D

MAYOR REPORT:

Mayor Budesheim reminded everyone the Reorganization meeting is Monday, January 7th at 7:00 pm.

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.

ADJOURNMENT:

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

ALL IN FAVOR

Adjourned: 9:05 a.m.

APPROVED:

Respectfully Submitted:

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